



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
JUDICIAL DRUG AND ALCOHOL COMMITTEE MEETING
No. 07-01-MP
December 12, 2006**

I. CALL TO ORDER:

The meeting was called to order at 10:35 a.m., by Committee Chairman Mervin Packineau.

Moment of Silence

II. ROLL CALL:

Present: Committee Chairman Mervin Packineau, Member Councilman Nathan Hale, Member Councilman Frank White Calfe. Three members were present. A quorum was established.

III. APPROVAL OF AGENDA:

The agenda shall include the following additional items under #15, Other:

1. Casey Hall
2. Roger Bird Bear
3. Carolyn Bird Bear

Frank White Calfe made a motion to approve the agenda with additions, seconded by Nathan Hale. Vote: 3 in favor, 0 not in favor, 0 abstentions, 0 not voting. Agenda approved unanimously with additions.

IV APPROVAL OF MINUTES FOR OCTOBER 31, 2006

No action was taken on this matter.

V. ANGEL MANY RIBS – (Closed Session)

VI. NICOLE RUSH

VII. THOMAS KEVIN YOUNG BIRD – (Closed Session)

VIII. JAMES BRUGH – (Closed Session)

IX. CAROLYN BIRD BEAR – (Closed Session)

X. TRIBAL COURT REPORT -El Marie Conklin (Closed Session)

A. PROPOSED TRIBAL RESOLUTION re: ASSOCIATE JUDGES

B. TRIBAL COURT SALARY ADJUSTMENTS (Closed Session)

C. CYRIL STEARNS REQUEST TO CARRY FIREARM

D. PERFORMANCE REPORT AND DEPARTMENTAL REPORTS

SUBMITTED

Judge Conklin submitted a copy of the Performance (Narrative) Report for the period from October 1, 2005 through September 30, 2006. She also submitted reports from her staff to the Committee for their information.

Committee Member Frank White Calfe asked what becomes of the fines and costs collected. Judge Conklin reported that those funds are budgeted and she would make the budget available to the Committee at the next meeting.

XI. PARSHALL RESOURCE CENTER UPDATE - KARMON TAFT

A written report was submitted to the Committee. The program needs a larger vehicle but reports that this will probably not happen until after the new year. The thrift store is closed due to a lack of man power. Committee Chairman Packineau confirmed with Mr. Taft that the thrift store has not ever paid for itself. Mr. Taft is attempting to work with 477 to provide manpower. Mr. Taft reported that they have distributed turkeys and are now working on Christmas care packages. The members of the Committee thanked Mr. Taft for his efforts.

XII. SOCIAL SERVICES - Deb Young Bear

Ms. Young Bear would like to get court summaries from Bill Woods if it's alright with Judge Conklin. Judge Conklin said it is somewhat of a problem if there are confidential issues not concerning Social Services and she is currently approving requests because there was breech at one time. She said she needs to know 'who's giving what to whom'. Ms. Young Bear stated that the court summaries are relative to the adults only. She further stated that no information is relayed from their office.

Social Services would like access to the police reports on children who are in their custody. In one instance, a child that was in the custody of Social Services was arrested and Social Services did not even know what the charges were, etc. Judge Conklin stated that the prosecutor has the police reports, not the Court.

Committee Chairman Packineau suggested that Tribal Court, Social Services, and the Tribal Legal Department work together on exchanging information.

Social Services reported that they don't have access to complaints. Officer Jeff White stated that the complaint forms come from tribal court and he doesn't see why Social Services can't have copies. Judge Conklin stated that they're the prosecutor's documents.

Ms. Young Bear reported that they need CPT meeting attendance by law enforcement. Discussion was also held on doing CPS checks on the various community daycares that are opening up to ensure that there are not perpetrators operating within the daycares.

Renee Mayer asked of Criminal Investigator Jack Craig what needed to be done to recapture equipment that wasn't returned by a former employee. The list includes a laptop and a razor phone. Mr. Craig recommended that the Department work notification to the party through Property. The individual should be given a timeframe to return the items, and if the items are not returned, then contact him.

XIII. LAW ENFORCEMENT REPORT

Officer White reported that Law Enforcement started holiday saturation patrols. He reported that there were no problems during the funeral for which they provided security. He also reports that the patrol vehicles are requiring additional maintenance on a regular basis. They will be in need of new vehicles very soon. Committee Member Nathan Hale asked what role Nelson Heart has in the department right now. Officer White replied that he had none. Committee Member Hale asked if Mr. White knew what Mr. Heart was being paid at the present time. Mr. White's recollection is that his salary is \$20-\$21/per hour.

Elaine Simpson's uniform has not been paid for despite Council directive. Committee Member Hale directed Officer White to find out why Ms. Simpson does not have an ND license. Committee Member Hale said that he can't be covered by our insurance right now.

Special Investigator Craig reported that the Council's request to meet with FBI agents can be arranged. The skid steer was retrieved this morning with no incident. Mr. Craig reports that there are mostly miscellaneous items left.

Officer Hoager requested information on registering firearms with Law Enforcement. Per Jennifer Fyten, right now persons desiring to carry firearms are just required to carry state registration.

Captain White reported that requested equipment under CopsFast is not being received. Video systems are failing; vehicles need to be upgraded. Committee Member Frank White Calfe offered to set up a meeting with Contracting Officer Lisa Young Bear after the new year.

(A closed session was requested by the Committee for updates on confidential matters.)


Judicial Committee Meeting
December 12, 2006
Carmen Halvorson

that the foregoing Minutes were amended and duly adopted at such meeting by the affirmative vote of 3 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Dated this 25 day of January, 2007.

ATTEST:


Carmen Halvorson/Committee Secretary


Mervin Packineau, Chairman of Judicial Drug
& Alcohol Committee

Councilman White Calfe left the room at 2:04 p.m. for a conference call.

The McKenzie Bay break-in has been referred to the US Attorney. They have requested one more interview. The Criminal Investigator's Office is not currently working on this case.

Why was Mr. White Owl's case not submitted to the US Attorney? Casey Hall stated that it was submitted but has been declined as far as their office knows.

A directive needs to be written to Human Resources to follow up on background checks in a timely manner.

XIV. CASEY HALL REQUEST

Ms. Hall is leaving for the Navy Reserves the beginning of January and is requesting her annual leave and lay off as of December 22, 2006. Barlow Wells will work with Ms. Hall.

XV. JUSTICE CENTER UPDATE

Mike Young Bird submitted a written report and made an oral report on behalf of Mark Fox who was attending training.

XVI. TAT LEGAL

Ms. Fyten reported that she is currently working on two codes and a report will be presented at next month's meeting.

XVII. ROGER BIRD BEAR

Mr. Bird Bear is asking that rules of civil procedure be defined. Committee Chairman Packineau stated that he would get together with Judge Conklin and get her thoughts on what would be needed.

XVIII. ADJOURNMENT

Committee Member Nathan Hale moved to adjourn the meeting and Committee Member Frank White Calfe seconded the motion to adjourn.

Vote: 3 in favor, 0 not in favor, 0 abstentions, 0 not voting.

Meeting adjourned at 3:35 p.m.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council's Judicial Drug & Alcohol Committee is composed of three (3) members of whom three (3) constitute a quorum 3 were present at the Meeting thereof duly called, notice, convened and held on the 25 day of January, 2007;


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