



**THREE AFFILIATED TRIBES  
SPECIAL TRIBAL BUSINESS COUNCIL  
MEETING NO. 15-09-MF  
APRIL 16, 2015  
11:00 am**

**CALL TO ORDER:**

Chairman Mark N. Fox called the meeting to order at 11:27 am.

**INVOCATION:**

Delvin Driver Sr. gave the invocation.

**ROLL CALL:**

***Present:*** Councilman Cory Spotted Bear, Councilman Frank Grady, Chairman Mark Fox, Councilman Mervin Packineau, Councilman L. Kenneth Hall. Councilman Fred Fox entered the meeting at 11:38am

**I. APPROVAL OF THE AGENDA**

- MHA-Communicans deferred.
- #6 Item deferred
- #10 Item moved to Closed Session
- #13.6 Sale of Property Item referred to Economic Committee.
- Unfinished 9a & 9b
- Lane Vocu to be place under 9.6
- Loren White to be place under 7 under Unfinished Business.
- J.C. Whitman, JOM update to be place as Special Guest.
- Young Bear Singers will be placed as Councilman Cory Spotted Bear Add-in
- Robert Finley Family Concern to be placed as Councilman Randy Phelan Add-In
- Parshall High School to be placed as Add-In Councilman Mervin Packineau.

Vote: 5 Ayes. 2 Not Voting/Not Present. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Not Voting/Not Present  
Councilman Fred Fox – Not Voting/Not Present

**II APPROVAL OF TRIBAL BUSINESS COUNCIL MINUTES - Executive Secretary**

*L. Kenneth Hall*

Minutes – March 13<sup>th</sup>, 2015

Minutes – March 27<sup>th</sup>, 2015

*FTR: Approval of the minutes items deferred to the end of the meeting to give the Council enough time to read through them.*





## EXECUTIVE COMMITTEE REPORTS

### III CHAIRMAN'S REPORT – *Chairman Mark N. Fox*

Chairman Mark Fox discussed the importance of broadcasting the Tribal Business Council meetings on the radio and their effort to improve the quality of the broadcast. The Chairman also discussed efforts of the Tribal Business Council to work with the ND State Legislature to deal with issues stemming from the loss of oil tax revenue and the effects on the Tribes budget. He expressed the need to address such issues as the *riverbed* and *taken area* and working with Congress to address those issues. Chairman Mark N. Fox allowed elders Donna Morgan, John Danks, Pete Fredericks address their concerns to the Tribal Business Council. Donna Morgan commented about the removal of the Special Guest elders item from the agenda and expressed their concerned about a 90 million loan featured in a MHA Times article. She also had concerns about the blood quantum issues being raised by the Enrollment Office.

- i) MHA Communication – *Jodi Spotted Bear*  
*Item deferred.*

### IV. VICE CHAIRMAN'S REPORT– *Councilman Randy Phelan*

Councilman Randy Phelan discussed the importance of returning the *taken area*.

### V. TREASURER'S REPORT – *Councilman Mervin Packineau*

Councilman Mervin Packineau discussed meetings with Ron Ness, President of the North Dakota Petroleum Council and the State Legislature to address the Tax Trigger legislation.

- i) **Roy Packineau/ Ed White – RPI Towing Bill**

Roy Packineau submitted Invoice number 1002, dated 8/5/2014 to the Council. Chairman Mark Fox recommendeds that RPI formalize their process. Roy Packineau would like to get a covering for their vehicles or property. Chairman Fox recomendeds that they seek futher information about their questions from the Economic Committee and ask the Housing staff to investigate RPIs' bills. Nora Packineau discused that they would like to purchase a crusher. Chairman Mark N. Fox discussed the possibilities of a busines loan.

- ii) **Chief Finance Officer Report** – *Whitney Bell*

- a. **Small Loans** – *Mary Ellen Sun*

Mary Ellen Sun presented two groups of small loan appliccations for the Tribal Business Council to consider. Group A included 12 applicants that the Director recommended for approval.

**Section A** is recommended by Director for approval.

**Motion:** Councilman Mervin Packineau move to approve 12 Small Loan applications from Group A, Councilman Fred Fox seconded the motion.





**Discussion:** Councilman Cory Spotted Bear noted one application was over and Mary Ellen Sun will adjust.

Vote: 6 - Ayes. 1- Abstention. Motion Carried.

Chairman Mark N. Fox – Abstained  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox - Aye

**Section B:**

**Motion:** Councilman Randy Phelan moved to approve a motion to accept Applications 1 & 2 of Group B. Councilman Mervin Packineau expressed concerns with requests over the loan cap and with requesters that have outstanding loans. The Tribal Business Council directed Mary Ellen Sun to work with these individuals to insure Small Loans Policy compliance and return to the Tribal Business Council. Councilman Frank Seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox - Aye

**b. Elizabeth Bluestone / Shelby Baker Grant Request**

Margie Baker spoke on behalf of a group of 12 students taking a trip to Europe and is seeking \$12,000 in assistance with lodging and tickets.

**Motion:** Councilman Fred Fox moved to approve a grant request for \$12,000. Councilman Randy Phelan seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox - Aye



VI **SECRETARY'S REPORT** – *Councilman L. Kenneth Hall*

- i) TERO Appointment Resolution – *Item Deferred*

VII **OFFICER REPORTS**

**Chief Executive Officer Report** – *Prairie Rose Chapin*

- i) **Enrollment** – *John Charging/Savant Taft*

Mr. Charging informed the Tribal Business Council that the Enrollment Office is running out of vault space at the Agency and there is a need to secure a new location. Mr. Charging elaborated that in the short-term they can archive all the allottees that aren't living. Mr. Charging also discussed a proposed enrollment ordinance that the Tribal Business Council asked Mr. Charging to defer. Mr. Charging presented a resolution to accept 88 applicants for enrollment.

**Motion:** Councilman Randy Phelan moved to approve Resolution No. #15-56-LKH "Approval of 88 Applicants for Enrollment into the Three Affiliated Tribes". Motion was second by Councilman Fred Fox.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox - Aye

**Discussion:** Mr. Charging stated for the record that the new total number of enrolled members stands at 14, 417. Mr. Charging also informed the Tribal Business Council that he has a number of members with blood quantum discrepancies, and inquired as to what the next step is to resolve these issues. Chairman Mark N. Fox reiterated the Tribal Business Council's directive that Enrollment can not change blood quantum without Tribal Business Council approval. Mr. Charging has brought forth changes, of which the majority will decrease the members blood quantum. Chairman Mark N. Fox stated that all enrolled members effected must be notified and afforded due process, with final approval of changes left with the Tribal Business Council.

- ii) **MHA Tomorrow** – *Kandace Sanchez*

Ed Hall presented the MHA Tomorrow report and program concerns. Mr. Hall would like to set a date for a working meeting with the Council. Chairman Mark N. Fox recommended that they work with Prairie Rose Chapin and other Councilman to set a date for the working meeting.





*FTR: Councilman Fred Fox stepped out of the meeting.*

## VIII SPECIAL GUESTS AND ELDERS

**i) Trails 4 Transplants – Leo Cummings**

Mr. Cummings reminded the Tribal Business Council of their previous commitment to the program and today was seeking continued support in the amount of \$7000.00. Mr. Cummings stated the funding would provide meals, sponsorships, youth outreach, and fund the Ultimate Warrior Program.

**Motion:** Councilman Frank Grady made the motion to approve funding for the Trails 4 Transplants program. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 Ayes. 1-Not Voting/Not Present. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Not Voting/Not Present

**ii) JOM Update - J.C. Whitman**

Mr. Whitman gave a report to the Tribal Business Council on the background of the JOM Program and the historical issues associated with not funding to capacity. Mr. Whitman continued to inform the Tribal Business Council of current litigation to recover unfunded program money from the Bureau of Indian Affairs with the help of the Native American Rights Fund. Mr. Whitman was seeking a letter of support for the reauthorization HR4328 from the Tribal Business Council. Mr. Whitman also expressed the need for donations for the program and asked the Tribal Business Council if they could help with a donation. Chairman Mark N. Fox agreed to send a letter of support for the reauthorization of the Johnson–O'Malley Act. Mark N. Fox also expressed that in the future the Tribe may support the program with a contribution.

**Motion:** Councilman Cory Spotted Bear moved to approve travel funds for Mr. J.C. Whitman and a letter of support for the authorization of the Johnson O'Malley Act. Councilman Mervin Packineau seconded the motion.

Vote: 7 Ayes. Motion Carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye





Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

## IX UNFINISHED BUSINESS

### i) **Emergency Generators** – *Cliff Whitman*

Mr. Whitman presented three quotes for the segment community centers and is still awaiting some materials back from possible information for the White Shield building. Councilman Mark N. Fox discussed the history of project and will work with the segments to determine next step.

### ii) **Eunice Young Bear – Medical Bill**

Chairman Mark N. Fox directed staff to clear up the ambulance bill and work with Prairie Rose Chapin.

### iii) **Bernadine Young Bird**

#### a. **Language State of Emergency Resolution** (*Item deferred from March 27<sup>th</sup>, 2015 Tribal Business Council Meeting*) (1:22:12)

**Motion:** Councilman Randy Phelan moved to approve Resolution #15-057-LKH entitled “*Three Affiliated Tribes Declaration of a “State of Emergency” in the loss and decline of the three sacred languages and cultures of the three tribes and recognition of the Nueta Hidatsa Sahnish Language Board as the interim Language Board for the revitalization of the tribal languages and cultures.*” Councilman L. Kenneth Hall seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**Discussion:** Councilman Cory Spotted Bear recommended that they update their number of enrolled members listed in their materials.

#### b. **MHA Language Project Phase 2 – (Language Conservancy Resolution)**

Will Meya, Executive Director of the Language Conservancy discussed Phase I of the project in the of training of native language teachers and the development of materials. Mr. Meya presented three Phase II modified proposals as directed by the Tribal Business Council.





**Discussion:** Bernadine Young Bird, Interim Director of the Fort Berthold Community College Native American Studies Department expressed her support for the project and her role in the MHA Language Board. Councilman Randy Phelan was concerned about inclusion of all the Hidatsa speaker groups. Councilman Fred Fox agreed that the White Shield Cultural Center group needs to approve, and if so, then he will support the resolution. Chairman Mark N. Fox discussed that no individual segment has exclusive rights to a single language and that the Tribe has ultimate responsibility. Marty Young Bear, of the Twin Buttes Segment Nueta Language Initiative addressed the Tribal Business Council relating to Councilman Cory Spotted Bears' concerns against the Language Conservancy. Susie Paulsan spoke before the Tribal Business Council to express her opinion that this project should not move forward without the approval of the White Shield group. Elder Tony Mandan expressed his concerns about the Tribes losing the language and culture if nothing is done. Valarian Three Irons asked that differences be put aside and work together to move forward.

**Motion:** Councilman Randy Phelan moved to approve Resolution #15-058LKH entitled "*Authorization for a Consultant Contract between the Three Affiliated Tribes and The Language Conservancy*". Subject to concurrence with the Hidatsa Language Board and the White Shield Language group. Councilman L. Kenneth Hall seconded the motion.

Vote: 6 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Opposed  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

- iv) **West Segment Regulatory Charter Resolution**  
Already passed and just needed the resolution number.  
Resolution #15-059LKH entitled "*Grant of Non-Profit Corporate Charter to the West Segment Regulatory Commission*".
- v) **Tribal Utility – Steve Kelly**  
Directed to to work with Bill McCabe.

#### **COMMITTEES OF THE TRIBAL BUSINESS COUNCIL**

*FTR: Councilman Mervin Packineau left the meeting.*

**IX EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair**





i) **Alyce Spotted Bear Children's Commission/White House Generation Ryan Wilson.**

**Motion:** Councilman Cory Spotted Bear made a motion to approve a \$10,000 sponsorship for the National Alliance to Save Native Languages. Councilman Frank Grady seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Not Voting/Not Present  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

ii) **Financial Resolution Mandaree School – Caroline Bluestone**

Mandaree School District Superintendent Caroline Bluestone provided information concerning an immediate need of emergency financial funding to reimburse for plumbing issues and the Mandaree School.

**Motion:** Councilman Randy Phelan moved to approve Resolution #15-060LKH entitled “*Emergency Financial Request Mandaree School District for FY 2015*”. Seconded by Councilman Cory Spotted Bear. Subject to availability of funding in the amount of \$375,217.81.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

iii) **Emergency Financial Request - Mandaree Rodeo Club**

Mr. Loyld Vigen represented the Mandaree Rodeo Club in it's efforts to secure this financial request to purchase roping steers.

**Motion:** Councilman Randy Phelan moved to provide the Mandaree Rodeo Club of Mandaree School \$24,000 from West Segment funds. Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye





Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

- iv) **Educational Assistance for Jameelah Sharpe – Francis Black Tail Deer**  
Jameelah Sharpe is seeking her Masters Degree in Science, Human Resources, with a GPA of 3.7. Would like to move home on completion and work. Ms. Black Tail Deer was unsure at this time if Jameelah had unmet need. Jameelah does not wish to take out any further loans.

**Motion:** Councilman Frank Grady moved to approve an Educational Loan for Jameelah Sharpe in the amount of \$17,500.00 for unmet need, while waiving the collateral requirements with payments deferred until completion of the degree. Also a \$2500.00 Hardship grant to be included and all subject to the rules of the loan program. The student will work with their educational institutions' Financial Aid Office to update their "Unmet Financial Need". Seconded by Councilman L. Kenneth Hall.

Vote: 7 Ayes. Motion Carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

- v) **Headstart – Kelly Bradfield and Robin Braccuto (Office of Headstart, Washington, DC)**

Robin Braccuto discussed the history of problems of the Three Affiliated Tribes Headstart. A recent program review found 22 deficiencies, 15 issues have been corrected, and 7 remain that deal with fiscal issues. Ms. Braccuto visited all the TAT HeadStart sites and was very pleased with her experience. Councilman Mark N. Fox hoped to work together to resolve issues such as recouping TAT funds used to keep the program going and indirect costs, Councilman Randy Phelan discussed the need to raise salaries due to the Bakkan Boom.

**Motion:** Councilman Randy Phelan moved to direct the Chief Financial Officer to work with Kelly Bradfield and Robin Braccuto to resolve the reported compliance issues. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion Carried.





Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

vi) **Brother Eagle Program and Collateral** – *Damon Brady*

Mr. Rod Wilson of Results Limited presented Drug Prevention project materials and audio visual media (carton) being developed. The project is expected to be completed in August of 2016. All materials are custom materials and are not “cookie-cutter” in nature. Results Unlimited is seeking \$130,000 in funding for Books and collateral. Councilman Randy Phelan instructed Mr. Wilson that he would like to see a resolution and legal review with this request. Councilman Randy Phelan recommended that they return to the Tribal Business Council on May 14th with the Director to answer additional questions. No Action.

vii) **Approval Resolution for Research Project** – *Phil Lewis Sr.*

Mr. Phil Lewis Sr. presented is seeking approval for his doctoral research concerning the modern earthlodge. Mr. Lewis also made recommendations for the Tribe to develop an Institutional Review Board.

**Motion:** Councilman Cory Spotted Bear moved to approve a motion to provide a letter of support for the reseach project. Councilman L. Kenneth Hall seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Not Voting/Not Present

viii) **Loren White Jr.- Home Assett Building**

Councilman L. Kenneth Hall commented that the Legal Department has not reviewed the resolutions. Lawyer John Frederick believes it is ready. Resolution entitled “*Granting the non-profit coporate charter to a corporation known as the MHA Community Investment Center, INC, a Community Develoment Entity*”.

Resolution: “*Request for an investment in the MHA Community Investment Center, Inc., a non-profit Tribal Corporation to be appropriated \$55,000 from*





*the Tribal General fund for start-up funds to utilized to create a community development entity to participate in the New Market Tax Program.”*

The Tribal Business Council recommended Mr. White present at the next Tribal Council meeting after legal review is completed on the resolutions. No Action.

*FTR Councilman Fred Fox stepped out of the meeting at 3:30 pm*

*FTR Chairman Mark Fox stepped out of the meeting at 3:43pm*

**ix) Qualitative Study of Indigenous Protective Factors Related to Alcohol Use and Depression – Myra Parker**

Not Present.

*FTR: Councilman Fred Fox returned to the meeting.*

*FTR: Chairman Mark Fox returned to the meeting.*

**x) All Chiefs Society Powwow Request – Tamara Halvorson**

Prairie Rose Seminole presented for Tamara Halvorson seeking a donation of \$10,000 for the 2015 Graduation Pow-wow.

**Discussion:** Councilman Randy Phelan stated that the policy for a 1-day pow-wow event is \$9000.00.

**Motion:** Councilman Randy Phelan moved to approve the financial request for the All Chief Society Graduation Pow-wow for the amount of \$9,000. Councilman Cory Spotted Bear seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Aye

Councilman Mervin Packineau – Aye

Councilman L. Kenneth Hall – Aye

Councilman Cory Spotted Bear – Aye

Councilman Frank Grady – Aye

Councilman Fred Fox – Aye

**xi) Education Assistance for Geneva Good Bear – Geneva Good Bear.**  
Not Present.

**xii) Education Assistance for Justin Driver – Stacey Driver**

**Motion:** Councilman L. Kenneth Hall moved to approve each Councilman to provide \$500.00 including the Chairman’s Office for education assistance. Councilman Cory Spotted Bear seconded the motion.

Vote: 5 Ayes. 2 – Not Voting/Not Present. Motion Carried.





Chairman Mark N. Fox – Not Voting/Not Present.  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Not Voting/Not Present

**xiii) Shell Creek Church Project – Stacey Driver**

**Motion:** Councilman L. Kenneth Hall moved to approve a motion that reads Councilman L. Kenneth Hall will provide financial assistance from the North Segment budget for the Shell Creek Church Project. Councilman Fred Fox seconded the motion.

*FTR: Councilman Mervin Packineau stepped out of the meeting at 4:00pm.*

*FTR: Chairman Mark N. Fox returned to the meeting at 4:02pm.*

**Discussion:** Chairman Mark N. Fox recommended that the Shell Creek Church pursue having the title to the church given to the local church administration.

**Motion Ammended:** Councilman L. Kenneth Hall amended the motion to have split \$27, 000 (provided by L. Kenneth Hall) between the Shell Creek Church & the Indian Mission of the North Segment. Motion amended seconded by Councilman Fred Fox.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**xiv) Epic Youth Rally – Brandy Canyon**

Brandy Canyon is seeking financial assistance in the amount of \$5737.00 for a Light and Sound man plus the cost of rooms for the Epic Youth Rally. The group has also raised \$5000.00.

**Motion:** Councilman Randy Phelan made a motion to approve financial assistance for \$5737.00 to cover the cost of hiring Light Man & providing Rooms for the Student Rally. Councilman L. Kenneth Hall seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.

Chairman Mark N. Fox – Aye





Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Not Voting/Not Present  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

- xv) **Indian Mission Church Project** – *Stacey Driver*  
*Combined with item xiii Shell Creek Church Project.*

**X** **JUDICIAL COMMITTEE** – *Councilman Fred Fox, Chair*

- i) **Vonnie Jo Alberts – Financial Reimbursement**  
Ms. Alberts is requesting reimbursement for legal costs associated with successful ruling against the Three Affiliated Tribes Election Board.

**Motion:** Councilman Fred Fox moved to reimburse Vonnie Jo Alberts for the amount of \$10,000 and procedures be put in place to keep this from occurring again. This to be in effect from the last election forward. Seconded by Councilman Mervin Packineau.

Vote: 6 Ayes. 1 Opposed. Motion Carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Opposed  
Councilman Fred Fox – Aye

- ii) **Wills and Gifts Deeds for MHA Elders (Elder Trust Estate Planning)** –  
*Rebecca Burbridge*  
*Not Present.*

- iii) **Condition Response Contract** – *Titus White Body GTFJC*  
*Not Present.*

- iv) **Tribal Court – Restructuring Resolution**

The Judicial Committee recommended issues be left with the Judicial Commission. Chief Judge Diane Johnson took questions on the Restructuring Resolution. Councilman Fred Fox recommended hearing the issue today. Judge Johnson stated that the plan was a collaborative effort from tribal and state entities. Judge Johnson stressed separating the complaints by the staff from the judicial. Chairman Mark N. Fox asked about Judge Johnson about discrepancies





in salaries between staff and the Warriors Program staff and if salaries take into account the oil boom. Judge Johnson explained the success and need of the program. Chairman Mark N. Fox was concerned about complaints from Court staff and the wage scale. Judge Johnson stated that the employees will remain at current scale of pay until the jobs have been advertised and the new scale applied. Brenda Hale addressed the Tribal Business Council in favor of the Warriors Program. Sterling Reed (Public Defence Advocate) and Francine White discussed the readvertisement of the Tribal Court Staff positions and only being given 30 days notice. The group believes the wages are a joke. The staff want the restructuring resolution revoked, and they explained that they had no opportunity for input in the restructuring process and were concerned about positions being eliminated from the organizational chart. Francine White (Juvenile Truancy Officer) addressed the Tribal Business Council and presented evidence of program success from the New Towns News. She is very concerned about her position being eliminated. Chairman Mark N. Fox discussed the history of the need to restructure the court system. Chelsey Snyder ( former employee ) presented an alternative solution (document presented to Recorder). Ms. Snyder recommended that an external auditor be brought in and review the court, (details in document). Chairman Mark N. Fox asked Ms. Snyder who has she worked with and how much. Ms. Snyder stated about \$38,000. Alva Irwin (former employee) spoke from the audience about the Judge having the power to hire and fire. Chairman Mark N. Fox informed Ms. Irwin that the Justice Commission has this responsibility. Councilman Mervin Packineau spoke about a court review that occurred possibly in 2006 (Ramona Soisi) and thinks it would work again. Associate Tribal Judge Foughty was the evaluator at that time.

**Motion:** Councilman Frank Grady moved to approve a motion to for an independent analysis service to perform an assessment of the tribal court system, and have the Judicial Committee select the evaluator. Councilman Mervin Packineau seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**Discussion:** Chairman Mark N. Fox believes that the Tribal Business Council and Justice Commission need to have working meetings.

- v) **Parshall Future Business Leaders of America Group from Parshall High School** – (Added to agenda as group Add-in)





**a. National FBLA Trip**

Deven Jarsky & another (Taft) presented to the Tribal Business Council. The total cost of the National FBLA trip is \$27,290, with \$3500.00 raised to date. Councilman Mervin Packineau encouraged the Tribal Business Council to help.

**Motion:** Councilman Fred Fox moved to approve \$2000 / student for the North Dakota FBLA 2015 National Conference, June 29-July 2, 2015, in Chicago. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**b. Senior Class Trip – Parshall High School**

Students from Parshall High School presented a financial request for their senior trip. They have 18 students in their group and have raised over \$8500.00 with total cost of \$16,000.00 for the class trip.

**Motion:** Councilman Randy Phelan moved to match the amount raised by the students. Councilman Mervin Packineau will provide the match from his Segment. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

*FTR: Councilman Mervin Packineau made an announcement that Minnie Two Shields was selected as the National Boys & Girls Club Outstanding Member of the Year.*

**vi) TAT Police Department – Ratification**

After meeting with the Judicial Committee, Prairie Rose Chapin (Federal Programs Manager) will be bring a recommendation to the Tribal Business Council to promote Nelson Heart Jr. to Police Chief with an adjustment in pay. The current Police Chief is taking a voluntary demotion to Uniformed Detective





and the appropriate decrease in pay. Ms. Chapin will work the numbers out for the payrate changes and contracts.

**Motion:** Councilman Fred Fox moved to ratify the promotion of Nelson Heart Jr. to Chief of Police pending job advertisement. Councilman Randy Phelan seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**XI HEALTH AND HUMAN SERVICES COMMITTEE** – *Councilman Frank Grady, Chair*

**i) Elbowoods – Kathy Eagle**

**a. Great Plains Tribal Chairman's Health Board Contract – Kathy Eagle**

Dr. Kathy Eagle presented a six months contract for \$18,000.00 to help the clinic reconcile their bills. The service is being requested due to the clinic unable to find staff to fill this position.

**Motion:** Councilman Fred Fox moved to approve the contract. Seconded by Councilman Randy Phelan.

Vote: 6 Ayes. 1 Opposed. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Opposed  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**Motion Recinded:**

**Discussion:** The Tribal Business was concerned about third party contract where tribal members could be doing this work.

**Motion:** Councilman Fred Fox moved to approve a motion to accept the contract. Seconded by Councilman Frank Grady.





Vote: 6 Ayes. 1 Opposed. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Opposed  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**b. Native Health Group Consultant Contract – Kathy Eagle**

**Motion:** Councilman Fred Fox move to approve a motion to accept the contract for \$18,000 to assess uninsured community members for health insurance to use federal funds for premiums for six months. Seconded by Councilman Randy Phelan.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**c. MOA Garrison Student Internship - Item deferred**

**d. Max Ambulance Service Agreement - Item deferred**

**e. Elbowoods Housing Projects – James Foote – Item deferred**

**ii) Social Services – Renee Mayer**

Renee Mayer, Director of Social Service, informed the Tribal Business Council that her department is struggling with the increase in case load of children. Case load has increased from 70 to 100. Ms. Mayer discussed the need for more staff and an increase in funding. Prairie Rose Chapin commented that perhaps she can work with her to try to rework the federal commitment. The tribal budget is about \$400,000.00 along with other sources.

**Motion:** Councilman Fred Fox moved to prioritize Social Services in the next budget session. Seconded by Councilman Frank Grady.

Vote: 6 Ayes. 1 Opposed. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye





Councilman Cory Spotted Bear – Opposed  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**Discussion:** Councilman Cory Spotted Bear opposed because the motion because the program has not spent more than half of the existing budget. Ms. Meyer explained the need for carpet. Whitney Bell, Chief Financial Officer stepped to the podium and provided the correct budget figure and stated that there are renovation funds for the carpet.

iii) **Travel Agency Proposal – Jodi Fox**

Enrolled members, Jodi Fox and Dessi Blanco representing the Four Season Travel Agency presented their proposal to offer professional services to the Three Affiliated Tribes. Proposal establishes a position with a budget item at \$42,000 / year. Whitney Bell recommends a pilot project of 5 months or the end of the fiscal.

**Motion:** Councilman Fred Fox moved to approve to contract Four Season Travel Agency as the Three Affiliated Tribes travel agents. Seconded by Councilman Randy Phelan.

Vote: 7 Ayes. Motion Carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

iv) **Aging Services**

**MEDICAL REQUEST**

- i) **James Jacobs - Item defered**
- ii) **Bessie Starr – Item defered**
- iii) **Elder Fair Request – Polly Chase**

**Motion:** Councilman Cory Spotted Bear moved to approve a \$7000.00 Financial request for the Elder Fair. Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion Carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye





Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**XII NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair**

**i) NRC Program Director Report - Tex Lone Bear**

**a. Land Buy Back Grant Application**

Tex Lone Bear stated that they are not interested in applying for the *Cobell Buy-Back Grant Program* under the current grant regulations. Councilman Mark N. Fox stated the what-if is if we can change it to surface only and not minerals. Chairman Mark N. Fox and Carson Hood both agreed that the BIA needs re-evaluate their appraisal process for Fort Berthold due to the increased land values that came with the Oil Boom. Chairman Mark N. Fox doesn't want the Tribe to be left out, and wants Mr. Lone Bear to investigate if the Grant can be increased for Fort Berthold to offer fair compensation to consolidate the land under the Cobell Grant. What is fair market value on one reservation, is not the same as on Fort Berthold.

**b. Tribal Agriculture Leasing Policy Resolution**

George Abe expressed concerns from Natural Resources about receiving direct payments from lease payments that currently don't have accounts receivable systems to track payments. It especially complicates split payments between allottees and the tribes. Mr. Abe thinks the BIA systems can do it better through their [TABS] systems. He doesn't think the 638 contract specifies invoicing and processing.

*Item deferred to Natural Resources Committee.*

**c. “Consent to Survey Certain Tribal Land-City of New Town” Resolution.**

**Motion:** Councilman Fred Fox moved to approve Resolution#15-061LKH entitled “*Consent to Grant an Easement on Certain Tribal land for the City of New Town Temporary Construction and a Road Easement*”. Councilman Randy Phelan seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**d. Grazing Study**





**Motion:** Councilman Fred Fox moved to approve Resolution#15-062LKH entitled “*Approval of a Grant to do a Range Study on the Fort Berthold Indian Reservation*”. Councilman Randy Phelan seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**e. Grace Bulltail – Tax Department Contract**

Texx Lone Bear will research it further.

**ii) Easement for MHA Refinery Substation- Eric Poppinga**

*Item deferred.*

**iii) Pipeline Approval – Oneok**

*Item deferred.*

**iv) MHA Energy (Steve Gunderson, Tall Salt Contract) Carson Hood**

**Motion:** Councilman Randy Phelan moved to approve a motion to pay Steve Gunderson under the old rate. for the period between Jan 1<sup>st</sup> – May 31<sup>st</sup>, and seeking a continuation. Councilman Fred Fox seconded the motion.

Vote: 4 Ayes. 1 Opposed. 2-Abstained. Motion Carried.

Chairman Mark N. Fox – Abstained  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Abstained  
Councilman L. Kenneth Hall – Opposed  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**Motion:** Councilman Fred Fox moved to approve Resolution#15-064 entitled “*Approval of and Direction to BLM and BIA Tribal Partners to Approve MHA Petroleum Engineering Technician and Mineral Resource Specialist (MRS) Training of Energy Department Employees per 638 Funding Structure*”. Councilman Randy Phelan seconded the motion subject to legal review.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye





Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

v) **KLJ Roughrider Electric – Resolution “Consent to Certain Rights of Way Across Tribal land for the South Segment Electrical Power Upgrade”**

A question was brought up about why the \$2000.00 minimum was used to offer for this easement. Item was sent back to the Natural Resource Committee.

vi) **Water Permit - Sedrick Baker**

Mr. Sedrick Baker is asking for a water permit renewal and extension. Chairman Mark N. Fox discussed the interim permitting process. He was asked to bring back information on how he meets that process.

vii) **Water Resources – Maynard Demary**

**Motion:** Motion to approve by Councilman Randy Phelan moved to a motion to accept the Deposit Account Control Agreement. Councilman Fred Fox seconded the motion. Subject to legal review due to waiver of sovereign immunity request and ask to have that part removed.

Vote: 7 Ayes. Motion Carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

viii) **TARGA – Carson Hood**

Mr. Hood presented 6 Right-of-Way approval items. Councilman Randy Phelan stated that all but one from Natural Resource Committee were approved (the last one / TARGA). TARGA Butterflies Right of Way was not approved in Natural Resource Committee due to land owner has not approved yet. Motion to exclude (6k/3K).

**Motion:** Councilman Randy Phelan moved to approve motion to exclude Butterflies TARGA (6K/3K). Councilman Frank Grady seconded the motion.

Vote: 5 Ayes. 1-Abstention. 1-Not Voting/Not Present. Motion Carried.  
Chairman Mark N. Fox – Abstained  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Not Voting/Not Present  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye





Councilman Fred Fox – Aye

**Motion:** Councilman Randy Phelan moved to approve the presented requests for Rights-of-Way subject to removing the Butterfly and Huron requests. Councilman Fred Fox seconded the motion subject to requirements.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

*FTR: Carson Hood brought Steve Gunderson before the Tribal Business Council to present his “Flat Tax Projection Report” for discussion.*

**ix. Missouri River Resources – Carl Artman**

**Motion:** Council L. Kenneth Hall moved to approve Resolution #15-065-LKH entitled “Grant of Right of Way”. Councilman Mervin Packineau seconded the motion.

Vote: 4 Ayes. 1 Opposed. 2-Abstentions. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Abstained  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Opposed  
Councilman Fred Fox – Abstained

**XIII ECONOMIC COMMITTEE – Councilman L. Kenneth Hall, Chair**

**i) Pathway 2 Solutions – Clarence O’Berry**

Mr. O’Berry presented a slide show about the company and services they represent.

**Motion:** Councilman Mervin Packineau moved to approve Resolution #15-066-LKH entitled “Tribal Business Council Consideration of Investment Funding to Pathway 2 Solutions, LLC, A Subsidiary Corporation of the Tribe “. Seconded by Councilman Fred Fox.





Vote: 6 Ayes. 1 Opposed. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Opposed  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**Discussion:** Councilman Randy Phelan had concerns that Mr. O’Berry is not an enrolled member. Chairman Mark N. Fox reminded Councilman Randy Phelan that it is a Tribal Company and he manages it.

ii) **Approval of Segment Budgets & Capital Projects Resolution – Damon Williams**

**Motion:** Councilman Randy Phelan moved to approve Resolution#15-067-LKH entitled “*Financial Drawdown Policy for Approved Segment Budgets*”.  
Seconded by Councilman Frank Grady.

Vote: 7 Ayes. Motion Carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**Discussion:** Concerns of signature authority and engaging the Chief Financial Officer.

**Motion:** Councilman Randy Phelan moved to approve Resolution#15-068-LKH entitled “*Anti-Retribution Policy for MHA TERO Enforcement*”.  
Seconded by Councilman Frank Grady.

Vote: 5 Ayes. 1 Opposed. 1-Abstention. Motion Carried.  
Chairman Mark N. Fox – Abstained  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Opposed  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye



**Discussion:** Chairman Mark N. Fox would like to call all operators in to see what problems they are seeing with this issue.

**Motion:** Councilman Mervin Packineau moved to approve no further action relating to TERO until the TERO Commission is in place. Councilman Frank Grady seconded.

Vote: 5 Ayes. 2 Abstained. Motion Carried.

Chairman Mark N. Fox – Abstained  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Abstained

**Discussion:** Chairman Mark N. Fox stated that he would like to see all TERO Commission selections made ASAP, no later than May 14<sup>th</sup>.

iii) **Housing – Bobbette Fox-Bruce** - *Item deferred*

iv) **Housing Mortgage Program**

a. **Report Update** - *Item deferred*

b. **Justin & Cody Spotted Bear- Home Mortgage loan**

Cheryl Bruce took the podium and explained that he needs to meet with the committee. Currently the program is over budget and there is no standing committee. To return to the May 14<sup>th</sup> meeting and work with Vickie.

v) **Purchase of Equipment** – *Claud Christiansen - Item deferred*

vi) **Rebecca Cronis – Sale of Property** – *Item deferred*

vii) **Crow Tribe Arbor Project** – *George Real Bird*

Mr. Real Bird is seeking a loan and grant and submitted a letter approving a request for a loan from the Chairman of the Crow Nation.

**Motion:** Councilman Mervin Packineau moved to approve a motion to make available to the Crow Tribe a loan to help rebuild the Crow Fair Arbor in the amount of \$250,000.00. Councilman Cory Spotted Bear seconded the motion.

Vote: 5 Ayes. 2 Opposed. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Opposed  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Opposed





- viii) **North Segment CDC – *Item deferred***  
a. **Housing Development Resolution**  
b. **FY2015 Budget Resolution**

- ix) **Flameless Heaters – *Lane Vocu***  
Discussion of who is to pay for the Energy Department’s time. Steve Gunderson presented his research on the flameless heaters technology. He did not believe that it was a worthwhile investment at this time.

- x) **Special Projects – *Lonnie Burr***

**Motion:** Councilman Cory Spotted Bear moved to approve a Resolution 15-069-LKH entitled “*Approval of Construction Manager At Risk for the Parshall Resource Center, Twin Buttes Elders Center, Three Affiliated Tribes Veteran’s Building, Three Affiliated Tribes Interpretive Building, Three Affiliated Tribes Road Building, Three Affiliated Tribes Department of Transportation Building*”. Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**Motion:** Councilman Cory Spotted Bear moved to approve Twin Buttes Segment to begin preliminary site work. Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**XIV LEGAL DEPARTMENT – *Caleb Dog Eagle, Esq., MHA Acting Supervising Attourney***

- i) **Golanda Broadman Contract – *Caleb Dog Eagle – Item deferred***  
ii) **Business Licenses - *Item deferred***



## XV NEW BUSINESS – Tribal Councilman Add-Ons

### i) Chairman Mark Fox

#### 1. Keith Big Crow – Request for Financial Assistance

**Motion:** Councilman Randy Phelan moved to approve a motion for each Segment Office, including the Chairman's Office to contribute \$500.00 each from their segment budgets. Councilman L. Kenneth Hall seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

### ii) Councilman Mervin Packineau

#### 1. Jolene Missy Gillis Emergency

Ms. Gillis is seeking a small loan for auto repairs, but has an outstanding small loan. Ms. Gillis is requesting a \$20,000.00 loan. Discussed a number of additional family issues that includes her child's medical condition and the costs associated with the child's care. Ms. Gillis also informed the Council about an outstanding loan from around 2003 for \$7,000.00. She stated that \$3,500.00 of the amount was supposed to have been issued as a grant, but no minutes could be found to support her claim. Others in the same motion all received the grants. Ms. Gillis also discussed problems with her loan interest being changed without notification at some point in time. Ms. Gillis owns two homes and would put one up for collateral.

**Motion:** Councilman Randy Phelan moved to approve a motion to allow the loan of \$15,000.00, and waive the interest from the outstanding loan, and consolidate the loans. Councilman Frank Grady seconded the motion.

Vote: 4 Ayes. 2 Abstained. 1 Not Voting/Not Present. Motion Carried.

Chairman Mark N. Fox – Abstained  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Abstained  
Councilman L. Kenneth Hall – Aye





Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Not Voting/Not Present

iii) **Councilman Randy Phelan**

1. **John Mahoney – *Black Eagle Homes***

Seeking a resolution signature for a \$1.9 million draw-down relating to infrastructure.

iv) **Councilman L. Kenneth Hall**

1. **Learn and Lead – *Laurel Deegan***

**Motion:** Councilman Randy Phelan moved to approve a financial request for \$13,500.00 for the April College Fair at the North Lights Center. Councilman Frank Grady seconded the motion. To utilize the 380 fund.

Vote: 6 Ayes. 1-Not Voting/Not Present. Motion Carried.

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Aye.

Councilman Mervin Packineau – Aye

Councilman L. Kenneth Hall – Aye.

Councilman Cory Spotted Bear – Aye

Councilman Frank Grady – Aye.

Councilman Fred Fox – Not Voting/Not Present

**Discussion:** Councilman Randy Phelan wants Ms. Deegan to be sure and bring back participation numbers.

2. **Seeking Additional Funding – *Laurel Deegan***

Ms. Deegan presented the information supporting the success of the program and answered questions from the Council. She is seeking a FY2015 budget and payment of invoices for the amount of \$231,585.00 The Tribal Business Council recommends that she return to the mid-year budget meeting.

v) **Councilman Fred Fox**

1. **Gifted and Talented Program – *White Shield School***

**Motion:** Councilman Fred Fox moved to approve a motion to provide the balance of the remaining need. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Aye

Councilman Mervin Packineau – Aye

Councilman L. Kenneth Hall – Aye

Councilman Cory Spotted Bear – Aye



Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

## 2. West Segment Powwow Grounds Project

### vi) Councilman Frank Grady Add-Ins

#### 1. Cedar Wolf Basketball

**Motion:** Councilman Cory Spotted Bear moved to approve a motion to sponsor Cedar Wolf in the amount of \$6000.00 for plane tickets for all 12 team members. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

#### 2. Rose Marie Ramirez – Medical Aid Request

Ms. Ramirez addressed the Council seeking financial medical assistance for her mother to have medical treatments not covered by insurance at the Mayo Clinic for Evangeline Monogram for treatments.

**Motion:** Councilman Cory Spotted Bear moved to approve a motion to provide financial assistance of \$15,000.00 for medical procedure for Evangeline Monogram. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion Carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

**Discussion:** \$14,000.00 is to be sent directly to the hospital as a deposit. A \$1000.00 payment to be given directly to Ms. Mongram for transportation costs. Motion amended reflects the discussion.

### vii) Councilman Cory Spotted Bear Add-Ins

#### 1. Young Bear Singers





Councilman Cory Spotted Bear moved to approve financial assistance in the amount of \$1000 per singer to attend a National Drum Competition. Seconded by Councilman Fred Fox.

Vote: 5 Ayes. 2-Abstained. Motion Carried.  
Chairman Mark N. Fox – Abstained  
Councilman Randy Phelan – Abstained  
Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Aye

*FTR: Councilman Cory Spotted Bear was very concerned with the length of the council meeting. Chairman Mark N. Fox and the rest of the Council agreed and believed more work needs to be kept to the Committees.*

## **XVI CLOSED SESSION**

- i) TAT Human Resources**
  - a. Kandace Sanchez**  
*Item addressed*
  - b. Dr. Arceley – Contract Renewal**  
*Item Addressed*
- ii) Spotted Hawk – Karl Artman/Dave Williams**  
*Item addressed*
- iii) Finley Family**  
*Item addressed*
- iv) Fultz Company – Danny Peltier**  
*Item addressed*

*FTR: Councilman Fred Fox left the meeting at 10:59pm.*

*FTR: Councilman Randy Phelan left the meeting at 11:45pm.*

## **XVII ADJOURNMENT**

Councilman L. Kenneth Hall moved to approve a motion to adjourn at 11:48pm. Councilman Frank Grady seconded the motion.

Vote: 5 Ayes. 2 Not Voting/Not Present Motion Carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Voting/Not Present



Councilman Mervin Packineau – Aye  
Councilman L. Kenneth Hall – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Frank Grady – Aye  
Councilman Fred Fox – Not Voting/Not Present







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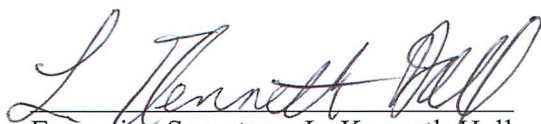
**CERTIFICATION**

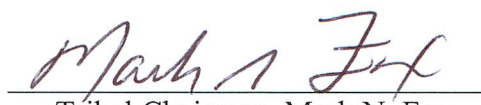
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum 6 were present at the Meeting thereof duly called, notice, convened and held on the 16<sup>th</sup> day of April, 2011; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 6 members; 0 members opposed; 0 members abstained; 1 Member not voting.

Chairman  Voting     Not Voting

Dated this 9<sup>th</sup> day of September, 2015.

**ATTEST:**

  
Executive Secretary, L. Kenneth Hall  
Tribal Business Council,  
Three Affiliated Tribes

  
Tribal Chairman, Mark N. Fox  
Tribal Business Council,  
Three Affiliated Tribes