



CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 1:30pm.

OPENING PRAYER:

ROLL CALL:

Present: Councilman Cory Spotted Bear, Councilman Fred Fox, Councilman Frank Grady, Councilman Mervin Packineau, and Chairman Mark N. Fox. ***Absent:*** Councilman Randy Phelan and Councilman L. Kenneth Hall. Councilman Cory Spotted Bear served as Acting Executive Secretary. ***Quorum established.***

I. APPROVAL OF AGENDA

Councilman Frank Grady moved to approve the agenda. Councilman Fred Fox 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 – Not Voting/Not Present
Councilman Cory Spotted Bear – Aye
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye

II. APPROVAL OF TRIBAL BUSINESS COUNCIL MINUTES - Executive Secretary L. Ken Hall

- Minutes - March 27, 2015 - *Item deferred to the May 28th, 2015 Continuation Meeting.*
- Minutes - April 9, 2015 - *Item deferred to the May 28th, 2015 Continuation Meeting.*
- Minutes - April 16, 2015 - *Item deferred to the May 28th, 2015 Continuation Meeting.*

EXECUTIVE COMMITTEE REPORTS

III. CHAIRMAN'S REPORT - Chairman Mark N. Fox

i) **Cheyenne Brady Honoring**
Item deferred to the May 28th, 2015 Continuation Meeting.

ii) **Pete Coffey Jr.**

Councilman Fred Fox moved to approve the amended and restated nonprofit charter of the Fort Berthold Communication Enterprise pending a resolution from the Legal Department.
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 – Not Voting/Not Present
Councilman Cory Spotted Bear – Aye
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye

iii) Resolution “To Create the ‘United Tribes of North Dakota Development Corporation’ Pursuant to 25 U.S.C.§ 477”

Section 17- Composed of the Tribes that belong to the United Tribes Board.

Motion: Councilman Cory Spotted Bear moved to approve Resolution no. 15-070-LKH entitled “To Create the ‘United Tribes of North Dakota Development Corporation’ Pursuant to 25 U.S.C. ~477”. Councilman Fred Fox 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 – Not Voting/Not Present
Councilman Cory Spotted Bear – Aye
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye

iv) Education Grant Request - Edmund Baker

FTR: Councilman Randy Phelan & Councilman L. Kenneth Hall entered the meeting at 2:17pm.

Motion: Councilman Randy Phelan moved to approve an education grant for Edmund Baker. 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: Councilman Fred Fox asked what the remaining amount of the bill would be and Chairman Mark N, Fox stated that the amount is \$7,800. Councilman Cory Spotted Bear stated that proof of obtaining their education needs to be on file for all members making this request.

FTR: The above items in blue print were recorded by Acting Executive Secretary Cory Spotted Bear.



IV. **VICE CHAIRMAN'S REPORT** - *Councilman Randy Phelan*

V. **TREASURER'S REPORT** - *Councilman Mervin Packineau*

Councilman Mervin Packineau stated that the CFO Report will be deferred to the May 28th Continuation Meeting.

i) **Dr. Biron Baker –**

1. West Region Medical Addition.

Dr. Baker presented to the Tribal Business Council concerning an opportunity to purchase land that he owns in Bismarck. Dr. Baker has 17 acres of land approximately 740,000 square feet, near Home Depot with all improvements completed. He has had an offer for 11 acres, but is not interested. Tab Thompson stated that the land has a CG zoning classification (medical, school, multi-family) type, and availability of that zoning type is limited in the city. The property has been assessed and higher traffic counts bring the value up which are valued at 12-17 per foot. Mr. Baker is offering the land at 10. The surrounding area around the land is mostly multi-family. Councilman Frank Grady asked if we have the funding available. Councilman Cory Spotted Bear asked Mr. Baker's about his timeline. Chairman Mark N. Fox suggested purchasing 7 acres and see how the purchaser of the 11 acres will develop. Dr. Baker replied that it would be land locked. They want the CG Zoned land. Councilman Randy Phelan asked if the property is flat, and Dr. Baker replied that it was and has sewer and water. Chairman Mark N. Fox stated that for budget reasons we would need about 3-weeks before we can show interest. Dr. Baker agreed to wait. No action.

FTR: *The Dr. Baker land purchase offer to be added to the June 11th Tribal Business Council Meeting Agenda.*

2. Medical Marijuana

Dr. Baker presented documents to the Tribal Business Council concerning the benefits of medical marijuana to take people off of various pain killers/narcotics as a proven effective treatment. Dr. Baker stated that there are still many stereo-types and misconceptions that are perpetuated even through federal research. He explained that if the Tribe is going to move forward with this, timing is critical with the next national election in 2016. Dr. Baker brings up the issue because our people have had trouble with alcohol and medication. Medical marijuana is effective and there has never been a recorded case of an over-dose. Chairman Mark N. Fox believes that this is an issue for a referendum vote. Legal believes that if it's unlawful in the State, then it is unlawful on the reservation. Dr. Baker stated that the U.S. Attorney General says they won't go after any operations and stated that tribes have this right.

3. Stop the Bleeding

Dr. Baker expressed his opinion that the Peoples Fund should be reserved for the reservation residents and asked to tribe to consider this for health-care insurance also. Those who leave



the reservation understand they are leaving behind those benefits. Dr. Baker recommended that the Tribe hire someone who understands the Health Insurance system. The Affordable Care Act (ACA) has an exemption for supplementing ACA insurance for on reservation members who can utilize the Indian Health Service clinic. This exemption does not apply to off reservation members. Councilman Fred Fox stated that this a really good point, with the homeless shelter in Bismarck and when clients are required to sign up for Affordable Health Care. Chairman Mark N. Fox stated that there is a federal office that is supposed to be signing people up. Councilman Randy Phelan stated that in Mandaree the elders are left out due to public education on this issue. Councilman Fred Fox stated that we are subsidizing the federal Government. Chairman Mark N. Fox stated that we need a working committee to address the failure of their services. If we do, a year from now we could have an effective solution. Councilman Randy Phelan stated that we need a Health Screening Committee, to make sure our member's needs are being met. Chairman Mark N. Fox stated that there is a need to tailor the service. Councilman Cory Spotted Bear informs the Council that his community has a Health Care Insurance officer.

4. Tax Trigger and sovereignty

Dr. Baker expressed his opinions on the State Oil taxation and Tribal sovereignty.

5. Tribal Membership

Dr. Baker relayed his thoughts concerning tribal enrollment and believes that requirements for possible enrollees should include socio-economic ties to the Tribe and maybe a path to membership that requires some sort of service for a period of time. Perhaps a special tribal meeting just to deal with this.

ii) James Foote

Mr. Foote provided an update to the Tribal Business Council concerning the housing projects that he is working with and stated that he is waiting for the contractor to close out the 110 homes. His main concerns at this point are about the budget. Chairman Mark N. Fox asked if we are exceeding the previous budget. Mr. Foote stated that there is some miscommunication on the issue and would like to discuss it with the Tribal Business Council. Phase 1 of the project is in need of a revised resolution concerning police and medical housing. Chairman Mark N. Fox asked Mr. Foote what the final cost is to complete the project. Mr. Foote replied that he didn't have that number at this time. Councilman Randy Phelan stated that Councilman Frank Grady has a concern with First Dakota and their services to the project. Mr. Foote stated that they will be here tomorrow. Chairman Mark N. Fox stated that the Tribe takes the initiative to build homes, and other tribes get federal homes; he would like to know the average cost per home. It's a good project, but just need to square away our numbers. He will raise the issue again to get reimbursed with Senator Heitkamp in D.C. next week. Councilman L. Kenneth Hall asked if Phase 1 Housing is occupied and Mr. Foote replied that tenants come and go. Councilman L. Kenneth Hall asked for the completion date. Councilman Fred Fox discussed curb and gutter and the separate costs of getting that done. Mr. Foote stated that we will get the keys for Phase 2 Housing tomorrow. Chairman Mark N. Fox directed Whitney Bell to bring them the numbers for the project. Lead Attorney Caleb Dogeagle is working on a resolution for medical and law



enforcement. The Tribal Business Council asked Mr. Foote to return to the May 28th, 2015 Continuation Meeting.

iii) Makes Sense

Item deferred to the May 28th Continuation Meeting.

iv) Small Loans - Mary Ellen Sun

Group A. 1-34 - These applicants all have collateral or will bring in collateral.

Motion: Councilman Randy Phelan moved to approve all 34 small loans applications from Group A. 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

Group B. 5 Applications.

Mary Ellen Sun recommends loan application #2 with collateral and or cosigner.

Motion: B#2 – Councilman Frank Grady moved to accept this loan application with a cosigner at \$3,500 and collateral, or \$2,500 without collateral. 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

Group B. Application #5

Mary Ellen Sun recommends a cosigner, due to the medical nature of the request. Accommodation to be made for this loan or grant.

Item deferred.

Group B. Application #3



Applicant is asking for a loan of \$5000 and is a temporary employee on wage assignment. Councilman Randy Phelan asked if we can increase the wage assignment, if the loans are combined. Ms. Sun stated that the employee started in January and works for Environmental.

Motion: Councilman Randy Phelan moved to combine the applications and increase their wage assignment if applicants agree to the wage assignment increase for the request of \$5000. 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

Group B. Application #4

Mary Ellen Sun stated that this applicant is not working and went back to school. She does have the collateral and suggested to have a cosigner.

Motion: Councilman Frank Grady moved to accept the loan application with a cosigner. Councilman Randy Phelan 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

Group B. Application #1

Motion: Councilman Frank Grady moved to accept this small loan application. Councilman Randy Phelan 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.

Group C. Application #1

Ms. Sun stated that this application does not qualify, because she did not pass the last semester, but is taking online classes. No Action.

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

Councilman L. Kenneth Hall apologized for the miscommunication as to today's Tribal Council Meeting, but stated that the Constitution states that the Tribal Business Council Executive Secretary sets the dates of the meetings. He would like to keep our meetings on the second Thursday of the month according to the Constitution. Chairman Mark N. Fox agreed and discussed the problems with moving meetings around.

VII. OFFICER REPORTS:

Chief Executive Officer Report

i) Enrollment- John Charging and Sevant Taft

Mr. Charging discussed the Enrollment Code and it's completion. One issue to be clarified is the requirement for "receipt of benefit" wording in the Constitution. Three Affiliated Tribes Lead Attorney Caleb Dogeagle stated that we could address the issue with a resolution today. Mr. Charging stated that he is seeking approval for 87 applicants for enrollment.

Motion: Councilman Randy Phelan moved to approve resolution no. 15-071-LKH entitled "Approval of 87 Applicants for enrollment into the Three Affiliated Tribes". 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

Discussion: John Charging notified the Tribal Business Council that he is resigning in a few weeks and would like Council support for Sevant Taft. Chairman Mark N. Fox asked Mr. Charging why he is leaving and Mr. Charging stated that he doesn't have to work anymore. Mr. Charging hopes to have their support for Mr. Taft and without the Common Database there is still a big need for staff. Chairman Mark N. Fox stated that with the budget meeting in June maybe we can get more funding for you and maybe branch offices. Councilman Cory Spotted Bear asked Mr. Charging how many years has he worked at Enrollment and he replied said about 20 years.



Chief Financial Officer Report – Whitney Bell

Item deferred to the May 28th, Continuation Meeting

VIII. UNFINISHED BUSINESS

i) Hotel-MHA Letter (July 2014)

Chairman Mark N. Fox stated that they will need a resolution to say TAT is not in support of the project.

Motion: Councilman Frank Grady moved to have a formal response drafted stating that the MHA Nation will not be pursuing the Hotel project in Bismarck. Councilman Fred Fox 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 – Not Voting/Not Present

Councilman Frank Grady – Aye

Councilman Fred Fox – Aye

ii) Federal Programs Officer - Prairie Rose Chapin

Ms. Chapin presented documents & information concerning the Keepseagle Endowment Foundation, Land Buy Back Program, federal Programs Report, and asked the Tribal Business Council to pay special attention to BIE items.

iii) MHA Nation Tomorrow

Item deferred to the May 28th, 2015 Continuation Meeting.

iv) Patrick DuBois – Solid Waste – Jasten Spotted Bear and Kansas Johnson

Motion: Councilman Frank Grady moved to approve resolution no. 15-072-LKH entitled “Establishing Monthly Rental Fee Schedule for Solid Waste Container Rentals” with the following changes. Residential fees: at \$10, \$20, \$30 for Residential Costs. Councilman Cory Spotted Bear seconded the motion.

Vote: 5 Ayes. 1-Abstention. 1-Not Voting/Not Present. Motion carried.

Chairman Mark N. Fox – Aye

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 – 1-Not Voting/Not Present.



Discussion: Councilman Cory Spotted Bear asked if we can drop the cost to \$10 from \$15 for residential and free for 60 and over.

Motion: Councilman Randy Phelan moved to approve a resolution: no. 15-073-LKH entitled “Permit for the White Shield Solid Waste Transfer Station”. 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

Discussion: Tribe would have to be the lessee.

Motion: Councilman Randy Phelan moved to approve a resolution: no. 15-074-LKH entitled “Permit for the Mandaree Solid Waste Transfer Station”. 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 Randy Phelan moved to approve resolution: no. 15-075-LKH entitled “Permit for the Twin Buttes Solid Waste Transfer Station”. 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



FTR: Ms. Crystal Hallam used this time to present two resolutions to the Tribal Business Council.

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 15-076-LKH entitled “Authorization for the Additional funding for the Twin Buttes Wastewater Treatment System Relocation; and Approval of Contractor, Meyer Contracting, Maple Grove, MN; Contract FB2015-CSL-1“. Councilman Fred Fox seconded the motion.

Vote: 6 Ayes. 1-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 – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 15-077-LKH entitled “Authorization for the Additional funding for the Construction of Community Sewage Lift Stations & Wastewater Treatment Lagoons for White Shield Community; and Approval of Contractor, Wagner Construction Inc, International Falls, MN; Contract FB2015-CSL-2“. Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1-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 – Aye

Motion amended: John Fredericks and Caleb Dogeagle will make changes to meet federal requirements.

FTR: Councilman L. Kenneth Hall left the meeting about 5pm

v) **Alfred Smith - Home Site Clarification**

Mr. Smith is seeking help with his additional basement work for his home in Bakersfield which is outside the scope of the mortgage loan program. He is seeking a \$40,000 loan which when combined with his current home mortgage would total \$150,000.

Motion: Councilman Randy Phelan moved to approve the restructuring of Mr. Smith’s loan to include the \$40,000. Councilman Frank Grady seconded the motion.



Vote: 5 Ayes. 2-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 – Not Voting/Not Present

Councilman Cory Spotted Bear – Aye

Councilman Frank Grady – Aye

Councilman Fred Fox – Aye

vi) Marcus Levings vs. TAT Election Board - *Marcus Levings*

Mr. Levings is requesting reimbursement for travel close out. He is requesting clarification to ratify the minutes. Chairman Mark N. Fox stated that there is the issue of receiving invoice for billable hours from Mr. Levings' lawyer as backup documentation. Deferred to the Chief Financial Officer's Report tomorrow during the Continuation Meeting on May 28th to hear the Chief Financial Officer's concerns and thoughts.

vii) Clarification of Education Grant/Loan – *Jody Fox*

Jody Fox and Nancy Blanco of Four Seasons Travel Agency came to the Tribal Business Council to clarify a previous proposal for Travel Agent Licensure. Chairman Mark N. Fox stated that the Three Affiliated Tribes should have the licensure. Jody Fox stated that it would be easier for her to renew the Licensure. She is requesting the Tribe pay the Licensure and clarify the amount paid to her and Nancy Blanco. Chairman Mark N. Fox stated that we thought that she was to work with the Chief Financial Officer on this issue. Chairman Mark Fox recommends the action be done by resolution.

No action.

ii) Enrollment Ordinance — *Caleb Dogeagle*

Lead Attorney, Mr. Dogeagle presented some questions concerning eligibility requirements in the language of the Tribal Constitution and the definitions of benefits received. Chairman Mark N. Fox stated that the ordinance is broad enough to address paying back benefits to the tribe they are leaving. Councilman Randy Phelan asked if the benefits are defined? Chairman Mark N. Fox stated that this is a big concern of the members at the Outreach Meetings and that repayment is the key issue for eligibility for Tribal Enrollment. They should be eligible if they pay it back. We will wait until June 11th to have some sample language for next meeting. Councilman Randy Phelan would like some language pertaining to Cobell also. Chairman Mark N. Fox stated that it would have to be a Tribal benefit, not a federal Benefit. Also age defined language, under 18 and would not hold benefit restrictions against them. Mr. Dogeagle will need to hash this out a little more.

MEDICAL REQUESTS

i) Laurie Alberts



Daughter Vickie Alberts presented a letter of request for a Health Coverage Extension for Blue Cross as an employee of the Three Affiliated Tribes under Public Works seeking an additional 6 months for her mother who is fighting cancer.

Motion: Councilman Cory Spotted Bear moved to approve extended coverage and employment for Laurie Alberts. Councilman Randy Phelan seconded the motion. Motion carried.

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

ii) Dewey Ciseros –

Item deferred to the May 28th Continuation Meeting.

iii) Bernie Fox

Bernie Fox presented for his grandchild Faivyn Driver who needs medical assistance for dental surgery. Chairman Mark N. Fox stated that the request is for \$6,500 and asked Bernie Fox if he tried to go through the Indian Health Service referral system? Bernie Fox stated that he didn't due to time constraints. Chairman Mark N. Fox has no problem doing a loan/grant but wants the feds to pay their part. Bernie Fox stated that appointments are two months out at the Elbowoods Clinic. Councilman Mervin Packineau clarified Mr. Fox's intent on seeking a loan.

Motion: Councilman Frank Grady moved to approve a loan subject to seeking a referral from Elbowoods Health Clinic. Councilman Randy Phelan 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 – Not Voting/Not Present
Councilman Cory Spotted Bear – Aye
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye

Discussion: Dr. Kathy Eagle clarified the referral process for Bernie Fox. Mr. Fox is to return to the May 28th 2015 Special Continuation Meeting and present results of his seeking a medical referral from Elbowoods Clinic and to be considered for the loan and further aid.

iv) Elmer Wells Jr. Family



Motion: Councilman Randy Phelan moved to approve each Segment and the Chairman's Office to help with \$500 for a total of \$3,500. Councilman Fred Fox 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 – Not Voting/Not Present
Councilman Cory Spotted Bear – Aye
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

IX. HEALTH & HUMAN SERVICES COMMITTEE - Councilman Frank Grady, Chair

i) **Combined Insurance – Supplemental** - Wanda Belgarde
Item deferred.

ii) **Blaze Gogleman-Financial Match** - Anita Gogleman

Ms. Gogleman provided an outline of what has been paid forward. She is asking for a match of \$3,675 to help with the cost of a weight loss camp for her diabetic son Blaze Gogleman.

Motion: Councilman Fred Fox moved to approve a financial match of \$3,675. Councilman Frank Grady seconded the motion.

Vote: 5 Ayes. 1-Abstention. 1-Not Voting/Not Present. Motion carried.

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

Discussion: To include a Letter of Referral from a physician.

iii) **Child Support Services** - Bill Woods

Mr. Woods presented a resolution to allow the Tribe to file a Withholding Order on 50% of Three Affiliated Tribes disbursement payments from a parent delinquent on child support for over 90 days and owes over \$1000. There is already a statutory authority to do this.

Motion: Councilman Frank Grady moved to approve Resolution no. 15-079-LKH that reads "Authorizing the Three Affiliated Tribes Division of Child Support to Prepare and Serve Tribal



Income Withholding Orders". Councilman Mervin Packineau seconded the motion. Subject to changes to the federal Withholding Form.

Vote: 5 Ayes. 1-Opposed. 1-Not Voting/Not Present. Motion carried.

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

Discussion: Councilman Randy Phelan thinks it infringes on our sovereignty. Chairman Mark N. Fox disagrees. Mr. Woods stated that the money would go to the children. Chairman Mark N. Fox has a problem with the federal Income Withholding Form being used and the need for language stating that it will only seek repayment from tribal disbursements. Mr. Woods stated that he will work with Legal to make the changes in the resolution. Chairman Mark N. Fox thinks it strengthens our sovereignty. Councilman Randy Phelan wants the resolution to clearly state for enrolled children of the Tribe.

iv) Cross Country Competition in Australia/Hawaii - Nichole Price

Requesting sponsorship for Jalen & Joseph Chase for the 2015 Down Under International Games in Australia. The group has raised \$9,600. The total amount needs to be paid off by June 6th.

Motion: Councilman Mervin Packineau moved to approve a sponsorship of \$2,500/runner for a total of \$5000. 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 – Aye
Councilman L. Kenneth Hall – Not Voting/Not Present
Councilman Cory Spotted Bear – Aye
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye

v) New Town Ambulance - Brandon G and Dianna Wolf

Item deferred to the May 28th, 2015 Special Continuation Meeting.

vi) Madonna Azure Contract

Item deferred to the May 28th, 2015 Special Continuation Meeting.

vii) Ruth Meiers Hospitality House - Jaclyn Hall



Ms. Hall is seeking a one-time contribution to hire a case manager for just Three Affiliated Tribes enrolled members. Councilman Fred Fox toured the facility and recommended the item be deferred to the Mid-Year Budget Meeting. Chairman Mark N. Fox thinks it may be doable for the \$25,000 but needs a resolution. No Action

ix) Dr. Kathy Eagle, EMHC

Item deferred to May 28th, 2015 Special Continuation Meeting.

x) TERO Commission regulations - Kelsey Packineau

Mr. Packineau will bring a resolution concerning TERO Commission Regulations for the June 11th Tribal Business Council (*Agenda - Old Business*).

FTR: *For the June 11th TBC - Old Business Agenda*

X. ECONOMIC DEVELOPMENT COMMITTEE – Councilman L. Kenneth Hall, Chair

i) Electrical Line for Home Sites - Anita Deane

Anita Deane spoke for the group seeking \$32,800 for electric utility set up through McKenzie Electric. They will have sewer and tank, rural water after home set-up. Councilman Mervin Packineau asked if we can roll it into their home loans? Chairman Mark N. Fox stated that it comes out to \$8000 per person. Councilman Randy Phelan stated that Councilman Frank Grady stated he has the Heart Program that can help. They are also seeking help for septic because IHS has no funding at this time. The cost is \$44,000 for all 4 homes.

Motion: Councilman Cory Spotted Bear moved to approve a loan for electrical and a Directive to the Mortgage program to restructure the loans, for Anita Howard-Deane, Crystal Hallam, Tara Yellow Bird, and Kogie Poplaro. Councilman Mervin Packineau 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 – Not Voting/Not Present

Councilman Cory Spotted Bear – Aye

Councilman Frank Grady – Aye

Councilman Fred Fox – Aye

Discussion: The \$32,000 is to be divided by 4 and shared equally between the four presenting today to whichever loan program they utilize. The checks will be made to the home vendor and McKenzie Electric.

Motion: Councilman Frank Grady moved to approve for Septic installation through the Heart Program for \$44,000 for the 4 homes. Councilman Randy Phelan 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 – Not Voting/Not Present
Councilman Cory Spotted Bear – Aye
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye

FTR: Chief Johns of the New Town Police presented a report of traffic violations that support his request for authority to cite tribal members on traffic violations. (39 Code-Traffic). Chairman Mark N. Fox recommended the City of New Town start asserting its Civil Jurisdiction.

ii) Safe Haven Homes - Marilyn Young Bird

Item deferred to the May 28th, 2015 Special Continuation Meeting.

iii) Business Proposal - Cameron Hopkins

Item deferred to the May 28th, 2015 Special Continuation Meeting.

ii) Morning Star Daycare - Tanya Lone Fight-Ceynar & Barbara Little Swallow

Councilman Cory Spotted Bear informed the Tribal Business Council that Nueta Hidatsa Sahnish College is going to offer Day Care Licensing Classes. The Morning Star Day Care can only care for 7 children at this time. The group is requesting \$79,000 for fence & driveway at the Daycare. Chairman Mark N. Fox stated that perhaps financial support could be a mix of grants from North Segment and another part as a business loan for Friday's meeting.

iii) Basketball Sponsorship - Alfred Smith

Mr. Smith is seeking \$6000 for hotel, gas, and food for the Northern Thunder Boys Basketball Team traveling to the Native American Basketball Invitational in Phoenix, AZ. on June 30-July 4, 2015. The group has raised some money on their own.

Motion: Councilman Frank Grady move to approve 75% of the original request at \$3,750. Councilman Randy Phelan seconded the motion.

Motion Revised: Amount offered by the Tribal Business Council is amended to \$4,500.

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



iv) Sponsorship Request - *Brandon Clark*

Mr. Clark is seeking a sponsorship to compete in the Isklar Norseman Xtreme Triathlon in Norway on August 1st, 2015. He is also taking his wife and sister-in-law who are enrolled members.

Motion: Councilman Frank Grady moved to approve a sponsorship for the team at \$4000/participant for 3 participants. Councilman Mervin Packineau seconded the motion.

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

Discussion: Brandon Clark was asked by the Tribal Business Council to return and present his activities to them or at a community event.

v) Aging Services Building - *Iman Moore*

Iman Moore and Polly Chase presented budget needs for a building at about \$3.5 million. Chairman Mark N. Fox asked the group to visit with Councilman L. Kenneth Hall to see if there is revenue in the North Segment Budget, or under the Tribe's Special Projects. Chairman Mark N. Fox asked Ms. Moore to be active in revising their budget and working with the federal Government to adjust funding for the meal site.

vi) Financial Assistance - *Gloria Smith*

Councilman Fred Fox moved to approve a Medical Assistance Grant to Gloria Smith-Huff for her son Ryan Smith. Each Segment and the Chairman will provide \$430. Councilman Randy Phelan seconded the motion.

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

xi) Financial Assistance - *Stacey Smith*



Gloria Smith-Hoff represented for Stacy Smith at today's meeting. She is seeking a sponsorship for son who is competing in BMX Racing and is seeking assistance to purchase a new bike for \$5,657.

Motion: Councilman Frank Grady moved to approve a sponsorship of \$2,500 and match from the Casino. Councilman Mervin Packineau seconded the motion.

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

xii) Consultant Agreement - Sheila Many Ribs

Sherri Gillette is seeking approval to write a grant to purchase body cameras for Justice Center staff to record interviews. Ms. Many Ribs presented the Cory Sanders Contract renewal.

Motion: Councilman Randy Phelan moved to give permission to seek the Edward Byrne Memorial Justice Assistance Grant (JAG). 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

Motion: Councilman Randy Phelan moved to approve Resolution no. 15-096-LKH entitled “A Resolution to Retain the Services of Corey Sanders to be a Consultant for the Planning & Grants for Upcoming Fiscal Year 2016 “. 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



XI. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair

- i) **INFR - Councilman Fred Fox**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- ii) **Educational Request - Melissa Acosta**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- iii) **Dog Pit and Twin Buttes Transfer Station - Antoine Fettig & Patrick DuBois**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- iv) **HALCON - Mike Huber**
Item differed to the May 28th, 2015 Special Continuation Meeting.
- v) **WPX-Temporary Water Line**
Item differed to the May 28th, 2015 Special Continuation Meeting.
- vi) **Missouri River Resources Resolution**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- vii) **McKenzie Electric - Carson Hood Jr**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- viii) **TARGA – ROW A**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- ix) **Crestwood Request - Carson Hood Jr**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- x) **Rural Water Update - Maynard Demaray**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- xi) **Contract Discussion – Tallsalt/Granbois**
Item deferred to the May 28th, 2015 Special Continuation Meeting.

XII. JUDICIAL COMMITTEE – Councilman Fred Fox, Chair

- i) **Public Safety (2 Resolutions)**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- ii) **Fort Berthold District Court**
Item deferred to the May 28th, 2015 Special Continuation Meeting.



- a. **RESO-“Appointment of a Special Judge to Preside Over Cases that are a Conflict of Interest to the Regular Judges within the MHA Nation District Court”** - Diane Johnson
- b. **RESO- “Tom Gunderson appointment to the Justice Commission”** - Diane Johnson
- c. **Special Judge Terry Pechota appointment** - Diane Johnson

- iii) **Twin Buttes LE Officers** - Al Demaray
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- iv) **Condition Response Training** - Titus White Body
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- v) **Law Enforcement Specialist/Grant Contractor/Contract Specialist**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- vi) **Summer Intern** - Robert Hunter Sr.
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- vii) **Sadie Young Bird - Consultant Contracts**
Item deferred to the May 28th, 2015 Special Continuation Meeting.

XIII. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

- i) **MHA Juvenile Truancy Officer** - Francine White
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- ii) **Financial Assistance for the Study Abroad Program in Peru** - Monea Warrington
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- iii) **2015 Learn and Lead** - Laurel Deegan Fricke
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- iv) **Educational Assistance for Nursing School** - Willow Hale
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- v) **Brother Eagle** - Damon Brady
Item deferred to the May 28th, 2015 Special Continuation Meeting.

XIV. LEGAL DEPARTMENT - Caleb Dog Eagle, Esq., MHA Acting Supervising Attorney

Item deferred to the May 28th, 2015 Special Continuation Meeting.

- i) **RESO Solid Waste Rental Fees**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- ii) **Galanda Broadman Contract** - Caleb Dogeagle
- iii) **Election Consultant Contracts**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- iv) **Liquor Licensees**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- v) **Customary Adoption Code**

Motion: Councilman L. Kenneth Hall moved to approve a third reading for the Alternative Permanency Plan. Councilman Fred Fox seconded the motion.



Vote: 5 Ayes. 2-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 – Not Voting/Not Present
Councilman Fred Fox – Aye

XV. NEW BUSINESS – Tribal Councilman Add Ons

- i) **Chairman Mark Fox - Dennis Deutsch Contract**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- ii) **Chairman Mark Fox - Angelo White Body Financial Request**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- iii) **Councilman Cory Spotted Bear - Board Appointments**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- iv) **Councilman Cory Spotted Bear - Twin Buttes Horse Race**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- v) **Councilman Mervin Packineau – Luke Spotted Bear**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- vi) **Councilman Mervin Packineau - Reserved**
- vii) **Councilman Randy Phelan - Reserved**
- viii) **Councilman Randy Phelan - Reserved**
- ix) **Councilman L. Kenneth Hall - Reserved**
- x) **Councilman L. Kenneth Hall - Stephanie Baker**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- xi) **Councilman Fred Fox - Duane Bowens, Old Scouts**
- xii) **Councilman Fred Fox - Hans Young Bird**
- xiii) **Councilman Frank Grady - Pearl Ross**
- xiv) **Councilman Frank Grady - Reserved**

XVI. CLOSED SESSION –

- i) **Public Safety Commission - Gerald White**
Item deferred to the May 28th, 2015 Special Continuation Meeting.
- ii) **Cliff Whitman Sr.**
Addressed
- iii) **Home Mortgage Pauline Irwin & Bentley Heart**
Addressed
- iv) **Beneficiary Issue**



Addressed

v) **Head Start - Kelly Bradfield**
Item deferred to the May 28th, 2015 Special Continuation Meeting.

vi) **Antoine Smith/Caleb Dogeagle**
Item deferred to the May 28th, 2015 Special Continuation Meeting.

vii) **Deb Thompson/Dr. Monica Mayer**
Item deferred to the May 28th, 2015 Special Continuation Meeting.

viii) **Human Resources**
Item deferred to the May 28th, 2015 Special Continuation Meeting.

ix) **Dr. Arcelay Contract**

FTR: Councilman Randy Phelan left the meeting

FTR: Councilman Fred Fox joined the meeting via telephone.

x) **Dean Devolis CEO DJR Construction, Staff, and TAT Staff**
Addressed

XVII. ADJOURNMENT

Meeting recessed at 10:01pm.



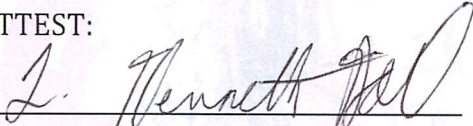
CERTIFICATION

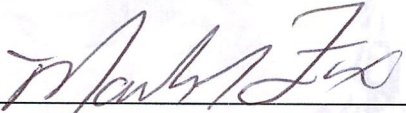
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum 7 were present at the Special Meeting thereof duly called, notice, convened and held on the 27th day of May ; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 7 members; 0 members opposed; 0 members abstained; 0 Members not voting.

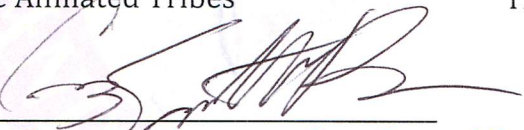
Chairman (X) Voting () Not Voting

Dated this 8th day of October 2015.

ATTEST:


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


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


Acting Executive Secretary, Cory Spotted Bear
Tribal Business Council,
Three Affiliated Tribes