



CALL TO ORDER

Meeting called to order at 11:08am.

OPENING PRAYER

Prayer by Barb Miller.

ROLL CALL OF THE TRIBAL BUSINESS COUNCIL

Present: Councilman Cory Spotted Bear, Councilman Fred Fox (Not present), Councilman Randy Phelan, Councilman Frank Grady, Councilman Mervin Packineau (Not present), Councilman L. Kenneth Hall. ***Quorum established.***

I APPROVAL OF AGENDA

A membership disbursement is scheduled for the week of July 27nd for \$1000. This disbursement is made up of a combination of the annual Peoples Fund (Federally maintained account OTFM) of \$600 for each enrolled member, with the remainder from adjustment of the Tribal Budget to bring the individual amount members receive to \$1000 each.

Motion: Councilman Randy Phelan moved to approve the agenda as amended. Councilman L. Kenneth Hall seconded the motion.

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

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 – Not voting/Not present.

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

- i) March 13, 2015 - *Item deferred.*
- ii) March 17, 2015- *Item deferred.*
- iii) April 16, 2015- *Item deferred.*
- iv) May 27 & May 28, 2015- *Item deferred.*
- v) June 11, 2015- *Item deferred.*

EXECUTIVE COMMITTEE REPORTS

III CHAIRMAN'S REPORT – Chairman Mark N. Fox



(July 9th). Chairman Mark N. Fox discussed a number of issues in Washington, D.C., such as the riverbed, excess lands, pollution, and environmental impact. Been quite busy and slated to address the Budget in work sessions. Hoping the revenues will continue to rise, the impact on our budget from very low oil revenues is greatly effecting our budget. Had long meetings with the Governor ranging from the oil and gas agreement to non-funding from the State and regulatory issues. Including stepping up taxation and regulatory control on the reservation. About a week later the general disbursement. Many members passing on, we have all had loses. To note one of our families lost, even though not enrolled, she became one of us, she is a highly respected elder, Izzy Smith. Councilman Randy Phelan is asking the Tribal Business Council to make her an honorary member. A lot of things going on at home, and everything else going on, we are going to continue to address. On a good note, today we had two individuals to honor and helped to support. Angelo White Body now the Native American Light Heavy Weight Champion, also we want to acknowledge in the area of rodeo, Jesse Chase. We have seen Jesse here throughout the years. His name is becoming a legend already as a young man. His Saddle is displayed today here in the chambers.

Motion: Councilman Randy Phelan moved to approve a motion to make Isabelle “Izzy” Smith an honorary member of the Three Affiliated Tribes. Councilman Frank Grady seconded the motion.

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

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 – Not voting/Not present.

i) Jesse Chase Honoring

Chairman Mark N. Fox read his long list Jesse Chase in his of Rodeo accomplishments to acknowledge. In August we will be recognizing all our young champions and ask him to come back in August. Looking forward to seeing him at NFR in Las Vegas. You’re waking up the world of Roping world. Norma Baker presented him with a Pendleton from Chairman Mark N. Fox, along with Councilman L. Kenneth Hall, and Councilman Randy Phelan presenting similar gifts. Elgin Crows Breast grandfather spoke for Jesse and explained how he has over 79 buckles and told of how he grew up on rodeo. The Tribal Business Council took pictures with Jesse. Councilman Randy Phelan, Councilman Cory Spotted Bear, and Councilman Frank Grady sang an Honor Song for Jesse Chase. Chairman Mark N. Fox thanked the family for coming. Jesse’s father spoke to the Council and said that there is too many to thank at this time, Jesse beat world champions’ sons, and competed with the best. He expressed his condolences to the Smith family. He stated that his grandpas were champions and Jesse comes from a long line of rodeo champions. He is heading into the adult divisions and traveling to more rodeos. Just a



beginning. Chairman Mark N. Fox requested financial assistance to help Jesse travel to Canada for an upcoming rodeo.

FTR: Councilman Fred Fox entered the meeting at 11:57am.

Motion: Councilman Randy Phelan moved to approve Financial Assistance from each Segment and the Chairman's, Office in the amount of \$500 for Jesse Chase Rodeo tour. Councilman Randy Phelan's Office will make up the balance of \$2000. Councilman Frank Grady seconded the motion.

Vote: 6 Ayes. 1 – Not Voting/Not Present. Motion approved.

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

Discussion: Councilman Fred Fox threw down \$100 and challenged the rest of the Council to match also for his grandson.

FTR: Chairman Mark N. Fox stated that the MHA Technician couldn't be here do to a death, we think it's critical for transparency, but hope to have them broadcasting soon.

ii) **BLM**

Three members of BLM introduced themselves; Diane Freeze (District Manager Eastern Montana BLM Dakota District), Lowell Hasser (BLM Project Manager Pipeline Manager, Laurel Witchtrum (Acting Field Manager for ND BLM). They are here today to discuss the projects on the existing Hess Hawkeye and new Bakkan Link pipelines. Lowell Hasser explained the two projects; 1. Hess Hawkeye is to construct a pipeline south of Lake Sakakawea near Tioga about 26 miles long with new pipe tech and repurpose existing pipelines crossing the lake. To transport crude oil, natural gas, and NGL's from an existing facility. New 12 diameter pipeline that go under the lake and repurpose existing pipelines for gas. Pros are to reduce truck traffic, flaring, SCADA system and no surface disturbance to the lake. Cons are the possibility of a spill into the lake. Mechanisms are in place to act in such an event. 2.) The 2nd project is the Bakkan Link which purposes a new 37 mile crude oil pipeline from Dry Creek Terminal near Johnson's Corner cross the lake to the to Beaver Lodge Interconnect Facility in McKenzie County. The 16" pipeline would allow for bi-directional flow of crude. The pipeline would cross the lake and be trenched in at 4 feet depth with 2" concrete surround barrier. The pipe to be welded on the shore, and then pulled across from the North shore it would reduce truck traffic by 400 trucks per day. Cons of the 2nd project is HDD pipe would be unfeasible. Chairman Mark N. Fox: My position then as Chairman



concerning this is, it's up to our Tribal Business Council to support or not. Whether it's the line there already that you're going to reuse or whether it's the line constructed or trenched I stand opposed to both. Directly upstream from our nation. If spills occur then it will impact all of our drinking water. There are safer and better ways to do it. We are here to protect our people. My basic position and hopes the rest of the Tribal Business Council agrees, we require that you drill far enough under the rock to ensure the prevention of any chance of contamination. Councilman Randy Phelan stated that I think it is very crucial, you understand that water is very important, if you have a break, that's our livelihood. I oppose trenching, if you have to bore that's what you got to do to protect our drinking water. [Applause] Councilman Frank Grady stated that he felt the same way. "It's our livelihood. What's our insurance you can protect our water." Councilman L. Kenneth Hall asked the group if they are planning any outreach for community education on this. BLM stated that they do not but could. Councilman Cory Spotted Bear stated that he opposes this, and we have historic ties to the riverbed, we still have ceremonies were we feed the river. Councilman Fred Fox stated that he opposes it also. Councilman Mervin Packineau stated that we have already sent letters opposing trench.

Motion: Councilman Randy Phelan moved to approve a motion to adamantly oppose both proposed new and refurbished pipelines presented by the BLM. Councilman Frank Grady seconded the motion.

Vote: 6 Ayes. 1 – Not Voting/Not Present. Motion approved.

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

Discussion: These have a direct impact on us. I believe we are all adamantly opposed. Travis Hallam stated that in meetings they stated that a spill in the river of the worst case scenario won't affect us, and only travel a certain distance. We need time to research the truth of what they are telling us. In discussions with the EPA the representative stated that benzenes would stay in the water and what Hess stated is not true. Hess Community Development and inaction speaks louder than words, I'm opposed. Chairman Mark N. Fox stated that we understand the nature of the oil boom. We have ramped up the best we can. But its responsible development. There is a better way such as boring, and we know it costs more money. But that's not our concern. We are being impacted by spills daily. Every Day! We are out there fighting like hell to save this for our grandchildren, there are better ways

iii) Law Enforcement – Construction Resolution



Phase I. of a 14.5 million Law Enforcement and Courthouse Project. Three bids submitted with 2 in the ballpark. Lowest bid was Capital City and need to get that contract negotiated and submitted.

Motion: Councilman L. Kenneth Hall moved to approve Resolution no. 15-107-LKH entitled “*Appropriation of Funds and Approval of Contract for the Construction of the Justice Center and Tribal Courts Facility*”. Councilman Frank Grady seconded the motion.

Vote: 6 Ayes. 1 – Not Voting/Not Present. Motion approved.

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

Dissussion: Chairman Mark N. Fox stated that it will take \$2.7 million to build energy efficient heating and cooling system. Goal is to build without Federal assistance. But after we build it we are going to ask them for operation maintainance. This in the long run could double the poosibility of receiving Federal grant funding for Law Enforcemnt and Court.

IV **VICE CHAIRMAN’S REPORT** – *Councilman Randy Phelan*

- i) Disbursements

V **TREASURER’S REPORT** – *Councilman Mervin Packineau*

- i) **Makes Cents**
Item deferred to the July 23rd.Continuation Meeting.

- ii) **Land Sale - Pete Coffey Jr.**
Mr. Coffey is seeking to sell a home to the Tribe and presented the Tribal Business Council with the appraisal at \$128,000. Mr. Coffey also stated that the existing home loan balance of \$53,000 could be taken out of the purchase price of the home.

Motion: Councilman Mervin Packineau moved to approve a motion to purchase the Pete Coffey Jr. home and property according to the appraisal price of \$128,000 and with a deduction of \$53,000 to pay off the net balance off an existing TAT home loan, and making sure the deed and abstract are with the Home Loan Program. Details to be worked out with Small Loans and Mortgage program. Councilman Frank Grady seconded the motion.



Vote: 7 Ayes. Motion approved.
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) **GEN-I Update** – *Roger White Owl*
Councilman L. Kenneth Hall provided a brief update for Roger White Owl who was attending the GEN-I Conference for this item. 15 young people attending with Mr. White Owl and 2 chaperones.
- ii) **Casey Family** – *Monte Fox, Senior Director*
Mr. Casey presented a history of the Casey Family organization. Seeking a 5 year agreement to provide technical assistance, consultation resources, summit, youth leadership, tribal government judgeship training. They would be paying for these services to the tribe to increase capacities. Councilman Frank Grady stated that the Health Committee reviewed the program and recommended approval. Legal has reviewed and stated that it was a good program. We would work directly with Social Services and their strategic goals. Councilman L. Kenneth Hall stated that Rene Mayer, Director of Social Services was in complete agreement with accepting their services.

Motion: Councilman Frank Grady moved to approve subject to approval to move forward with a 5 year agreement subject to a resolution from the Legal Department. Councilman L. Kenneth Hall seconded the motion.

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

Discussion: Chairman Mark N. Fox asked that it be brought back by the end of the day. Nelrene Yellow Bird from the audience spoke about how it would be helpful to bring resources to help Social Workers to get training and degrees. Monty Fox replied that it is not something that we have done in the past, but could consider. Chairman Mark N. Fox



discussed how special our people are and sometimes we forget former athletes Monte should be recognized. Monte asked for a picture opportunity.

VII OFFICER REPORTS:

Chief Executive Officer Report – *Allen Nygard*

i) **Update on Small Loan Program**

Al Nygard discussed working with the Whitney Bell, CFO to combine the Mortgage and Business Loan Programs into one program with Financial Services and Policies and Procedures. Collections and debt repayment needs to evolve and will need Legal Department to focus on developing these areas to insure that these programs are viable.

ii) **Update on Grants/Donations**

Allan Nygard is working with Segment staff to streamline this labor intensive process and the amounts are effective and meets the needs. Will be meeting again after the analysis is complete on each fund to determine where the activity is and use. Recommendations coming from staff are a database to track, funeral, medical, and streamlining the signature process with financial audit process in full consideration. We will bring something to the next Tribal Business Council on the July 23rd meeting and hope to roll out by the new fiscal year. Chairman Mark N. Fox discussed General Welfare Exclusions and protecting individuals receiving aid from the IRS and requiring 1099's. The need to develop the policies & procedures and write this into our code and getting the IRS to accept. Allen Nygard agreed and added on the loan side if we start forgiving loans.

iii) **Enrollment Update** - *Sevant Taft, Acting Enrollment Director*

Motion: Councilman Randy Phelan moved to approve Resolution no. 15-109-LKH entitled “*Approval of 72 Applicants for Enrollment into the Three Affiliated Tribes* “. Councilman L. Kenneth Hall seconded the motion.

Vote: 5 Ayes. 2-Not Voting/Not Present. Motion approved.
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

Discussion: We did have a number that relinquishing enrollment from another tribe. Chairman Mark N. Fox commented that they need to receive letters notifying them why they were declined. The number of enrolled members now stands at 143585. Mr. Taft expressed the need to archive paper records and digitizing and back up of those digital



records. He also asked for clarification on a probate issue and an IIM balance. John Fredericks asked that a public notice to determine heirs as a matter of procedure.

Chief Financial Officer Report - Whitney Bell

i) Tribal Budget

Item deferred to the July 23rd. Continuation Meeting.

FTR: MHA Communications starting broadcasting the meeting after technical difficulties at the start of the meeting.

ii) Small Loans - Mary Ellen Sun

Motion: Councilman L. Kenneth Hall moved to approve a motion to accept all 17 Small Loans Group A of the applications submitted. Councilman Randy Phelan seconded the motion.

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

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 – Abstained

Councilman Fred Fox – Aye

Discussion: Mary Ellen Sun stated there is one more application for Mr. Hans Bradly who is seeking \$25,000. She needs to see if he owes anything, and work with an entity we have not worked with before. She also needs to see if they will do a wage deduction and will need collateral. Chairman Mark N. Fox stated that this is to be included in this motion subject to the requirement stated by Mary Ellen Sun. Chairman Mark Fox asked Mary Ellen Sun about the other situation with the family that just had the funeral. Mary Ellen Sun stated she did have that request included. Chairman Mark N. Fox confirmed and stated she will probably have a number of others. Mary Ellen Sun stated that she can do even if they owe past the \$3,500 because the Funeral policy says we can. Chairman Mark N. Fox asked “You will help them” and she affirmed.

Motion: Councilman Randy Phelan moved to approve a motion to accept the Small Loans applications from Group B 1-3 subject to requirements specified in the discussion. Councilman Frank Grady seconded the motion.

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

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 –
Councilman Fred Fox – Aye

Discussion: Mary Ellen Sun recommends Applicant 1, would need a cosigner and collateral. Applicant 3 is showing an existing balance but Mary Ellen Sun strongly believes the balance is incorrect and needs further investigation. Applicant #2 is requesting using IIM to pay on the loan. It is really hard to use IIM's because they can be changed, so she is requesting a co-signer to purchase a trailer and that could be used as partial collateral.

Group C: 1 applicant is seeking an Educational Loan. She is in her last semester. GPA is good, and meets the requirement of an Educational loan. Chairman Mark N. Fox stated that should be eligible for the Tribal Grant Supplement. We could approve subject to application and denial of the Tribal Grant Supplement.

Motion: Councilman Fred Fox moved approve an Educational Loan subject to denial of a Tribal Grant Supplement. Councilman Frank Grady seconded the motion.

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

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

VIII UNFINISHED BUSINESS

- i) **TERO Commission Regulations - Kelsey Packineau**
Item deferred to the July 23rd. Continuation Meeting. Chairman Mark N. Fox asked the Tribal Business Council by August to have your new appointees, same or not under the new guidelines. By July 23rd Continuation have the final review of the Regulations while working with Legal.
- ii) **Contract - Angela Cummings**
Item deferred to the July 23rd. Continuation Meeting.
- iii) **Becky White Owl**
Danette Hunts Along and Becky White Owl discussed a situation where her trailer house was taken away by Lawrence Baker, without notification. The Committee asked us to itemize our property in trailer but everything was in the trailer. Councilman Frank Grady stated that we had a special Health/HR Committee Meeting on this item and we did send



out notice on the 7th and Lawrence Baker sent a representative and presented. His representative stated that it was abandoned and only one payment was made in April or May of this year. The trailer was repossessed and sent to White Shield. If I was to leave a trailer abandoned and not check on it, I'm asking for people to break in and steal my stuff. So after meeting we concluded that this matter wouldn't go any further. Councilman Cory Spotted bear stated that Lawrence Baker's staff said only one payment was made. Danette Hunts Along stated that it was not abandoned and had made payments. Chairman Mark N. Fox stated that the amount owed was about \$10,000 with \$5000 for losses the amount owed on the trailer would not give a positive balance. Danette Hunts along would like to see the paperwork on the trailer. Chairman Mark N. Fox stated that as it stands, he recommends going back to Committee to present your case.

FTR: Councilman Mervin Packineau entered the meeting at 1:52pm.

iv) **MHA Communication** – *Pete Coffey Jr.*

Mr. Coffey presented an amended Charter for approval stating that the Radio Station is a non-profit entity. A Resolution has been approved and is currently under review by Legal.

Motion: Councilman Frank Grady moved to accept a motion to approve the MHA Communication non-profit charter. Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion approved.

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 **MEDICAL REQUESTS**

i) **Samantha Antonio**

Motion: Councilman Randy Phelan moved to provide \$300 Medical Assistance from each Segment and the Chairman's Office. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion approved.

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) **Rocky Red Fox**
Item deferred to the July 23rd. Continuation Meeting.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

X JUDICIAL COMMITTEE – Councilman Fred Fox, Chair

- i) **Population Projection Project - Sevant Taft**
Item deferred to the July 23rd. Continuation Meeting.
- ii) **Tribal License Plates - Richard Hall**
Item deferred to the July 23rd. Continuation Meeting.
- iii) **SLAC Agreement - Nelson Heart**
Item deferred to the July 23rd. Continuation Meeting.
- iv) **Public Safety - Gerald White**
Item deferred to the July 23rd. Continuation Meeting.
- v) **Law Enforcement Contracts**
Don Charging & Elmer Four Dance Contracts.
Item deferred to the July 23rd. Continuation Meeting.

XI EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

- i) **Brother Eagle - Damon Brady**
Item deferred to the July 23rd. Continuation Meeting.
- iii) **NHSC - Dr. Twyla Baker Demaray**
Jeremy Lewis, Human Resource Director presented proposal to move authority Child Care Licensing to the College to certify day care providers. Item deferred to the 23rd. Continuation Meeting. Allan Nygard to follow up.
- iv) **Megabands - Dennis Fox Jr.**
Dennis Fox Jr. and Rich Mayer of the North Segment Community Board presented a request to cover the additional cost of the North Segment Clean-Up Day Megabands incentive. A large number of youth participants at the cleanup day around 248 under 18. The cost now is \$17,500. Chairman Mark N. Fox asked Dennis Fox if the asked



Councilman L. Kenneth Hall would cover this request through his Segment funds.
Councilman L. Kenneth Hall stated that he is sure we can.

XII **HEALTH & HUMAN SERVICES** - *Councilman Frank Grady, Chair*

i) Letter of Support - Shasta Mandan

SDPI Grant Coordinator, and applying for a grant that we have received since 1998 and is seeking a Letter of Support.

Motion: Councilman Mervin Packineau moved to approve Resolution no. 15-111-LKH “*Special Diabetes Program Continuation*”. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion approved.

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) Contracts - Dr. Kathy Eagle

Seeking approval to complete a scope of work for six months at \$9,500

Motion: Councilman L. Kenneth Hall moved to approve the contract entitled “*Consultant Contract Between MHA Nation Elbowoods Memorial Health Center and Twyla Baker-Demaray for the Grant of: The Great Plains Tribal Chairman’s Health Board*”. Councilman Randy Phelan seconded the motion.

Vote: 7 Ayes. Motion approved.

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: Two contracts for the Dentists. Item deferred to the July 23rd Continuation Meeting.

iii) **Financial Assistance - Myron Foote**

Myron Foote is requesting financial support for half of the cost for the Adrian Foote Sr. PRCA Memorial Rodeo on August 1st.

Motion: Councilman L. Kenneth Hall moved to approve a motion to provide \$9,000 with an additional \$500 from each Councilman and the Chairman's Office. Councilman Cory Spotted Bear seconded the motion.

Vote: 7 Ayes. Motion approved.

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 asked that the motion be amended to include that the City give us a stronger commitment for future events at the rodeo grounds. Casino Manager, Pat Packineau will look at a match of \$9,000 for the event. Councilman Mervin Packineau staff will route the request.

Motion Amended:

iv) **Two Rivers Facility Staff - Bruce Gillette/Dr. Chris Hurtler**

1. **Motion:** Councilman L. Kenneth Hall moved to approve a Resolution no. 15-112-LKH entitled "Approving the Train for Change Substance Abuse Intervention and approval of North Dakota State University's (NDSU) American Indian Public Health Resource Center (AIPHRC) to evaluate the Intervention on MHA Nation". Councilman Fred Fox seconded the motion.

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

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 – Aye



2. Seven Generations Games - Letter of Support

Motion: Councilman Randy Phelan moved to approve a motion to provide a Letter of Support for Seven Generations Games. Councilman Mervin Packineau seconded the motion.

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

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 – Aye

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

i) **Financial Request - Holly Dickens Fox**

Presented two estimates to renovate her home for handicap accessibility. Is seeking a mortgage loan to fix up her house. She is seeking \$35,000

Motion: Councilman Fred Fox moved to approve a motion to provide a Loan for \$10,000 for grant from the Chairman Office and \$25,000 through the home loan program. Councilman Mervin Packineau seconded the motion.

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

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.

ii) **Educational Grant - Emily Connors**

Emily Connors provided a letter of un-met need from United Tribes unmet need. Kari Mossett and Al Nygard will work with you for the \$2500 Educational Grant. Also on behalf of her husband, Chad Conner. Chairman Mark N. Fox stated that we will work with him too if he meets the three requirements.

iii) **Reimbursement Request - Cheryl Yellow Bird**

Nelrene Yellow Bird present to reimburse Alisa Crooks of Pryor Lake in the amount of \$2,300 for funeral services paid for a tribal member.

Motion: Councilman Fred Fox moved to approve a motion to accept the reimbursement request \$2,300. Councilman Randy Phelan seconded the motion.



Vote: 7 Ayes. Motion approved.
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 L. Kenneth Hall stepped out of the meeting at about 3:22pm.

- iv) **EMHC Change Order for Landscaping & Brick and Stone** - *Chris Saxton*
- v) **Business Loans** – *Toni Starr*
Item deferred to the July 23rd. Continuation Meeting.
- vi) **RPI** – *Ed White*
Item deferred to the July 23rd. Continuation Meeting.

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

- i) **Knife River Monument** - *Claryca Mandan*
Item deferred to the July 23rd. Continuation Meeting.
- ii) **Cultural Committee and Budget** - *Claryca Mandan*
Item deferred to the July 23rd. Continuation Meeting.
- iii) **Confidentiality Statement in all Consulting Contracts** - *Texx Lone Bear*
- iv) **Eagle View Water Depot** - *Ted Lone Fight*
Item deferred to the July 23rd. Continuation Meeting.
- v) **McKenzie Electric** - *Richard Grinnell*
ROW for electrical hook-ups

Motion: Councilman Randy Phelan moved to approve a motion to provide an easement for electrical hook-up and subject to legal review and resolution. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion approved.
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) **Van Hook Lot - Arthur Tom Mandan**

Motion: Councilman L. Kenneth Hall moved to approve a motion to allow the transfer of the Wayne & Jennifer Fox Lots in Van Hook to Arthur T. Mandan. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion approved.
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

vii) **Little Big Horn/Old Scouts Executive Order**

Motion: Councilman Fred Fox moved to approve a motion to ratify the *Little Big Horn/Old Scouts Executive Order*. Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1-Not Voting/Not Present. Motion approved.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Mervin Packineau – 1-Not Voting/Not Present
Councilman L. Kenneth Hall – Aye
Councilman Cory Spotted Bear – Aye
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye

Discussion: Total amount was \$18,000 from the 380 Fund

viii) **Right of Way Approvals**

Motion: Councilman Fred Fox moved to approve Resolution no. 15-116-LKH entitled “*Approval of Consents for Certain Rights-of-Way on Tribal Land*”. Councilman Randy Phelan seconded the motion.

Vote: 7 Ayes. Motion approved.
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) Fox&Hawk - Clair Fox

Water Permit and Depot off of the Little Missouri. With a 17% royalty to the Tribe. Chairman Mark N. Fox stated that 17% is pretty lucrative on your side; other contracts are closer to 92%. Discussion of the pending Water Code and water rights for surface water and fighting with the State over the Little Missouri. Item deferred to a later date.

x) Shannon Attcity Contract - Carson Hood Jr.

Motion: Councilman Fred Fox moved to approve Resolution no. 15-117-LKH entitled “*Authorizing Contract Modification to the Special Counsel Contract with Holland & Knight LLP*”. Councilman Mervin Packineau seconded the motion.

Vote: 5 Ayes. 1-Opposed. 1-Abstention. Motion approved.

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 – Abstained
Councilman Fred Fox – Aye

xi) Refinery Update - Richard Mayer

Presented a feasibility report analyzes financial decisions resolution for the Chairman Mark N. Fox to negotiate terms with Tribal Business Council review. Currently shopping around for a finance package. Councilman Randy Phelan asked what Ventech’s investment is. Chairman Mark N. Fox stated could be 20-50%. We are seeking to make them an equity partner and also help us find a conventional financial partner at around 8%. Former Chairman Tex G. Hall also has a proposal along with others. Councilman Fred Fox stated that we need to shop around and make sure we get the best deal we can.

Motion: Councilman Mervin Packineau moved to approve Resolution no. 15-118-LKH entitled “*Approval for Thunder Butte Petroleum Services, Inc. and Chairman Fox, to Advance Negotiations with Ventech Engineers International LLC to Develop a Contract to Develop the MHA Nation Clean Fuels Refinery Project*”. Councilman Fred Fox seconded the motion.



Vote: 7 Ayes. Motion approved.

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 Randy Phelan wants us to be cautious and not lock in a contract when we could get a better deal. John Fredericks stated that it is a non-binding agreement.

xii) **Utility Corridor Resolution - Texx Lone Bear**
Item deferred to the July 23rd Continuation Meeting.

xiii) **Range Units - Texx Lone Bear**

Submitted letter to adjust the grazing rental rate on allotted lands of the new 2016 grazing period. Kayla Danks explained that the current rental rate for range units by AUM are currently 13.24 for allotted land with a new proposed rate of 14.04. Stated that according to the CFR the rental rate is determined by appraisals and Fort Berthold hasn't had an appraisal in 10 years. Comment period deadline is July 17th, 2015.

Motion: Councilman Fred Fox moved to approve a motion to recommend for no increases in 2016 Grazing Rental Rate on allotted lands. Councilman Cory Spotted Bear seconded the motion.

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

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

Discussion: Letter to be submitted stating no increases. Casey Fredericks commented on 30 years of fighting range rental rate. Exclaimed there needs to be more focus on the value of the land and improvements be considered. Councilman Mervin Packineau asked about the condition of his range unit. Casey Fredericks replied that they in poor condition because someone might what to take it. It's a constant struggle. Discussed double standards for Federal program availability on and off the reservation.



Motion: Councilman Fred Fox moved to approve Resolution no. 15-113-LKH entitled “*Approval of 4 range unit allocations and 3 modification*”. Councilman Frank Grady seconded the motion.

Vote: 5 Ayes. 2-Not Voting/Not Present. Motion approved.

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

xiv) **Native American Church Resolution - *Texx Lone Bear***

Motion: Councilman Cory Spotted Bear moved to approve Resolution no. 15-114-LKH entitled “*Approval of lease for Fort Berthold Native American Church*”. Councilman Frank Grady seconded the motion.

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

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.

xv) **Home Site Leases - *Texx Lone Bear***

Motion: Councilman Fred Fox moved to approve Resolution 15-115-LKH entitled “*Approval of Homesites Leases and Consent for Residential Lease*”. Councilman Frank Grady seconded the motion.

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

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

xvi) **Fish and Game Proclamations - *Antoine Fettig***



Motion: Councilman Fred Fox moved to approve a motion to approve the annual Fish and Game Proclamations. Councilman Randy Phelan seconded the motion.

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

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 – Opposed
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye

Discussion: Councilman Randy asked that the non-member permit language be removed and include the spouses and children of. Please bring back to the Natural Resource Committee.

xvii) **“Establish and Re-establish Agricultural Lands Leasing Policy, Rental Rates, Lease Preparation Fees and Tribal Tax” – George Abe**

Motion: Councilman Randy Phelan moved to approve Resolution entitled “Establish and Re-establish Agricultural Lands Leasing Policy, Rental Rates, Lease Preparation Fees and Tribal Tax.” Councilman Fred Fox seconded the motion.

Discussion: The Tribal Business Council would like to see the numbers of what the rates were for Indian and non-Indian rates. Councilman Fred Fox commented that this item was not brought before the Natural Resource Committee and Councilman Randy Phelan confirmed. Item deferred to the next Natural Resource Committee Meeting.

Motion Rescinded:

xviii) **TARGA – 15-063-LKH**

Jacy Rabbithead, TARGA Resource representative stated that the approved Resolution 15-093-LKH has two clerical errors in the Resolution that he is here today to correct. Two legal descriptions on the second page in the box second from the last need to be changed from 94 to 93. Chairman Mark N. Fox asked if it was T15293. Jacy Rabbithead affirmed.

Motion: Councilman Randy Phelan moved to approve a motion to correct Resolution 15-063-LKH to reflect the changes request from 94 to 93. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion approved.
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

XV LEGAL DEPARTMENT – Caleb Dog Eagle, Esq., MHA Acting Supervising Attorney

- i) **Enrollment Ordinance**
Item deferred to the July 23rd. Continuation Meeting.

XVI NEW BUSINESS – Tribal Councilman Add Ons

- i) Chairman Mark Fox - *Reserved*
ii) Chairman Mark Fox - *Reserved*
iii) Councilman Frank Grady - *Reserved*
iv) Councilman Frank Grady - *Reserved*
v) **Councilman Cory Spotted Bear- Maynard Demaray**

Motion: Councilman Cory Spotted Bear moved to approve Resolution no. 15-119-LKH “Approval of the Purchase of Real Property from Virgil Eagle”. Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion approved.
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) **Councilman Cory Spotted Bear- *Reserved***
vii) **Councilman Mervin Packineau – Charlene Foote In-City Lot**

Motion: Councilman Mervin Packineau moved to approve a motion to allocate a City Lot to Charlene Foote with Councilman Mervin Packineau to complete the Legal requirements for a home. Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion approved.
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) Councilman Mervin Packineau - West Segment Regulatory Commission

Harriet Good Iron, Shane Johnson, Ted Lone Fight III, and Elton Spotted Horse. Addressed the Tribal Business Council concerning duplication of services and fees with TERO. Chairman Mark N. Fox asked if there are qualifications to serve as a Commission member. Councilman Randy Phelan stated that we are new and hope to add soon.

ix) Councilman Randy Phelan- Financial Request

Motion: Councilman Fred Fox moved to approve a motion to provide financial assistance to Veronica Serdahl to cover the remaining balance for a Hearing Aid at \$3800 to be secured from each Segment and the Chairman's Office for \$500 and Councilman Randy Phelan's Office providing \$800. Councilman Randy Phelan seconded the motion.

Vote: 7 Ayes. Motion approved.
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

x) Councilman Randy Phelan – Education Request

Motion: Councilman Randy Phelan moved to approve a motion to provide an educational assistance for the balance of a bill to Kylene Young Bear (minor child) subject to seeking Title I funding from the Mandaree School for the Sylvan School in Bismarck. Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion approved.
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) Councilman L. Kenneth Hall- Reserved



- xii) Councilman L. Kenneth Hall- *Reserved*
- xiii) Councilman Fred Fox- *Reserved*
- xiv) Councilman Fred Fox- *Reserved*

XVII **CLOSED SESSION** –

- i) **Human Resources**
 Item deferred to the July 23rd. Continuation Meeting.
- ii) **SHD Variance**
 Item deferred to the July 23rd. Continuation Meeting.

Motion: Councilman L. Kenneth Hall moved to Recess. Councilman Frank Grady seconded the motion. Recess at 6:19pm. Meeting to be continued on July 23rd.

XVIII **ADJOURNMENT**



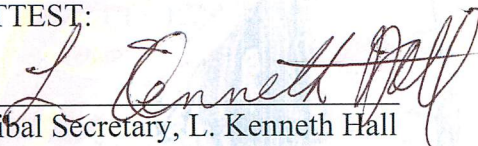
CERTIFICATION

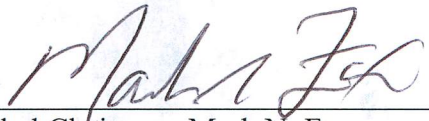
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum 7 were present at the Regular Meeting thereof duly called, notice, convened and held on the 9th day of July 2015 ; 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 2nd day of December 2015.

ATTEST:


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


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