



CALL TO ORDER

Meeting called to order at 11:25am.

OPENING PRAYER

Prayer by Poncho Brady.

ROLL CALL

Present: Councilman Cory Spotted Bear, Councilman Fred Fox, Councilman Randy Phelan, Councilman Frank Grady, Chairman Mark N. Fox, Councilman Mervin Packineau, and Councilman L. Kenneth Hall.

Quorum established.

I. APPROVAL OF AGENDA

Motion: Councilman Randy Phelan moved to approve the agenda. 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

II. APPROVAL OF TRIBAL BUSINESS COUNCIL MINUTES: Executive Secretary L. Kenneth Hall

A. March 13, 2015 Minutes

Motion: Councilman L. Kenneth Hall moved to approve the March 13th 2015 minutes. 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

B. April 16, 2015 Minutes

Item deferred to the September 2nd Tribal Business Council meeting.



C. May 27, 2015 Minutes

Item deferred to the September 2nd Tribal Business Council meeting.

D. May 28, 2015 Minutes

Item deferred to the September 2nd Tribal Business Council meeting.

E. June 11, 2015 Minutes

Item deferred to the September 2nd Tribal Business Council meeting.

FTR: Chairman Mark N. Fox welcomed the audience and especially the elders. He commented on the success of the Little Shell Celebration and is anticipating the upcoming Four Bears Pow-Wow. The Tribal Business Council had a budget work session yesterday and will finalize it by October 2015. Discussion of getting a statement correct on the Tribes end. Chairman Mark N. Fox discussed activities in Washington, DC, and working with the Corps of Engineers for the return of lands. Also discussed the Cobell Buy Back program and the low rates that the program is offering at Fort Berthold and the need to increase these rates to be commensurate with the true value of the land. We will be doing a broad based report soon and perhaps a radio talk. In two weeks, we will be breaking ground for a new Law Enforcement and Court House, located near the Justice Center. We have \$15-17 million dollar budgets and are researching requirements to attain operation and maintenance funding. After some city hurdles are overcome on 10 acres of land that we purchased in Bismarck, we will be developing a long term treatment facility, outreach clinic, and wellness center with some ancillary offices. We are looking at a two year timeline and seeking Federal grants and State collaboration. The State would like to see a regional facility, so there is the possibility of collaboration with the State. Chairman Fox discussed the third distribution and concerns with deductions and a little of the history of that initiative. Councilman L. Kenneth Hall stated that BIA 6 is slated to be completed and thanked the Tribal Business Council for supporting the project. He also informed the audience of the groundbreaking of a 36-unit apartment building in New Town, north of the Phase 1 Housing with 5 million in infrastructure. Councilman Hall also commended the Little Shell Celebration Committee and all the activities that took place. The Peoples Feed had 4-500 visitors and overall Little Shell went very well. Councilman Mervin Packineau stated that last week or so at the TERO Conference, Duane Young Bird was awarded Compliance Officer of the Year.

III. SPECIAL GUESTS – ELDERS

A. Coalition for Change - Joletta Bird Bear

Joletta Bird Bear, Delvin Driver Sr., and Hanks Bolman presented. Joletta Bird Bear read a prepared statement for “Citizens for Change” requesting a Federal investigation of former Chairman Tex G. Hall from the Denton Report of Aug. 2014. Joletta Bird Bear read a written statement that was submitted to the Secretary. The report was completed without subpoena powers, but even without is extremely incriminating. The Coalition for Change is requesting the Tribal Business Council go on record to support by formal action and resolution. The proposed resolution entitled “Official Governmental Action Request(s) to the U.S. Department of Justice; U.S. Federal Bureau of Investigation; U.S. D.O.I Bureau of Indian Affairs; and the U.S. Internal Revenue Service – Initiate a federal investigation of former Tribal Chairman Tex G Hall, pursuant to the findings of Denton LLP Report”. Lead Attorney Caleb Dogeagle read an email correspondence forwarding the Denton Report to the Federal Bureau of Investigation. Former Three Affiliated



Tribes Chairman Tex G. Hall read a prepared statement of which (copy was presented to the Executive Secretary) advised the Tribal Business Council against the action as it has legal implications due to its slanderous nature. Chairman Mark N. Fox asked that the resolution presented by the Coalition for Change be edited to just address the formal presentation of the Denton Report to the Agencies listed. Various members of the audience spoke for the passage of the resolution.

Motion: Councilman Frank Grady moved to support the request of a Federal Investigation subject to rewording by the Legal Dept. and drafting a resolution.

Motion Failed

Motion: Councilman L. Kenneth Hall moved to defer the item to the Judicial Committee meeting on August 19th. Councilman Mervin Packineau seconded the motion.

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

Discussion: The Tribal Business Council is against approving any resolution without seeing it. Councilman L. Kenneth Hall believes giving it to the Tribal Attorney to draft the resolution and to give the new Council member's time to be briefed before a final decision is made.

EXECUTIVE COMMITTEE REPORTS

IV. CHAIRMAN'S REPORT - *Chairman Mark N. Fox*

A. **Ethics Commission Hire**

Chairman Mark N. Fox is seeking Tribal Business Council approval to hire Attorney Grant Walker of Bismarck. Councilman Randy Phelan asked if the position has been advertised. We should also see his credentials. Item was deferred to the September 2nd Tribal Business Council meeting.

B. **Kari Mossett Recognition**

Chairman Mark N. Fox recognized Kari Mossett's contributions to the Tribe and helping the people. Councilman L. Kenneth Hall: presented a satin star quilt for her professionalism and courtesy, and being a role model for all the staff. The rest of the Tribal Business Council provided words of encouragement and thanks for her service.



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

Councilman Randy Phelan is planning a school supplement for the kids at a back-to-school event. Each child will get \$100.

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

A. **Pat Packineau**

Pat Packineau discussed a personal issue concerning his home access to rural water. Maynard Demaray stated that it was out for bids. A number of Councilmen specified similar holdups. Maynard Demaray discussed funding issues with budget cuts from D.O.R. Chairman Mark N. Fox asked what would it take to get it done. Councilman Mervin Packineau stated that a year ago we moved to get it done. Maynard Demaray stated that the bids are going out in two weeks.

Pat Packineau changed the conversation to the Casino and matters of the escrow account for the Event Center Renovation, which needs to be deposited from July onward. He is also requested that in the future that the Casino Financial Report be presented in Closed Session. Chairman Mark N. Fox recommend just giving percentages and Pat Packineau agreed. The Casino Report will be on the September 2nd Tribal Business Council Agenda.

B. **Noreen Two Crow**

Noreen Two Crow is seeking an Education grant to cover unmet need for her grand-son Dexter for the amount of \$2,500 and a \$2,250 Educational loan. Dexter is transferring from Dickenson to Wahpeton and pursuing welding.

Motion: Councilman Mervin Packineau moved to approve an increase in the current Tribal Supplement Grant from \$2,500 to \$5000 for unmet need per semester, maintains good standing, and payment will go to the institution. Councilman Fred Fox 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 – 1-Not voting/Not present

Councilman Cory Spotted Bear – Aye

Councilman Frank Grady – Aye

Councilman Fred Fox – Aye

Motion Amended: amount changed to \$3,500/semester.

Discussion: Roger White Owl recommended putting it under Grants and Donations. Councilman Fred Fox stated that we will need to make sure we have enough funds in the budget. Chairman Mark N. Fox stated that the student needs to provide their Financial Needs Analysis. Councilman Cory Spotted Bear would like clarification as to who is eligible and if it's just for those who are in academic suspension. Chairman Mark N. Fox stated that it is for all tribal members. Chairman Mark N. Fox stated that we need to get this information about the process out to our members.



C. Kenny Gillies

Kenny Gillies stated that due to \$7,800 in default student loans from the Bank of ND, he can't finish pharmacy school. He is seeking a grant to pay off and wants to come home and work. His goal is to become the Head Pharmacist at Elbowoods Health Center. Mr. Gillies was almost done with his degree when he was sent to Iraq.

Motion: Councilman Fred Fox moved to approve a loan for \$7,800 that becomes a grant with each year of service. 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: Chairman Mark N. Fox recommended a minimum of 2 years' service. Legal will draft the repayment agreement with payment made and reviewed at a later date by the Tribal Business Council. Councilman Mervin Packineau was concerned that there may not be enough in the Docket Fund and Chairman Mark N. Fox stated that it would have to be covered by 380 until there is.

D. Parshall Water & Sewer Service Agreement – Bandy Poitra

Brandy Poitra & Councilman Mervin Packineau discussed issues relating to getting water and sewer services to a proposed trailer court development north of the Parshall High School. The Chairman and Legal expressed concerns over the original water agreement with rural water and the need to reevaluate.

Motion: Councilman Fred Fox moved to approve the Parshall Water & Sewer Service Agreement. Councilman L. Kenneth Hall seconded the motion.

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

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

Discussion: Chairman Mark N. Fox has serious concerns on how this will decrease our leverage with the City of Parshall over the main water agreement and possible 1926B violations including



free water for the tribal members within the city. Councilman Mervin Packineau expressed his concerns on completing Segment projects such as Taco John's, the apartments, and housing areas. Patrick Dubois stated that the City is saying their sewer system can't handle the increase. Chairman Mark N. Fox gave a history of the anti-tribal attitude to be conducive to the Tribe's needs. Councilman Mervin Packineau stated that we can still go back to the main agreement and this is just for the new edition. John Fredericks stated that Fort Berthold Rural water pays the city for the water that the City uses. That's never made any sense to me. You're paying twice basically. Patrick Dubois stated that we are having the same problems with solid waste because we are not allowed to go in there.

Gravel Pit Agreement (Eagle Rock Timber, Inc.)

\$1.50/ton in the agreement. Councilman L. Kenneth Hall asked John Fredericks if it would be a trespass issue. John Fredericks stated that it depends on whether that was a condition of the original agreement. We have been accruing royalty on what has been sold already at \$1.50/ton. Add fee for storage and compensation/royalty for gravel already mined gravel. We will return the issue to the Tribal Business Council with the numbers and agreement.

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

Discussed a new form for calling a Special meeting to be placed on the web site. Councilman L. Kenneth Hall recognized Mr. Tom Fredericks and his wife Judy from the audience.

A. Ft. Berthold Housing Authority Appointment - Councilman Fred W. Fox

Motion: Councilman Cory Spotted Bear moved to approve a Resolution no. 15-127-LKH entitled "Approval of the Tribal Business Council's Change of Appointment for Fort Berthold Housing Authority Board of Commissioners". 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 – Not voting/Not present
Councilman L. Kenneth Hall – Aye
Councilman Cory Spotted Bear – Aye
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye

Discussion: Linda Gonzalez as a permanent appointment. Chairman Mark N. Fox would like the Segments take over appoints at some time in the future.

VIII. OFFICER REPORTS:

A. Chief Executive Officer Report – Al Nygard

1. Update Grants and Donation



AL Nygard presented a report on Grants and Donations along with a plan to centralize these activities from each segment and the Chairman's Office. He is seeking approval to return to the September 2nd, 2015 Tribal Business Council meeting with the plan and staffing detail with a target date of October 1st. for implementation Mr. Nygard will create a shared database to share information concerning Grants and donations. Chairman Mark N. Fox would like to see standards & qualifications for the medical, funeral, and financial assistance as soon as possible.

2. Enrollment - *Sevant S. Taft*

Motion: Councilman Randy Phelan moved to approve a Resolution no. 15-128-LKH entitled "Approval of 59 Applicants for Enrollment into the Three Affiliated Tribes" 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: 14,633 total members. Councilman Randy Phelan asked that the biological parents be included back on the report.

B. Chief Financial Officer Report - *Whitney Bell*

1. Tribal Budget

Motion: Councilman Randy Phelan moved to approve Resolution no. 15-129-LKH entitled "Approval of Amended Fiscal-Year 2015 General Fund Budget for the Three Affiliated Tribes". 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: Chairman Mark N. Fox asked if the issue of limiting access to the budget information web site to only tribal members has been resolved. Whitney Bell stated that the issue is being worked on by MIS and a third party at this time. Councilman Mervin Packineau



asked when will the next distribution be and the amount. Whitney Bell replied that we are looking at December, but as far as the amount, that depends on the budget.

2. Small Loans

Group A:

Motion: Councilman Randy Phelan moved to approve all of Group A. small loans. Subject to policy and collateral. 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:

Motion: Councilman Frank Grady moved to approve Group B small loans with IIM as collateral. Subject to policy and collateral. 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

Group C:

Motion: Councilman Randy Phelan moved to approve from Group C #25 as recommended from the Economic Committee for a personal loan. Also #28 personal is loan subject to verification of home title. Subject to policy and 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 D:

Recommendation made on #34 is to pay more down on current loan and reconsider at a later date. Item tabled.

IX. UNFINISHED BUSINESS

A. TERO Commission Regulations - *Kelsey Packineau*

Motion: Councilman Fred Fox moved to accept the TERO Commission Regulations. Councilman Frank Grady seconded the motion.

Motion rescinded.

Discussion: Needs wording “Cannot have a business subject to TERO Regulation to be appointed to the Commission”. Deferred to the September 2nd Tribal Business Council meeting.

B. Angela Cummings Contract-

Item deferred to the September 2nd Tribal Business Council meeting.

C. White Horse Woman – *Wendi Wells*

Item deferred to the September 2nd Tribal Business Council meeting.

D. Population Projection Project - *Sevant Taft*

Sevant Taft is asking the Tribal Business Council to allocate \$25,000 to the project to change the blood quantum to 4/4 on the 1936 Fort Berthold Rolls to better project population numbers. Will include in his FY 2016 budget. No Action.

E. Tribal License Plates - *Richard Hall*

Item deferred to the September 2nd Tribal Business Council meeting.

F. Special Law Enforcement Commission (SLEC) Agreement - *Nelson Heart*

Read a 2008 email concerning SLEC/BIA 5-year agreement that expired in 2013. Chief Nelson Heart is asking for the Tribal Business Council to renew the resolution.

Motion: Councilman Randy Phelan moved to approve a Resolution no. 15-130-LKH entitled “*LA Deputation Agreement*”. Subject to legal review and reformat. 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

Motion: Councilman Randy Phelan moved to purchase a mobile command center. 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

G. Public Safety - Gerald White

Gerald White Public Safety Commissioner provided an update as to the state of programs. Discussed the organizational structure. Resolving the Indian Police Training and being Law Enforcement authority was questioned by District 1 and IPA and we supplied the necessary documentation for liability protection. Also supports a command vehicle for all communications. The Drug Enforcement Program is partners with the Bakkan Strike Force. Gerald White stated that he recently attended a meeting on jurisdictional issues at the Capital on July 31st. They are working toward getting an MOU with McLean County and others and providing statistics of citations of non-members, which is all a work in progress.

H. Law Enforcement Contracts

Item addressed.

I. Educational Neglect Offences – Francine M. White

Item deferred to the September 2nd Tribal Business Council meeting.

J. TAT Law Enforcement Budget - Nelson Heart

K. Learn & Lead – Laurel Deegan-Fricke

Seeking approval for the Resolution entitled “Approval of the Mandan, Hidatsa, Arikara Nation’s Learn and Lead Program funding for Fiscal Years 2015-2017”

Motion: Councilman Cory Spotted Bear moved to approve Resolution no. 15-131-LKH entitled “Approval of the Mandan, Hidatsa, Arikara Nation’s Learn and Lead Program funding for Fiscal Years 2015-2016 “. Subject to breakdown of expenditures to date. Councilman L. Kenneth Hall seconded the motion.



Vote: 6 Ayes. 1-Abstention. 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 – Aye

Motion Amended: motion ammended to “Fiscal Years 2015-2016” striking paragraph containing 2017.

Discussion: Councilman Randy Phelan was concerned about the low numbers in Mandaree. Resolution to be changed to 2015-16 and payment subject to breakdown of expenditures to date submitted. Councilman Mervin Packineau abstained because after 3 years we would have paid out over \$733,000 and paid out after 5 years \$1,023,000. I just don’t see where we’re going with this. Laurel Deegan-Fricke replied that as the third year comes we will be seeing quarterly and annual reports that include better communication. Councilman Randy Phelan stated that he sees that the indirect cost outweighs the actual direct services, so we need more direct service.

L. Contracts - Dr. Kathy Eagle (Closed Session)

M. EMHC Change Order for Landscaping & Brick and Stone - Chris Saxton
Item deferred to the September 2nd Tribal Business Council meeting.

N. Confidentiality Statement in all Consulting Contracts - Texx Lone Bear
Item deferred to the September 2nd Tribal Business Council meeting.

O. Eagle View Water Depot - Ted Lone Fight
Seeking to develop a Section 17 water depot with raw water. Also needs a resolution for McKenzie Electric for 150 ft.

Motion: Councilman Randy Phelan moved to approve the Ted Lone Fight ROW. Councilman Fred Fox seconded the motion. Subject to resolution from Legal and Texx Lone Bear 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



FTR: Above Resolution no. 15-228-LKH entitled “Consent to Certain Rights of Way across Tribal land for the Theodore Lone Fight, III – McKenzie Electric Service Line”.

P. ROW Clarification - Martina Turner

Q. ROW Marathon - Travis Pruitt

Item deferred to the September 2nd Tribal Business Council meeting.

R. “Approval of Home of sites Leases and Consent for Residential Lease” - George Abe - addressed

S. First International Bank & Trust - Mark Strand

Mark Strand discussed retirement issues discussed and making six recommendations.

Motion: Councilman Frank Grady moved to approve addressing retirement issues subject to HR and legal review. Councilman Mervin Packineau seconded the motion.

Vote: 6 Ayes. 1-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 – Aye

Discussion: Will need a resolution drafted, with input of HR and Legal. Caleb Dogeagle will follow-up and to be on the next September 2nd Tribal Business Council meeting.

T. Joe Myrick

Joe Myrick is leasing the Average Joe’s building in Parshall for \$750/month from Janise White Body’s estate. Janise White Body was purchasing the property through the Independence Program until her death. The loan is in default. He needs to find out who has the title to assume the loan. Chairman Mark N. Fox stated that you’ll want to leave out the penalties. Joe would like to be compensated or negotiate with the Tribe for credit from the improvements. Legal will look into the contract rights and if they would transfer and or be null and void. We don’t want any of the children coming back and resuming the claim on the lease. *Item deferred to the September 2nd Tribal Business Council meeting.*

U. Michael Yellow Bird

Michael Yellow Bird, Tara Beckenstal, and Michael Morris presented a report of research and an intervention funded by a small grant. What we hope to do is bring together an expertise on the Human-animal bond and different aspects of human-animal interaction. Dr. Yellow Bird approached us with the problem of the free roaming dog issue. We talked with residents on how



they view dogs, and will try helping address the issue through human intervention, policies and traditional knowledge. The group is seeking assistance in the amount of \$2,921 for hotel rooms. The item will be presented back to the Tribal Business Council after June 2016.

Motion: Councilman Randy Phelan moved to approve the budget for \$2,190. 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

Discussion: Councilman Fred Fox and Councilman Cory Spotted Bear will cover the remaining amount of \$731.

V. Marcus Levings

Motion: Councilman Frank Grady moved to reimburse for attorney fees from Election Board challenge. Councilman Mervin Packineau seconded the motion.

Vote: 4 Ayes. 1-Opposed. 1-Abstained. 1-Not voting/Not present. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye.
Councilman Mervin Packineau – Aye.
Councilman L. Kenneth Hall – Opposed
Councilman Cory Spotted Bear – Not present/Not present
Councilman Frank Grady – Aye.
Councilman Fred Fox – Aye

Discussion: Former recording secretary cannot find any audio or other evidence in the minutes to support the Marcus Levings request. Attorney Caleb Dogeagle is opposed to approving this action. A number of Councilmen related their experiences with the same issue. Marcus Levings discussed the need for a resolution to not allow travel closeouts to be reopened. He also brought up an additional issue concerning a vehicle but there was no action.

X. MEDICAL REQUESTS

A. Avalone Hale



Motion: Councilman Randy Phelan moved to approve \$485 in Medical Assistance from each Segment Office and the Chairman's Office. 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: Checks to be issued to Miricle Ear.

B. Laverne Fettig

Motion: Councilman L. Kenneth Hall moved to approve \$485 in Medical Assistance from each Segment Office and the Chairman's Office. 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

Discussion: Checks to be issued to Miracle Ear.

Motion: Councilman Randy Phelan moved to increase Tribal Medical Assistance to \$5000 for serious medical issues. 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

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL



XI. JUDICIAL COMMITTEE – Councilman Fred Fox, Chair

XI. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

A. Certified Culture Teacher Resolution – Marc Bluestone

Motion: Councilman L. Kenneth Hall moved to approve Resolution no. 15-137-LKH entitled “Acknowledging Dyan Thunder Cloud Fox as a Certified Culture Teacher”. Subject to legal review. 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

B. Nueta Hidatsa Sahnish College Child Care Licensure Resolution

Motion: Councilman Randy Phelan moved to approve Resolution no. 15-138-LKH entitled “Transferring Responsibilities from the Social Services Department to the Nueta, Hidatsa, Sahnish College for Day Care Licensure” 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

C. Private School Tuition - Pat Wilkinson

Motion: Councilman Fred Fox moved to approve educational assistance with a 75% cap, not to exceed \$4000 per student for Alyce & Arrow Niisu Wilkinson children of Arrow Wilkinson Sr. for Sandia View Elementary School. 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: Sandia View Elementary School 24 Academy Dr. Corrales, NM 87048

D. Education Assistance – Callie Baker/Morley Howling Wolf

Motion: Councilman Randy Phelan moved to approve \$4,000 in Higher Ed Grant, \$7000 Tribal Education Grant, \$5000 Docket, and \$4,500 Student Loan for a total of \$20,500 for Morley Howling Wolf. 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

Motion: Councilman Randy Phelan moved to approve Callie Baker for a loan of \$4500 and educational grant of \$7000. 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

Motion: Councilman Mervin Packineau moved to approve Callie Baker for \$20,000 4yr \$5000 repayment loan with loan forgiveness for years worked and from the Docket Fund. 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

E. Education Request - Jasmine Big Crow
Item deferred to the Chairman's Office.

F. Education Trust Fund – Roger White Owl
Roger White Owl, Barb Miller, and Mrs. Barbara Miller presented details of work completed and research done. Presented a packet of draft materials. P&P, applications, scholarship requirements.

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

A. Elbowoods Update - Dr. Kathy Eagle

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

A. Lawrence Baker Request

After his father's probate, the Milton Baker land in question went to his father's wife (non-enrolled). The land-owner wishes to sell the trust land to the children. Lawrence Baker is seeking a mortgage or loan to purchase the 5.156 acres of trust land at \$30,000/acre for the family. Lawrence Baker and his siblings own the house through subsequent court action that has been appraised at \$280,000 and is willing to put up as collateral.

Motion: Councilman Frank Grady moved approve a mortgage for 5.156 acres at \$30,000/acres. Subject to agreement of the house as collateral and title conveyed to Lawrence Baker on repayment of the mortgage. Councilman Mervin Packineau seconded the motion.

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: Lawrence Baker is paying on and is current on a Small Loan that may have to be rolled into this package. Councilman Frank Grady stated that the total would be about \$154,800.

B. Financial Assistance - Orin Grinnell

Item addressed

C. United Tribes International Pow-Wow Financial Request - Julie M. Cain

Item addressed.



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

A. **Land Exchange** - *Spencer Wilkinson, Sr.*

Item deferred to the September 2nd Tribal Business Council meeting.

B. **Texx Lone Bear Update**

ROW for RTC on tribal tracks that KLJ is working on.

Motion: Councilman Randy Phelan moved to approve Resolution no. 15-132-LKH “*Approval of Reservation Telephone Cooperative Fiber Optic Projects within the Fort Berthold Reservation*”. Councilman L. Kenneth Hall seconded the motion. [RTC1]

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: subject to 25 year agreement change.

Motion: Councilman Randy Phelan moved to approve Resolution no. 15-133-LKH. Entitled “*Approval of Reservation Telephone Cooperative Fiber Optic Projects within the Fort Berthold Reservation*” Councilman L. Kenneth Hall seconded the motion. [RTC2]

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: subject to 25 year agreement change.

Motion: Councilman Randy Phelan moved to approve Resolution no. 15-134-LKH entitled “*Approval of Home Site Leases Home Site*”. 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: Charlene Foote Residence (Parshall Lot 1 & 2, Block 19, Couches Edition, Section 25-152-90), Janice St.Clair Residential Lease (Lot 7 & 8, Block 22, Original town site, City of Parshall, Section 25-152-90), Shadd Fredericks (Lots 52-54, Van Hook Subdivision, Section 29-152 Range 92 West). Tribe owns 100% of tracks.

Motion: Councilman Randy Phelan moved to approve Resolution no. 15-135-LKH entitled “*Approval of Consent for Residential Lease*”. 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: Marilyn Dye Property. Tribe owns 5.33% of the track with Marilyn Dye being a part owner.

Motion: Councilman Randy Phelan moved to approve Resolution no. 15-136-LKH entitled “*Consent to Certain Rights of Way across Tribal land for the South Segment’s Community Development Project 2015 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

Discussion: ROW for McKenzie Electric for a 3-phase electrical line to trailer houses and future emergency response center site.

FTR: the Natural Resources Committee being present among the Tribal Business Council vetted the resolution not previously presented at Committee.



Motion: Councilman Randy Phelan moved to approve the “*Lisa Lone Fight Contract*”.
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

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

FTR: Items deferred to the September 2nd Tribal Business Council meeting.

- A. Business Licenses
- B. Enrollment Ordinance
- C. Customary Adoption Code
- D. Fort Berthold District Court Assessment
- E. Law Enforcement Organizational Chart & Chief of Police
- F. No Voter ID Law Presentation-Matt Campbell NARF Attorney
- G. Attorney/Law Clerk hire

XVI. NEW BUSINESS – *Tribal Councilman Add Ons*

A. Chairman Mark Fox- Native American Development Center Grant Request

Lorraine Davis is requesting \$6,500 for a non-profit center Workforce Development and Career Development to do a summit during United Tribes.

Motion: Councilman Randy Phelan moved to provide a \$5000 grant. 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 – Aye
Councilman Cory Spotted Bear – Not Voting/Not present
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye

Discussion: Councilman Randy Phelan and Councilman Mervin Packineau will both contribute \$500 each.



- B. Chairman Mark Fox- *Reserved***
- C. Councilman Frank Grady- Ellen Otterman - *deferred***
- D. Councilman Frank Grady- *Reserved***
- E. Councilman Cory Spotted Bear- McKenzie Electric ROW**
- F. Councilman Cory Spotted Bear – Segment Draw Down**
- G. Councilman Mervin Packineau – Clint Harwood**

Motion: Councilman Randy Phelan moved to approve a \$25,000 loan and to waive the first time (\$500) borrower limit policy. Councilman L. Kenneth Hall 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 – Not voting/Not present
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye

Discussion: TAT to be on the title also.

- H. Councilman Mervin Packineau - *Reserved***
- I. Councilman Randy Phelan- Suicide Grant – Willow Smith**

Motion: Councilman Cory Spotted Bear moved Resolution no. 15-139-LKH entitled “*Authorization for the Boys & Girls Club of the Three Affiliated Tribes to participate and accept funding on behalf of the Three Affiliated Tribes from the Indian Health Service to support the IHS Methamphetamine and Suicide Prevention Initiative*”. 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

- J. Councilman Randy Phelan –**

Motion: Councilman Frank Grady moved to approve Resolution no. 15-141-LKH entitled “*Approving the purchase land and the 2012 Mansion Trailer VIN# MO382532 from Wayne*”



Herman Lone Fight, Mandaree, North Dakota, 58757". Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1-Not present/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 – Not present/Not present
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye

K. Councilman L. Kenneth Hall- Daniel & Jade De La Rosa Business Proposal

Seeking \$300,000 to invest in equipment and possibly a new location with greater square footage. Directed to see Toni Starr in the Business Loan Program.

Motion: Councilman Randy Phelan moved to approve a loan subject to business loan program guidelines. 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

FTR: Councilman Cory Spotted Bear stepped out the meeting.

4 Corners Décor.

Motion: Councilman Randy Phelan moved to approve a \$25,000 loan through the Small Loans program. Subject to the guidelines of the Small Loans Programs. 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 – Aye
Councilman Cory Spotted Bear – Not voting/Not present
Councilman Frank Grady – Aye
Councilman Fred Fox – Aye



L. Councilman L. Kenneth Hall – Emergency Housing

Item addressed.

M. Councilman Fred Fox- White Shield School Draw Down

Motion: Councilman Randy Phelan moved to approve Resolution no. 15-140-LKH entitled “*Budget Modification – White Shield School Project*”. 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 – Aye

Councilman Cory Spotted Bear – Not voting/Not present

Councilman Frank Grady – Aye

Councilman Fred Fox – Aye

Discussion: to come from the FY 2016 Budget

N. Councilman Fred Fox- Angelo White Body

Motion: Councilman Fred Fox moved to approve a Casino match for the \$4,500 already provided by the Tribal Business Council to Angelo White Body for the Quicksilver training camp. 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 – Not voting/Not present

Councilman Frank Grady – Aye

Councilman Fred Fox – Aye

XVII. CLOSED SESSION

A. Human Resources

Item deferred to the September 2nd Tribal Business Council meeting.

B. Law Enforcement

[FTR: Pages 25-27 removed Closed Session minutes.]

XVIII. ADJOURNMENT



Councilman Randy Phelan moved to adjourn. Councilman Fred Fox seconded the motion. Meeting adjourned at 10:31pm.

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 – Not voting/Not present

Councilman Frank Grady – Aye

Councilman Fred Fox – Aye



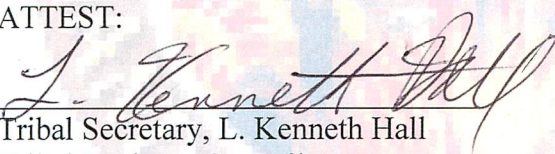
CERTIFICATION

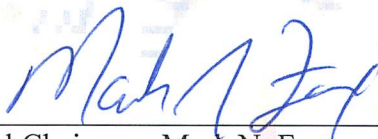
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum 7 were present at the Regular Meeting thereof duly called, notice, convened and held on the 11th day of August; 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 14th day of January.

ATTEST:


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


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