



CALL TO ORDER

Vice Chairman Randy Phelan called the meeting to order at 1:39pm.

OPENING PRAYER

January 14th, 2016: Prayer by Carol Enno

January 19th, 2016: Prayer by Ramona Two Shields

ROLL CALL

January 14th, 2016

Present: Councilman Cory Spotted Bear, Councilman Fred Fox, Councilman Randy Phelan, Chairman Mark N. Fox (Present but not seated), Councilman Frank Grady, Councilman Mervin Packineau, Councilman L. Kenneth Hall. *Quorum established.*

January 19th, 2016

Present: Councilman Cory Spotted Bear, Councilman Fred Fox, Councilman Randy Phelan, Chairman Mark N. Fox, Councilman Frank Grady (Present but not seated), Councilman Mervin Packineau, Councilman L. Kenneth Hall. *Quorum re-established.*

FTR: Today to kick off the first 2016 Tribal Business Council meeting in a healthy way the lunch was catered by the Chairman's Health Initiative courtesy of the Awatii Health Center in New Town. Rosalie Martin & Les Hart thanked the Tribal Business Council for allowing them to bring today's healthy meal.

FTR: Chairman Mark N. Fox took over the Chair of the meeting. The date for Continuation meeting will be on the 19th of January, Tuesday. Committees to the 25th of January

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 L. Kenneth Hall – Aye

Councilman Mervin Packineau – Aye

Councilman Fred Fox – Aye

Councilman Frank Grady – Aye



Councilman Cory Spotted Bear – Aye

January 19th, 2016 Agenda Additions

- Councilman Cory Spotted Bear – Add-On - Twin Buttes Water Project (BOR)
- Special Guests – Elders – Charlene Knight

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

- **August 11, 2015 Regular Minutes**

Motion: Councilman Mervin Packineau moved to approve the August 11th, 2015 Regular Minutes. Councilman Randy Phelan seconded the motion.

Vote: 7 Ayes. Motion carried.

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

- **September 2, 2015 Special Minutes** ^[1/19/2016]

- Part 3 – three special no disruptions instead of jeering. Former chaired not verbatim but summarized...violation of rights instead of 1st person. I acknowledge ...
- Page 5 Secretary's Report - gone through the applicable committee.
- Page 10 Discussion – this will be an interim (take not off).
- Page 11 – Change to “Take care of it” - *third line from the bottom.*
- Page 12 – Warrior of the 21st Century program change to supplemental \$10 / hr.
- Page 13 – O. Summarize more concerning duties tribal travel

Motion: Councilman Randy Phelan moved to approve the September 2nd, 2015 Tribal Business Council Minutes with corrections. Councilman Mervin Packineau seconded the motion.

Vote: 7 Ayes. Motion carried.

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



- September 18th, 2015 Special Continuation Minutes – *Item deferred.*
- October 8th, 2015 Regular Minutes – *Item deferred.*
- October 27th, 2015 Continuation Minutes – *Item deferred.*
- November 12th, 2015 Regular Minutes – *Item deferred.*
- December 2nd, 2015 Special Minutes – *Item deferred.*
- December 17th, 2015 Continuation Minutes – *Item deferred.*

III. SPECIAL GUESTS – ELDERS

A. **Tom Fredericks**

Working with Councilman Cory Spotted Bear to sell land to the Tribe along the road near Custom Homes and the old Catholic Church for community development. Chairman Mark N. Fox asked if the land has been appraised and assessed. Tom Eagle stated that land nearby was used as a benchmark. The first resolution is for fee land and the second resolution is for trust land that has more than 50% interest secured for signatures. Councilman Mervin Packineau confirmed with the Treasurer that the Land Acquisition Budget had the funds to purchase the properties. Chairman Mark N. Fox would like to see a system of assessment, evaluation and appraisal before lands come before the council for purchase. Total amount would be \$268,660 at \$7000/acre.

Motion: Councilman Cory Spotted Bear moved to approve Resolution no. 16-001-LKH entitled “*Approving the Purchase of 7.50 Acres from Thomas and Judy Fredericks*”. Councilman Randy Phelan seconded the motion.

Vote: 7 Ayes. Motion carried.

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

Motion: Councilman Randy Phelan moved to approve Resolution no. 16-002-LKH entitled “*Approving the Purchase of 30.88 Acres from the Heirs of John Fredericks*” Councilman Cory Spotted Bear seconded the motion.

Vote: 7 Ayes. Motion carried.

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



Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye

B. Puyallup Tribal Council

Seeking to establish a nation to nation trade agreement. Described as the people of the waters and known as a generous people and they thanked the nation for their hospitality. They have a deep water port with railroads within 22 miles from the airport. They are working to set up international trade with tribes. Chairman Mark N. Fox discussed lifting of the ban on oil exportation and hoped to develop oil products and avoiding tariffs and taxes. The group shared freshly smoked salmon with Tribal Business Council. The Puyallup Chairman gave an overview of their economic ventures such as casinos and cancer clinics. She also provided information concerning their medical marijuana development with their clinic. They are interested in TAT buffalo or anything other trade development. Chairman Mark N. Fox stated that the doors are all open to trade inter-nationally. We are looking at various crops and meat processing that are being developed.

C. Charlene Knight ^[1/19/2016]

Al Nygard stated that the claim with Workman's Compensation was denied, reconsidered and approved. Her insurance claim was denied and John Fredericks is reviewing the claim and case law. Workman's Compensation review of case law to support language found in the policy. We are not confident that the insurance company will reverse their decision but we will continue to encourage them to cover this issue. We should be completed by next week. Chairman Mark N. Fox stated that we have dealt with this all that we can and will try and resolve this by the February 12th Tribal Business Council meeting. –
Item deferred

EXECUTIVE COMMITTEE REPORTS

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

A. Report

Acknowledgment of Monte Young Bird from Parshall High School for achieving over 1000 points. A birthday wish for Councilman Fred Fox with drum group, gift of a star quilt and cake. Discussed the State tax agreement and action to amend the agreement. Update of upcoming meetings. Discussion on the purchase of land in Bismarck to develop a long term treatment center, Four Bears peninsula development, Law Enforcement working sessions, and other issues.

Truck Donation ^[1/19/2016]

The Tribe has been the recipient of a brand new truck donated through the Wounded Warriors Project & Eide Ford of Bismarck.

Letter To TERO ^[1/19/2016]

Motion: Councilman Cory Spotted Bear moved to approve a letter to stay TERO's cease of all fracking in order to calm industry fears and concerns in the field. Councilman Frank Grady seconded the motion.



Vote: 6 Ayes. 1 – Not Voting. Motion carried.

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

Discussion: Shawn Red Fox, TERO Compliance Officer explained that we had a Tier 1 company that signed a lease agreement with an oil company and since we now have two Tier 1 fracking companies, we will need to utilize the bidding process. TERO & the companies will meet to discuss the concerns with the letter to stay TERO action, until the parties can meet on the 25th at the Casino and further follow-up meetings.

B. Consultant Extension

Motion: Councilman Frank Grady moved to approve contract extensions for Tiffany Hodge (Chairman's Office) & Miles McAlester (Seed to Feed) to extend to Sept. 30th from the Chairman's budget. Councilman Cory Spotted Bear seconded the motion.

Vote: 7 Ayes. Motion carried.

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

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

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



4th Annual People's Prayer Breakfast

The 4th Annual People's Prayer Breakfast was held on Thursday, January 7th, at the Northern Lights Community Wellness Center. The theme for this year's breakfast was from Jeremiah 29:11: "For I know the thoughts that I think toward you, said the Lord, thoughts of peace and not of evil, to give you an expected end." The event was well attended by community members from North Segment and other surrounding communities. A delegation from the Crow Nation was also in attendance. The special guest speaker for this year's event was the renowned Dr. Russel Stands Over Bull – also from the Crow Nation – who provided an uplifting and powerful message for all in attendance. Also speaking during the event was Councilman Hall, Chairman Mark Fox, Dr. Deborah Dennison of the National Advisory Council on Indian Education, and Dr. Dennison's daughter Kassidy Dennison – a world renowned professional barrel racer. The event was moderated by Mr. Kevin Finley with special musical performances by Mr. Neal Hale and Mr. Keith Bear.

ND Department of Transportation Meeting on Truck Bypass Route – Highway 23B

An update meeting was held on January 7th for all stakeholders to provide an overview of the situation as it concerns to the proposed bypass routes. The next meeting has yet to be scheduled. *For further information on the most recent meeting, please see meeting summary attached to this report.*

National Youth Enrollment Day & ACA Open Enrollment Youth Week of Action

On Wednesday, January 13, 2016, Councilman Hall and his intergovernmental affairs staff were invited to join a White House conference call that featured First Lady Michelle Obama and other dignitaries to discuss the upcoming National Youth Enrollment Day & ACA Open Enrollment Youth Week of Action – January 21st. Open enrollment runs through January 31st. The initiative is part of an effort to mobilize and provide health insurance to some of the most vulnerable citizens – particularly young adults with nearly 1 in 5 not having any form of health insurance. The initiative has a website that provides opportunities for local communities to get involved by hosting a local event as well as providing healthcare resources for young Americans – <http://www.nationalyouthenrollmentday.org>.

Human Trafficking Summit

Councilman Hall, in partnership with the Casey Family Program and the Department of Homeland Security's Blue Campaign, will be hosting a summit on human trafficking on February 9th in Denver, CO. The summit will bring together key stakeholders on the tribal, state, and federal level to address areas of mutual concern and interests on ways to combat the ongoing issue in the local and surrounding communities.

VII. TREASURER'S REPORT - Councilman Mervin Packineau

A. CFO Report- Whitney Bell



The CFO submitted an expense report to the council and discussed preparing alternative strategies for the budget as directed. Additionally, presented 2 resolutions to draw down \$2.8 million. Federal drawdowns are as expected and can expect 1.2 million for reimbursements from HeadStart.

Motion: Councilman Fred Fox moved to approve Resolution no. 16-003-LKH entitled “*Directive to the Office of Trust Fund Management to Make Available for Draws by the Three Affiliated Tribes Funds from the Three Affiliated Tribes Docket Accounts*”. Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 – Not Voting. Motion carried.

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

Motion: Councilman Fred Fox moved to approve Resolution no. 16-004-LKH *Directive to the Office of Trust Fund Management to Make Available for Draws by the Three Affiliated Tribes Interest Earnings from the Three Affiliated Tribes Economic Recovery Fund in the Amount of \$1,359,000.00*”. Councilman Frank Grady seconded the motion.

Vote: 6 Ayes. 1 – Not Voting. Motion carried.

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

B. Small Loans - Mary Ellen Sun ^[1/19/2016]

Motion: Councilman Fred Fox moved to approve Group A applications; items 16, 11, 12, 21, 22, 23 subject the Small Loans Program Guidelines. Councilman Mervin Packineau seconded the motion.

Vote: 7 Ayes. Motion carried.

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



Councilman Cory Spotted Bear – Aye

Discussion: Councilman Mervin Packineau asked about item #16 being an emergency concerning a vehicle repair. Item #16 is for \$5000. The remaining items will be deferred to the Feb. 11th meeting.

FTR: [1/19/2016] *Cheyenne Brady gifted the Tribal Business Council a poster.*

C. Four Bears Casino Report- Pat Packineau

Financial report will be presented at the Continuation Meeting. Mr. Packineau expressed concerns over the power issue. Chairman Mark N. Fox stated the easement for the lines are close and John Fredericks stated that the terms and conditions are signed. Discussion of the construction schedule, upcoming events such as a polar plunge for the American Indian Cancer Association and a Wellness Conference.

VIII. OFFICER REPORTS:

A. Chief Executive Officer Report – Al Nygard

• **Department Budgets & Expenditures** [1/19/2016]

Motion: Councilman Randy Phelan moved to approve Resolution no. 16-021-LKH entitled “Three Affiliated Tribes guidance on Department budget and expenditures” 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 L. Kenneth Hall – Aye

Councilman Mervin Packineau – Aye

Councilman Fred Fox – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

1) Tax Department – Mary Mashunkashey, Tax Commission Director [1/19/2016]

Presented a brief plan of action for the next quarter. Some objectives include the pipeline tax (pit tax), oil & gas production, extraction tax, tribal highway tax, drilling fees, and motor fuel. Will also examine overweight truck fees for February’s Tribal Business Council meeting, and alcohol tax. Chairman Mark N. Fox directed Mary Mashunkashey to develop this item quickly at 5% with revenue to go towards treatment & law enforcement and to be enforced within the boundaries. Mary Mashunkashey stated that another item is the tobacco tax and projected overall revenue for the calendar year 2015. Chairman Mark N. Fox discussed a split with the state over the motor fuels tax and bulk sales tax. Councilman Randy Phelan asked that railroads be looked at also. John Fredericks stated that it could be problematic if not tied to trust land.



Motion: Councilman Fred Fox moved to approve the 1st reading of the draft Possessory Interest Tax of the Three Affiliated Tribes of the Fort Berthold Reservation. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion carried.

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

2) Insurance Resolution

Health Insurance for on and off reservation tribal members.

Motion: Councilman Randy Phelan moved to approve Resolution no. 16-005-LKH entitled “Designating Tribal Care Insurance to Act as an Insurance Broker and Basic Health Coverage for All Enrolled Tribal Members Not to Exceed \$24 Million Dollars.” Councilman Fred Fox seconded the motion.

Vote: 6 Ayes. 1 – Not Voting. Motion carried.

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

Discussion: Councilman Fred Fox will need to make sure Elbowoods will have access to the insurance numbers for third party billing. Councilman Mervin Packineau stated that we are hoping to enroll at a minimum 8000 people. Al Nygard stated that we are looking at a March 1st enrollment date.

3) Creating an Insurance Department Resolution

Motion: Councilman Randy Phelan moved to approve the creation of an Insurance department subject to legal review and resolution. Councilman Fred Fox seconded the motion.

Vote: 6 Ayes. 1 – Not Voting. Motion carried.

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye



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

Discussion: Currently three positions are being advertised. Will work with the Tribal Business Council and vendors to develop guidelines and priorities. Councilman Randy Phelan stated that this is a long overdue item and will need a Health Dept. in every segment and in Bismarck. Councilman Randy Phelan asked that Elbowoods be involved to improve the third party billing.

4) Signatures Resolution

Item deferred.

5) Child Support Department Update

Discussion of finding process servers for child support summons and option for utilizing certified mail to deliver summons. Also follow-up on individual face to face services. Automation services discussed and completion of Phase I. Phase II denied by the Federal government and will need other funds to complete the project. We will be meeting with the State concerning State issues next week.

6) Child Care Resolution ^[1/19/2016]

Motion: Councilman Mervin Packineau moved to approve Resolution no. 16-013-LKH entitled “*Transferring Responsibilities from the Nueta, Hidatsa, Sahnish College to the 477 Program for Day Care Licensure*”. Councilman Cory Spotted Bear seconded the motion.

Vote: 7 Ayes. Motion carried.

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

7) Child Care Guidelines Resolution ^[1/19/2016]

Motion: Councilman Fred Fox moved to approve Child Care Level IV standards subject to legal review. Councilman Randy Phelan seconded the motion.

Vote: 7 Ayes. Motion carried.

Chairman Mark N. Fox – Aye



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

8) Child Care Licensure Resolution

Item deferred

9) Veteran's Program Update

Bruce Nagel, Veteran's Service Officer. Proved verification that the new building will not disturb and cultural sites. Discussed moving the planned location back 150 to 175 feet. Also notified that one of the tepee rings was destroyed by a 1960's Bear Paw pipeline. Al Nygard stated the parking area and monument area in the front could be moved back a little and maybe a reconfiguration that wouldn't affect the visual look of the building too much. Chairman Mark N. Fox asked for the group to develop a plan B for an alternate site also.

B. Enrollment - *Sevant S. Taft* ^[1/19/2016]

With approval this would bring the total enrollment to 14, 858 members.

Motion: Councilman Randy Phelan moved to establish a Review Committee for enrollment. Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion carried.

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

Motion: Councilman Randy Phelan moved to approve Resolution no. 16-014-LKH "*Approval of 37 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 L. Kenneth Hall – Aye
Councilman Mervin Packineau – Aye



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

IX. UNFINISHED BUSINESS

A. Trespass Code - Caleb Dog Eagle
Item deferred

B. TERO - T.A.T Minimum Wage - Mona Pond
Item deferred.

C. Pawn Shop & Retail Proposal - Robert Lee
Item deferred to Economic Committee.

D. Tribal Court Issue – Judge Diane Johnson

Originally approved in the September or October of 2014 the resolution was lost or misplaced and not noted in the minutes. This is the same resolution with the exception of the certification.

Motion: Councilman Cory Spotted Bear moved to approve Resolution no. 16-007-LKH entitled “*WARRIORS OF THE 21ST CENTURY, A RE-ENTRY PROGRAM.*” *A program to assist tribal members who have been, or who are currently on, State or Federal probation, or who have successfully completed treatment for illegal drugs, or controlled substances, to make a successful transition to community life*”. Councilman Fred Fox seconded the motion.

Vote: 6 Ayes. 1 – Not Voting. Motion carried.

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

Discussion: Only change that Councilman Mervin Packineau recommends, due to budget concerns is that the amount and to include a not to exceed statement. Judge Johnson stated that they are about two months away from 501C3 corporation status being approved and have our grant proposals ready to submit. Also we need to rent some office space at the Bismarck Satellite Office and will introduce a resolution. Councilman Mervin Packineau stated that if we have the budget, we should develop the Treatment Center that will have additional office space for this. Also presented the Warrior’s of the 21st. Century Program Policies and Procedures Manual. Councilman Mervin Packineau commended the program and will look for ways to enhance the program in the future.



- **Court Administrator - Wynona Traversie** ^[1/19/2016]
Informed the Tribal Business Council that fines and accounts receivables with invoices have been sent out and would like to notify the Tribal Business Council that they may be inundated with complaints. The total amount is \$1,885 million that will be garnished if people don't pay.

- E. Education Assistance - Shailie Fredericks**
Item deferred.

- F. Education Assistance for Samuel De La Rosa - Greta Hosie**
Item deferred to Education Committee.

- G. Education Loan Assistance for Susie Jo Hosie - Greta Hosie**
Item deferred to Education Committee.

- H. Colorado Health and Fitness (acupuncture & massage) - Marilyn Youngbird**
Item addressed.

- I. Indian Community Development Block Grant Resolution – Planning & Grants (CEDs)**
Item deferred.

- J. Mandaree Community Center Loan Resolution**
Item deferred.

- K. Roads – Doyle Bell**
Item deferred.

- L. Ft. Berthold Rural Water - Maynard Demaray** ^[1/19/2016]
Ryan Waters of Bartlett & West is seeking a funding commitment for FY2017 for three projects in Twin Buttes; a water treatment plant, raw water line replacement, and the area 2 distribution project. 5.5 million identified. \$4.85 million for reclamation. No grant portion for USDA portion of the cost. Total cost of the projects is \$12.4 million with \$2.15 million needed to complete that may be reimbursable depending on federal appropriations. Councilman Randy Phelan inquired about the status a number of members waiting for water hook-up. Chairman Mark N. Fox asked Maynard Demaray to attend the water work session meeting in Bismarck on the 19th at Bartlett & West on the 15th & 16th to address these. Maynard Demaray stated that there was little or no funding for construction and has not received the BOR O&M FY2016 budget yet. Chairman Mark N. Fox stated that the Rural Water program needs to identify the construction needs and let the Tribal Business Council know so the council can address this at the Federal Partners meetings and devote Section 17 funds. Maynard Demaray stated that BOR /BIA are requiring a water service agreement with each connection or land owner.



Motion: Councilman Randy Phelan moved to approve Resolution no. 16-016-LKH entitled “*Funding for the Twin Buttes Water Treatment Plant and Raw Water Supply Pipe Line and the Twin Buttes Area 2 Distribution Project*”. Councilman Cory Spotted Bear seconded the motion.

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

M. Dreke Irwin Estate
Item deferred.

N. Jocy Fox Sponsorship
Item deferred.

O. RPI Towing – Ed White & Roy Packineau
CEO is to assign a staff member to work on this issue. Item deferred to the Judicial Committee.

X. MEDICAL REQUESTS

A. Bentley & Clarice Heart Family^[1/19/2016]

Hazel Heart presented a request for assistance concerning an insurance coverage renewal payment in the amount of \$6394.06 to be reinstated back to November 1st for coverage to February.

Motion: Councilman Randy Phelan moved to approve medical assistance for the Bentley & Clarice Heart Family in the amount of \$6400 for reinstatement of coverage from Blue Cross/Blue Shield. FG seconded the motion.

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



COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

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

XII. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair

A. SHD – Hawk Pad

Site located in the Northeast Segment and with Councilman Mervin Packineau approval.

Motion: Councilman Randy Phelan moved to approve Resolution no. 16-008-LKH entitled “*Consent to a Right-of-Way across Tribal land Submitted by SHD Oil and Gas, LLC for the Hawk Pad*”. Councilman Fred Fox seconded the motion.

Vote: 6 Ayes. 1 – Not Voting. Motion carried.

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

Motion: Councilman L. Kenneth Hall moved to approve Resolution no. 16-009-LKH entitled “*Approval of Setback Variance Requested by SHD Oil & Gas, LLC.*” Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 – Not Voting. Motion carried.

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

Discussion: Tank battery is outside of the 1.5 mile requirement and Councilman Mervin Packineau approves.

D. WPX - Caribou 33-34



Motion: Councilman Fred Fox moved to approve Resolution no. 16-010-LKH entitled “*Consent to Certain Right-of-Way across Tribal land Submitted by WPX Energy Williston, LLC for the Caribou 33-34 Well Pad Project.*” Councilman Randy Phelan seconded the motion.

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

E. QEP - Pad 5-4E

ROW and Set Back Variance for 2 wells with a 100% tribal interest located on BIA 13.

Motion: Councilman Randy Phelan moved to approve Resolution no. 16-006-LKH entitled “*Consent to Certain Rights-of-Way across Tribal land Submitted by QEP Energy Company for Multi-Well Pad 5-4E*” subject to legal review and resolution. Councilman Fred Fox seconded the motion.

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

Motion: Councilman Fred Fox moved to approve Resolution no. 16-011-LKH “*Approval of Setback Variance Requested by QEP Energy Company for Multi-Well Pad 5-4E*” subject to legal review and resolution. Councilman Randy Phelan seconded the motion.

Vote: 5 Ayes. 1 – Opposition. 1 – Not Present. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman L. Kenneth Hall – Aye
Councilman Mervin Packineau – Not Present
Councilman Fred Fox – Aye
Councilman Frank Grady – Opposed
Councilman Cory Spotted Bear – Aye

Discussion: Located in the Independence area.



F. West Myrmidon Lateral D1

Motion: Councilman Frank Grady moved to approve Resolution no. 16-012-LKH entitled “*Approval of Setback Variance Requested by Targa Badlands LLC.*” Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 – Not Present. Motion carried.

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

Discussion: Northwest of Dragswolf Village. Pipeline Safety has approved the project.

FTR: Chairman Mark N. Fox stepped out of the meeting at 1:50pm

G. Marathon Bear Den Surface Use Agreement ^[1/19/2016]

To provide an additional three wells on an existing Deep Creek and Bear Den Pads.

Motion: Councilman Fred Fox moved to approve the Marathon Bear Den Surface Use Agreement. Councilman Mervin Packineau seconded the motion.

Vote: 5 Ayes. 2 – Not Voting. Motion carried.

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

Discussion: Resolution to be presented at the February 11th Tribal Business Council meeting.

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

A. Code Publishing ^[1/19/2016]



Motion: Councilman Fred Fox moved to approve Resolution no. 16-015-LKH entitled “*Approval and Authorization of the Recodification Proposal from Code Publishing Company*”. Councilman Randy Phelan seconded the motion.

Vote: 7 Ayes. Motion carried.

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

Discussion: Probably a 6 month process with a maximum cost of \$30,000.

XIV. **ECONOMIC DEVELOPMENT COMMITTEE** – *Councilman L. Kenneth Hall, Chair*

A. Business Loans – *Toni Starr* ^[1/19/2016]

Presented a monthly report. Councilman Randy Phelan stated that the program was budgeted for 3 loans/month in the budget meeting.

Motion: Councilman Frank Grady moved to approve Items 1 & 2 from the list submitted. Councilman Fred Fox seconded the motion.

Vote: 5 Ayes. 2 – Not Voting. Motion carried.

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

B. Home Mortgage – *Valerie Mayer*
Item deferred.

C. Earth Lodge Bids – *Darian Morsette, Tourism Director* ^[1/19/2016]

Electrical work & lighting for the new main earth lodge. The program is recommending vender We Integrate in the amount of \$86,050.

Motion: Councilman Randy Phelan moved to approve amending existing FY2016 Tourism budget in the amount of \$100,000. Councilman Fred Fox seconded the motion.

Vote: 5 Ayes. 2 – Not Present. Motion carried.



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

Discussion: Will be going with West Segment for the fill dirt because the segment is donating the dirt.

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

D. Housing – Lawrence Baker

- 1) **John White Body House Transfer & Waiver** ^[1/19/2016]
Father designated the home to daughter who does not live on the reservation. Instead of moving the home to the daughter's land, the program recommends transferring ownership to meet BIA guidelines.

Motion: Councilman Randy Phelan moved to approve John White Body House transfer & waiver subject to legal review and resolution. Councilman Mervin Packineau seconded the motion.

Vote: 7 Ayes. Motion carried.

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

- 2) **Northern Lights Elder Home Fee to Trust** ^[1/19/2016]

Motion: Councilman Randy Phelan moved to approve Resolution no. 16-018-LKH entitled "Authorization to Complete and Submit a Fee into Trust Application for 3 Housing Improvement Program homes located at the Northern Lights Subdivision." Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion carried.

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



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

3) **Lori Pemberton-Fredericks Contract** ^[1/19/2016]

Motion: Councilman Cory Spotted Bear moved to approve Resolution no. 16-017-LKH entitled “Authorization for Approval of Consultant Contract between Housing Services Program and Lori Pemberton-Fredericks FY-2016.”. Councilman Fred Fox seconded the motion.

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

4) **Sole Source Contract Change**
Item deferred.

E. Jack Sawyer Asphalt & Paving – Richard Hall

\$370,000 owed to the company for paving of weigh stations and Finance will get the payment out.

F. Financial Assistance for Domestic Violence – BJ Brady

Developing a play entitled “Sliver of a Full Moon” and seeking \$3,500 financial assistance.

Motion: Councilman L. Kenneth Hall moved to approve \$500 from each segment and the Chairman’s Office. Councilman Randy Phelan seconded the motion.

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



Discussion: Councilman Mervin Packineau would like more people to understand the significance of what VAWA did. B.J Brady asked that the amount be directly credited to the Domestic Violence budget and Councilman Mervin Packineau stated that they would work with him.

FTR: Al Nygard discussed the Native American Church FY2015 budget and a trip the group is seeking to take. Item will be addressed in the continuation meeting on January 19th.

G. Native American Training Institute (NATI) – Sandra Bercier

Request for \$15,000 for the North Dakota Child Welfare Conference. Acting Social Service Director recommends approval.

Motion: Councilman Fred Fox moved to approve. Councilman Frank Grady seconded the motion.

Vote: 5 Ayes. 1 – Not Voting. 1 – Not Present. Motion carried.

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

H. MHA Language Project Phase 3 – Language Conservancy

Item deferred.

I. General & Special Education Conference - Melvin & Geneva Hale ^[1/19/2016]

Motion: Councilman Fred Fox moved to approve financial assistance for Melvin & Geneva Hale in the amount of \$2,500 to attend the General & Special Education Conference. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 Ayes. 1 – Not Present. Motion carried.

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

J. Sioux Empire Wacipi Sponsorship – Jocy Bird ^[1/19/2016]



Motion: Councilman Fred Fox moved to approve a Silver sponsorship for \$10,000 for the Sioux Empire Wacipi. Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 – Not Voting. Motion carried.

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

XV. **JUDICIAL COMMITTEE** – *Councilman Fred Fox, Chair*

XVI. **EDUCATION COMMITTEE** – *Councilman Cory Spotted Bear, Chair*

A. **TERO Vocational Education Grant issue - Jerome Dancing Bull**
Item deferred.

B. **Shiloh Christian Tuition Payment for J.T. Largo II - Kathy Chapin**

Motion: Councilman Frank Grady moved to approve \$3,488 for tuition. Councilman L. Kenneth Hall seconded the motion.

Vote: 6 Ayes. 1 – Not Present. Motion carried.

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

Discussion: Check to be sent to Shiloh Christian School.

C. **Funding Request for the Cultural Survival School - Jasper Young Bear, Tanya Fimbres, Jennifer Young Bear First Rider, and Susan Paulson.** ^[1/19/2016]

Three phase project with the first completed. Cultural home school facility and sustainable community with gardens and buffalo range. The group is anticipating 10-25 students in the first year. Susan Paulson and Jennifer Young Bear will be developing texts and curriculum. Medicine Lodge Confederacy.



Motion: Councilman Cory Spotted Bear moved to approve the segments to provide grant expenditures to the Cultural Survival School. Councilman Fred Fox seconded the motion.

Vote: 5 Ayes. 1 – Abstention. 1 – Not Present. Motion carried.

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

Discussion: Chairman Mark N. Fox will commit \$100,000 from Chairman's budget and invites the other Tribal Business Council members to also contribute from their segment budgets. Councilman Fred Fox is committed \$25,000 to the project. AL Nygard expressed the need for the Education Committee and Department to work with the college to iron out the kinks. The group will be following the state home schooling requirements.

D. Education Assistance for Dalton Huber - Mike Huber ^[1/19/2016]

Motion: Councilman Cory Spotted Bear moved to approve \$2,150 for reimbursement of education costs. Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 – Not Voting. Motion carried.

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

Discussion: Chairman Mark N. Fox stated that we are currently doing 75% of the cost up to \$5000 / year. Mr. Huber is to work with Al Nygard.

E. Education Assistance for Gabrielle Poitra-Young Bird - LuAnn Poitra
Item deferred.

VII. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

A. Dr. Monica Taylor Contract – Kathy Eagle

Motion: Councilman Fred Fox moved to approve the Dr. Monica Taylor contract subject to legal review and contract changes. Councilman Frank Grady seconded the motion.



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

Discussion: Would like the start date in March.

VIII. **NEW BUSINESS – Tribal Councilman Add Ons**

A. **Chairman Mark Fox – White Horse Woman** ^[1/19/2016]

Seeking to secure a budget for the program in the amount of \$425,000. Chairman Mark N. Fox commended Wendy Wells on the White Horse Woman Outreach Program, but expressed his concern over the budget and advised them to return with an adjusted proposal and resolution. Councilman Randy Phelan also expressed his budget concerns and thought that if the amount was broken up into quarterly payments. Chairman Mark N. Fox stated that perhaps a lesser amount for planning.

Motion: Councilman Fred Fox moved to approve Resolution no. 15-019-LKH entitled “*Authorizing Funding Requested by White Horse Woman Outreach, a Faith Based Non-profit Organization to Plan and Facilitate “A Day of Hope” Outreach in Each Segment within the Fort Berthold Indian Reservation.*” Councilman Randy Phelan seconded the motion.

Vote: 5 Ayes. 2 – Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman L. Kenneth Hall – Aye
Councilman Mervin Packineau – Aye
Councilman Fred Fox – Aye
Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Not Voting

Discussion: The group returned with budget amendments in the amount of \$225,000 to be from fund 380. Chairman Mark N. Fox recommends each segment contribute \$30,000. To be broken into \$75,000/quarter.

B. **Chairman Mark Fox – Paige Baker** ^[1/19/2016]

Paige Baker voiced opposition to the West Segment Regulatory Commission and their enforcement mandate in a prepared statement. Harriet Goodiron, WSRC provided a history of the commission and expressed the need for additional enforcement and oversight and DOT and TERO can't alone handle the



problem. Chairman Mark N. Fox believes in a technical role for the WSRC to protect the land and the people. Assessment and authority to enforce needs to stay with the government.

Motion: Councilman Cory Spotted Bear moved to look at the function, core documents, articles of the resolution are clearly defined. Councilman Mervin Packineau seconded the motion.

Vote: 5 Ayes. 2 – Opposed. Motion carried.

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

Discussion: Mr. Mahoney has drafted a new resolution that has language that the WSRC has no police arrest authority. Chairman Mark N. Fox stated that a government does not transfer government authority to a non-profit or special interest group. Councilman Fred Fox asked for key points for opposition. Paige Baker stated that he had concerns over GPS units and how those are paid for. The tribe or TERO should pay for those companies that are hurting with the price of oil down. Councilman Randy Phelan stated that no one was doing anything to help TERO & DOT. With all the spills something had to be done for the Mandaree community. In 30 years are we going to have to buy bottled water. We need the GPS to track this.

C. Councilman Frank Grady – *Four Bears Zoning* ^[1/19/2016]
Item deferred to the next NRC Meeting.

D. Councilman Frank Grady – *Reserved*

E. Councilman Cory Spotted Bear – *Young Arikara Society* ^[1/19/2016]

Motion: Councilman Randy Phelan moved to approve \$18,000 for the Young Arikara Society. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion carried.

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

F. Councilman Cory Spotted Bear – *Twin Buttes Police Housing Issue – Travis Hallam* ^[1/19/2016]



Discussed losing Police Officers due to lack of housing and asking for an officer to be kept stationed in Twin Buttes. Chairman Mark N. Fox asked that the issue be discussed at Judicial Committee.

G. Councilman Mervin Packineau - Reserved

H. Councilman Mervin Packineau – Reserved

I. Councilman Randy Phelan – PetroGulf

Requesting approval for respacing and riverbed lease of minerals. Concerns over the trespass litigation were expressed by the council. Chairman Mark N. Fox would prefer to have entire payment up front and the trespass is resolve first. Councilman Randy Phelan stated the percentage would be 28%. Come back with a resolution stating 28%, \$7 million with the remaining \$3 million in a year. Deferred to the January 19th 2016 Tribal Business Council meeting.

J. Councilman Randy Phelan – Tallsalt Contract – Carson Hood Jr. ^[1/19/2016]

Motion: Councilman Fred Fox moved to approve Resolution no. 16-020-LKH entitled “*Approval of Professional Services Agreement – Tallsalt Advisors, LLC*”. Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 – Opposed. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Aye

Councilman L. Kenneth Hall – Opposed

Councilman Mervin Packineau – Aye

Councilman Fred Fox – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

Discussion: Chairman Mark N. Fox is concerned about duplication of effort. Carson Hood Jr. stated that he is working with the CEO, Al Nygard to allow the other contract to expire and find another area under his expertise with the oil & gas reporting and financial. Sarah Montgomery of the Yetman Group presented a proposal to standardize pipeline procedures, truck spills, and oil pads for the Environmental Department. Presented studies to support liners for secondary containment. The issue is deferred to the NRC.

K. Councilman L. Kenneth Hall - Sherry Bird

Seeking a financial sponsorship.

Motion: Councilman L. Kenneth Hall moved to approve \$2,500 for the son of Sherry Bird. Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 – Not Present. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Aye



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

L. Councilman L. Kenneth Hall - Reserved

M. Councilman Fred Fox- 2016 Young Bear Round Dance

Seeking sponsorship for the annual drug/alcohol free event and submitted a budget for the event this upcoming weekend.

Motion: Councilman L. Kenneth Hall moved to approve \$9000/day for \$18,000 for the two day event and possibly seek additional funding from the Casino, other programs and the segments. Councilman Fred Fox seconded the motion.

Vote: 5 Ayes. 1 – Not Present. 1 – Abstention. Motion carried.

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

N. Councilman Fred Fox- Waterbuster Powwow & Ceremony – Janice St. Clair ^[1/19/2016]

2016 Waterbuster Powwow committee requested \$20,000 to cover costs for dance categories, singers, venue, and food for the January 30th Powwow.

Motion: Councilman Randy Phelan moved to approve \$18,000 for the 2016 Waterbuster Powwow Committee. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 Ayes. 1 – Not Voting. Motion carried.

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

Discussion: Janice St. Clair, President – Mona Wood, Treasurer. Margie Iverson is to route the paperwork.



XIX. CLOSED SESSION

A. Human Resources – Barlow Wells ^[1/19/2016]

Addressed

B. DOT Staff Issue ^[1/19/2016]

Addressed.

C. Casino Report – Pat Packineau, Casino General Manager ^[1/19/2016]

Addressed.

1. Contracts

Addressed.

D. Tallsalt Contracts . ^[1/19/2016]

Addressed.

E. PetroGulf ^[1/19/2016]

No Action.

FTR: January 14th 2016 Tribal Business Council Regular meeting recessed at 5:20pm

FTR: Meeting reconvened from the January 14th, 2016 on January 19th, 2016 at 11:35pm

[Note: Pages 28 – 48 have been redacted]

XX. ADJOURNMENT

Motion: Councilman Fred Fox moved to adjourn the meeting on January 19th, 2016. Councilman Mervin Packineau seconded the motion. Meeting adjourned at 7:53pm.



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
JANUARY 14th /19th 2016 MINUTES

FTR: January 14th 2016 Tribal Business Council Regular meeting recessed at 5:20pm

FTR: Meeting reconvened from the January 14th, 2016 on January 19th, 2016 at 11:35pm

XX. ADJOURNMENT

Motion: Councilman Fred Fox moved to adjourn the meeting on January 19th, 2016. Councilman Mervin Packineau seconded the motion. Meeting adjourned at 7:53pm.



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 14th & 19th day of January 2016; 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 April, 2016.

ATTEST:

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

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