



CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 11:20AM.

OPENING PRAYER

Pastor Smiedt

ROLL CALL

Present: Councilman Cory Spotted Bear. Councilman Fred Fox, Councilman Randy Phelan (Absent), Councilman Frank Grady, Chairman Mark N. Fox, Councilman Mervin Packineau (Absent), Councilman L. Kenneth Hall. Quorum established.

I. APPROVAL OF AGENDA

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

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

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

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

• **October 8th, 2015 Regular Minutes**

Motion: Councilman Fred Fox moved to approve the October 8th, 2015 Meeting minutes subject to corrections. Councilman Frank Grady seconded the motion.

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

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



- **October 27th, 2015 Continuation Minutes**

Motion: Councilman Fred Fox moved to approve the October 27th, 2015 minutes subject to corrects. Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman L. Kenneth Hall – Aye

Councilman Mervin Packineau – Not Present

Councilman Fred Fox – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

- **November 12th, 2015 Regular Minutes**
- **December 2nd, 2015 Special Minutes**
- **December 17th, 2015 Continuation Minutes**
- **January 14/19, 2016 Regular Minutes**

III. **SPECIAL GUESTS – ELDERS**

A. **Charlene Knight**

Al Nygard, CEO provided an update on Insurance Contract, legal analysis & Worker's Compensation. Chairman Mark N. Fox asked that the issue be finalized by the March Tribal Business Council. No action.

B. **Post 271 –**

American Legion recognized the Post 271 Color Guard & Parade Detail for participation in American Legion National Convention Parade.

EXECUTIVE COMMITTEE REPORTS

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

A. **Report**

FTR: 4 youth acknowledgements to be deferred to the March 10th, 2016 Tribal Business Council.

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

A. **Report**

Item deferred to the March 10th, 2016 Tribal Business Council meeting.



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

A. Report

[Insert Report]

FTR: Cesareo Alvarez, announced his candidacy for North Dakota District 4.

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

A. CFO Report – *Whitney Bell*

Item deferred to the March 10th, 2016 Tribal Business Council meeting.

B. Small Loans - *Mary Ellen Sun*

Motion: Councilman L. Kenneth Hall moved to approve Group A subject to Small Loans guidelines and requirements. Councilman Frank Grady seconded the motion.

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

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

Discussion: Chairman Mark N. Fox asked that a draft rule for 60% repayment before refinance. Applicants 1-16.

Motion: Councilman Fred Fox moved to approve Group B applicants subject to Small Loans guidelines and requirements. Councilman Cory Spotted Bear seconded the motion.

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

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

C. **Four Bears Casino Report** - *Pat Packineau, General Manager*



Presented a 1st Quarter financial report Fiscal year 2015-16. Also presented a report on construction progress. Additional handicap parking in the front and main parking on the south side with a new main entrance.

Motion: Councilman L. Kenneth Hall moved to accept the Casino Report. Councilman Fred Fox seconded the motion.

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

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

VIII. OFFICER REPORTS:

A. Chief Executive Officer Report – *Al Nygard*

1) Child Care Licensure Resolution

Item deferred to the March 10th, 2016 Tribal Business Council meeting.

2) General Welfare Exclusion Code

General Welfare Exclusion Code & Elder Assistance Code to prevent IRS issues with Grants & Donations.

Motion: Councilman L. Kenneth Hall moved to approve the 1st reading of the Three Affiliated Tribes General Welfare Code. Councilman Fred Fox seconded the motion.

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

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

3) Veteran's Building Update – *Bruce Nagel*

Motion: Councilman Fred Fox moved to approve Phase I of the Veteran's Center. Councilman L. Kenneth Hall seconded the motion.

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



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

Discussion: Jason Morsette, Tourism Director expressed his opposition to the location of the building and mentioned that an alternate location was approved during the Hall administration in White Shield. Councilman Frank Grady also expressed his opposition to the proposed location. Chairman Mark N. Fox asked Texx Lone Bear, NRC Director to locate 4 alternative sites. Item deferred to the March 10th, 2016 Tribal Business Council meeting.

Motion withdrawn.

IX. UNFINISHED BUSINESS

A. Trespass Code - Caleb Dog Eagle

Item deferred to the March 10th, 2016 Tribal Business Council meeting.

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

Item deferred to the March 10th, 2016 Tribal Business Council meeting.

C. Education Assistance - Shailiee Fredericks

Item addressed.

D. Colorado Health and Fitness (acupuncture & massage) - Marilyn Youngbird

Item addressed.

E. Indian Community Development Block Grant Resolution – Planning & Grants (CEDS)

Item deferred.

F. Roads – Doyle Bell

Discussed culvert replacement for BIA Route 18 near White Shield. Item was in last year's budget but delays from the BIA put the cost at \$829,186.95.

Motion: Councilman Fred Fox moved to approve Resolution no. 16-040-LKH entitled "Award to Meyer Contracting, Inc. for BIA 18 Replacement of Culverts, PCAS# A0401800 near White Shield, ND for the Three Affiliated Tribes Roads." subject to legal review and resolution. Councilman Frank Grady seconded the motion.

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

Chairman Mark N. Fox – Aye



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

G. Dreke Irwin Estate – Elmarie Conklin
Item deferred.

H. Marathon Bear Den Surface Use Agreement Resolution – Carson Hood Jr.

Motion: Councilman Fred Fox moved to approve Resolution no 16-038-LKH entitled “*Approval of First Amended Surface Use and Road Access Agreement for the Bear Den Well Site on the Buffalo Ranch property between Marathon Oil Company and the MHA Nation*” subject to legal review and resolution. Councilman L. Kenneth Hall seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
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 16-039-LKH entitled “*Approval of First Amended Surface Use and Road Access Agreement for the Deep Creek Well Site on the Buffalo Ranch property, between Marathon Oil Company and the MHA Nation.*” subject to legal review and resolution. Councilman L. Kenneth Hall seconded the motion.

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

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

I. John White Body House Transfer & Waiver Resolution – Lawrence Baker



Legal stated that this item would not need a resolution because of no 1099 involved. Item deferred to the March 10th, 2016 Tribal Business Council meeting.

J. Sole Source Contract Change – Lawrence Baker

Motion: Councilman L. Kenneth Hall moved to approve Resolution no 16-31-LKH entitled “Authorization for Housing Services Program to Negotiate Contracts Less Than \$15,000 Without Formal Bid Process.” Councilman Fred Fox seconded the motion.

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

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

K. TERO Vocational Education Grant issue - Jerome Dancing Bull

Charles Foote (TERO Director), Jerome Dancing Bull (477 Director), and & Al Nygard (CEO) presented. No Action.

L. Education Assistance for Gabrielle Poitra-Young Bird - LuAnn Poitra

Motion: Councilman Fred Fox moved to approve educational assistance for 75% of the request for an amount of \$2,525 subject to a budget submitted. Councilman Cory Spotted Bear seconded the motion.

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

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

X. MEDICAL REQUESTS

A. Beatrice Red Hawk

Motion: Councilman Fred Fox moved to approve \$9000 for Life & Limb assistance. Councilman Frank Grady seconded the motion.



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

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XI. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

Motion: Councilman Fred Fox moved to approve resolution no.16-041-LKH entitled “*Appointing the Delegates from the Three Affiliated Tribes to the National Indian Gaming Association and Authorizing the Payment of the National Indian Gaming Association's Annual Dues*” subject to legal review & resolution. Councilman Cory Spotted Bear seconded the motion.

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

Discussion: Chairman Mark N. Fox, Alternates; Councilman Mervin Packineau & Councilman Randy Phelan.

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

A. Sitnasuak Health Solutions (Health IQ) - Kathryn R. Eagle RPMS assistance contract.

Motion: Councilman Fred Fox moved to approve “*Consultant Contract Between the Three Affiliated Tribes and Health IQ.*” Councilman L. Kenneth Hall seconded the motion.

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



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

B. MEDICUS - Kathryn R. Eagle

National medical personnel search service contract. Cost is \$2,500/month.

Motion: Councilman Fred Fox moved to approve “*Consultant Contract Between the Three Affiliated Tribes and MEDICUS FIRM*”. Councilman L. Kenneth Hall seconded the motion.

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

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

Discussion: Chairman Mark N. Fox would like utilize a trial basis.

C. Dr. Labeau Contract - Lovetta Fox

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

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

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

Discussion: Change wording to 6-month contract.

D. Nutrition Agreement (Tammy Pierce) - Lovetta Fox

Deferred to the Health and Human Resource Committee.



XIII. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair
A. NSR Contract Extension - H. Texx Lone Bear

Motion: Councilman Fred Fox moved to approve Resolution no 16-031-LKH entitled “Approval to contract NSR Land Management, Inc. for conducting a Range Study”. Councilman Frank Grady seconded the motion.

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

B. NDDOT – Highway 73 Slide Repair ROW - H. Texx Lone Bear

Motion: Councilman Fred Fox Resolution entitled “Approval of the North Dakota Department of Transportation Resolution for An Easement for ND Highway 73 Testing Site” subject legal review & resolution. Councilman Frank Grady seconded the motion.

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

C. North Segment Land Acquisition Reimbursement – Elgin Crows Breast
Item deferred.

D. MHA Energy Staff To Federal 638
Item addressed.

E. Utilization of the BIA Farm/Pasture Rate - H. Texx Lone Bear
Presented a draft resolution entitled “Approval of the Bureau of Indian Affairs’ processing Tribe’s Undivided Interest in Agricultural Leases”

Item deferred



F. Tribal Fee - Haying Lease, Buffalo Ranch & Tom Breuer – *Texx Lone Bear & Diana Americanhorse*

Motion: Councilman Fred Fox moved to approve a 1-year lease subject to legal review & resolution. Councilman Cory Spotted Bear seconded the motion.

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

G. Farm/Pasture Leases – *Diana Americanhorse*

1) Gerald Irwin - Renewal

Motion: Councilman Fred Fox moved to approve Gerald Irwin Farm/Pasture renewal agricultural lease for 15 acres subject to legal review & resolution. Councilman Frank Grady seconded the motion.

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

2) Weston Schettler - Renewal

Presented 5 renewals.

Motion: Councilman Fred Fox moved to approve renewal of all 5 leases subject to legal review & resolution. Councilman Frank Grady seconded the motion.

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



Councilman Cory Spotted Bear – Aye

3) Wade Billadeau – Renewal

5 renewals presented.

Motion: Councilman Fred Fox moved to approval all 5 lease renewals subject to legal review & resolution. Councilman L. Kenneth Hall seconded the motion.

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

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

H. TAT EPA shut down of the New Alta Waste facility.

Item deferred.

I. Elder Water Rural Water Priority - Maynard Demaray

There are currently about 25 on the list that Mr. Demaray has compiled and another list for people with special needs. No Action.

J. Pipeline Abandonment Resolution – Travis Hallam Spotted Bear

Motion: Councilman Fred Fox moved to approve Resolution no. 16-033-LKH entitled “*Enacting a Removal Requirement for Abandoned Pipelines*” Councilman Frank Grady seconded the motion.

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

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

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

A. General Welfare Code

Item addressed.

B. Solid Waste Building Update



Item addressed.

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

A. Business Loans – Toni Starr

Business Development Loan Data Report /Status presented.

Motion: Councilman Fred Fox moved to approve a loan modification for applicant #1. Councilman Frank Grady seconded the motion.

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

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

B. Home Mortgage – Valerie Mayer

Item deferred.

C. Tourism Budget – Darian Morsette, Director

Preset a request for \$9,930.

Motion: Councilman Frank Grady moved to approve \$9000 for the Traditional Songs of the Upper Missouri 1-day event. Councilman Cory Spotted Bear seconded the motion.

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

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

D. Housing Resolution entitled “Authorization for Housing Services Program to Negotiate Contracts Less Than \$15,000 Without Formal Bid Process”– Lawrence Baker

Item addressed above

E. Housing Program Trailer Purchase Approval - Lawrence Baker

Item address above.



F. Wage Garnishment of Tribal Employees for TAT Loans in default –

Motion: Councilman Fred Fox moved garnish wages for TAT Employees with outstanding indebtedness to the tribe with a review to Economic Committee and ready for the March 10th Tribal Business Council. Councilman Frank Grady seconded the motion.

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

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

G. Preventing those with default TAT loans from doing business with the Tribe

Addressed in item F & H

H. Suspension of all TERO Tier 1 & Sub-contractors not current with Fees

See Above

I. Flower Shop & Hair Salon Building Request - Shylah Demaray & Valorie Demaray
Will work with the CEO to possibly lease the old Northern Star building when it becomes available.

J. Fitness Event Sponsorship - Whirlwind Bull
Item deferred to the March 11, 2016 Tribal Business Council meeting.

K. Mandaree Safe Haven Budget - Katherine Young Bear
Item deferred to the March 11, 2016 Tribal Business Council meeting.

XVI. JUDICIAL COMMITTEE – Councilman Fred Fox, Chair

A. DUI Code - Caleb Dogeagle
Item deferred.

B. SORNA Grant Resolution – Tamara Halverson

Motion: Councilman Fred Fox moved to approve Resolution no 16-034-LKH “Adoption of Amended Sex Offenders Registration and Notification Act” Councilman Frank Grady seconded the motion.

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

Chairman Mark N. Fox – Aye



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

- C. Court Moving Expenses Request - Wynona Traversie - Addressed**
Stated that the item was addressed and presented a Quarterly District Court Report.

- D. Child Support Guidelines Committee Appointments – Ellen Otterman**

Motion: Councilman Fred Fox moved to approve 2 sitting members of the Tribal Business Council (Councilman Cory Spotted Bear, Councilman Frank Grady). Councilman L. Kenneth Hall seconded the motion.

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

- E. Resolution 15-079-LKH Withholding Order Amendment – Ellen Otterman**

Motion: Councilman Fred Fox moved to approve amending resolution 15-079-LKH. Subject to legal review Councilman Cory Spotted Bear seconded the motion.

Motion amended

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

Discussion: Amended to 75% instead of 100% of distribution as stated in draft amendments.



F. Gregory Kidder Consultant Agreement – Ellen Otterman
1-year contract to coincide with the fiscal year for \$4800.

Motion: Councilman Cory Spotted Bear moved to approve a 1-year contract subject to legal review. Councilman L. Kenneth Hall seconded the motion.

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

G. ATF/MHA Drug Enforcement MOU – Gerald White Jr.

Motion: Councilman Fred Fox moved to approve a Resolution no. 16-035-LKH entitled “*Memorandum of Understanding between the Bureau of Alcohol, Tobacco, Firearms (ATF) and Explosives and the MHA Nation Division of Drug Enforcement (MHA-DDE)*”. Councilman Frank Grady seconded the motion.

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

H. Cross-deputization Agreement – Gerald White Jr.
Item deferred.

VII. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

A. Tuition Assistance for Shiloh Christian School Request – Carmen Two Bears

Motion: Councilman Fred Fox moved to approve tuition assistance for the amount of \$3,920. Councilman Cory Spotted Bear seconded the motion.

Vote: 5 Ayes. 2 – Not Present. Motion carried.
Chairman Mark N. Fox – Aye



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

B. TERO Job Training Program Report - Jerome Dancing Bull
Item addressed.

C. Hidatsa Language Declaration of Emergency – Bernadine Young Bird
Putting a budget to the declaration made in 15-057-LKH.

Motion: Councilman Fred Fox moved to approve Resolution subject to legal review and resolution.
Councilman Frank Grady seconded the motion.

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

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

D. Education Trust Fund – Barbara Miller/Rodger White Owl
Item deferred.

E. IRB Dissertation Study Approval - Chad Dahlen
Item deferred.

F. Assistance for Res Conference - ImagiNative Inc. - Heather Demaray and Joelle Bearstail
Item deferred.

VIII. NEW BUSINESS – Tribal Councilman Add Ons

A. Chairman Mark Fox – West Segment Regulatory

Harriet Goodiron, (WSRC) & Shane Johnson. Work Session next Thurs. (Feb. 25th 11am) Harriet Goodiron and Al Nygard.

B. Chairman Mark Fox - Reserved

C. Councilman Frank Grady - Reserved

D. Councilman Frank Grady - Reserved

E. Councilman Cory Spotted Bear – Land Transfer from BIA to Tribe



Motion: Councilman Fred Fox moved to approve Resolution no. 16-037-LKH entitled “*Amendment to Requesting the Department of Interior, Bureau of Indian Affairs (DOI/BIA) to Give a Tract of Land in the Twin Buttes Segment to the Three Affiliated Tribes*” subject to legal review and resolution. Councilman Frank Grady seconded the motion.

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

F. Councilman Cory Spotted Bear – Twin Buttes Casino Resort Feasibility Study
Required deposit of \$12,775.

Motion: Councilman L. Kenneth Hall moved to approve the Twin Buttes Casino Resort Feasibility Study. Councilman Fred Fox seconded the motion.

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

- G. Councilman Mervin Packineau - *Reserved*
- H. Councilman Mervin Packineau - *Reserved*
- I. Councilman Randy Phelan - *Reserved*
- J. Councilman Randy Phelan - *Reserved*
- K. Councilman L. Kenneth Hall – **Scott Satermo**

Motion: Councilman Frank Grady moved to approve a \$20,000 sponsorship for the Fargo-Moorhead Crossroads Powwow on May 13-15, 2016. Councilman Cory Spotted Bear seconded the motion.

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



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

Discussion: All enrolled TAT members will receive free admission.

L. Councilman L. Kenneth Hall - *Reserved*

M. Councilman Fred Fox- **Denver March Powwow Sponsorship**

Motion: Councilman Fred Fox moved to approve \$20,000 assistance for the Denver March Powwow. Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
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- **Coral Gillette Sponsorship**

Motion: Councilman Fred Fox moved to approve a \$3000 sponsorship for Coral Gillette. Councilman Cory Spotted Bear seconded the motion.

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

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

XIX. CLOSED SESSION

A. **Human Resources** – *Barlow Wells*
Item deferred.

B. **Cliff Whitman**



Item deferred.

C. Delvin Foote Resolution

Addressed.

D. Home Health Care

Addressed

E. Anita Greene Home Mortgage

Addressed.

F. Dakota Leathernecks House Sponsorship

Addressed.

G. Small Loans

Addressed

XX. ADJOURNMENT

Motion: Councilman Frank Grady moved to adjourn the meeting. Councilman Fred Fox seconded the motion. Meeting adjourned at 6:55 pm.



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING
FEBRUARY 17th, 2016 MINUTES

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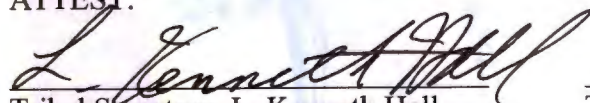
CERTIFICATION

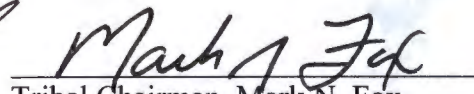
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 5 were present at the Special Meeting thereof duly called, notice, convened and held on the 17th day of February 2016; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 6 members; 0 members opposed; 0 members abstained; 1 Members not voting.

Chairman (X) Voting () Not Voting

Dated this 11th day of May, 2016.

ATTEST:


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


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