



CALL TO ORDER

Chairman Mark N. Fox called the meeting order at 10:49 AM.

OPENING PRAYER

Prayer by Lyda Bearstail.

ROLL CALL

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

I. APPROVAL OF AGENDA

Motion: Councilman Randy Phelan moved to approve the agenda. 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

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

- **December 2nd, 2015 Special Minutes**
- **December 17th, 2015 Continuation Minutes**

Motion: Councilman L. Kenneth Hall moved to approve the December 2nd & 17th 2015 Tribal Business Council minutes subject to corrections. 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



- January 14/19, 2016 Regular Minutes
- February 17th, 2016 Special Minutes
- March 10th, 2016 Regular Minutes

III. **SPECIAL GUESTS – ELDERS**

No elders presenting.

EXECUTIVE COMMITTEE REPORTS

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

A. Report

Discussion of recent events around the reservation and updates on tribal health insurance, budget transparency, Vietnam Veterans event and the early April goal for distribution.

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

A. Report

Discussed trip to NCAI to address the ramifications of the Cotton Petroleum case and recent community events.

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

A. Report

Roger Whiteowl & Cesar Alvarez read a prepared report into the record.

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

A. CFO Report – *Whitney Bell*

Motion: Councilman Fred Fox moved to approve Resolution no. 16-064-LKH entitled “*Authorization for a one-time Disbursement of Funds from Tribal Oil & Gas Royalty Revenues to All Enrolled Members of the Three Affiliated Tribes.*” 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: Chairman Mark N. Fox directed the CFO to have distribution out by April.

Motion: Councilman Frank Grady moved to approve resolution no. 16-065-LKH entitled “Directive to the Office of Trust Fund Management to Make Available Funds for Withdrawal from Three Affiliated Tribes Proceeds of Labor Account PL7228700 in the Amount of \$10,800,000.00”. 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

B. Small Loans - Mary Ellen Sun
Item deferred.

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

VIII. OFFICER REPORTS:

A. Chief Executive Officer Report – Al Nygard

Discussion of the General Welfare Code and the Elder Assistance Program,

Motion: Councilman Fred Fox moved to approve the seconded reading of the General Welfare Code. 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 – Not Voting
Councilman Cory Spotted Bear – Aye

Discussion: To be published for a 30 day comment period and return to the May Tribal Business Council meeting. Grants and Donations positions are advertised. Policies have been consolidated and to be presented at the next budget meeting.



1) **Tax Department** – *Mary Mashunkashey, Tax Commission Director*
Item deferred.

2) **Enrollment** - *Sevant S. Taft*
15,013 members with approval of this resolution.

Motion: Councilman Randy Phelan moved to approve Resolution no. 16-062-LKH entitled “Approval of 36 Applicants for Enrollment into the Three Affiliated Tribes”. 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 – Not Voting
Councilman Cory Spotted Bear – Aye

IX. UNFINISHED BUSINESS

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

B. Utilization of the BIA Farm/Pasture Rate - *H. Texx Lone Bear*
Deferred to the May Tribal Business Council.

C. Mandaree Safe Haven Budget - *Katherine Young Bear*
Marilyn Young Bird presented a budget for the White Shield Safe Haven Home for \$161,971 and spoke for the Mandaree’s budget need in the amount of \$690,152.16. Provided an update on the completion of the White Shield site. Budget issues to be addressed at the next budget session.

D. DUI Code - *Caleb Dogeagle*
Item deferred.

E. Education Trust Fund – *Barbara Miller/Roger White Owl*
Provided and update to the Trust Fund and presented the Economic Impact study

F. Charlene Knight Insurance Claim
Rollin C. Mehlhoff, Vice President of Vaaler Insurance & Donald Molloy, J.D, Tribal First presented a report of findings that *pain and suffering* claims are only allowed for third party claimants and not employees. Chairman Mark N. Fox directed the CEO to investigate ramifications of changing the tribes Workman’s Compensation Policy/law to allow employee claims such as *bodily injury* and *pain and*



suffering. John Fredericks discussed the Workman's Comp exclusion development of a tribal bodily injury policy and or securing supplemental insurance in the future.

Motion: Councilman Fred Fox moved to accept Vaaler Insurance report. 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 – Not Present
Councilman Fred Fox – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye

G. GTFJC Contracts – Titus White Body

All three items are part of the budget. Also discussed issues with medical services for inmates and the need to recruit/advertise for another LPN through the GTFJC. Also discussed New Town Ambulance & Hospital services that may not fall under their federal guidelines. Will need to determine needs of the ambulance service

Motion: Councilman Randy Phelan moved to approve Resolution no. 16-051-LKH entitled “Authorization for a Consultant Contract between the Three Affiliated Tribes and North Star Technology Group, Inc.” 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 Randy Phelan moved to approve Resolution no. 16-052-LKH entitled “Authorization for Renewal of the Consultant Contract between the Three Affiliated Tribes and Johnson Controls, Inc.” 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 Randy Phelan moved to approve Resolution no. 16-052-LKH entitled “Authorization for a Consultant Contract between the Three Affiliated Tribes and Conditioned Response Training, LLC.” 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

H. Resolution 16-037-LKH Amendment (Twin Buttes/DOI/BIA Land Transfer)

Correction to land description error. Amend existing resolution with minutes and old version attached to the record.

Motion: Councilman Cory Spotted Bear moved to approve a motion to amend Resolution no. 16-037-CSB 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”.

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

FTR: Superceeds Resolution no. 15-126-LKH entitled “ Requesting the Department of the Interior, Bureau of Indian Affairs (DOI/BIA) to Give a Tract of Land in the Twin Buttes Segment to the Three Affiliated Tribes ”

I. Joy Chapin Coffee House Resolution (16-026-CSB) - H. Texx Lone Bear
Amendment to resolution 16-026-CSB concerning description. \$25 yearly,

Motion: Councilman Frank Grady moved to approve amendment of resolution 16-026-CSB to change the rate. Councilman Fred Fox moved to amend payment received to \$50/month for 25 years for this purpose.



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: Clarification of land description detail. Minutes to be attached to the resolution to show changes.

Motion: Councilman Cory Spotted Bear moved to amend resolution no. 16-054-CSB entitled “*Consent to Certain Rights of Way across Tribal land for the South Segment’s Fort Berthold Rural Water Project*”. 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

X. **MEDICAL REQUESTS**

A. **Alvie Jake Harrison**

May work through the Chairman’s Life and Limb assistance.

B. **Melda Lambert**

Motion: Councilman Fred Fox moved to approve a standard medical assistance policy for request for Nursing Home and extended care with a maximum annual amount of \$12,000 standard policy not to exceed 50% for the year for elders. 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

Motion: Councilman Frank Grady moved to approve medical assistance for Melda Lambert subject to above policy. Councilman Fred Fox seconded the motion. Motion carried.

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

C. Terry Stevenson

Motion: Councilman Fred Fox moved to approve assistance not exceed \$12,000 and not to exceed 50%. Councilman L. Kenneth Hall seconded the motion.

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

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

B. Debbie Chase

Seeking a loan deferment on her small loan to help with family medical situation.

Motion: Councilman Frank Grady moved to defer payment for the month for her small loan. Councilman L. Kenneth Hall seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Voting
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. HEALTH & HUMAN SERVICES - Councilman Frank Grady, Chair

A. Elbowoods Memorial Health Center Report – Dr. Kathryn Eagle

Motion: Councilman Randy Phelan moved to approve Resolution no. 16-066-LKH entitled “Approving Settlement Agreement and Release Between Elbowoods Memorial Health Center and the New Town Ambulance Service”. 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 Randy Phelan moved to direct the CEO to conduct an internal feasibility study for segment ambulatory services. 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

Discussion: Dr. Eagle presented 2 categories of old bills. The 2.3 million will need to be broken down further.

XII. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair

A. Land Partitionment (1)

Motion: Councilman Frank Grady moved to approve Resolution no 16-055-LKLH entitled “Approval of Partition between Three Affiliated Tribes and Janice M. Hall, Kathleen Hall and Francis Mossett of Allotment Number 301-568A” subject to legal review & resolution. Councilman Fred Fox seconded the motion.



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

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

B. BIA 12 Road Project Resolution

Motion: Councilman Randy Phelan moved to approve Resolution entitled 16-056-LKH “*Consent to Certain Rights of Way across Tribal Land for the BIA Road Project in the West Segment*”. Councilman Fred Fox 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 – Not Voting
Councilman Cory Spotted Bear – Aye

C. Shaylene Miller/Christine Miller – M. Dye Utility Corridor

Motion: Councilman Fred Fox moved to approve a Resolution no. 16-061-LKH entitled “*Consent to Certain Right(s) of Way across Tribal Land*” subject to Legal review & resolution. Councilman L. Kenneth Hall seconded the motion.

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

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

D. Farm/Pasture Leases - Diana Americanhorse

1) Rory Bolkan – Renewal



Motion: Councilman Randy Phelan moved to approve Resolution no. 16-058-LKH entitled "*Rory Bolkan Agricultural Leases on Tribal land*" subject to legal review & resolution. Councilman Fred Fox 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 – Not Voting
Councilman Cory Spotted Bear – Aye

2) Terry Bolkan – Renewal

Motion: Councilman Randy Phelan moved to approve Resolution no. 16-059-LKH entitled "*Terry Bolkan Agricultural Leases on Tribal land*" subject to legal review & resolution. Councilman Fred Fox 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 – Not Voting
Councilman Cory Spotted Bear – Aye

3) Randy Myers – Renewal

Motion: Councilman Randy Phelan moved to approve Resolution no. 16-060-LKH entitled "*Randy Myers Agricultural Leases on Tribal land*" subject to legal review & resolution. Councilman Fred Fox 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 – Not Voting
Councilman Cory Spotted Bear – Aye



Motion: Councilman Randy Phelan moved to amend the Farm Lease/Agricultural Lease policy to increase the non-member rate to \$60/acre. 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

Discussion: Councilman Randy Phelan for White Shield/Lucky mound area. Discussion on putting tribal tracts into the CRP program and effort to encourage development of local edible crops.

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

A. Western Energy Alliance (WEA) Intervention

Motion: Councilman L. Kenneth Hall moved to approve intervention in the case and challenge to the Western Energy Alliance(WEA) position on DOI and state taxation. Councilman Fred Fox moved to second 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 – Not Voting
Councilman Cory Spotted Bear – Aye

Discussion: The Ute tribe is the only tribal member of the WEA is demanding withdrawal of the lawsuit.

Motion: Councilman Randy Phelan moved to approve Resolution no. 16-057-LKH entitled “*Approval of the Settlement Agreement With the Three Affiliated Tribes and Sue Romero*”. Councilman L. Kenneth Hall 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 – Not Voting
Councilman Cory Spotted Bear – Aye

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

- A. Business Loans – Toni Starr**
- B. TERO – Charles Foote**
Item deferred.
- C. Economic Impact Study Report – Barbara Miller**
Item addressed above.

XV. JUDICIAL COMMITTEE – Councilman Fred Fox, Chair

- A. Salary Authorization Freeze**
[See Closed Session]
- B. Elder Abuse Code Final Reading**
Item deferred.
- C. LE Personnel/Back-Ground Check Policies & Separation**
[See Closed Session]
- D. New Police Unit Approval**
Item deferred.
- E. Law Enforcement Budget Reinstatement**
[See Closed Session]

XVI. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

- A. Vocational Educational Grant Update - Jerome Dancing Bull**
Item addressed.
- B. Mandaree School Board request for Reimbursement - Carolyn Bluestone**
Item deferred.
- C. Education Assistance for Graduate School - Will Reeves**
Item deferred.
- D. Education Assistance for Maleah Gonzalez Tuition - Lindsay High Horse**



Item deferred.

E. Denise Juneau Endorsement

Motion: Councilman L. Kenneth Hall moved to approve Resolution no. 16-063-LKH entitled “*Endorsing the Candidacy of Denise Juneau for United States Congress.*” 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 L. Kenneth Hall moved to prepare a resolution for Cesareo Alvarez Endorsement for ND District 4 for the April 14th Tribal Business Council. 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

F. Educational Assistance for Verdell Thunder Horse

Motion: Councilman Frank Grady moved to approve educational assistance in the amount of \$900. 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 – Not Present
Councilman Fred Fox – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye



VII. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

VIII. NEW BUSINESS – Tribal Councilman Add Ons

- A. Chairman Mark Fox - *Reserved*
- B. Chairman Mark Fox - *Reserved*
- C. Councilman Frank Grady – **CDBG**

Motion: Councilman Fred Fox moved to approve Resolution no. 16-069-LKH entitled: “Approval and Authorization for each of the Tribal Segments including the Office of the Chairman to utilize up to \$15,000,000.00 in Pledge of Accounts as collateral and for the Three Affiliated Tribes to serve as Guarantor for Loan(s) for the purposes of funding approved Construction Projects”. 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

- D. Councilman Frank Grady - *Reserved*
- E. Councilman Cory Spotted Bear – **Brittany Benson Medical Assistance**

Motion: Councilman Randy Phelan moved to approve medical financial assistance for the minor child of Brittany Benson for the amount of \$1,300. 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 – Not Present
Councilman Fred Fox – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye

Discussion: Trinity-St. Joe’s Same Day Surgery Center

- F. Councilman Cory Spotted Bear - *Reserved*
- G. Councilman Mervin Packineau – **Election Board – Joe Myrick**



Discussion of upcoming activities for election and referendums.

- H. Councilman Mervin Packineau - *Reserved*
- I. Councilman Randy Phelan - *Reserved*
- J. Councilman Randy Phelan - *Reserved*
- K. Councilman L. Kenneth Hall – **Phase I Houses**

Motion: Councilman L. Kenneth Hall moved to approve Resolution no. 16-050-LKH entitled “*Approving the Transfer of Vacant Phase 1 Elbowoods Memorial Health Center Houses (#609, #613, #922, #929, #930, #931, #517 and #521) to the North Segment of the Mandan, Hidatsa, and Arikara Nation*”. Councilman Randy Phelan 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 – Not Voting
Councilman Cory Spotted Bear – Aye

- L. Councilman L. Kenneth Hall - *Reserved*
- M. Councilman Fred Fox- **Chief CJ Whitman Jr.**
[See Closed Session]

- N. Councilman Fred Fox- **MHA Nation Student Dropout Prevention Initiative**

Motion: Councilman Fred Fox moved to approve \$65,060 subject to budget review. Councilman Cory Spotted Bear 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 – Not Voting
Councilman Cory Spotted Bear – Aye

FTR: Social Services will receive Certificates for 8 hours of admin leave in recognition of their hard work; Starla Deane, Amanda Mitchel, Edith Finley, Nicole Henry, Vincent Roehr, Paula Snow, Kathy Felix, Deb Young Bear, Josie Dancing Bull, and Willow Smith.



XIX. CLOSED SESSION

A. Human Resources – Barlow Wells

Addressed.

B. Law Enforcement Budget Reinstatement

Addressed.

C. Chief C.J. Whitman Jr.

Addressed.

D. Law Enforcement/HR

Addressed.

E. LE Personnel/Back-Ground Check Policies & Separation

Addressed.

F. Cliff Whitman Sr.

Addressed.

G. Envirofields Consultant Agreement 2016 - Edmund Baker

Item deferred.

H. MMT – Kimberly Chase-Philips

Addressed.

I. Dr. Arcelay Incident

Addressed.

J. Cynthia Miller

Item deferred.

K. Jay James Life & Limb Request

Addressed.

L. Budget – Al Nygard

Addressed.

M. Lon Burr/DJR Project Management – Whitney Bell & Dennis Fox

Addressed.

N. MMR – John Mahoney

Addressed.

[Note: Pages 17 – 25 have been redacted]



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
CONTINUATION MEETING
MARCH 30th, 2016 MINUTES

Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Not Present

XX. ADJOURNMENT

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilman L. Kenneth Hall seconded the motion. Meeting adjourned at PM

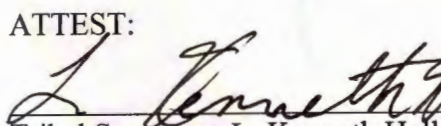
CERTIFICATION

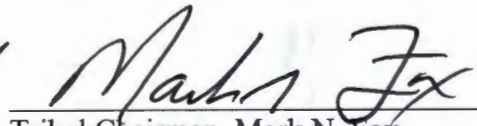
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 7 were present at the Regular Meeting thereof duly called, notice, convened and held on the 30th day of March 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 12th 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