



TAT_20160713-1107_01d1dcf6bbd7e5da.mp3

CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 11:06AM.

OPENING PRAYER

Prayer by Jim Miller.

ROLL CALL

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

I. APPROVAL OF AGENDA

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Motion: Councilman L. Kenneth Hall moved to approve the agenda. Councilman Frank Grady 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 – Not Present
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Not Present

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

- May 11th, 2016 Minutes
- May 12th, 2016 Minutes
- June 2nd, 2016 Minutes
- June 9th, 2016 Minutes
- June 16th, 2016 Minutes

-Deferred to Special

III. SPECIAL GUESTS – ELDERS

A. Emo Motschman TAT_20160713-1227_01d1dd01f3254f7c.mp3

Discussion of Sun Dance expenses and decreasing the amount of \$4000 to a lesser amount. Also requesting that the tribe replace the Evadne Gillette Building sign.



Motion: Councilman Cory Spotted Bear moved to repair or replace the Evadne Gillette Building sign. 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

EXECUTIVE COMMITTEE REPORTS

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

A. Report

Discussion of recent activities and discussions at NCAI concerning taxation & the Cotton Petroleum case, the land transfer, development of a national committee for energy tribes, and riverbed issues. Also summarized upcoming meeting. August 2nd 2016 was set as the tentative date for the next Tribal Business Council meeting. Elder Lunch & Disbursement tentatively scheduled for July 21st with distribution. Noted his service, passing, and condolences of former Councilman, George Fast Dog. Discussion of deadline for the Secretarial Election to get ballot in way before the 22nd and Tribal survey completion. Appointment of Election Board members and those that will keep their appointments. Councilman L. Kenneth Hall, Councilman Randy Phelan, Councilman Mervin Packineau will keep their appointments.

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

A. Report - TAT_20160713-1127_01d1dcf9891dae06.mp3

Upcoming activities such as the Mandaree Pow-wow, Bakkan Petroleum Council Cookfest, and other items.

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

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A. Report -

Expressed condolences to the Fast Dog Family and the importance of voting in the upcoming elections at all levels. Roger White Owl presented a report from the Inter-Governmental Affairs Office.

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

A. CFO Report – *Whitney Bell*

B. Small Loans - *Mary Ellen Sun*

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Motion: Councilman L. Kenneth Hall moved to approve Group A. (1-22) Small Loan applications subject the Small Loans Program Guidelines. Councilman Randy Phelan 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 – Aye
Councilman Fred Fox – Not Present
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Not Present

Motion: Councilman Randy Phelan moved to approve Group B. (1-3) Small Loan applications subject to becoming current on active loan, securing required collateral and co-signer, and Small Loans Program Guidelines. Councilman Frank Grady 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 – Aye
Councilman Fred Fox – Not Present
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Not Present

Discussion: Group B: 1-3 need to get current on loan. B1 will need a cosigner. B: 4-8 will need an eligible Co-signer (B6 is past due). B7 would need an ETF through bank or additional collateral

Motion: Councilman Randy Phelan moved to approve Group B. (4-8) Small Loan applications subject to becoming current on active small loan, securing an eligible cosigner and collateral, and Small Loans Program Guidelines. Councilman Frank Grady 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 – Aye
Councilman Fred Fox – Not Present
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Not Present

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



VII. OFFICER REPORTS:

A. Chief Executive Officer Report – Al Nygard

- **Dr. Biron Baker Contract**

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Motion: Councilman Randy Phelan moved to approve the Dr. Biron Baker contract. Councilman Mervin Packineau 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 – Aye
Councilman Fred Fox – Not Present
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Not Present

Discussion: 6-month contract with option to renew. Reconfiguration of the IT system, oversight of the Health care system/Health Authority Board, EMHC moving to a stand alone entity.

- **Motion:** Councilman Frank Grady moved to grant authorization for Dr. Biron Baker subject to Health Authority Board and Tribal Business Council review. Councilman Randy Phelan 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 – Aye
Councilman Fred Fox – Not Present
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Not Present

FTR: Councilman Fred Fox joined the meeting at 12:00pm

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- **Executive Action**

Motion: Councilman L. Kenneth Hall moved to approve Executive Action to address emergency concerns to manage and operate the following properties; Paunch Point Area, Skunk Bay Area, and Twin Buttes Bay Area due to compliance issues and no concessionaire of the properties. Councilman Randy Phelan seconded the motion.

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



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING
JULY 13th 2016 MINUTES

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 – Not Present

TAT_20160713-1202_01d1dcfe72161914.mp3

Motion: Councilman Randy Phelan moved to approve resolution no. 16-130-LKH entitled “Approval of the Native American Agriculture Fast Track Fund (NAAFTF) Letter of Inquiry AND Proposal application effort” subject to Legal review. 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 – Aye
Councilman Fred Fox – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Not Present

TAT_20160713-1207_01d1dcff25fdbbee.mp3

Motion: Councilman Frank Grady moved to approve permit application and Corp of Engineers Review for beach a recreation area on the Four Bears peninsula and additional beach slip area. 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 – Aye
Councilman Fred Fox – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Not Present

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

2) **Enrollment** - *Sevant S. Taft*

TAT_20160713-1207_01d1dcff25fdbbee.mp3

FTR: Councilman Cory Spotted Bear joined the meeting at 12:10pm

Motion: Councilman Randy Phelan moved to approve resolution no. 16-131-LKH entitled “Approval of 67 Applicants for Enrollment into the Three Affiliated Tribes”. Councilman L. Kenneth Hall 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: 15,172 total tribal members.

VIII. UNFINISHED BUSINESS

A. Elder Abuse Code Final Reading – Sadie Youngbird
Item deferred.

B. New Police Unit (licensing & registration) Authority - Nelson Heart
Item addressed.

C. Law Enforcement Signature Authority – Sara Dogeagle
Item addressed.

D. Education Assistance for Graduate School - Will Reeves
Item deferred.

E. Flandreau Indian School - Jamerson Ferrell – Item deferred

TAT_20160713-1217_01d1dd008d0a3492.mp3

Motion: Councilman Fred Fox moved to approve the CEO to take proactive steps to reintern Fort Berthold members at Haskell, Carlisle, and Flandreau Indian School cemeteries. 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

Motion: Councilman Randy Phelan moved to approve the CEO to establish a committee to return artifacts and other historical cultural items to the tribe. Councilman L. Kenneth Hall 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: Elders and Council committee to include TIPPO. Working session for a new museum.

F. Enrollment Ordinance Amendment – *Sevant Taft*

Item deferred.

G. Surveillance Request - *Lionel G. Chase, Sr.*

Item deferred.

H. Medical Bill – *Georgia Leppell*

Item deferred.

I. Dr. Arcelay Contract – *Dr. Kathy Eagle*

Item Addressed.

J. Fritz Birdbear Partitionment

Item deferred.

K. TAT Emergency Operations Plan with NIMS Integration Grant Letter of Support – *Cliff Whitman*

Item deferred.

L. Business Loan Proposal – *Kasey Hall*

Item deferred.

M. West Segment Regulatory Commission

Item deferred.

N. Social Media Resolution

TAT_20160713-1252_01d1dd0575f444a0.mp3

Motion: Councilman L. Kenneth Hall moved to approve interim modifications to the Social Media Policy subject to 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

O. - removed

P. - removed

Q. Elgin Crowsbreast, NSCDC

Tribal Business Council determined that the draw down can be done without a resolution for the Baker Property infrastructure. Seeking about a million dollars that has been already approved by the Tribal Business Council by resolution.

R. Fort Robinson

Item addressed.

IX. MEDICAL REQUESTS

A. Payment of Hospital Bills - Mark Little Owl (Clarine G. Packineau)

Seeking \$3,762.38

TAT_20160713-1618_01d1dd22304e368c.mp3

Motion: Councilman Randy Phelan to approve medical assistance for Clarine G. Packineau in the amount of \$3,762.38 to be paid to Sanford and Metro Area Ambulance Service. 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

Motion: Councilman Frank Grady moved to approve the Mark Little Owl home mortgage up to \$250,000 subject to income and program requirements 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 – Not Voting
Councilman Fred Fox – Not Voting
Councilman Frank Grady – Aye



Councilman Cory Spotted Bear – Aye

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

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

A. Business Loans – Toni Starr

Item deferred.

B. TERO – Charles Foote

Item deferred.

C. Business Licenses – Caleb Dogeagle

Item deferred.

XI. JUDICIAL COMMITTEE – Councilman Fred Fox, Chair

A. Monthly Tribal Court Report – Wynona Traversie

Submitted a written report.

FTR: Working session concerning bonding out and work on policy.

XII. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

XIII. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

A. Education Trust Fund Report – B.J. Brady

Item deferred.

TAT_20160713-1353_01d1dd0ddf22bc10.mp3

B. Headstart Renovation Budget - Kelly Bradfield

Total request is \$130, 712 for New Town and Parshall Centers.

Motion: Councilman Randy Phelan moved to pay in full from indirect funds and authorize Kelly Bradfield to execute the services. 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



C. Indrek Park Contract Renewal – Indrek Park

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Motion: Councilman Cory Spotted Bear moved to approve the Indrek Park contract to be paid from Twin Buttes Segment funds. 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilman Fred Fox – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye

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D. FY 2017 Education Pipeline Program Budget - Lizz Yellow Bird

Gave an overview of surfaces offer. Seeking a two year budget. CEO would like time to evaluate the return on investment of this program and some of the other similar programs.

Deferred to the next budget meeting the first week in August.

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E. MHA Learn and Lead Program Budget - Laurel Deegan-Fricke

Seeking \$17,000 for unmet need and flag presentation trip to the NMAI Social Media Event on July 19th, 2016.

Motion: Councilman Fred Fox moved to approve this youth financial sponsorship in the amount of \$17,000. Councilman Frank Grady seconded the motion.

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

Chairman Mark N. Fox – Not Voting
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

FTR: Chairman Mark N. Fox stepped out of the meeting and Councilman Randy Phelan assumed the Chair of the meeting at 1:29pm

F. Energy and Mineral Resolution – Dave Williams & Peter Sorenson

TAT_20160713-1332_01d1dd0b1120cbba.mp3

Motion: Councilman L. Kenneth Hall moved to approve resolution no. 16-132-LKH entitled “Authorization to Apply for IEED Grant”. Councilman Cory Spotted Bear seconded the motion.



Vote: 5 Ayes. 2 – 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 – Not Voting
Councilman Cory Spotted Bear – Aye

G. BIA Streamflow Gaging Project Grant - Mary Iorio & N. Scott Baker

TAT_20160713-1337_01d1dd0bc524301a.mp3

Motion: Councilman Fred Fox moved to approve resolution no. 16-133-LKH entitled "Approval of Construction for the Stream Flow Gauging Project on the Fort Berthold Indian Reservation".

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

TAT_20160713-1327_01d1dd0a5e18aba0.mp3

H. Youth Sponsorship for UNITY Conference - Vonnie Alberts

Seeking \$7,500 for trip.

Motion: Councilman Cory Spotted Bear moved to approve a financial sponsorship for the amount of \$7,000. 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

I. Education Assistance for Johnathon Largo (Shiloh Christian School) - Kathy Chapin

Motion: Councilman Fred Fox moved to approve education assistance according to policy. 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

Discussion: Councilman Cory Spotted Bear recommends by semester.

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J. Student Transportation – Roy & Maryann Morsette

Requesting financial transportation assistance for driving their grand-child to school in Beulah. Special circumstance are that there is no High School in Twin Buttes and the family lives out of reach of bus services provided.

FTR: Councilman Mervin Packineau returned to the meeting.

Motion: Councilman Cory Spotted Bear moved to approve Twin Buttes Segment to aid Roy & Maryann Morsette with transportation costs to transport their grand-child to Beulah High School. 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 Fred Fox moved to approve a 90-day mortgage payment deferral for Fredman & Mellissa Everett mortgage. 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



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K. Chief Looking Village Excavation Documentary - Elijah Benson

Seeking a \$16,275 grant match elder interviews, archeologist interview, and editing. Northern Heritage Foundation and Tribe to share copyright. Will need resolution and MOA. Legal to work on the agreement.

Motion: Councilman Cory Spotted Bear moved to approve subject to resolution and MOA. 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: To return to the August 2nd, 2016 Tribal Business Council with resolution and MOA.

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L. Bill Dispute – Frank Silletti

Was making payments on an Independence loan from 2014 and checks started being returned because the program ended. In 2007, started receiving notices to pay back \$13,761 and made payment. No communication from that point to last year. A different issue, work performed for TERO in 2012 (Traditional Construction bill) under Richard Hall on property purchased. Performed clean up and reclamation on the property near KB Electric. Submitted the bill, but new director came on, but the bill was never paid. Willing to trade my bill of \$37,000 to TAT Independence (2015 statement) for the TERO work performed. CEO recommends further research. Chairman Mark N. Fox recommends taking the funds from the DOT budget. Frank Silletti mentioned that the fee patent property was eventually lost to taxes and sold off. Mr. Silletti informed the Council of road repair and matching effort with WPX to fix road near Native American Church in Shell Creek.

M. Adrian Foote Sr. Memorial Rodeo - Blaine Foote

TAT_20160713-1418_01d1dd1160ff0402.mp3

Motion: Councilman L. Kenneth Hall moved to approve \$18,000 for the 2-day event to Badlands PBR from General Fund. With permission to seek a match from the casino. 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

N. Plumbing Issues, Financial Assistance – Bentley Heart Jr.
Item deferred.

TAT_20160713-1428_01d1dd12c71511a4.mp3

O. Home Destroyed by Tornado - Elton Spotted Horse
Will work with Cliff Whitman 14-173-VJB.

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

A. Elbowoods Clinic – Dr. Kathy Eagle

TAT_20160713-1538_01d1dd1c9622589e.mp3

Motion: Councilman Cory Spotted Bear moved to approve 5 contracts (Dr. Sandra Figueroa Vargas- General Practitioner; Dr. Anita Louise Martin-Pediatrician; Dr. Juan Giado-Pediatric Practice Physician; Bernice Dubois-Family Nurse Practitioner; Maxine Bosko-Family Nurse Practitioner) subject to legal review and input. Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to approve EMHC Field Clinic Budget zero out. Councilman Fred Fox seconded the motion.

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

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

B. Home Health Care Update - Dr. Monica Mayer

TAT_20160713-1553_01d1dd1eb02dde42.mp3

Motion: Councilman Frank Grady moved to direct the federal government to intervene in the rodent problem at the MHA Office Complex (Old Clinic) Councilman L. Kenneth Hall 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

TAT_20160713-1448_01d1dd1594363710.mp3

C. Sponsorship request for Diabetes Documentary - Darlene Perkins

Requesting a \$35,250 sponsorship.

Motion: Councilman Fred Fox moved to approve \$35,250. Councilman Cory Spotted Bear 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: Councilman Cory Spotted Bear would like funding conditional on documentation of completion and sharing of copyright. \$17,500 up front.

D. Medical Assistance - Darlene Perkins

Issue is being worked through by Councilman Frank Grady.

E. Sale of 15 Trustland furnished 3-Bedroom Homes – Steve Kelly

Item deferred.

XV. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair

A. Homesite(s) - Valeri Hosie

B. Farm/Pasture Leases - Diana Americanhorse

C. James Grinnell – Twin Buttes Tribal Land Acquirement

TAT_20160713-1503_01d1dd17ae3182d0.mp3

Motion: Councilman Fred Fox moved to approve resolution no. 16-134-LKH entitled “*Approving the Purchase of 16.0 Acres from the Whiteman Family*” 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

Motion: Councilman Fred Fox moved to approve resolution no. 16-135-LKH entitled “*Approving the Purchase of 40.0 Acres from the Huber Family*” also approved to utilize segment funds pending availability of land acquisition funds. Councilman L. Kenneth Hall 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 Fred Fox moved to approve resolution no. 16-136-LKH entitled “*Approving the Purchase of 77.5 Acres from the Little Owl Family*”. Councilman L. Kenneth Hall 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

TAT_20160713-1513_01d1dd191445238c.mp3

D. Half Mile Setback Issue – Kenny Lyson

Resolution presented by the Energy Department to change the half mile setback from structures to one quarter mile.

No action

E. Oil & Gas ROW

TAT_20160713-1528_01d1dd1b2f379a06.mp3

Motion: Councilman Fred Fox moved to approve resolution no. 16-137-LKH entitled “*Consent to Approval of Right(s) of Way and Approval of Setback Variance Request by Marathon Oil Company for the Treasure USA Well Pad and Multiuse Corridor Project.*” Councilman L. Kenneth Hall seconded the motion.



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
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Vote: 5 Ayes. 2 – Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Voting
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. 16-138-LKH entitled “*Consent to Approval of Right(s) of Way and Approval of Setback Variance Request by Marathon Oil Company for the Sophia USA Well Pad and Multiuse Corridor Project.*” Councilman L. Kenneth Hall seconded the motion.

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

TAT_20160713-1528_01d1dd1b2f379a06.mp3

Motion: Councilman Fred Fox moved to approve resolution no. 16-139-LKH entitled “*Consent to a Right-of-Way across Tribal land Submitted by QEP Energy Company Multi-Well Pad 1-28A*” Councilman L. Kenneth Hall seconded the motion.

Vote: 5 Ayes. 2 – Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Voting
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. 16-140-LKH entitled “*Consent to a Right-of-Way across Tribal land Submitted by QEP Energy Company for Multi-Well Pad 8-28A*” Councilman L. Kenneth Hall seconded the motion.

Vote: 5 Ayes. 2 – Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Voting
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. 16-141-LKH entitled “*Consent to a Right-of-Way across Tribal land Submitted by QEP Energy Company for Multi-Well Pad 16-22G*” Councilman L. Kenneth Hall seconded the motion.

Vote: 5 Ayes. 2 – Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Voting
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. 16-142-LKH entitled “*Consent to a Right-of-Way across Tribal land Submitted by QEP Energy Company for Multi-Well Pad 1-12Y*” Councilman L. Kenneth Hall seconded the motion.

Vote: 5 Ayes. 2 – Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Voting
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. 16-143-LKH entitled “*Consent to a Right-of-Way across Tribal land Submitted by Whiting Oil and Gas Corporation for the Two Shields Butte Project*” Councilman L. Kenneth Hall seconded the motion.

Vote: 5 Ayes. 2 – Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Voting
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. 16-144-LKH entitled “*Consent to a Right-of-Way across Tribal land for the Skunk Creek 4-10-11-8H Well Pad Project Submitted by Whiting Resources Corporation*” Councilman L. Kenneth Hall seconded the motion.

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

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

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Motion: Councilman Fred Fox moved to approve resolution no. 16-145-LKH entitled “*Consent to Right-of-Way on Tribal Land Submitted by Continental Resources, Inc. for the Quale Federal 9-12 Multi-Well Pad Project.*” Councilman L. Kenneth Hall seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Voting
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. 16-146-LKH entitled “*Consent to a Right-of-Way across Tribal land for the Otter Woman 24-37 Well Pad Project Submitted by WPX Williston, LLC.*” Councilman L. Kenneth Hall seconded the motion. Vote: 5-0-0-2.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Voting
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. 16-147-LKH entitled “*Consent to a Right-of-Way across Tribal land for the Lawrence Bull 1-12 Well Pad Project Submitted by WPX Energy Williston, LLC.*” Councilman L. Kenneth Hall seconded the motion.



THREE AFFILIATED TRIBES
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Vote: 5 Ayes. 2 – Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Voting
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. 16-148-LKH entitled “*Consent to a Right-of-Way across Tribal land for the Ethal Blackhawk 1-12 Well Pad Project Submitted by WPX Energy Williston, LLC.*” Councilman L. Kenneth Hall seconded the motion.

Vote: 5 Ayes. 2 – Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Voting
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. 16-149-LKH entitled “*Consent to a Right-of-Way across Tribal land Submitted by WPX Energy Williston, LLC for the BirdBear 36-26 Well Pad Project.*” Councilman L. Kenneth Hall 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. 16-150-LKH entitled “*Consent to a Right-of-Way across Tribal land Submitted by WPX Energy Williston, LLC for the Ruby Well Pad Expansion Project.*” Councilman L. Kenneth Hall 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. 16-151-LKH entitled “*Consent to Right-of-Way across Tribal land for the Blue Buttes Stevenson Loop Line-Alternate 2 Pipeline Submitted by Crestwood.*” Councilman L. Kenneth Hall 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

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

TAT_20160713-1633_01d1dd244b1d91f4.mp3

Motion: Councilman L. Kenneth Hall moved to approve resolution no. 16-152-LKH entitled “*2016 Amendments to the Three Affiliated Tribes Alcoholic Beverages*” subject to Legal review. 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 – Not Voting
Councilman Fred Fox – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye

Discussion: Limiting waivers

XVIII. NEW BUSINESS – Tribal Councilman Add Ons

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

TAT_20160713-1633_01d1dd244b1d91f4.mp3

Motion: Councilman Randy Phelan moved to approve resolution no. 16-153-LKH “*Approval of Lease Documents between the Three Affiliated Tribes and Kinetic, Inc.*” Councilman L. Kenneth Hall 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 – Not Voting
Councilman Fred Fox – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye

- D. Councilman Frank Grady - Reserved**
- E. Councilman Cory Spotted Bear – Reserved**
- F. Councilman Cory Spotted Bear - Reserved**
- G. Councilman Mervin Packineau – Alice Harwood Mortgage Increase**

\$50,000 subject to income requirement.

TAT_20160713-1603_01d1dd201732cb56.mp3

Motion: Councilman Fred Fox moved to approve Alice Harwood mortgage increase of \$50,000 subject to income requirements and guidelines. Councilman Cory Spotted Bear.

Vote: 4 Ayes. 1 – Abstention. 2 – Not Voting. Motion carried.

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

- **Chad Morsette sons Youth Event**

TAT_20160713-1603_01d1dd201732cb56.mp3

Motion: Councilman Fred Fox moved to approve by July 21st, 2016 the amount of \$1,500. Councilman Mervin Packineau seconded the motion.

Vote: 5 Ayes. 2 – 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 – Not Voting
Councilman Cory Spotted Bear – Aye

FTR: Councilman Mervin Packineau left meeting at 4:07 PM.



H. Councilman Mervin Packineau - Reserved

I. Councilman Randy Phelan – Jess Chase Sponsorship

TAT_20160713-1608_01d1dd20ca3c622a.mp3

Motion: Councilman Randy Phelan moved to approve a sponsorship of \$2,600. 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

J. Councilman Randy Phelan – Mandaree HeadStart

TAT_20160713-1643_01d1dd25b24de5e4.mp3

Motion: Councilman Fred Fox moved to approve resolution no. 16-154-LKH entitled “*Approval of the Grant Agreement between Crestwood Equity Partners, LP and Mandan, Hidatsa, and Arikara Nation for Construction of a Head Start Facility in Mandaree.*” subject to Legal review. 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

K. Councilman L. Kenneth Hall – Reserved

L. Councilman L. Kenneth Hall – Reserved

M. Councilman Fred Fox- Jessilyne Long Feather

Requesting a youth financial sponsorship for a track event in Houston on the 28th – 5th. Seeking \$5,000 for airfare for 2, hotel and rental.

TAT_20160713-1613_01d1dd217d4d86be.mp3

Motion: Councilman Cory Spotted Bear moved to approve \$3,750. Councilman Fred Fox seconded the motion.

Vote: 5 Ayes. 1 – Abstention. 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 – Abstained
Councilman Cory Spotted Bear – Aye.

N. Councilman Fred Fox- Reserved

XIX. CLOSED SESSION

TAT_20160713-1703_01d1dd287f40dc58.mp3

• **Katherine Young Bear Trailer Moving Expenses.**

Item addressed.

A. TERO Audit

Item deferred.

B. TAT Law Enforcement – Chief Nelson Heart, Sarah Dogeagle, Grace Her Many Horses

Item deferred.

C. War Pony – Scoria Pit – Ron Brugh & Jeb McClair

No Action.

D. Cliff Whitman

Item deferred

FTR: *Chairman Mark N. Fox stepped out of the meeting and Councilman Randy Phelan assumed chair of the meeting.*

TAT_20160713-1708_01d1dd2933287550.mp3

E. HR – Barlow Wells

Item addressed.

F. PetroGulf

Item deferred.

XX. ADJOURNMENT

TAT_20160713-1914_01d1dd3abb4fee70.mp3

Motion: Councilman Randy Phelan moved to adjourn. Councilman Frank Grady seconded the motion.
Meeting adjourned at 7:16pm.



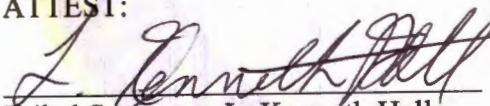
CERTIFICATION

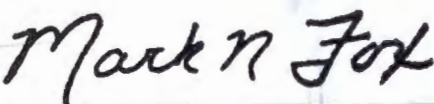
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 6 were present at the Special Meeting thereof duly called, notice, convened and held on the 9th day of June 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 30th day of August, 2016.

ATTEST:


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


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