



TAT_20161122-1350_01d244c76ff55a7e.mp3

CALL TO ORDER:

Chairman Mark N. Fox called the meeting to order at 11:55am.

OPENING PRAYER:

Prayer by Cory Hopkins.

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ROLL CALL:

Present: Councilman Cory Spotted Bear, Councilman Fred Fox, Councilman Randy Phelan, Councilman Frank Grady, Chairman Mark N. Fox, Councilman Mervin Packineau, and Councilwoman Monica Mayer.
Quorum established.

I. APPROVAL OF MINUTES:

- October 7th, 2016 Continuation Minutes
- October 19th, 2016 Regular Minutes
- October 28th, 2016 Special Minutes
- November 9th, 2016 Special Minutes

Item deferred.

II. APPROVAL OF AGENDA:

Motion: Councilman Randy Phelan moved to approve the agenda as amended. Councilman Frank Grady seconded the motion. Motion carried.

Vote: 7 Ayes. Motion carried.

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

III. SPECIAL GUESTS – ELDERS:

EXECUTIVE COMMITTEE REPORTS



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

A. Report

Honor for Military Service; Gordon Dennis Fox, Sonia Peltier, Ernest Red Fox, Rodney Howling Wolf (Certificate of Appreciation for Years of Service. Navy & Army Songs sung those honored. Dr. Linda Gourneau spoke on behalf of the Red Fox family. Chairman Mark N. Fox read a letter to the public a letter received from U.S. President Barrack Obama in recognition of Gordon Dennis Fox honoring the memory for devoted service and consecration in the service of the country. Presentation of plaques & monetary awards for Mandaree, Twin Buttes Middle School, White Shield Schools of \$75,000. \$150,000 to the New Town School District. Date for the next regular meeting set for Wednesday, December 14th. COLT meeting upcoming for investment discussion. Dec. 7-9th TERO Conference in Las Vegas. Budget Work Session meeting on the December 7th. Attended Tribal member Marvin Two Vietnam Veteran funeral services at the National Cemetery in Dallas. Provided update on work completed on the new Drug treatment facility progress made to help those needing these services. Councilman Randy Phelan expressed the long term aftercare. Chairman Mark N. Fox reiterated the TBC support of the government at Standing Rock and their fight. Also the States' decision to cancel the State of the Tribes address to the North Dakota legislature. Councilman Randy Phelan expressed the need to meet with the Governor to address the public animosity and putting TAT in the same boat as Standing Rock. Chairman Mark N. Fox discussed the atmosphere nationwide and changing demographics and will stand strong for tribal rights. Councilwoman Monica Mayer also expressed her full support. Chairman Mark N. Fox discussed meeting with the Governor on a number of issues such taxes, roads and other important issues. Elders Dinner on the 22nd.

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

A. Report

Councilman Randy Phelan asked the Chairman to provide an update as to the disbursements. Chairman Mark N. Fox informed the public that that they are planning to mail them out on Friday the 9th and Councilman Fred Fox asked the Chairman Mark N. Fox to provide the public with details of deductions. Councilman Mervin Packineau informed the public of the disbursement mailing and deduction information included. Dec. 20th Christmas Parties for the Staff in the AM and Mandaree in the evening. Councilwoman Monica Mayer recommended a calendar for the community and tribal Christmas parties. Also an extended invitation for everyone to attend tonight's Inaugural Dinner.

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Motion: Councilman Randy Phelan moved to approve the same policy from last Christmas for the Christmas disbursement and deductions and with only child support to be deducted. Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye



Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

VI. SECRETARY'S REPORT – *Councilman Fred Fox*

A. Report

Christmas Dinner on the 3rd, and birthday party of Chief Bobby Bear. Expressed his commitment to the practices that the former Executive Secretary Councilman L. Kenneth Hall established to ensure items follow through the committees and are ready for the TBC.

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

A. CFO Report – *Whitney Bell*

Dec. 5th Parshall Christmas party and Taco John's opening.

5:23PM

Motion: Councilman Mervin Packineau moved to approve 16-295-FWF "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 \$9,800,000.00". Councilman Randy Phelan seconded the motion.

Vote: 7 Ayes. Motion carried.

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Frank Grady moved to approve resolution no. 16-296-FWF 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: 7 Ayes. Motion carried.

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye



Motion: Councilman Randy Phelan moved to approve resolution no. 16-297-FWF entitled “Authorization for a Disbursement to the Elders”. Councilman Frank Grady seconded the motion.

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

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

C. Small Loans – Mary Ellen Sun

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Motion: Councilman Fred Fox moved to approve Group A. Small Loan Applications subject the Small Loans Program Guidelines. Councilman Randy Phelan seconded the motion.

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

Motion: Councilwoman Monica Mayer moved to approve Group B: 1-8 Small Loan Applications subject to additional collateral or different collateral, #6 also subject to insurance for the collateral and Small Loans Program Guidelines. Councilman Frank Grady seconded the motion.

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



Discussion: #6 needs insurance for the collateral. Years of service (severance) used as collateral was discussed and broken down by years and scenarios for collection of Annual Leave and other assets on close out. Chairman Mark N. Fox commended the Council and the Small Loans Department for making the program revolve with loans and returns.

Motion: Councilman Mervin Packineau moved to approve Group B: #9-12 Small Loan Applications with #9 for a lesser amount subject the Small Loans Program Guidelines. Councilman Randy Phelan seconded the motion.

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

Motion: Councilman Randy Phelan moved to approve Group C: #5 subject to the Small Loans Program Guidelines. Councilman Frank Grady seconded the motion.

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

VIII. OFFICER REPORTS:

A. **Chief Executive Officer Report** – Al Nygard

1) **Tax Department** – Mary Mashunkashey, Tax Commission Director

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Motion: Councilman Fred Fox moved to approve resolution no. 16-272-FWF entitled “2016 Additional Technical Amendments to the Three Affiliated Tribes Alcoholic Beverages Control Law”. 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 Fred Fox – Aye
Councilman Mervin Packineau – Aye



Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Councilwoman Monica Mayer asked for clarification as to where the tax funds go. Al Nygard stated that the project annual income will be about \$400,000.

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2) Energy Building Kitchen & Food Services – Al Nygard

Yummie Coffee House Plus seeking authority to negotiate a contract with more information provided within the week. Will need to determine the rental rate and seek a more detailed business plan.

Motion: Councilman Fred Fox moved to approve authorization to negotiate contract. Councilwoman Monica Mayer seconded the motion.

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

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Motion: Councilman Mervin Packineau moved to approve resolution no 16-273-FWF entitled “Authorization for Tribal Participation in a Nationwide Elder Needs Assessment Survey for the Title VI Grant Funding Year 2017 through 2019”. Councilman Fred Fox seconded the motion.

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

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Motion: Councilman Fred Fox moved to accept the TAT HeadStart Grant for FY2017 and funding of (\$1,395, 843-Federal) and Tribal budget of \$353,692 from the Executive Budget. 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 Fred Fox – Aye



Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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Motion: Councilman Fred Fox moved to approve resolution no. 16-274-FWF entitled “*Approving of Costs for Drug Treatment Facility in Bismarck, North Dakota*”. 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 Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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Motion: Councilman Frank Grady moved to ratify Executive Action to assist the family to return family member Donna Barrows. Councilman Fred Fox seconded the motion.

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

3) Enrollment - *Sevant S. Taft*

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Motion: Councilman Fred Fox moved to approve resolution no. 16-275-FWF entitled “*Approval of 49 Applicants for Enrollment into the Three Affiliated Tribes*” subject to Legal review. 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 Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye



Councilwoman Monica Mayer – Aye

Discussion: 15,355 enrolled members. Discussion of blood quantum and base roll change to 4/4.

IX. UNFINISHED BUSINESS

A. Enrollment Ordinance Amendment – *Sevant Taft, Director*

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Motion: Councilman Fred Fox moved to approve the 2nd Reading of the Enrollment Ordinance. Councilman Frank Grady seconded the motion.

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

B. Safe Haven Home – *Marilyn Young Bird*

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Motion: Councilman Fred Fox moved to approve Dwight Young Bird Lost Prairie Enterprise Consultant Contract from the Mandaree Segment funding. Councilwoman Monica Mayer seconded the motion.

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

Discussion: Chairman Mark N. Fox recommends Contract for Services for Construction.

White Shield Safe Haven Policies & Procedures – *Kelcey Peltier, Director*

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Motion: Councilman Frank Grady moved to approve the Safe Haven Policies & Procedures. 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 Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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Motion: Councilman Fred Fox moved to approve the Marilyn Youngbird Contract. Councilman Randy Phelan seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Current contract end on December 31, 2016. Information provided concerning the history of the North Segment Safe Haven building being used as a day care and possibly building another building for the Safe Haven services.

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Motion: Councilman Fred Fox moved to support cost of food during NIGA/NCAI Tax Break-Out meeting in Washington, DC. Councilman Frank Grady seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

C. Executive Secretary Policies & Procedures

Item deferred.

X. MEDICAL REQUESTS

- A. Joni Ann Foote -
- B. Jill Gillette -
- C. Leonard Blake -



D. Darryl Baker

E. Evangeline Monogram

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Motion: Councilman Frank Grady moved to approve additional Life & Limb assistance for each of the individuals listed above for \$3,500. Councilman Randy Phelan seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Not Voting
Councilwoman Monica Mayer – Aye

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F. Stephan Mayer Medical Request - Richard & Valerie Mayer

Seeking financial assistance to cover cost of expensive medication for \$60,000/month for rare kidney disease not covered by Elbowoods.

Motion: Councilman Randy Phelan moved to approve \$60,000 for the cost of medicine for one month. Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Councilwoman Monica Mayer recommends that the family talk to Ramona Sorenson, Chief Pharmacist at EMHC, to order medicine immediately.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XI. EXECUTIVE COMMITTEE – Chairman Mark N. Fox



XII. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

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

A. Elbowoods Clinic – Dr. Kathy Eagle, CEO - Items deferred

- 1) Women’s Public Health Assessment.** – Dr. Monica Taylor
IRB needs to completed and asking to be tabled.

TAT_20161122-1631_01d244ddd53ab84.mp3

- 2) VA Reimbursement Agreement.**
613 veterans with 1-2 new veterans /week.

Motion: Councilman Fred Fox moved to approve the Direct Care Services Reimbursement Agreement between Department of Veterans Affairs, Fargo VA Healthcare System. Councilman Randy Phelan seconded the motion.

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

- 3) DeepTree Contract.**
Additional Information Technology services for EMHC

Motion: Councilman Mervin Packineau moved to approve the DeepTree Contract. Councilman Frank Grady seconded the motion.

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

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- 4) MOU for Kauffman and Associates.**
MOU for SAMSA Grant Technical Assistance and training for prevention of suicide substance abuse, and community support.



Motion: Councilman Fred Fox moved to approve. Councilman Randy Phelan seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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5) EMHC Bank Account.

Motion: Councilman Fred Fox moved to approve segregated bank account. Councilman Randy Phelan seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Councilwoman Monica Mayer asked for an explanation and Al Nygard provided information about Third Party Billing.

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B. Dental Bill - Hans Young Bird Bradley

Seeking assistance for the balance of daughter's orthodontist work for the amount of \$4,400.

Motion: Councilman Fred Fox moved to approve 75% for \$3,300 from 380. Councilman Frank Grady seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Aye



Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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C. Dental Bill - Mona Pond

Owes \$8000 in medical bills that have gone to collections.

Motion: Councilman Fred Fox moved to approve 75% for \$6000. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

D. MHA Office Complex & Housing /Federal Responsibility

Item deferred.

E. White Shield Safe Haven Policies & Procedures - Kelsey Peltier

Addressed above.

XIV. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair

A. Homesite(s) - Valeri Hosie

Item deferred.

B. Farm/Pasture Leases - Diana Americanhorse

Item deferred.

TAT_20161122-1656_01d244e15d30d0c0.mp3

C. National Incident Management System (NIMS) Guide – Clifton Whitman

Three Affiliated Tribes Emergency Operations Plan with NIMS Integration.

Motion: Councilman Randy Phelan moved to approve 16-276-FWF entitled “*Tribal Business Council Approval for a Consultant for the Tribal Mitigation Plan through NDEMA*” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 7 Ayes. Motion carried.

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



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

D. Slawson Report

Item deferred

E. Energy & Environmental MOU (Closed Session)

F. SHD Development Plans - Martina Turner

14 wells

G. Marathon as Lead Operator on BIA Route 2

Item deferred.

H. White Shield School Water Connection

Item deferred.

I. FBRW Organizational Chart Update

TAT_20161122-1716_01d244e42a59039a.mp3

Motion: Councilman Fred Fox moved to approve segment pay for segment member connections. Councilwoman Monica Mayer seconded the motion.

Vote: 7 Ayes. Motion carried.

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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Motion: Councilwoman Monica Mayer reimburse FBRW for BOR/FBRW funding used by MHA \$1,602,655.50. Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion carried.

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



Councilwoman Monica Mayer – Aye

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Motion: Councilman Cory Spotted Bear moved to approve Consultant Agreement for Metering System development for FBRW clients. Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion carried.

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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Motion: Councilman Fred Fox moved to approve the FBRW organizational chart. Councilwoman Monica Mayer seconded the motion.

Vote: 7 Ayes. Motion carried.

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

- Burial cost responsibilities referred to the segments.

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Motion: Councilwoman Monica Mayer moved to approve FBRW Permits. Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion carried.

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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FBRW Commissioned Officers -



Item tabled

Segregated Section 17 Account

Item deferred.

FTR: 4:29PM: the Tribal Business Council took a 5 minute break. Meeting resumed at 4:37pm.

J. Oil & Gas ROW [See Dept. Book For Order]

- 1) **QEP – Kodiak Swap.**
- 2) **Crestwood - Plenty Sweet Grass – CDP.**

TAT_20161122-1743_01d244e7fad6d40e.mp3

- 3) **Rescinding a resolution entitled, "Consent to Certain Right(s) of Way across Allotment 1794- Tribal Land".**

Motion: Councilman Fred Fox moved to approve a resolution to rescind 16-253-LKH. Councilwoman Monica Mayer seconded the motion.

Vote: 7 Ayes. Motion carried.

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: To return in Closed Session to address.

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- 4) **Sage Capital Advisors Presentation/Investors.**

Presented investment opportunities for the Tribe. To present a summary a capabilities at the investment meeting on December 7th – 9th.

- 5) **EOG Riverview Pad Trespass Settlement - Heather Smith**

- 6) **Petroleum Engineer Transfer (Federal to Tribal)**

TAT_20161122-1738_01d244e7479dd9dc.mp3

- 7) **Enerplus – Cranes Pad**

Motion: Councilman Randy Phelan moved to approve resolution no. 16-277-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land Submitted by Enerplus Resources for the Cranes Pad Project”. Councilwoman Monica Mayer seconded the motion.



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

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8) Enerplus – Spice Pad

Motion Councilman Randy Phelan moved to approve resolution no. 16-278-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land Submitted by Enerplus Resources for the Spices Pad Project.”. Councilwoman Monica Mayer seconded the motion.

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

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9) WPX – Arikara 15-22H

Motion: Councilman Randy Phelan moved to approve resolution no. 16-279-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Arikara 15-22H Project Submitted by WPX Energy Williston, LLC.” Councilwoman Monica Mayer seconded the motion.

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

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10) WPX – Skunk Creek 1-12H PE



Motion: Councilman Randy Phelan moved to approve resolution no. 16-280-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the Skunk Creek 1-12 Pad Expansion Project Submitted by WPX Energy Williston, LLC*”. Councilwoman Monica Mayer seconded the motion.

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

Marathon

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Motion: Councilman Randy Phelan moved to approve resolution no. 16-281-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the Flowlines between TAT USA 34-22H Well Pad and Veronica USA 14-22TFH Well Pad, Project Submitted by Marathon Oil Company.*” Councilman Fred Fox seconded the motion.

Vote: 6 Ayes. 1 – Opposed. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Opposed
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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11) Crestwood – Station 5 Loop Line

Motion: Councilman Randy Phelan moved to approve resolution no. 16-282-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the Station 5 Loop Line Project Submitted by Crestwood.*” FG seconded the motion.

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



Councilwoman Monica Mayer – Aye

12) Crestwood - Phase 3SW NS Loop Line

Motion: Councilman Randy Phelan moved to approve resolution no. 16-283-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Phase 3 SW NS Loop Line Project Submitted by Crestwood.” MM seconded the motion.

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

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13) Crestwood - Phase 1B HWY 22 Mod Loop Line

Motion: Councilman Randy Phelan moved to approve resolution no. 16-284-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Phase 1B Highway 22 Modified Loop Project Submitted by Crestwood.” Subject to Legal review. Councilman Fred Fox seconded the motion.

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

14) Crestwood - Plenty Sweet Grass Loop Line

Motion: Councilman Randy Phelan moved to approve resolution no. 16-285-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Plenty Sweet Grass Loop Line Submitted by Crestwood.” subject to Legal review. Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye



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

15) Crestwood - Plenty Sweet Grass to CDP Pipeline

Motion: Councilman Randy Phelan moved to approve resolution no. 16-286-FWF entitled “Consent to a Right-of-Way across Tribal land for the Plenty Sweet Grass to CDP Pipeline Submitted by Crestwood. Councilman Fred Fox seconded the motion.

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

16) Targa - Tipi V 14-1X

Motion: Councilman Randy Phelan moved to approve resolution no. 16-287-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Tipi V 14-1X Project submitted by Targa Badlands LLC.” MM seconded the motion.

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

17) Targa - Ruby Parshall

Motion: Councilman Randy Phelan moved to approve resolution no. 16-288-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Ruby Parshall Project submitted by Targa Badlands LLC.” Councilman Fred Fox seconded the motion.

Vote: 7 Ayes. Motion carried.
Chairman Mark N. Fox – Aye



Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

18) Targa - Helis Linseth Loop

Motion: Councilman Randy Phelan moved to approve resolution no. 16-289-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Helis Linseth Loop Project submitted by Targa Badlands LLC.” Councilman Fred Fox seconded the motion.

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

K. Grazing Resolution Amendment (16-205-LKH). *Item deferred.*

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L. Thomas John Bird Veteran Memorial Hall ROW Resolution.

Motion: Councilman Mervin Packineau moved to approve 16-290-FWF “Thomas John Bird Veteran Memorial Hall Right of Way within the Four Bears Segment of the Fort Berthold Reservation”. Councilman Cory Spotted Bear seconded the motion.

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

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M. BIA Route 2 Housing Subdivision Resolution.



Motion: Councilman Randy Phelan moved to approve resolution no. 16-292-FWF entitled “*BIA Route 2 Housing Subdivision of the Four Bears Segment of the Fort Berthold Reservation.*”
Councilman Frank Grady seconded the motion.

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

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N. Thunder Butte Housing Subdivision Resolution.

Motion: Councilman Fred Fox moved to approve resolution no. 16-291-FWF entitled “*Thunder Butte Housing Subdivision of the Four Bears Segment of the Fort Berthold Reservation*”.
Councilman Randy Phelan seconded the motion.

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

- O. FBRW Consultant Agreement - Cami Gosnell**
- P. FBRW Call Before You Dig Permit Resolution - Cami Gosnell**
- Q. FBRW Commissioned Officers - Cami Gosnell**

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R. Knife River Roof Replacement Bid - Claryca Mandan

Motion: Councilman Randy Phelan moved to approve from the Mandaree HART Funds.
Councilman Mervin Packineau seconded the motion.

Vote: 7 Ayes. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye



Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

XV. ECONOMIC DEVELOPMENT COMMITTEE – Councilwoman Monica Mayer

A. Business Loans – Toni Starr, Director [Closed Session]

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B. Planning and Grants/ CEDS 5-year Plan – Sheila Many Ribs, Director

Motion: Councilman Fred Fox moved to approve 5 year resolution 16-298-FWF entitled ““Tribal Business Council Approval the Community Economic Development Strategy and Planning” subject to Legal review. 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 Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: To amend draft resolution to exclude funding amount.

- Brownfield assessments grant for \$200,000 to fix building grant letter of support to committee.

C. Housing /Walking Shield Homes Purchase – Lawrence Baker, Director
Item deferred.

XVI. JUDICIAL COMMITTEE – Councilman Fred Fox, Chair

A. Tribal Court Report – Wynona Traversie, Court Administrator - deferred

B. Adult Detention Contracts - Titus White Body - deferred

C. Burleigh County Bond/Small Loan – Lisa S. Everett - deferred

D. BIA Tribal Access Program Resolution - Nelson Heart

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

Vote: 7 Ayes. Motion carried.
Chairman Mark N. Fox – Aye



Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

E. Communications Quote - Cliff Whitman
Item deferred.

F. Child Support Guidelines – Ellen Otterman

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Motion: Councilman Mervin Packineau moved to approve resolution no. 16-293-FWF entitled “Child Support Guidelines” subject to Legal review. Councilman Frank Grady seconded the motion.

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

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

XVIII. NEW BUSINESS – Tribal Councilman Add Ons

- A. Chairman Mark Fox – *Reserved*
- B. Chairman Mark Fox – *Reserved*
- C. Councilman Frank Grady – *Reserved*
- D. Councilman Frank Grady – *Reserved*
- E. Councilman Cory Spotted Bear – *Reserved*
- F. Councilman Cory Spotted Bear – *Reserved*
- G. Councilman Mervin Packineau – **Jim Foote**
Item addressed

H. Councilman Mervin Packineau – *Reserved*

I. Councilman Randy Phelan – **Hart Program**

New 50,000 ceiling for sole source. Housing Authority will continue to have oversight.

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Motion: Councilman Mervin Packineau moved to approve Resolution no. 16-294-FWF entitled “Approval and Continuation of the Three Affiliated Tribes Housing Authority Renovation Program” subject to Legal review. Councilman Fred Fox seconded the motion.

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

Discussion: Only per vender.

J. Councilman Randy Phelan – Reserved

K. Councilwoman Monica Mayer – Educational Assistance – Renita Mandan
Seeking assistance for amount paid to the Sylvan School, her granddaughter 7th grader Riley Dean that she \$5,500 for one year. Standing policy.

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Motion: Councilman Mervin Packineau moved to approve \$2,500. Councilman Fred Fox seconded the motion.

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

Discussion: Jan. to revisit and Councilwoman Monica Mayer’s Office to process.

L. Councilwoman Monica Mayer – Reserved

M. Councilman Fred Fox – Two Crow Home Loan

Motion: Councilman Fred Fox moved to add to principle and be reimbursing Jason Two Crow for payment to C&J Contraction for meter pit and septic for \$13,450 and wished to be reimbursement to home loan. Councilman Mervin Packineau seconded the motion.

Vote: 7 Ayes. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye



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

N. Councilman Fred Fox - *Reserved*

XIX. CLOSED SESSION

A. Personal Business - Tracy Halvorson
Item deferred.

B. Jim Wolf – Vance Gillette
Item deferred.

C. Business Proposal – Bandy Poitra & Nicole Henry
Item deferred.

D. Whiting Twin Buttes Unit
Item deferred.

E. Sakakawea LLC – Bernie Fox
Item deferred.

F. Delvin Foote
Item deferred.

G. Fred Morsette
Item deferred.

H. White Shield RV Park – Caleb Dogeagle
Item deferred.

I. Spud Fee Resolution – Carson Hood Jr.
Item deferred.

J. EOG Riverside – Carson Hood Jr. –
Item deferred

K. Human Resources – Barlow Wells, Director & Cheryl Abe, Assistant Director
Item deferred.

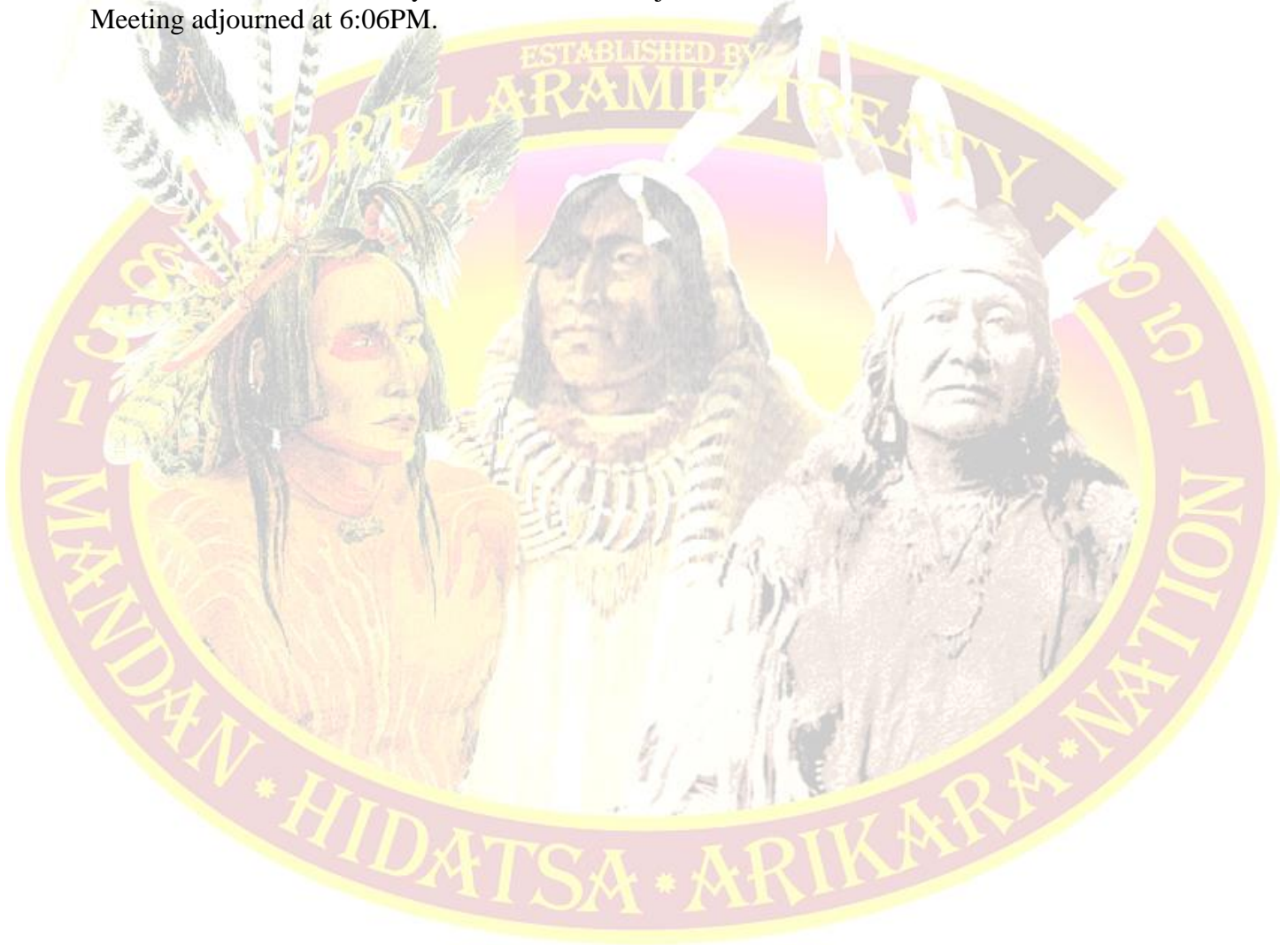
L. TAT Law Enforcement – Chief Nelson Heart, Sarah Dogeagle, Grace Her Many Horses
1) BIA Manual & 638 Contract Amendment



M. Rescinding the resolution entitled, "Consent to Certain Right(s) of Way across Allotment 1794- Tribal Land".

XVIII. ADJOURNMENT:

Motion: Councilman Randy Phelan moved to adjourn. Councilman Fred Fox seconded the motion. Meeting adjourned at 6:06PM.





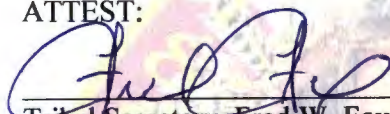
CERTIFICATION

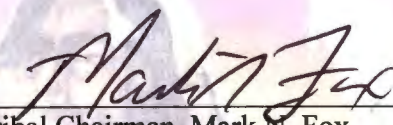
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 7 were present at the Special Meeting thereof duly called, notice, convened and held on the 22nd day of November 2017; 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 8th day of February, 2017.

ATTEST:


Tribal Secretary, Fred W. Fox
Tribal Business Council,
Three Affiliated Tribes


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