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**CALL TO ORDER:**

[3/8/2017] Chairman Mark N. Fox called the meeting to order at 12:55PM.  
[3/9/2017] Returned from recess at 11:32PM.

**OPENING PRAYER:**

[3/8/2017] Prayer by Valerian Three Irons in the Mandan Language.  
[3/9/2017] Prayer by Jane Lockwood

**ROLL CALL:**

[3/8/2017] *Present:* Councilwoman Monica Mayer(Not Present), Councilman Cory Spotted Bear, Councilman Mervin Packineau(Not Present), Chairman Mark N. Fox, Councilman Frank Grady, Councilman Randy Phelan, Councilman Fred Fox . *Quorum established.*

[3/9/2017] *Present:* Councilwoman Monica Mayer, Councilman Cory Spotted Bear, Councilman Mervin Packineau, Chairman Mark N. Fox, Councilman Frank Grady(Not Present), Councilman Randy Phelan, Councilman Fred Fox. *Quorum established.*

***FTR:*** [3/8/2017] *Councilman Mervin Packineau & Councilwoman Monica Mayer joined the meeting at 1:05PM.*

**I. APPROVAL OF AGENDA:**

***Motion:*** Councilman Frank Grady moved to approve the agenda. 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

**II. APPROVAL OF MINUTES:**

- **December 12<sup>th</sup>/14<sup>th</sup>, 2016 Regular Minutes** [3/8/2017]
- January 12<sup>th</sup>, 2017 Special Minutes
- January 23<sup>rd</sup>, 2017 Special Minutes
- February 8<sup>th</sup>/9<sup>th</sup> 2017 Special Minutes

***Motion:*** Councilman Frank Grady moved to approve the December 12&14, 2016 Tribal Business Council Minutes subject to corrections. 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 – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

### **III. SPECIAL GUESTS – ELDERS:**

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#### **A. Research Study: Cultural Protective Factors Among Fort Berthold Youth - Myra Parker, University of Washington. [3/8/2017]**

Seeking support from the Tribal Business Council to submit two grants to the National Center of Health to conduct public health research into behavioral risks, and cultural norms related to substance abuse.

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 17-047-FWF entitled “Approval of Dr. Myra Parker to Conduct a Qualitative Study of Indigenous Protection Factors Related to Alcohol Abuse”. 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:** Councilwoman Monica Mayer would volunteer as a contact for IRB concerns on the project. Chairman Mark N. Fox recommended that they would also report to the Health and Human Committee. Data and results to be shared with the Tribe and possibly at the College.

### ***EXECUTIVE COMMITTEE REPORTS***

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

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##### **A. Report**

Chairman Mark N. Fox expressed condolences to the Grinnell Family. Noted a local author Bryan Petterson is having a book signing event at the TAT Museum for his book entitled “Vanished”. Chairman Mark N. Fox & Councilman Randy Phelan discussed current activities concerning a State bill pushing for State-wide gaming legislation and efforts to fight against the bill.



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

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**A. Report**

Expressed condolences to those families that have lost loved ones. Discussed how State attitudes towards Native issues has been influenced by the NoDAPL protests and seeing a back-lash in the form of legislation on unrelated issues. As Co-Chair of the Tribal Economic Growths Alliance Councilman Randy Phelan will be providing testimony during REZ.

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

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**A. Report**

Discussed moving to a digital format for the Tribal Business Council documents presented during meetings and recent staff retreats to improve productivity. Related lobbying activities in Washington, D.C. and the positive influence of Senator Ben Night Horse Campbell joining the Tribe in those efforts. Other meetings and issues that are being worked on are; taxation, flaring rules, inter-governmental energy coalition, the Law Enforcement Cross-Jurisdictional meeting. Congratulated the New Town Eagles and Parshall Braves for advancing to the State tournaments and along with other teams with tribal members.

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

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**A. CFO Report** – *Whitney Bell*

Presented this month's expense report that notes that at the 44% of FY mark the Tribe is 43% expended from the General Fund and on pace. Will present the resolutions to draw-down funds for the April disbursement slated for a April 9<sup>th</sup> or 10<sup>th</sup> mailing. Budget session meeting in mid April. Councilwoman Monica Mayer would like some clarification to the elders on how their money is disbursed. Discussion of the Business Loan Committee approval for the Loan Department. Councilman Randy Phelan recommended bringing the process in resolution form back to the Tribal Business Council. Councilwoman Monica Mayer provided data on loan default rates and asked for more accountability with increased debt collection. Chairman Mark N. Fox provided an update on activities to improve the debt collection process. Discussion on reviewing Small Loan Policy and policy of segment staff requiring a cosigner.

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- **Missouri River Resources (MRR)** - *Carl Artman, Legal & Bob King, CEO*  
Seeking a \$13-17 million loan to open up two wells in the 3840 spacing unit. Expect payback to the Tribe over a 2-3 year period depending on the price of oil. Terms of interest rate and other terms to be discussed and vetted through Committee. Chairman Mark N. Fox stated that eventually MMR would drill 23 wells in that area and the Tribe is working on adjusting the spacing units. The Tribe would get the return on the loan, the pure revenue and 26% royalties. Councilwoman Monica Mayer expressed the need to spend the revenue on the people and infrastructure.



**Motion:** Councilman Fred Fox moved to approve resolution no. 17-048-FWF entitled “Investment in Missouri River Resources wells along Little Missouri River” 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

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**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 17-076-FWF 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 \$14,100,000”. Councilman Fred Fox seconded the motion.

Vote: 5 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 – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Fred Fox moved to approve resolution no. 17-077-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 Cory Spotted Bear seconded the motion.

Vote: 5 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 – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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



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**C. Small Loans – Mary Ellen Sun**

**Motion:** Councilman Fred Fox moved to approve Group A: 1-7 subject to Small Loans requirements. Councilman Cory Spotted Bear seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to approve Group C; subject to payment of total outstanding interest. Councilman Cory Spotted Bear seconded the motion.

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

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

**Discussion:** August of 2010 loan is past due for \$3,800. Discussion of Small Loans Policy reconsideration for the number of years of employment for political appointees at the next committee.

**VIII. OFFICER REPORTS:**

**1) Chief Executive Officer Report – Al Nygard**

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**1) Tax Department – Cynthia Monteau, Interim Tax Commission Director**

Al Nygard introduced Cynthia Monteau as the new Interim Tax Director. February Report was read into the record. Oil & Gas Revenue for February was \$11.6 million with a total \$51.694 million for 2017. Chairman Mark N. Fox stated that 10% of the revenue goes to infrastructure pursuant to the agreement. Royalties and taxes are about 90% of the budget. February 28<sup>th</sup> the Liquor Ordinance was published in the Federal Register with an active date of April 1<sup>st</sup>. 4Bears Casino & Resort has met the requirements of the Hotel Use Tax for Certificate Authority. Chairman Mark N. Fox noted that these taxes are applicable to all with no one excluded.

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

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 17-050-FWF entitled “*Approval of 39 Applicants for Enrollment into the Three Affiliated Tribes*”. Councilman Frank Grady seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Abstained

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

**Discussion:** Total enrollment of 15, 458 members. Councilwoman Monica Mayer noted that the life expectancy for males for Fort Berthold was at age 42 and age 38 for woman, roughly a third are youth. Councilman Randy Phelan discussed dropping the age to 55 in defining an elder for the purposes of disbursements and the budget. Noted that it would mean a \$1.6 million/year increase for the budget and about an additional 800 members as elders.

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- **Enrollment Ordinance Amendment**

Six amendments presented by resolution entitled “*Approval of the Enrollment Ordinance Amendments*”. Toksie Eagle approached the Tribal Business Council to discuss the reasoning for an Enrollment Committee and approving the applicants one by one instead of by blanket motion. Councilwoman Monica Mayer is not in favor of having a Committee reviewing the enrollment applications. Sevant Taft expressed that in enrollment offices polled throughout the country about utilizing a Review Committee, most stated that they didn’t work. The Tribal Business Council all thought that Item #1 concerning the change to 4/4 for all those on the 1936 Base Role be excluded. Chairman Mark N. Fox believes there should be a referendum to determine changing the base rolls which Legal says the Tribal Business Council has the right to do. Councilwoman Monica Mayer expressed the need to utilize DNA to prove blood quantum. Councilman Randy Phelan stated that we teach our children not to marry within so they go off and marry. We may need to lower it for our Grand-children. Chairman Mark N. Fox noted that currently the requirement is 1/8 TAT blood.

*Item deferred to the April Tribal Business Council.*

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## 3) PRAMS Research Support Resolution

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 17-049-FWF entitled “*Approval of the Tribal Pregnancy Risk Assessment Monitoring System (PRAMS) study to be conducted by North Dakota State Department of Health (NDDoH) to evaluate MHA’s maternal and infant health.*” 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

*Discussion:* Proprietary rights to stay with the MHA Nation.

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**4) Warriors of the 21<sup>st</sup> Century Grant Application**

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-072-FWF entitled “*Smart Reentry: Focus on Evidence-based Strategies for Successful Reentry from Incarceration to Community, FY 2017, Competitive Grant, in the amount of \$1,000,000.00.*” Subject to clarification and availability of funding. Councilman Mervin Packineau seconded the motion.

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

*Discussion:* Al Nygard expressed questions concern whether it was would be a hard or soft match.

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**5) Land-Buy Back Application – George Abe**

B.I.A./Tribal Agreement to share costs. Presented a Milestones document and TAT Cooperative Agreement Application for the Land Buy-Back Program. Chairman Mark N. Fox expressed that the MHA Nation is not satisfied with the Cobell funding levels/Market value for surface & minerals and getting more tracks qualified. The subject will require a work session. Councilman Randy Phelan noted that our State representatives are aware of our concerns and it will need to be fast tracked. George Abe noted that the Tribe has been budgeted at \$56 million for the year. Chairman Mark N. Fox noted that the program excludes acreage in the Bakkan play area. Councilman Cory Spotted Bear recommended that this item report to the Natural Resource Committee every month.



**Motion:** Councilman Mervin Packineau moved to approve the agreement under the Chairman's Office and the Program. 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

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**6) MHA Nation Policy for Key Control-Maintenance Department.**

For Tribal properties and excluding segment facilities. Maintenance staff provide the service.

**Motion:** Councilman Mervin Packineau moved to approve the Key Control-Maintenance Department Policy. 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

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**7) Programmatic Environmental Assessment for Development of Oil and Gas on the Fort Berthold Reservation – Al Nygard & John Fredericks**

**Motion:** Councilman Fred Fox moved to approve resolution no. 17-073-FWF entitled “Request to the Bureau of Indian Affairs to select Alternative A of the Mitigated Programmatic Environmental Assessment for Development of Oil and Gas on the Fort Berthold Reservation”. 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 – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye





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## 8) Executive Action Ratification

**Motion:** Councilman Randy Phelan moved to ratify an Executive Action for a donation of \$10,000 to the American Indian Cancer Association. 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

## VIII. UNFINISHED BUSINESS

### A. **Marathon as Lead Operator on BIA Route 2**

*Return to Natural Resource- Oil & Gas Committee.*

### B. **High Risk Pregnancy - Jennie WhiteOwl**

*Item deferred.*

### C. **Child Protection Services/EMHC MOU – Deb Young Bear**

*Item deferred.*

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### D. **Domestic Violence Budget/Staffing – Sadie Young Bird**

Bernadete Jackson, Advocate presented a program report of domestic, elder, and sexual assaults.

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### E. **SAUSA Grant Resolution – Caleb Dogeagle**

**Motion:** Councilman Frank Grady moved to approve resolution no. 17-051-FWF entitled “Approving the MOU With the United States Attorney for the District of North Dakota to hire a Special Assistant United States Attorney”. 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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**Bob Hall Home Mortgage Home Mortgage Request**

Seeking a Home Loan to purchase a home in Gettysburg, SD. The home is appraised at \$61,000. Asking for a \$52,000 loan under a 20 year schedule. His deadline is approaching quickly.

**Motion:** Councilman Randy Phelan moved to approve the Bob Hill Home Mortgage for \$52,000 subject to Home Mortgage Loan Program letter of recommendation for approval. 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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**F. Institutional Research Code - Twyla Baker-Demaray**

Seeking to create a review board concerning human based research on the reservation.

**Motion:** Councilwoman Monica Mayer moved to approved a 1<sup>st</sup> reading A resolution entitled, "Enacting the Three Affiliated Tribes Research Code and Establishment of the Nueta Hidatsa Sahnish College Research Review Board" subject to Legal review. 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

**Discussion:** Caleb Dogeagle recommend approval as a 1<sup>st</sup> reading of two and a 30-day comment period. Chairman Mark N. Fox stated that those asking for approval have an appeal process and with Tribal Business Council review.

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**G. Richard Hall Lot and Home Site Sale**

*Item deferred to the April Tribal Business Council meeting.*



**IX. MEDICAL REQUESTS**

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**A. Terry Beston Request**

Seeking medical assistance for orthodontic dental work for two children. Was denied assistance by Grants & Donations. Health Committee recommended 50% of for each child. Dr. Mellon provided a letter concurring the need.

**Motion:** Councilman Frank Grady moved to approve 50% of the requested amount per each child. Councilman Cory Spotted Bear seconded the motion.

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

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

*Discussion:* Child 1: \$4,545.00/2 + Child 2 \$4,545/2 = Total \$4,645. Councilwoman Monica Mayer recommended making this the policy for Grants & Donations.

**B. Melissa Veach**

*Item deferred.*

*COMMITTEES OF THE TRIBAL BUSINESS COUNCIL*

**IX. JUDICIAL COMMITTEE** – Councilman Fred W. Fox, Chair

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**A. Tribal Court Report** – Wynona Traversie, Court Administrator & Elizabeth Yellow Bird-Demaray

Presented Monthly Report for March 2017. Seeking two additional law trained Associate Judges and will need to recruit. As directed by the Corrective Plan the Court has filled most of the staff positions with back-ground completed and submitted to HR. Seeking the following most to permanent fulltime employment status. To run these changes through the Tribe's HR process. Seeking to contract additional workers to address the daily data entry issues. It was noted that it is not within the budget but to work with the CFO. Juvenile & Public Defender case are caught up and entered.

**Motion:** Councilman Fred Fox moved to approve Valorie Brady, Contract for Services for Data Entry for one year subject to funding to be determined with the CEO/CFO. Councilman Frank Grady seconded the motion.



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

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Voting  
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 Agnes Vondell, Contract for Services for Data Entry for 6-month subject to funding to be determined with the CEO/CFO. 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 Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilman Frank Grady – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Discussion:** Back-ground checks for these contractors will be submitted at the next Judicial Committee meeting. Chairman Mark N. Fox expressed that back ground checks need to be done for all consultants also.

**FTR:** Kermit Heart expressed the need for additional Associate Judges and problems with Prosecutors not doing their job. Chairman Mark N. Fox would need to brought before the Judicial Committee or under Closed Session.

**X. EXECUTIVE COMMITTEE** – Chairman Mark N. Fox

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

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**A. Helen Gough Honoring** – Martha Hunter

**Motion:** Councilwoman Monica Mayer moved to approve the formation of a working Committee to organize the event. 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 Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilman Frank Grady – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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**B. High School Education Trip – Bronson Flynn**

**Motion:** Councilman Fred Fox moved to approve an assistance policy of \$1,250 for youth education trips 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 – Aye  
Councilman Frank Grady – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**C. Federal Advocacy – Ryan Wilson**  
*Item deferred.*

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**D. MHA History Initiative**

Councilwoman Monica Mayer presented an effort by former MHA Chairwoman & NHSC Vice President Alyce Spotted Bears' initiative on Native American Studies and Letter of Intent to participate in training on Tribal Government curriculum development within the reservation schools with an estimated cost of \$126,377.

**Motion:** Councilwoman Monica Mayer moved to approve the MHA History Initiative subject to budget work session and availability of funding. 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

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**E. Construction Management Services Agreement – Dennis Fox**



Construction management contract to the White Shield School. The company will bond for the entire project.

**Motion:** Councilman Cory Spotted Bear moved to approve the Graham Construction MSA. Councilman Fred Fox seconded the motion.

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

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

*Discussion:* Once signed to return and update the Tribal Business Council.

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#### **F. Close-Up Sponsorships & Policy Change**

**Motion:** Councilman Fred Fox moved to reduce policy amount not to exceed \$1,250/attendee and 50% of need for the Close-Up Sponsorship and to be administrated by Grants & Donations. 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 Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilman Frank Grady – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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#### **G. TAT Employee Policy & Procedure Handbook – Al Nygard**

The CEO presented a reaffirmation 1<sup>st</sup> line of authority over Directors and departments as outlined in the TAT Employee Policy & Procedure Handbook. Specific departments examples included; Law Enforcement, Tribal Insurance, Interpretive Center, TERO, Fort Berthold Rural Water, and Homeland Security

**Motion:** Councilman Mervin Packineau moved to follow the TAT P&P Section B as previously approved. 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 Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilman Frank Grady – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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

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**A. Elbowoods Clinic – Dr. Kathy Eagle, CEO**

March 2017 EMHC Report, Disruptive Patient Policy, and Quality Care & Performance Improvement Customer Surveys submitted. Applied for a \$420,000 grant from Robert Wood Johnson Foundation for a Behavioral Health Grant. An additional proposal submitted to the Tribal Business Council for approval to develop a trauma informed care community by providing culturally relevant staff training on the impacts of trauma. Councilwoman Monica Mayer expressed the need to increase the number of available doctors. Dr. Kathy Eagle noted that recruitment efforts are continuous. Account/Receivables (AR) are not matching or keeping up with the Clinic and EMHC is asking if Finance can enter them or if there is some requirement in Finance because AR is not matching with the Tribe's. Whitney Bell, TAT CFO noted that he has three people working on it.

**Motion:** Councilman Frank Grady moved to authorize the Elbowoods Memorial Health Center permission to seek the “Trauma Informed Care Community” grant. 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 Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilman Frank Grady – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Fred Fox moved to grant EMHC permission to review and select a bid with Special Projects assistance for the new Elbowoods Dental Building A & E. 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 Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilman Frank Grady – Aye  
Councilman Cory Spotted Bear – Aye



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Councilwoman Monica Mayer – Aye

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Dr. Kathy Eagle discussed the Junior Morsette request for a motor scooter and other equipment. Stated that they can assist with wheelchairs and other types of aids have but, not for motor scooters that come in \$2,500 each. Councilwoman Monica Mayer expressed the need to expend the \$13 million in carry-over and write the Chief Medical Officer request as a prescription for the motor scooter from her Federal funds and to also document it in her HER(PRC). Another request was for a medical bed which should come before the PRC and be denied first.

**Motion:** Councilman Fred Fox moved to approve acquisition and purchase subject to Health Committee review for purchase price of a medical bed. 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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**B. Darlene Perkins Fashion Show Sponsorship – Darlene Perkins**

**Motion:** Councilman Fred Fox moved to approve a financial sponsorship in the amount of \$4000 for the Honoring the Fight Pink/Silver Party – Breast Cancer/Diabetes Benefit and Fashion Show event on April 21<sup>st</sup> at the Northern Lights Building. Councilman Randy Phelan seconded the motion.

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

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

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**C. Elders Fair Sponsorship - Karen Walks & Polly Chase**

“Age Out Loud Month” theme for the Elders Fair on May 6<sup>th</sup>, 2017 and seeking a donation of \$7000.

**Motion:** Councilman Cory Spotted Bear moved to approve a financial sponsorship of \$7000 for the Elders Fair event. 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

**FTR:** Councilwoman Monica Mayer asked for assistance for the purchase of an oven, a fridge and the sewer repair for the Northern Lights Building where the program is housed. Councilman Fred Fox recommended just getting it fixed and addressing it at the mid-year budget.

**D. Contract Issue – Nick Lewis** (See Closed Session)

**XIII. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair**

**A. Homesite(s) - Valeri Hosie**  
*Item deferred.*

**B. Farm/Pasture Leases - Diana Americanhorse**  
*Item deferred.*

**C. FBRW Report - Cammi Gosnell**  
*Item deferred.*

**D. Land Exchanges**  
*Items deferred.*

- 1) **Malcolm Wolf**
- 2) **Lou Ann Phelan**
- 3) **Henry A. Breuer**

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**E. Boxing Sponsorship Packages**

Tribal members Sonia Fox-Heavyweight Mandaree) & Bobby Deane Cruiserweight (Parshall) will be fighting in the main events of a Quicksilver Hill Sports and Entertainment title fight and are seeking sponsorships of ringside tables with tickets for in National ABO Pro title event in Grand Forks, ND on the April 1<sup>st</sup>

**Motion:** Councilman Fred Fox moved to approve the purchase of the \$3,500 /Silver Package pro boxing sponsorship for table & tickets. 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

#### F. Oil & Gas Committee

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1) **Frank Lee Contract** – *Travis Hallam.*

Requesting to be under the program's budget for one year at \$20hr./wk. Funding is under Mr. Hallam's budget.

**Motion:** Councilman Fred Fox moved to approve the Frankie Lee, Contractor – Civil Engineer Contract for one year from program funds. Councilman Frank Grady seconded the motion.

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

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

**Discussion:** \$100/hr. 20hrs./week.

2) **Pipeline Assignment Whiting** – *Brian Anderson*

3) **Petro Gulf** – *Jerry Goedert*

4) **HRC** – *Sal Beston*

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5) **COLT Fees**

**Motion:** Councilman Fred Fox moved to approve payment of COLT Fees. 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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6) **TERO Commissioner Appointment**

**Motion:** Councilman Frank Grady moved to approve the appointment of Elton Spotted Horse to replace Ron Brugh for the West Segment representative subject to Legal review and resolution. Councilman Mervin Packineau seconded the motion.

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

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7) **ROW**

**Motion:** Councilman Mervin Packineau moved to approve resolution no. 17-052-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Elm Tree to Four Bears Phase One Project Submitted by McKenzie Electric Cooperative.” 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 – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Not Voting

**Motion:** Councilman Frank Grady moved to approve resolution no. 17-053-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Elm Tree to Four Bears Phase Two Project Submitted by McKenzie Electric Cooperative.” 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 – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Not Voting

**Motion:** Councilman Mervin Packineau moved to approve resolution no. 17-054-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Targa Blue Buttes Compressor Stations Project Submitted by McKenzie Electric Cooperative.” 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 – Aye  
Councilman Frank Grady – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Not Voting

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-055-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the QEP Tipi North URD Line Project Submitted by McKenzie Electric Cooperative.” 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 – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Not Voting

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-056-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Halcon Ft.B. 148-94-19D-18-1H URD Line Project Submitted by McKenzie Electric Cooperative.” 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 – Aye  
Councilman Cory Spotted Bear – Aye



Councilwoman Monica Mayer – Not Voting

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-057-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land Submitted by Enerplus Resources for the Bugs Pipeline Project.” 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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-058-FWF entitled “Consent to Certain Right(s) of Way across Tribal land Submitted by Enerplus Resources for the Spiders Project (Trust).” 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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-059-FWF entitled “Consent to Right-of-Way across Tribal land Submitted by Enerplus Resources for the Spiders Project (FEE).” 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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-060-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Minot Grady 26-35 Project Submitted by WPX Energy Williston, LLC.” 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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-061-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Spotted Horn 26-35 Expansion Project Submitted by WPX Energy Williston, LLC.” 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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-062-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Dance Pad Project Submitted by Missouri River Resources.” 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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-070-FWF entitled “Rescinding Resolution No. 16-220-LKH dated September 22, 2016 and Resolution No. 17-022 dated February 8, 2017.” 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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-063-FWF entitled “Consent to Approval of a Right-of-Way for the Jones Road Pipeline Project Submitted by Marathon Oil Company.” 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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-064-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the QEP 13-4 Indy Well Connect Project Submitted by Crestwood Energy Company.” 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 – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Not Voting

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-065-FWF entitled “Approval of Setback Variance Requested by Crestwood Energy Company for the QEP 13-4 Indy Well Connect Project.” 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



**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-066-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the West Myrmidon 16 West Loop Project Submitted by ONEOK Rockies Midstream, 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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 17-067-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Elm Tree 16 South Loop Project Submitted by ONEOK Rockies Midstream, LLC.” Councilman Fred Fox seconded the motion.

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

**XIV. ECONOMIC DEVELOPMENT COMMITTEE – Councilwoman Monica Mayer, Chair**

**A. Business Loans – Toni Starr, Director**  
*Item deferred.*

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**B. South Segment Community Development Corporation Audit – Laura Bakken**

The audit report was read into the record for FY2015. Carl Vanvig, auditor presented the financials. A modified clean audit was attained with exception of inventory. Key information provided included; \$2.5 million cash on hand, \$4 million spent on infrastructure, \$7.3 million in key revenue. All the SSCDC entities are State and TERO compliant.

**Motion:** Councilman Fred Fox moved to accept the South Segment Community Development 2015 Audit Report. 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 discussed the need for these CDC's to be under the umbrella of tribal immunity for their protection from the State for tax purposes under a tribal charter. Laura Bakkan noted that all are 501C3 non-profit at this point but are aware of the issue. John Fredericks recommends not securing any type of State certification.

**C. Panther Development Investments/Dakota Acres – Mike List, COO**  
*Item deferred.*

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**D. “Bail Runners: Film Investment Proposal – Terry Fredericks, Keith Bear & Mike Klawitter[3/8/2017]**

Seeking a \$1.25 million investment for a major film by Warner Brothers. Entertained the possibility of filming on Fort Berthold and employing TAT members. 77% investment after four years.

*Back to Economic Committee for further consideration.*

**E. Indian Education Advocacy – Ryan Wilson**  
*Item deferred.*

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**F. Traditional Songs of the Upper Missouri – Jason Morsette**

Seeking \$17,000 sponsorship for a two day cultural event. An additional event this year includes honoring the Ladies Auxiliary units on Fort Berthold to be held at the Northern Lights building in New Town.

**Motion:** Councilman Frank Grady moved to approve \$13,800 sponsorship for the event. 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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**G. 2017 Minot State University (MSU) Graduation Pow-wow Sponsorship – Annette Mennem & Evelyn Klemple**

**Motion:** Councilman Frank Grady moved to approve a \$10,000 sponsorship. 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. LEGAL DEPARTMENT – Caleb Dog Eagle, Esq., MHA Supervising Attorney**

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**A. Business Licenses**

**Motion:** Councilman Fred Fox moved to approve the licenses submitted. Councilwoman Monica Mayer seconded the motion.

**Discussion:** Councilman Randy Phelan noted that Mandaree Enterprises uses the Mandaree name and does not give nothing back to the community. Chairman Mark N. Fox informed the Tribal Business Council that the process of approving business licenses needs to be examined further due to TERO also issuing business licenses and causing duplication of services.

*Motion rescinded.*

*Deferred to the Economic Development Committee for review.*

**B. Chief Prosecutor Contract Renewal (Closed Session)**

**C. Traffic Fine Increase**

*Item deferred.*

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**D. North Segment Board Appointments**

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 17-072-FWF entitled "Appointment of Board Members and Officers by the North Segment Tribal Business Council Representative, Dr. Monica Mayer" 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

**E. VAWA Grant MOU**

*Item deferred.*

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**F. Rob Porter Agreement (Closed Session)**

West Segment will hire for NCAI Subcommittee work for Legal services. Moved to Closed Session.

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

- A. Chairman Mark Fox – *Reserved*
- B. Chairman Mark Fox – *Reserved*
- C. Councilman Randy Phelan - *Reserved*
- D. Councilman Randy Phelan – *Reserved*

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**E. Councilman Fred W. Fox – Nueta Hidatsa Sahnish College Board Appointment<sup>[3/8/2017]</sup>**

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 17-083-FWF entitled “Don Yellowbird for Wayne Fox NHSC White Shield Segment” subject to Legal review & resolution. 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

**F. Councilman Fred W. Fox – *Reserved***

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**G. Councilman Mervin Packineau – Ellen Wilson**

Seeking financial assistance for her son’s educational trip and seeking \$2,500.

**Motion:** Councilman Fred Fox moved to approve \$1,250 financial assistance for a youth trip as prescribed by policy. 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

**H. Councilman Mervin Packineau – Reserved**

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**I. Councilman Frank Grady – Reserved**

**Motion:** Councilman Mervin Packineau moved to approve resolution no. 17-084-FWF “Four Bears Segment Housing Commission appointment to Hazel Heart” subject to requirement of Charter and resolution. 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

**J. Councilman Frank Grady – Reserved**

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**K. Councilman Cory Spotted Bear – Linden Fredericks Home Mortgage**

Requesting that the Tribe pay off his mortgage loan with First Community Credit Union in the amount of \$32,785 and adding it into his TAT mortgage loan.

**Motion:** Councilman Cory Spotted Bear moved to approve rolling over the Linden Fredericks First Community Credit Union loan into an existing TAT home mortgage loan. 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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**L. Councilman Cory Spotted Bear – Land Purchase for Buffalo Pasture**

**Motion:** Councilman Fred Fox moved to approve resolution no. 17-075-FWF entitled “*Dennis Huber Land Sale to the Three Affiliated Tribes*”. Councilwoman Monica Mayer seconded the motion.

Vote: 5 Ayes. 2 – 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:* Range Unit to be released to the segment.

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**South Segment Resolution**

**Motion:** Councilman Fred Fox moved to approve resolution no. 17-079-FWF entitled “*Marty Young Bear Agricultural Leases on Tribal land*” 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 – Not Voting  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilman Frank Grady – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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**Intertribal Bison Council**

**Motion:** Councilman Fred Fox moved to approve resolution no 17-078-FWF entitled “*Appointment of Adam Tony Johnson to the Inter-Tribal Bison Cooperative Board of Directors and Cory Spotted Bear as Alternate*”. 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 Fred Fox – Aye



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

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**M. Councilwoman Monica Mayer – North Segment Property Management Department**

Discussed housing units and real estate properties and submitted policies and procedures for the North Segment Property Management Department. Would like rent proceeds to come through the Tribal Finance instead of the Cornerstone Bank for auditing purposes. Chairman Mark N. Fox expressed that the EMHC housing was built by the Tribe and for key personnel and recruiting for EMHC staff.

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 17-074-FWF entitled: “*Transferring Control and Management of the Elbowoods Memorial Health Center Houses to the North Segment of the Mandan, Hidatsa, and Arikara Nation*”. Councilman Mervin Packineau seconded the motion.

Vote: 4 Ayes. 2 – Abstentions. 1 – Not Present. Motion carried.

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

**Discussion:** Rent to go back to the Tribe. Al Nygard stated that rent is collected from the EMHC homes for a total of \$49,000/month. An audit of the homes identified about \$118,000 in back rent due from the homes controlled by the EMHC. The others are; 62 for EMHC, 10-Law Enforcement, 5-NHS College, 1 Social Services, 23 North Segment, 3 tribal employees. One unit is being tested for contamination. Chairman Mark N. Fox noted that his Office was promised housing for recruitment at one time. Mr. Nygard noted that all the units have a lease and have wage deductions in place with the exception of the 5 NHSC homes. Councilman Randy Phelan expressed the concern of an elder that received one of the North Segment homes who is worried he might be evicted. Discussion of the standardization of the EMHA rents by previous action and doing the same across the board. Councilwoman Monica Mayer assured everyone that no elders would be kicked out of their homes.

- A Resolution entitled: “Revocation of Charter and Voluntary Dissolution of the North Segment Community Association” **No Action**
- A Resolution entitled: “Revocation of Charter and Dissolution of the North Segment Development Corporation” **No Action**



N. Councilwoman Monica Mayer – *Reserved*

XVIII. **CLOSED SESSION**

- A. Josie Chase Issue
- B. Contract Issue – *Nick Lewis*
- C. Tribal Court
- D. Lobbyist Appointment Resolution
- E. TAT Law Enforcement – *Chief Nelson Heart, Sarah Dogeagle, Grace Her Many Horses*
  - 1) Report
  - 2) HR
- F. Pipeline Authority – *Travis Hallam*
- G. Human Resources – *Barlow Wells, Director & Cheryl Abe, Assistant Director*
- H. Veterans of Foreign Wars Auxiliary – *Judy Hood*
- I. Refinery
- J. White Shield Cultural Instructor
- K. North Segment CDC/Community Board Dissolution – *Councilwoman Monica Mayer*

XVI. **ADJOURNMENT:**

*Motion:* Councilman Randy Phelan moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 2:36PM.



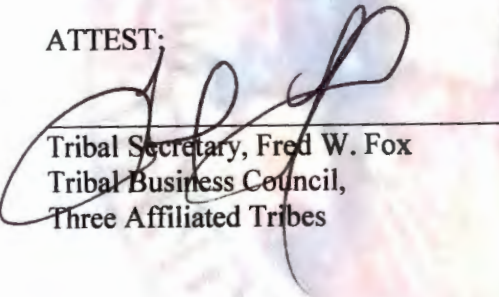
### CERTIFICATION

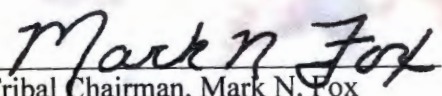
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 7 were present at the Special Meeting thereof duly called, notice, convened and held on the 8<sup>th</sup> & 9<sup>th</sup> of March, 2017; 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 11<sup>th</sup> day of May, 2017.

ATTEST:

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

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