



**CALL TO ORDER:**

Chairman Mark N. Fox called the meeting to order at 11:45AM.

**OPENING PRAYER:**

Prayer by Rev. Dwayne Fox.

**ROLL CALL:**

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

**I. APPROVAL OF AGENDA:**

***Motion:*** Councilman Randy Phelan moved to approve the agenda. 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

**II. APPROVAL OF MINUTES:**

- January 12<sup>th</sup>, 2017 Special Meeting Minutes
- January 23<sup>rd</sup>, 2017 Special Meeting Minutes
- February 8<sup>th</sup>/9<sup>th</sup> Special Meeting Minutes
- March 8<sup>th</sup>/9<sup>th</sup>, 2017 Special Meeting Minutes

***Motion:*** Councilman Randy Phelan moved to approve the Tribal Business Council minutes for the month of January 2017 subject to corrections. 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

*FTR: Chairman Mark N. Fox stepped out of the meeting at 12:24PM for about 10 minutes. Councilman Randy Phelan assumed Chair of the meeting.*

### III. SPECIAL GUESTS – ELDERS:

#### A. Sally White Housing Request

*Item deferred.*

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**B. Fort Berthold Power** - *Theodora Bird Bear, Joletta Bird Bear, Thomos Abe, & Lisa Deville.* Power (Protectors of Water Earth Rights), a local citizens group brought forth concerns before the Council about flaring regulations and testimony the group has provided. Provided information on BLM regulation entitled “*Waste Prevention Production Subject to Royalties And Resource Conservation*” also know as the “*No Waste Rule*” and proposed changes and repeal that started in 2014 concerning flaring and gas capture to market and pay allottees. Discussed the health impacts and ensuing legislation to combat the effort to repeal the current BLM protections. The group will be attending Sen. Hiedtcamps’ forum tomorrow to support and ask for her support for the current regulations. Tom Abe expressed his global warming concerns. Lisa Deveille proved information concerning methane release from flares, climate & health effects. Theodora Bird Bear discussed responsible development concerns and set-back rules. Chairman Mark N. Fox provided his perspective of flaring regulations in current polical climate. Councilman Fred Fox noted that 13% of all natural gas is being flared with 75% more development, Oil & Gas Ordinance, longer TAT Set-back, lack of BLM Engineers for well inspection. Chairman Mark N. Fox read a letter to Sen. Hiedtcamps from his office

**Motion:** Councilwoman Monica Mayer moved to authorize Legal to draft a letter of support for the existing BLM flaring rules subject to the points of Chirman Mark N. Fox’s Letter to Sen. Heidi Heitkamp of February 7<sup>th</sup>, 2017 regarding Conditional Support for BLM Venting and Flaring Rule. 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:* Letter to be addressed to both of Noth Dakota’s Senators.

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#### C. Woman’s Way Reimbursement – *Darlene Perkins*



Discussion of 2012-2014 funds raised for Diabetes & Woman's Way from fundraising that was deposited with the tribe for accounting purposes. The entities never received their funds that were placed in the TAT General Fund. The amount were: \$3000 (2012) & \$4000 (2014) to the Fort Berthold Diabetes Project in 2012. The 2013 funds have been recovered.

**Motion:** Councilwoman Monica Mayer moved to approve a reimbursement of \$3000 to Woman's Way subject to Finance providing the 2012 documentation/records. 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:* Darlene Perkins expressed concern over the lost documentation and this preventing a full reimbursement. Checks were coded to Fort Berthold Diabetes Program and Breast Cancer Woman's Way in the General Fund for \$3000.

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### **Small Loan Request**

Seeking a loan for the Cancer & Diabetes Benefit/Fashion show on the 21<sup>st</sup> for \$10,000.

Councilman Fred Fox discussed a loan with Oil/Gas Land Man to provide collateral for a small loan. Loan Committee will be meeting after the May TBC so the Council decided to discuss it further at tomorrow's Regular April TBC meeting.

**Motion:** Councilman Mervin Packineau moved to approve the Small Loan Application for Darlene Perkins in the amount of \$10,000 subject to Small Loans Guidelines. 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:* Provided an update on upcoming events and invited the Tribal Business Council to join.



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***EXECUTIVE COMMITTEE REPORTS***

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

**A. Report**

Work continues on the Tribal/State Oil & Gas agreement. Also discussed opposition to the expansion of State sponsored gaming, the expansion tax, provided testimony concerning the Double Ditch Historical Site funding for remediation of burial sites and consideration of a law suit.

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

**A. Report**

*Item deferred.*

**B. Update/Report & Resolutions - *Mark Van Norman***

*Item deferred.*

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

**A. Report**

Provided an update concerning the upcoming Executive Secretary/Records Office web site.

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

**A. CFO Report – *Whitney Bell***

Budget meeting May 10<sup>th</sup> at 9:00AM. Expense report through April 19<sup>th</sup> from Tribal Fund at 55%. Disbursements going out tomorrow. May 10<sup>th</sup> 9:00 AM Budget Session work session. Under age 14 to be sent out April 28th.

- **Minor Accounts** – *Jennifer Ahola (Deputy Trust Administrator Office of the Special Trustee), Whitney Bell (TAT CFO), Kayla Danks (BIA Superintendent)*

Around 4,500 potential OST accounts with 4-500 new accounts each year. Chairman Mark N. Fox discussed possibly needing to amend the existing TAT resolution and focusing on the active accounts. Whitney Bell provided an update to the development of the process. Kayla Danks provided the BIA's perspective on these trust income accounts and adhering to the existing resolution to allow proper administration of funds. Chairman Mark N. Fox would like to see a 1<sup>st</sup> reading with the changes in May. Councilman Mervin Packineau recommends using the People's Fund Committee to assist. Whitney Bell noted that about \$6,000,000 in trust income is to be disbursed to about 4,500 minors to date. Jennifer Ahola informed the TBC about financial management classes provided by their organization.

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

*Item deferred to the May Budget meeting.*



**C. Small Loans – Mary Ellen Sun & Al Nygard**  
*Item deferred.*

**VIII. OFFICER REPORTS:**

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

**1) Executive Order Ratifications**

- **Executive Action: Negotiate Contractual Agreement Mr. Porter**

**Motion:** Councilman Mervin Packineau moved to ratify an Executive Action entitled; “*WHEREAS, The Three Affiliated Tribes desires to enter into an agreement with Rob Porter to act as a lobbyist and to address taxation issues on behalf of the Three Affiliated Tribes. WHEREAS, The Three Affiliated Tribes tribal council will negotiate interim terms for a contractual agreement with Mr. Porter to be signed by the Chairman.*” 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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**Executive Action: National Indian Gaming Association**

**Motion:** Councilman Mervin Packineau moved to ratify the following Executive Action; “*WHEREAS, The Three Affiliated Tribes authorizes and approves the appointment of the Chairman of the Three Affiliated Tribes to serve on the National Indian Gaming Association (NIGA) Board of Directors at NIGA's invitation. The Chairman may delegate that duty in his absence to any member of the Tribal Council Executive Committee at the Chairman's discretion. WHEREAS, The Tribal Business Council has an Executive Action procedure to address emergency concerns until matters may be addressed and rarified by the Tribal Business Council in quorum.*” 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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- **Lease agreement for Office Space In Fargo-Moorhead**  
\$120/month for 6 month lease with the City for a satellite office.

**Motion:** Councilman Frank Grady moved to approve the Lease and establish the TAT Satellite Office in Fargo. Councilman Randy Phelan 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

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- **Dissolve the EMHC Housing Department.**

**Motion:** Councilwoman Monica Mayer moved to dissolve the EMHC Housing Department. Councilman Frank Grady seconded the motion.

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

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

**Discussion:** Councilwoman Monica Mayer & Al Nygard, CEO noted that there is 14 separate housing entities and expressed the need for a working session to bring them together to discuss needs and planning. Work session for the end of April. One EMHC departmental employee was to be laid off at their own request.

- 2) **Vocational Rehabilitation Department** – *Chris Ann Demaray & Al Nygard*  
*Item deferred.*

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- 3) **Tax Department** – *Cynthia Monteau, Interim Tax Commission Director*  
Alcohol Tax Applications sent out. Liquor Control Regulation under review. Oil & Gas Extraction Tax and collection from outstanding tax payers. Preplanning stages for the



Tobacco & Heavy Weight Vehicle Tax. Researching software system to track billing and collection. Presented the March 2017 Tax Report;

- O&G Production Tax - \$5,421,278.62
  - O&G Extraction Tax - \$5,267,707.92
  - Tribal Highway Tax - \$158,606.59
  - Motor Fuels (SFD & MVF) - \$143,925.77
  - Drilling Spud Fees - \$1,800,000.00
- March 2017 Reported Revenue = \$12,791,518.90  
Fiscal Year 2017 YTD = \$64,441,274.51

TBC provided a consensus agreement to tax alcohol even if it is a dual tax.

**Motion:** Councilman Randy Phelan moved to approve a draft a formal letter informing the State of North Dakota of the Tribe is withdrawing from the extraction tax agreement and provide notice of a future dual tax subject to TBC review. 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

**Discussion:** Legal is to provide a draft to the TBC with dates to be determined at the next TBC meeting. Also discussion of the 1.5% being paid from July 1<sup>st</sup> once this is in place.

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 17-086-FWF entitled “Approval of 57 Applicants for Enrollment into the Three Affiliated Tribes” subject to amending 17-050-FWF including these new members. 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



**Motion:** Councilman Fred Fox moved to amend resolution no. 17-087-FWF entitled “*Amending 17-050-FWF*” to those enrolled before 4-19-2017. 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 Mervin Packineau moved to approve resolution no. 17-088-FWF entitled “*Approval of the Relinquishment of Phoebe Christine Smith from Membership in the Three Affiliated Tribes*”. Councilman Frank Grady seconded the motion.

Vote: 5 Ayes. 2 – Opposed. Motion carried.

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

**A. Enrollment Ordinance Amendment**  
*Item deferred.*

**IX. UNFINISHED BUSINESS**

**A. Child Protection Services/EMHC MOU – Deb Young Bear<sup>1</sup>**  
*Item deferred.*

**B. Richard Hall Lot and Home Site Sale<sup>2</sup>**  
*Item deferred.*

**C. Melissa Veach<sup>1</sup>**  
*Item deferred.*

**D. Federal Education Advocacy<sup>1</sup> – Ryan Wilson**  
*Item deferred.*





**E. Land Exchanges:**

*Items deferred.*

- 1) **Malcolm Wolf**<sup>1</sup>
- 2) **Lou Ann Phelan**<sup>1</sup>
- 3) **Henry A. Breuer**<sup>1</sup>

**F. Pipeline Assignment Whiting – Brian Anderson**<sup>1</sup>

*Item deferred.*

**G. Petro Gulf – Jerry Goedert**<sup>1</sup>

*Item deferred.*

**H. HRC – Sal Beston**<sup>1</sup> D&G

*Item deferred.*

**I. Panther Development Investments/Dakota Acres – Mike List, COO**<sup>1</sup>

*Item deferred.*

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**J. Acupuncture Treatment & Massage Therapy Clinics/Safe Haven Homes - Marilyn Young Bird**

Presented a professional services agreement for Colorado Health and Fitness.

**Motion:** Councilman Randy Phelan moved to approve “*Professional Services Agreement Between the Three Affiliated Tribes d/b/a Tribal Health Department and Colorado Health and Fitness of Morris, Colorado*” subject to negotiation to \$50,000 from fund code 380, elders to be given priority for the service, and Legal review. 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

**X. MEDICAL REQUESTS**

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**A. Ty Hall Medical Assistance – Kasey Hall**

Seeking for family members to travel with Mr. Hall to his medical appointment.

**Motion:** Councilman Randy Phelan moved to provide additional \$1,500 assistance. 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

*COMMITTEES OF THE TRIBAL BUSINESS COUNCIL*

**XI. EXECUTIVE COMMITTEE** – *Chairman Mark N. Fox*  
*No Items*

**XII. EDUCATION COMMITTEE** – *Councilman Cory Spotted Bear, Chair*  
*No Items*

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

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

**B. Insurance Reimbursement** - *Nelson Heart Sr.*  
*Item deferred.*

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**C. Medical Bills** - *Angie Lone Bear*

Cali Baker presented for Ms. Lone Bear who is seeking assistance for medical bills in the amount of \$5,492. Has BC/BS that has also helped.

**Motion:** Councilman Randy Phelan moved to approve \$4,200 assistance and modify the Boon Insurance plan to allow it to be a secondary or supplemental plan on a case by case basis. 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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**D. Medical Bills - Lane Vocu**

Kelly Hosie presented a request for her brother in the amount of \$24,666.22 in financial assistance to pay for hospital bills not covered by his Boon Insurance. Boon Insurance only covered \$2000 in 2016. He has submitted a letter from Boon Insurance verifying that his coverage had reached the maximum amount. Mr. Vocu had a total of \$29,000 in medical bills and still owes \$24,666.22 for the critical care services between a hospital, 2 clinics and the ambulance services. He was off the reservation and was found unconscious so didn't go thru I.H.S. Councilwoman Monica Mayer noted that he had 72 hours by policy to submit this to I.H.S. Councilman Frank Grady recommended assistance in the amount of \$25,000. Councilwoman Monica Mayer recommended Life and Limb for the maximum amount of \$25,000. Boon Insurance noted that the claim can be back dated and revisited since the Tribe owns the plan.

**Motion:** Councilman Frank Grady to modify the Boon Plan to premium coverage and then revisit costs. Councilman Randy Phelan 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

**E. Dental Bills - Barbara Little Swallow**  
*Item deferred.*

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**F. Nursing Home Request – Lawrence Lockwood**

Seeking support for his wife's nursing home care. Mr. Lockwood found an open spot at the Hilltop Home of Comfort at a cost of \$9,900/month in Killdeer. Ineligible for Medicare until January 2018. Current residence service is extended to April 28<sup>th</sup>.

**Motion:** Councilman Randy Phelan moved to approve 75% of the total cost for \$23,000 for three months coverage subject to what Boon Insurance can also provide. 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:* Boon Insurance will pick up a portion of the care for the short-term. Note: Vendor changed to Knife River Comfort Center in Beulah.

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**G. Health Issues – Garcia Walks**

Exhausted Grants and Donations and Boon Group support and still has \$15,193.74 for the year in unpaid bills (and additional \$10,000 in collections) with upcoming appointments & procedures.

*Motion:* Councilman Cory Spotted Bear moved to approve up to 75% of balance be paid from General Fund: Life & Limb Assistance for future appointments, Grants & Donations and other staff to work with Boon & EMHC to pay claims. 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

*Discussion:* Has standing referrals from EMHC. Councilwoman Monica Mayer stated that there is reason EMHC can't pay for all the lab work and has a right to these services under treaty rights. Also need to hold the Clinic responsible. Under 638, the Tribe we can tell them to do it. Jerry Ozzard of Boon Insurance noted that they have not received anything but will work with Mr. Walks.

**H. Life and Limb for Gertrude Gonzales Torres – Judith Danks**  
*Item deferred.*

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**I. Life and Limb for Bennie Howling Wolf – Mary Ellen Sun**

Seeking assistance to purchase standard Upsee equipment to aid the juvenile in rehabilitation. Previously approved for Life and Limb but need approval to purchase the equipment for a total of \$11,370 from United Seating and Mobility and \$499 to Jessica Howling Wolf.

*Motion:* Councilman Cory Spotted Bear moved to approve \$9000 from fund 380 for the requested equipment. 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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**J. KDU Basement Repair Contract - Callie Baker**

\$8,500 invoice/contract for basement repair submitted that has already been reviewed by Legal.

**Motion:** Councilman Randy Phelan moved to approve payment of the cost of the repairs subject to a check for insurance coverage. 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 – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Discussion:** Wellness facility project to include a new KDU, Dental, and Diabetes Program space.

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**K. Aging Services Resolution for Title IV Funding & Van Request - Denaye Agneau/Madeline Chase**

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 17-085-FWF entitled "Authorization for the Title VI Aging Services Grant Application to the Administration on Community Living, Office of Health and Human Services, United States." 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 – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Not Voting



**B. Van for Disabled Child – Glenda Rush**

CEO will review available tribal inventory or fund a percentage of the purchase of a newer or used van for the handicapped child. Was approved for a lift from a provider in Minot but didn't have a van to install it in.

**Motion:** Councilman Fred Fox moved for the CEO to search the tribal inventory for a van to lend or support a grant up to 75% of cost not to exceed \$7,500 to purchase a van. 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 discussed the lack of services in North Dakota for those suffering from traumatic brain injuries. Councilman Randy Phelan recommended purchasing handicapped accessible vans for the segments.

**L. West Segment Minot Satellite Office – Marva Little Light/DonYeahquo**  
*Item deferred.*

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

**A. Homesite(s) - Valeri Hosie<sup>1</sup>**

1) **Emory Good Bird Homesite**  
*Item deferred.*

**C. Commissionaire**  
*Item deferred.*

**B. Farm/Pasture Leases - Diana Americanhorse<sup>1NR</sup>**

1) **Bids**  
*Item deferred.*

**C. FBRW Report - Cammi Gosnell<sup>1</sup>**  
*Items deferred.*

- 1) **Maintenance Agreement**
- 2) **Legal Representation**
- 3) **Four Bears WTP Plant Expansion**
- 4) **Org Chart Addition**
- 5) **CEO Supervision**



**6) B.O.R/I.H.S.**

**D. Independent Facility & Sales Package – Quip Will & Dean Willis**  
*Item deferred.*

**E. Maxine Buffalo Land Exchange**  
*Item deferred.*

**F. Veronica Serdahl Land Exchange**  
*Item deferred.*

**G. Nancy Fox Land Exchange.**  
*Item deferred.*

**H. RTC ROW for Fiber to KMHA Tower – Valorie Hosie, Tim Jarski, Malcom “Speedy” Bruce, Jr.**  
*Item deferred.*

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**H. Medicine Lodge Confederacy Lodge Funding – Susan Paulsen & Jennifer Young Bear**  
Funding approved by resolution 17-046-FWF but not allocated in the budget process for the school. About \$390,000 was raised from other sources. The group is also developing a Fort Berthold Home School Association. The group requested that the funding be returned to the project after the budget cuts from the last budget meeting. Chairman Mark N. Fox stated that it was already approved by resolution for FY2017 and should be in the budget.

**I. Game & Fish Proclamation – Antoine Fetting**

- 2017 Hunting and Fishing Resolution
- 2017-2018 Tribal Dates
- 2017 Tribal Licensing Fees
- 2017-2018 Small Game & Furbearer Proclamation
- 2017-2018 Fishing Proclamation
- 2017 Deer Bow Proclamation
- 2017 Fall Turkey Proclamation
- 82017 Deer Gun Proclamation
- 2017-2018 Youth Hunting Seasons
- 2018 Spring Turkey Proclamation

**J. West Segment Livestock Corporation Grant**  
*Item deferred.*

**K. Renunciation – Vance Good Iron**  
*Item deferred.*

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**L. Board Appointment for South Segment – Anthony Folden/Marty Young Bear**

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 17-090-FWF entitled *Approval of the Tribal Business Council’s Change of Appointment for the Twin Buttes Segment Board Member for the Fort Berthold Housing Authority Board of Commissioners*”  
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

**M. Special Project Budget – Caleb Dogeagle**  
*Item deferred*

**N. Solid Waste & Public Works Fee Change & Recycling Resolutions - Pat Dubois & Justin Spotted Bear**

1) **Rental Fees**  
*Item deferred.*

2) **Transfer Station**  
*Item deferred.*

3) **Utilities**  
*Item deferred.*

**O. Oil & Gas Committee:**

1) **Updated Fee Structure Resolution**  
*Item deferred.*

2) **Sky Hunter LLC, Managed Service Plan** – Waylon Pretends Eagle & Orian Gillette[See Closed Session]

3) **ROW** [See Oil & Gas Handout]  
*Item deferred.*

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

**A. Business Loans** – Toni Starr, Director<sup>1</sup>  
*Item deferred.*





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**B. Stantec Mitigation Plan - Sheila Many Ribs, Director**

Seeking permission to have informational meetings, Community Segments, info on web site/link, and statistics from all departments.

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**C. Interpretive Center Management at Risk Services - Delphine Baker, Administrator Mike Laverdure, DSGW Architects**

Presented the Construction Management RFQ that included; Construction Management Bid Report, Construction Management Matrix, Request for Qualifications, Scoring Information & Selection (Woodstone Builders of Bloomington, MN.)

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 17-091-FWF “Recognition of Award of Contract to Construct the MHA Nation Interpretive Center to Woodstone Builders; Authorization to Chairman to Execute Pre-construction Agreement in the Amount of \$34,500.” 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

**D. M.E.C. Contracts – Clarence O’Berry**  
*Item deferred.*

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**E. Bail Runners – Terry Fredericks**

Presented Return on Investment (ROI) & Profit & Loss projections on the investment, Deferred Compensation & Return, Preferred Compensation Capital Return, Net Profit, and internships or educational opportunities through the job training (OJT). Noted the possibility of developing a program to bring on 10 students to allow them to learn and work with 21st century. Seeking a \$1.25 million investment with a bond company to insure the movie is completed. Conservative estimated return is about \$2.3 million.

**Motion:** Councilman Mervin Packineau moved to approve funding with the profits returned to the People’s Fund

*Motion failed*

**F. Nativia Enterprises, LLC – Lisa Young Bird**  
*Item deferred.*



**G. Ree Fit Event– Whirl Wind Perkins & Brad Krupa**  
*Item deferred.*

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**H. Fargo-Moorhead Cross Roads Annual Pow-Wow - Scott Satermo**

**Motion:** Councilman Fred Fox moved to approve \$20,000 subject to all enrolled members receive free admission. 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

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

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

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

**A. Traffic Fine Increase<sup>2</sup>**  
*Item deferred.*

**B. VAWA Grant MOU<sup>1</sup>**  
*Item deferred.*

**C. Business Licenses**  
*Item deferred.*

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

**A. Chairman Mark Fox – Reserved**  
**B. Chairman Mark Fox – Reserved**  
**C. Councilman Randy Phelan – Rhonda Hall**  
*Item deferred.*

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**D. Councilman Randy Phelan – Benjamin Good Bird Financial Request**



Ben Good Bird III requested assistance to help bring his father's remains home for internment in the amount of \$2,270.75. Already received the \$5000 Wake Fund and \$3,500 from Grants & Donations. Remains are currently in Wolf Point.

**Motion:** Councilman Randy Phelan moved to approve \$300 assistance from each segment and the Chairman's Office. 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

**E. Councilman Fred W. Fox – Martha Phelan (See Closed Session)**

**F. Councilman Fred W. Fox – Sadie Young Bird**

*Item deferred.*

**G. Councilman Mervin Packineau – DEA – Chip White**

*Item deferred.*

**H. Councilman Mervin Packineau – Loan Request - Steven Dubois**

*Item deferred.*

**I. Councilman Frank Grady – Elizabeth Bluestone**

*Item deferred.*

**J. Councilman Frank Grady – Jude Phelan**

*Item deferred.*

**K. Councilman Cory Spotted Bear – Lagoon Land Transfer**

*Item deferred.*

**L. Councilman Cory Spotted Bear – Youth Trips**

*Item deferred.*

**M. Councilwoman Monica Mayer – Land Lord Tennent Code**

*Item deferred.*

**N. Councilwoman Monica Mayer – Reserved**

**XIX. CLOSED SESSION:**



- A. **Lobbyist Appointment Resolution**<sup>2</sup>
- B. **TAT Law Enforcement** – *Chief Nelson Heart, Sarah Dogeagle, Grace Her Many Horses*<sup>1</sup>
  - 1) Report
  - 2) HR
- C. **Pipeline Authority** – *Travis Hallam*<sup>2</sup>
- D. **Ernestine Bowman**
- E. **MHA Energy** – *Kenny Lyson*
- F. **Bureau of Reclamation, Native American and International Affairs Office Grant** - *Kenny Lyson*
- G. **HRC Exploration Proposal** – *Bernie Fox*
- H. **MRR Loan Agreement** - *Carl Artman & Dave Williams*
- I. **Cranes Pad Road** – *Enerplus*
- J. **WPX Lease**
- K. **Human Resources** – *Barlow Wells, Director & Cheryl Abe, Assistant Director*<sup>1</sup>
- L. **Sky Hunter LLC, Managed Service Plan** – *Waylon Pretends Eagle & Orian Gillette*
- M. **Councilman Fred W. Fox** – *Martha Phelan*
- N. **FBRW Report** - *Cammi Gosnell*
- O. **Karen Skye**

**XX. ADJOURNMENT:**

Councilman Fred Fox moved to adjourn the meeting. Councilman Frank Grady seconded the motion. Meeting adjourned at 5:27PM.



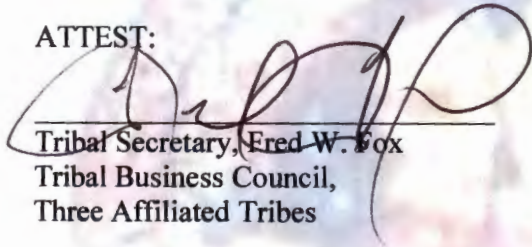
**CERTIFICATION**

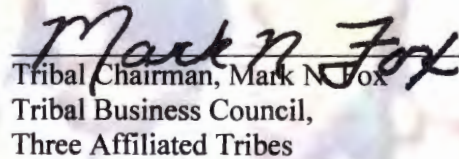
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 7 were present at the Special Meeting thereof duly called, notice, convened and held on the 19<sup>th</sup> of April, 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; 0 Members not voting.

Chairman (X) Voting    () Not Voting

Dated this 5<sup>th</sup> day of July, 2017.

ATTEST:

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

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