



CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 11:24AM.

OPENING PRAYER

Prayer by Darlene Perkins.

ROLL CALL

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

Quorum established.

I. APPROVAL OF AGENDA

Motion: Councilman Cory Spotted Bear moved to approve the agenda. 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

II. APPROVAL OF MINUTES

- March 8th/9th, 2017 Special Meeting Minutes
- April 9th, 2017 Special Meeting Minutes
- April 10th, 2017 Regular Meeting Minutes
- May 10th, 2017 Regular Meeting Minutes

Motion: Councilman Mervin Packineau moved to approve the March 2017 Tribal Business Council minutes. 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



III. SPECIAL GUESTS – ELDERS

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- A. Kateri Tekakwitha Catholic Conference, Rapid City (July 19th-23rd) - White Shield Elders**
Marilyn Young Bird provided list of elders and budget providing \$1,825.00/each for all members attending. Chairman Mark N. Fox requested that the group do a little fundraising.

Motion: Councilman Fred Fox moved to approve \$1,500/elder participants as a matter of policy for the Conference. 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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B. Leo Cummings

Presented issues with his grazing permit and being able to use it. Asking for clarification on it's use. A well pad has been built and ground has been cleared on the south end for housing. Lost two springs and use of the land and spring water & dam. BIA has not adjusted for the development. Total unit is 245 acres. Some fences have been taken down and he can't run his horses into the unit. AsSeeking the Council's recommendation for solution. Chairman Mark N. Fox's main concern is why the BIA hasn't adjusted what Mr. Cummings is paying. Councilman Frank Grady noted that he has been restricted by budget to put in fence work on the housing development, but will try to get it done in about a week. About 50 acres lost.

Motion: Councilman Randy Phelan moved to request to remove acreage that Mr. Cummings can not utilize due to development for Range Unit 93 and adjust amount paid for use. 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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C. Parshall School District- Beth Swartz, Billy Moran, & Trevor Huffaker

Informed the Council about issues with the Elementry and High School facilities. It would cost \$7-10 million to bring the facilities up to code. The High School is in worst shape of the two.



An Education Adequacy Study has been completed. Presented various Project funding options with corresponding costs. [See handout]. Discussed the improved services and benefits. \$9 million is the maximum that be presented to the school board. Councilman Mervin Packineau noted that native student count is at 70%. Chairman Mark N. Fox asked about further hybrid plans. The Architect noted that further meetings are occurring to develop additional scenarios. Chairman Mark N. Fox discussed the possibility of not including a new gymnasium. Discussion of State tax levy and 2% loan value. Councilman Randy Phelan recommends option 1# funding for a loan and agreeable to giving the old K-6 elementary to the tribe and noted Mandaree still needs a new Elementary. Ms. Swartz hopes to finish the project by 18 months and done by the Fall 2018.

Motion: Councilman Fred Fox moved to approve funding subject to resolution. 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

Discussion: Possibly funding options for FY 2017-2019 (1-million,6-million,2-million). Councilman Randy Phelan will bring in proposals for Mandaree.

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- **AAU Basketball Sponsorship**

Councilman Fred Fox presented a request to provide a sponsorship to Eddie White Bear & Billy Moran Jr.

Motion: Councilman Fred Fox moved to approve a youth sponsorship as a matter of policy for AAU Basketball participation in the amount of \$1,240 each. 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



EXECUTIVE COMMITTEE REPORTS

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

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A. Report

Provided an overview of current activities and upcoming events. Viewed a short video clip from Sen. Heidi Heitkamp address congratulating the Tribe on their new Judicial Center. Work continues with representatives to lobby against funding cuts of the Land Buy Back program that provides funds to purchase fractionated lands under the new U.S. administration. Clarified a media misrepresentation of the tribes' position on the BLM Venting & Flaring rule. The Tribe supports the rule with more deference to strengthening the Tribes' right to manage oil development and trust lands are not treated like public lands.

FTR: Councilman Randy Phelan & Councilman Fred Fox stepped out of the meeting at 12:17PM.

V. VICE CHAIRMAN'S REPORT - Councilman Randy Phelan

A. Report

Provided an overview of recent lobbying efforts, meetings with administration, NCAI, the Memorial Day Powwow on the 29th, and the invitation to meet with the Crow Nation Council during Crow Native Days and Secretary Zienke.

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

A. Report

Provided information concerning NIEA meetings, local graduation activities, and upcoming powwow dates.

VII. TREASURER'S REPORT - Councilman Mervin Packineau

A. CFO Report – Whitney Bell

Item deferred.

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

Item deferred.

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C. Small Loans – Mary Ellen Sun & Al Nygard

Motion: Councilman Randy Phelan moved to approve Group A Small Loan Applications subject to Small Loans polices. 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 Group B Small Loan Applications subject to collateral or loan pay off and Small Loans Polices requirements. 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: Need collateral, additional collateral or to pay down to at least half way. Chairman Mark N. Fox noted that the intent of the motion for the Young Bear Construction loan request during the last council meeting was for a Small Loan and not a business loan. The Chairman asked that the loan be processed as a Small Loan. Councilman Fred Fox asked for an exception for Ardel Jean Baker for \$2000.

Motion: Councilman Fred Fox moved to add Ardel Jean Baker to Group B: and approve a \$2000 small loan for Jean Baker subject to collateral requirements. 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

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

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Joseph Everett Jr.

Joseph Everett Jr. is seeking a change in his payroll deduction for two loans (student loan and a small loan) that was taken out in 2009.



Motion: Councilman Fred Fox moved to approve Small Loan payments lowered to \$75 & \$75 per pay period for the two loans for a total of \$150 and documentation that he is still in school. Councilman Mervin Packineau 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

VIII. OFFICER REPORTS

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

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

- O&G Production Tax - \$6,085,920.07
- O&G Extraction Tax - \$5,908,237.18
- Tribal Highway Tax - \$143,925.77
- Motor Fuels (SFD & MVF)- \$163,088.47
- Drilling Spud Fees - \$800,000.00
- April 2017 Reported Revenue - \$13,101,171.49
- Fiscal Year 2017 YTD - \$77,542,446.00

Motion: Councilman Fred Fox moved to approve resolution no. 17-124-FWF entitled “*Authorizing the Tax Department to Administer and Enforce All Powers Delegated to the Tax Commission*” subject to legal review. Councilman Mervin Packineau seconded the motion.

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

Motion: Councilman Mervin Packineau moved to approve resolution no. 17-125-FWF entitled “*Approving the MHA Nation’s Liquor Control Regulations*” Director has authority for minor correction. Councilwoman Monica Mayer seconded the motion.

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

Motion: Councilman Fred Fox moved to approve a Tax Department emergency budget authorization to increase in staff, budget for consulting services, software & IT system design to administrate & monitor tax. Increase of \$410,000 from Operating and up to \$750,000 from Special Projects for this fiscal year. 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

FTR: Chairman Mark N. Fox returned to the meeting.

Discussion: Al Nygard provided additional information concerning the .75% Oil & Gas Extraction Tax and the possibility of pulling out of the N.D. tax agreement and preparing of the that possibility to develop capacity to manage that collection.

FTR: Chairman Mark N. Fox resumed chair at 1:24pm

2) Sacagawea Project Fund for FY 2017

Motion: Councilman Randy Phelan moved to approve resolution no. 17-126-CSB entitled “Authorizing funding for the Sacagawea Project”. \$80,000 to be from the Chairman’s budget. 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye



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3) Executive Action Ratification

Motion: Councilman Randy Phelan moved to approve \$7,500 meal sponsorship support. 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

4) Scholarship

Motion: Councilman Randy Phelan moved to approve a \$5000 scholarship The Great Plains Tribal Leaders Economic Summit event May 8-10, 2017 in Rapid City, SD. Councilman Cory Spotted Bear seconded the motion.

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

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

4) Construction Fee Resolution

Motion: Councilman Randy Phelan moved to approve resolution no. 17-127-CSB entitled “Waiver of the Construction Fee for Tribally Funded Projects”. Councilwoman Monica Mayer 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



5) Boon Contract

Motion: Councilman Frank Grady moved to approve Boon Contract CEO/Legal to negotiate moving forward and bring to the Chairman for signature. 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

6) Wheel Chair Accessible Van – Glenda Rush

Motion: Councilman Fred Fox moved to approve \$14,000 for the purchase of a van to implement as a wheel chair vehicle for Glenda Rush. 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 – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

7) Beach Ackerman A&E for Peninsula Development

Motion: Councilman Frank Grady moved to approve resolution no. 17-128-FWF entitled “*Approving of Architect/Engineer Contract with Ackerman-Estvold Engineering & Management Consulting, Inc. and Costs for Lakeside Beach Recreation Area in New Town, North Dakota*”. 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



IX. UNFINISHED BUSINESS

A. Dental Bills - Barbara Little Swallow¹
Item deferred.

B. West Segment Minot Satellite Office – Marva Little Light/DonYeahquo¹
Item deferred.

C. Independent Facility & Sales Package – Quip Will & Dean Willis¹
Item deferred.

D. Special Project Budget – Caleb Dogeagle¹
Item deferred.

X. MEDICAL REQUESTS

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A. Nursing Home Request – Valorie Lindley

Valorie Lindley presented a request for financial assistance for her mother Cleo Morgans' nursing home bill at Missouri Slope Lutheran Care Center-Bismarck. She has been back and forth between the hospital in Mandan and the nursing home for the past couple of years so her status has been temporary with the nursing home. Recently the nursing home changed her status to recipient liability from October. Chairman Mark N. Fox noted the policy for assistance is 75% of the bill for \$3,400. The Boon representative recommended that she be put on the East Segment Senior Choice Plan with modification to be paid from the Claim Fund for the future.

Motion: Councilman Fred Fox moved to approve Senior Choice or from (75%) \$3,400 from the General Fund. 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 – Not Voting

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XI. JUDICIAL COMMITTEE – Councilman Fred W. Fox, Chair

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

Ms. Traversie submitted a written monthly report for April. Discussion of updating traffic tickets to include a court date. Also discussed problems with receiving tickets from Highway Patrol or the bonds. Chairman Mark N. Fox recommended that the Court & Law Enforcement conduct a work session to iron out the process and communication issues. Kermit Heart Sr. presented a court issue concerning Iris Jackson's daughter and a domestic assault complaint that took place on New Year's Eve that has not been to court. The Prosecutor called the daughter and was advised to drop the complaint. Wynona Traversie will research the problem.

TAT_20170511-1327_01d2ca5a4b0c88a4.mp3

- **Karen Skye**

Ms. Skye seeking the court to revisit the power of attourny granted to the sister of Mr. Lorenzo Many Ribs. Kayla Danks, BIA noted his account was currewntly restricted and the regional office appealed by the Interior Board. Not appealed at the regional office. Interested parties can file an appeal. Attourny Bruce Wingstrum, Detroit Lakes, MN. filed in tribal court and succeeded in removing guardianship from Mr. Many Ribs's sister Karen Sky that eventually went to the attourny. Chairman Mark N. Fox noted the questionable grounds and the concern of why the Power of Attourney was removed and not given to another family member allowing Mr. Wingstrum to step in and take the Power of Attourney. Councilwoman Monica Mayer recomends that a 960 be filed against attourny Wingstrum. Discussion of restricting Mr. Many Ribs's I.A.M account. Starla Deane noted this has been already done and Mr. Wingstrum appealed the restriction and it was reversed by the regional office.

Motion: Councilman Randy Phelan moved to forward the Tribal Business Council's concerns and issues with due process for Lorenzo Many Ribs and request a scheduled hearing to revist the Lorenzo Many Ribs regarding the power of attourny/guardianship issue and report back 30 days. 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

Discussion: Karen Skye will need to file a motion with the court to reopen the case on the grounds that Mr. Many Ribs is incompetent. Chairman Mark N. Fox expressed governmental concerns that the court did not set aside in it's original order, provisions and requirements for the account, oversight, or extend guardianship for this enrolled member.



Motion: Councilman Randy Phelan moved to provide interim approval of assistance in the amount of \$3,500 to secure a lawyer that can represent her in Tribal Court. Councilman Fred Fox seconded the motion.

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

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

XII. EXECUTIVE COMMITTEE – *Chairman Mark N. Fox*
No items.

XIII. EDUCATION COMMITTEE – *Councilman Cory Spotted Bear, Chair*
A. Nueta Hidatsa Sahnish Language Board – *Bernadine Young Bird*
Item deferred.

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B. Research Review Board - Dr. Twila Baker Demaray

A number of changes to the document through Legal review. Chairman Mark N. Fox requested a reporting process to the TBC through the Education Committee.

Motion: Councilman Fred Fox moved to approve the 2nd Reading of the Research Review Board. Councilman Cory Spotted Bear seconded the motion.

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

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

Discussion: The next step would be a 30-day comment period then a final reading and possible approval.

C. Parshall School - Beth Schwarz, Superintendent, Trevor Huffaker of EnuTech & Mike Barshess of Consolidated Construction Co., Inc.



Presented Parshall School District Facility Condition/Planning Report that included: Capital Maintenance Plan Summary, Educational Adequacy, Community Listening, Design Concept 1A, 1 2. Seeking a Letter of Funding Commitment from the Three Affiliated Tribes ideally by end of May and a resolution committing the Tribe to supporting 50% of the project. Projected cost of the project ranges from \$12,435,141- \$22,713, 713.

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

A. Dental Requests (10); *Items deferred*

- 1) **Hubert & Geri Fox**
- 2) **Dental Bill for Audrey Thorton** – Ashley Thorton
- 3) **Dental Plan Payment Assistance** – Josephine Paetz
- 4) **Dental Bill for Devon Headdress** – Juanita Helphrey
- 5) **Others;**

TAT_20170511-1452_01d2ca6636098360.mp3

B. Medicinal Proposal Request – Kacey Hosie

Presented a proposal to seek one of the two state openings for application as a medicinal cannabis grow facility. Chairman Mark N. Fox expressed concerns over running under state civil regulatory. Caleb Dogeagle stated that it was his understanding that the federal government will come down on anyone without a state permit. John Fredericks is strongly against seeking any kind state approval. John Mahoney, Attorney discussed issues of sovereignty. The group will be working with the East Segment CDC.

Motion: Councilman Fred Fox moved to approve possible intent to engage subject to applicable federal law and further 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

TAT_20170511-1432_01d2ca63683dd730.mp3

C. Architect Contract – Dr. Kathy Eagle

Melissa Brady presented for a contract for the engineering of the new dental clinic. 7% of the overall project budget for \$175,000.

Motion: Councilman Randy Phelan moved to approve the EAPC Contract for the dental clinic at the Elbowoods Memorial Health Center. Councilman Fred Fox seconded the motion.

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



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

Discussion: Cost of the building is \$2.5 million. I.H.S. will contribute \$223,000 toward the construction.

XV. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair

TAT_20170511-1442_01d2ca64cf2137fc.mp3

A. Homesite(s) - Valeri Hosie

Motion: Councilman Frank Grady moved to approve resolution no. 17-129-FWF entitled “Consent to Certain Right(s) of Way across Tribal land” (Jackie Sturm). 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 – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Randy Phelan moved to amend resolution no. 17-100-FWF entitled “Cory Spotted Bear Home site”. 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 – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Abstained
Councilwoman Monica Mayer – Aye

FTR: Chairman Mark N. Fox relinquished the chair of the meeting to Executive Secretary Fred W. Fox for the following two items.

- **Angelita Felix**



Removal to allow son, Max Dickens Jr. to put down a house.

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 17-131-FWF entitled “Approval of the Bureau of Indian Affairs’ processing Tribe’s Undivided Interest for Farm Pasture Lease in Allotment 139A” subject to Legal review. Councilman Randy Phelan seconded the motion.

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

Chairman Mark N. Fox – Abstained
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

FTR: Executive Secretary Fred W. Fox relinquished the chair of the meeting to Vice Chairman Randy Phelan.

- **Frank Felix**

Motion: Councilman Fred Fox moved to approve resolution no. 17-132-FWF entitled, “Approval of the Bureau of Indian Affairs’ processing Tribe’s Undivided Interest for Farm Pasture Lease in Allotment 139A”. Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Abstained
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

B. Tribal Recreation Areas-Skunk Bay/Twin Buttes – Valorie Hosie
Item deferred.

C. Farm/Pasture Leases - Diana Americanhorse
Item deferred.

D. FBRW Report - Camilla Gosnell [See Closed Session]

TAT_20170511-1517_01d2ca69b726f38a.mp3

E. Mahto Bay Road Survey -
Authorizing a project for Bureau of Indian Affairs Route 20.



Motion: Councilman Randy Phelan moved to approve resolution no. 17-133-CSB entitled “*Authorizing a Project for Bureau of Indian Affairs Route 20*”. 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

F. Allotment 1794 Trespass [See Closed Session]

G. Allotment 776-A-A Trespass [See Closed Session]

H. Oil & Gas Committee: – Carson Hood Jr.

TAT_20170511-1527_01d2ca6b1d4e3da2.mp3

1) Congressional Tax and Regulatory Reform – Shannon Atcitty

Motion: Councilman Randy Phelan moved to approve resolution no. 17-134-FWF entitled, “*Fair and Equitable Treatment for Indian Nations in Administration and Congressional Tax and Regulatory Reform.*” 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 – Not Voting
Councilwoman Monica Mayer – Aye

2) Professional Services Agreement – Ben Nighthorse Consultants in Cooperation with the Atcitty and Van Norman Law – Shannon Atcitty

Motion: Councilman Randy Phelan moved to approve resolution no. 17-135-FWF entitled “*Approval of Professional Services Agreement – Ben Nighthorse Consultants in Cooperation with Atcitty and Van Norman Law.*” Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Abstained
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

3) Sonja Fox Request

Professional boxing sponsorship request.

Motion: Councilman Fred Fox moved to approve a \$2,500 sponsorship. 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

4) ROW [See Oil & Gas Handout]

Item deferred.

XVI. ECONOMIC DEVELOPMENT COMMITTEE – Councilwoman Monica Mayer, Chair

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A. Business Loans – Toni Starr, Director²

Presented the Council with a new Business Loan Application form.

Kyle Mandan presented a request for a business loan for a non-profit horse therapy for youth business. Expanding services to for profit through equine therapy, expanding horse stock, and providing services on Fort Berthold. The Council recommended that he provide a Letter of Support proposal for services, and to submission of an application for a business loan.

Motion: Councilman Randy Phelan moved to approve assistance in the amount of \$500 from each segment budget and the Chairman’s budget. Councilwoman Monica Mayer 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



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B. Request for Vernon White Body – Starla Deane, Supervised IIM Specialist

Seeking financial assistance with nursing home care bill at Lakeview in New Town. Currently has a balance of \$43,541. In the process of getting signed up for Medicaid/Medicare and Boon Insurance.

Motion: Councilwoman Monica Mayer moved to approve \$25,000 assistance for the nursing home bill. Councilman Frank Grady seconded the motion.

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

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

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

A. Business Licenses

No items.

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B. Elder Abuse Code (Final Approval)

The Code has been through the public comment period. Caleb Dogeagle recommended a smaller Elderly Protection Team provision with a 1-4 person team to be more effective or create a chair for the team. Chairman Mark N. Fox recommended having the team pick the chair from among themselves. John Fredericks recommended tasking a person from Social Services to review complaints and conduct investigation, subject to the oversight of the team. Caleb Dogeagle noted that the team would consist of existing staff/positions.

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

Motion: Councilwoman Monica Mayer moved to approve the final or 3rd reading of the “Protection of Elderly and Vulnerable Adults Code” (also referred to as the Elder Abuse Code). Councilman Mervin Packineau 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

XVIII. NEW BUSINESS – Tribal Councilman Add Ons

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A. Chairman Mark Fox – T.J. Plenty Chief Sr.

Presented an invitation to the Tribal Council to participate in an honoring of the Council at the Medicine Butte Sun Dance on day four. June 25-28th

B. Chairman Mark Fox – Reserved

C. Councilman Randy Phelan – Loretta Lone Bear

Motion: Councilman Randy Phelan moved to approve from 380 as policy. 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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D. Councilman Randy Phelan – Melanie Johnson Luger

Seeking a business loan for her New Town Business. Ms. Luger has about \$500,000 in collateral from clothing inventory. Seeking \$250,000 in capital to expand her business. Chairman Mark N. Fox noted that the loan program has a cap of \$100,000.

Motion: Councilman Mervin Packineau moved a \$100,000 loan subject to Business Loan Policy & Requirements. 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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- **Jordan Luger**



Seeking a \$20,000 loan to attend Arrojo Cosmetology School (7 month hair design program) in New York City. The program does not offer financial aid. She is seeking a small loan of \$19,600. Jordon's mother Melanie Luger agreed to supply collateral for her loan. An overall need of \$28,400 for tuition and living expenses.

Motion: Councilman Mervin Packineau moved to approve a \$20,000 small loan subject to Small Loan Policies and a \$3,500 grant for Jordon Luger. 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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E. Councilman Fred W. Fox – White Shield School – Dennis Fox & John Mahoney

Motion: Councilman Fred Fox moved to approve resolution no. 17-136-FWF entitled “Approval of White Shield Segment Representative to Negotiate a Settlement for Three Affiliated Tribes and White Shield Segment with DJR Architecture, Inc. and DA Construction Management, LLC, for Contracts Relating to Construction of the White Shield K-12 School and the White Shield Head Start.” 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. Councilman Fred W. Fox – Rez Rock & Water (see Closed Session)

G. Councilman Mervin Packineau - Reserved

H. Councilman Mervin Packineau – Reserved

I. Councilman Frank Grady – Reserved

J. Councilman Frank Grady – Reserved

K. Councilman Cory Spotted Bear – Reserved

L. Councilman Cory Spotted Bear – Reserved

M. Councilwoman Monica Mayer – Reserved

N. Councilwoman Monica Mayer – Reserved



XIX. CLOSED SESSION

- A. Interpretive Center – *Caleb Dogeagle*
- B. Human Resources – *Barlow Wells, Director & Cheryl Abe, Assistant Director*
- B. Charlene Knight Request
- C. Hugh Baker Loan
- D. Les Yellow Wolf loan
- E. Mandaree Senior Class Trip to Orlando
- F. Wesley Scott Wilson Dental Bill
- G. Caesar Alvarez Appointment
- H. Lavina Nina Fox.
- I. Renetta N. Mandan
- J. Shawn Red Fox
- I. Allotment 1794 Trespass - *Kayla Danks, BIA Superintendent*
- J. Allotment 776-A-A Trespass – *Kayla Danks, BIA Superintendent*
- K. FBRW Report - *Camilla Gosnell*
 - 1) Organizational Chart Addition
 - 2) FBRW Supervision.
 - 3) AFA/BOR subject to Legal
 - 4) Change Order for Twin Buttes.
 - 5) Treatment Plant A&E
 - 6) Funding for Twin Buttes
 - 7) Emergency Credit Card
 - 8) USDA /Buffalo Ranch
 - 9) Section 17
 - 10) Four Bear’s Water Treatment Plant Expansion and Rural Water Building expansion.
 - 11) Councilman Fred W. Fox – Rez Rock & Water

XX. ADJOURNMENT

Motion: Councilman Frank Grady moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 8:52pm.



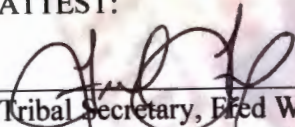
CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 7 were present at the Regular Meeting thereof duly called, notice, convened and held on the 11th of May, 2017; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 5 members; 0 members opposed; 0 members abstained; 2 Members not voting.

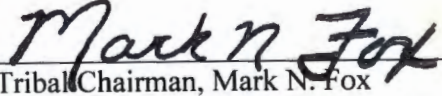
Chairman (X) Voting () Not Voting

Dated this 29th day of August, 2017.

ATTEST:



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



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