



CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 11:40am.

OPENING PRAYER

Prayer by Pastor Smith.

ROLL CALL

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

Motion: Councilman Mervin Packineau moved to appoint Councilman Cory Spotted Bear as temporary Vice President. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

I. APPROVAL OF AGENDA

Motion: Councilman Cory Spotted Bear moved to approve the agenda. Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

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

- May 10th, 2017 Special Meeting Minutes
- May 11th, 2017 Regular Meeting Minutes
- July 5th, 2017 Special Meeting Minutes
- July 6th, 2017 Special Meeting Minutes
- July 12th, 2017 Regular Meeting Minutes



- August 3rd, 2017 Special Meeting Minutes

Motion: Councilman Frank Grady moved to approve the May 2017 Tribal Business Council minutes. 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 Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

III. SPECIAL GUESTS – ELDERS

TAT_20170829-1057_01d320b59a227460.mp3

A. **Wendell White Request**

VFW budget submitted for \$60,000 for Post 9061 that was to be processed for FY2018.

Motion: Councilman Fred Fox moved to approve inclusion of the reservation posts for the FY2018 budget process at the September 2017 Budget meeting. Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
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*

A. **Report**

Provided a summary of upcoming meetings and events. Next Thurs, Regular Tribal Business Council Sept. 14th. Provided that NRC is moved to Bismarck at 10am (Radisson - Tentatively). Governors meeting on Thursday concerning taxation. 40 under / 40 leadership summit will be recognizing the Ruth Ann Buffalo and Wendy Wells for economic development leadership in Indian country. I.H.S contract negotiations.

TAT_20170829-1458_01d320d73e555342.mp3

B. **Ethics Committee** – *Grant Walker*



FTR: Occurred after Legal report.

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 17-213-FWF entitled “Appointment of Three Affiliated Tribes Ethics and Rules Committee” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

V. VICE CHAIRMAN’S REPORT- Councilman Randy Phelan

A. Report

Item deferred.

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

A. Report

NRC Oil & Gas meeting will be moved to Bismarck.

VII. TREASURER’S REPORT - Councilman Mervin Packineau

Healing Horse Ranch ground blessing on September 9th with roping event. Indian relay event on the 16th & 17th. Pete Fredericks will be inducted to the North Dakota Native American Hall of Honor during United Tribe Pow-wow.

A. CFO Report – Whitney Bell

Item deferred.

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

Item deferred.

TAT_20170829-1112_01d320b7b44c58cc.mp3

C. Small Loans – Mary Ellen Sun

Motion: Councilman Cory Spotted Bear moved to approve Group A.(1-11) Small Loans applications subject to Small Loans Policies and requirements. Councilwoman Monica Mayer seconded the motion.

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



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

Discussions: Applicants have collateral.

Motion: Councilman Mervin Packineau moved to approve Group B Small Loan Applications subject to Small Loans Policies and requirements. Councilman Frank Grady seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
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 approve Group C (2) Small Loan Applications subject to co-signor and Small Loans Policies and requirements. Councilman Mervin Packineau seconded the motion.

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

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

Discussion: C1 applicant is currently paying on loan, but behind and depends on employment permancy.

TAT_20170829-1142_01d320bbe9300fb2.mp3

D. MHA Healing Horse Ranch Indian Relay – Jim Baker, Sheldon Ghost Bear & Tamara Stands and Looks Back

Councilman Mervin Packineau committed \$15,000 for the Indian relay. \$36,000 paid out to MHA's own racers in all categories. Gate revenue to the Horse Nation organization. \$5



admission to get the facility started. Age 5 and under free. Discussion future gaming possibilities.

Motion: Councilman Fred Fox moved to approve a \$36,750 sponsorship. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

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*

TAT_20170829-1202_01d320beb72b1108.mp3

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

Submitted the monthly MHA Tax Dept. Report to the council. Revenue Collections FY'17-10/1/16 thru 9/30/17, Drilling Fees FY'17 by Company, Listing of Departmental staff.

- Production - \$53,733,800.61
- Extraction - \$52,061,509.41
- Motor Fuels - \$1,692,298.65
- Drilling Fees - \$9,700,000
- Total - \$117,187,608.67

Motion: Councilman Mervin Packineau moved to approve the “*Consultant Contract Between the Three Affiliated Tribes and Joseph Eve Certified Public Accountants*”. Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

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



Motion: Councilman Mervin Packineau moved to approve resolution no. 17-178-FWF entitled “*Approval of 64 Applicants for Enrollment into the Three Affiliated Tribes*” subject to legal review. Councilman Fred Fox seconded the motion.

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

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

TAT_20170829-1122_01d320b91b33c2ea.mp3

3) Executive Orders

Motion: Councilman Cory Spotted Bear moved to ratify Executive Order #2017-20-MNF – “*The Three Affiliated Tribes authorizes and approves a grant for \$2,896.00 to Darcy Medicine Stone to attend The Veterans of Foreign Wars II 8th National Convention in New Orleans, Louisiana on July 22-26, 2017*”. Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to ratify Executive Order #2017-20-MNF – “*The Three Affiliated Tribes authorizes and approves \$1,000.00 grant to Jeanette Coffey to attend the Tekewitha Conference July 19-23 in Rapid City, SD.*” Councilman Frank Grady seconded the motion.

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

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



Motion: Councilman Cory Spotted Bear moved to ratify Executive Order #EA 2017-24 – *“The Tribal Business Council of the Three Affiliated Tribes agrees to award the Subsequent User contractor based on the recommendation of FBRW and the Bureau of Reclamation to Storms Construction. The Tribal Business Council authorized the chairman to execute said contract on behalf of the Three Affiliated Tribes.”* Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to ratify Executive Order #EA2017-20 – *“The Three Affiliated Tribes authorizes and approves the General Fund financial sponsorship of \$5000 to Buffalo Rock Ranch for the 2nd Annual Buffalo Rock Team Roping Challenge. Sponsorship will assist with expenses including event prize money, buckles, saddles, sets of spurs, ropes and workers payment for services at chute and arena areas. Event scheduled for August 26-27, 2017.”* Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to ratify Executive Order #EA2017-21 – *“The Three Affiliated Tribes authorizes and approves the following small loan requests. All these loans comply with the Small Loan Policy and Procedures and are recommended by the department.”* Councilman Frank Grady seconded the motion.

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

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



TAT_20170829-1127_01d320b9ce467b48.mp3

Motion: Councilman Cory Spotted Bear moved to ratify Executive Order #EA2017-22 – *“The Three Affiliated Tribes authorizes and approves a 55,700 sponsorship to the North Dakota Cowboy Association to complete a documentary on Sanish rodeo legends entitled Special Cowboy Moments on RFD-TV”*. Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to ratify Executive Order #EA2017-22 – *“A revised General Fund budget is necessary to address budget short falls and overages in the General Fund, to effectively address the needs of and to allow Departments to revise previously approved budget obligation of the General Fund of the Nation and is enacted.”* Councilman Mervin Packineau seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to ratify Executive Order #EA2017-25 – *“The Three Affiliated Tribes authorizes and approves the following small loan requests. All these loans comply with the Small Loan Policy and Procedures and are recommended by the department.”* Councilman Mervin Packineau seconded the motion.

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

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



Motion: Councilman Mervin Packineau moved to ratify Executive Order #EA2017-26 –
“The Three Affiliated Tribes authorizes and approves a \$25,000.00 sponsorship to the Crow Fair Celebration Pow Wow and Rodeo which will take place on August 16-21, 2017.”
Councilman Cory Spotted Bear seconded the motion.

Vote: 5 Ayes. 1 – Opposed. 1 – Not Present. Motion carried.

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

TAT_20170829-1127_01d320b9ce467b48.mp3

6) LIHEP

Motion: Councilman Mervin Packineau moved to approve resolution no. 17-175-FWF entitled “Authorization of FY 2018 Community Services Block Grant Application Submission to the Office of Community Services, U.S. Department of Health and Human Services” subject to Legal review. Councilman Frank Grady seconded the motion.

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

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

Motion: Councilman Frank Grady moved to approve resolution no. 17-176-FWF entitled “Authorization for the Three Affiliated Tribes’ Low Income Home Energy Assistance Program (LIHEAP) to exclude income earned from royalty or bonuses generated from Minerals Rights, for computation of Gross Income for purposes of qualifying for LIHEAP Program” subject to Legal review Councilman Frank Grady seconded the motion.

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

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



Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Mervin Packineau moved to approve resolution no. 17-177-FWF entitled "Authorization to Adopt the 2018 Policies and Procedures Manual for the Three Affiliated Tribes' Low Income Home Energy Assistance Program (LIHEAP)" subject to Legal review. Councilwoman Monica Mayer seconded the motion.

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

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

TAT_20170829-1132_01d320ba8219d412.mp3

4) Great Plains Indian Rodeo Association Sponsorship

4Bears Casino is hosting the Annual GPIRA Finals in New Town, North Dakota on September 8th & 9th, 2017. The GPIRA is honored to be hosted by the MHA Nation and 4 Bears Casino & Lodge on the Fort Berthold Indian Reservation in the Great Plains Region. We have some events that have not received sponsorships in the Sr. & Jr. events. The sponsorships include the saddles, breast collars, buckles and one pair of customized chaps. There are two buckles in each event for the average and finals awardees. Requesting a \$8,400 sponsorship.

Motion: Councilman Frank Grady moved to approve a sponsorship for \$4,200 from Tribal Business Council and \$4,200 from the 4 Bears Casino. Councilman Mervin Packineau seconded the motion.

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

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

IX. UNFINISHED BUSINESS

A. J.C. Johnson Lease³

Item deferred to NRC.



TAT_20170829-1212_01d320c01d57b8ea.mp3

B. Child Support Contract & Resolutions¹ - Ellen Otterman

1) New Hire Reporting to Child Support Services” Resolution

Motion: Councilman Fred Fox moved to approve resolution no. 17-180-FWF entitled “*New Hire Reporting for Child Support services*”. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

2) “Collection Remedies for Current Child Support and Arrears” Resolution

Motion: Councilwoman Monica Mayer moved to approve resolution no. 17-179-FWF entitled “*Collection Remedies for Current Child Support and Arrears*”. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

Discussion: Chairman Mark Fox asked that the department insure that their client information is correct and up to date.

TAT_20170829-1222_01d320c18442a35c.mp3

C. Lisa Cesarez Hidatsa Language Teacher Licensure¹

Seeking to teach Hidatsa language in the Mandaree School district.

Motion: Councilman Fred Fox moved to approve a Hidatsa Language Teacher Licensure for Lisa Cesarez. Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Aye



Councilman Randy Phelan – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Chairman Mark Fox asked Lisa Cesarez to provide an update to Councilman Randy Phelan.

TAT_20170829-1227_01d320c2375de76c.mp3

D. Make Cents – Richard Mayer & Jason Two Crow
Developing a call center in Bismarck.

Motion: Councilman Fred Fox moved to approve resolution no. 17-181-FWF entitled “*Approval of \$5,000,000.00 Business Loan to Make Cents, Inc., a tribally owned entity*” Councilman Mervin Packineau seconded the motion.

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

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

X. MEDICAL REQUESTS

TAT_20170829-1232_01d320c2eb4a8a78.mp3

A. Darlene Rogers Assistance– Rose Cortes

Motion: Councilman Frank Grady moved to authorize the court to address and provide assistance to establishing guardianship of Darlene Rogers to the family. 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 Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Voting



COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

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

TAT_20170829-1503_01d320d7f1580c82.mp3

A. Elbowoods Clinic – Dr. Kathy Eagle, CEO

Motion: Councilman Frank Grady moved to approve “Three Affiliated Tribes Elbowoods Memorial Health Center’s Employment Contact - Medical Staff – General Practitioner” the Sandra Figueroa Vargas, MD. Contract for a two year term. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

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 recommended 2-3 year contracts. Chairman Mark Fox & Councilman Fred Fox recommended future contract terms at 2 yrs.

Motion: Councilman Fred Fox moved to amend previous contract terms to 2yr contracts. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

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 read names into the records; Anita Martin M.D., Andria Ricker FNP, Maxine Bosco FNP , Bernice Dubois FNP to change contracts to 2 years.

Motion: Councilwoman Monica Mayer moved to hire “Three Affiliated Tribes Elbowoods Memorial Health Center’s Employment Contact - Licensed Professional Counselor” with an effective date of 9/11/2017 pending back ground check and for a 2 year term. 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 Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Lois Marie Delong effective start date of Sept 11th, 2017.

Motion: Councilman Fred Fox moved to approve resolution no. 17-214-FWF entitled "*Authorization for the FY 2018 Zero Suicide Initiative Grant Application to the Department of Health and Human Services, Indian Health Services, Office of Clinical and Preventative Services, Division of Behavioral Health.*" Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 17-211-FWF entitled "*Integrative Behavioral Health Resolution Grant Application.*" subject to resolution and Legal review. Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 17-216-FWF entitled "*Authorization for the Three Affiliated Tribes' participation in the Assessment of Impact of Energy Development on the Behavioral Health of Women in Eastern Montana & Western North Dakota, Health Resource in Action's Grant from the Office of Women's Health.*" Councilwoman Monica Mayer seconded the motion. Councilman Mervin Packineau seconded the motion.

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



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

Motion: Councilman Fred Fox moved to approve resolution no. 17-217-FWF entitled “A Resolution Amending the Three Affiliated Tribes Title I, Self Determination Annual Funding Agreement (AFA) to Accept Limitations on Charges for Healthcare Professional Services and Non-Hospital Base Care, Pursuant to 42 CFR PART 136, SUBPART I” Councilman Cory Spotted Bear seconded the motion.

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

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

B. Sarah Solis Request (see Closed Session)

[TAT_20170829-1237_01d320e39f373b8a.mp3](#)

C. Claud Christenson Nursing Home

Seeking assistance with initial nursing home payment.

Motion: Councilman Cory Spotted Bear moved to approve assistance subject to the nursing home assistance policy. Councilwoman Monica Mayer seconded the motion.

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

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

Discussion: Councilwoman Monica Mayer noted that all elders should be signing up for the Boone Senior Choice Insurance Plan.



D. Byron Sidney Howard Request - Anita Howard Deane

Seeking medical assistance through Life and Limb for appointments at Rochester for him and sister to travel.

Motion: Councilman Fred Fox moved to approve Life and limb for the amount of \$3,500. Councilman Frank Grady seconded the motion.

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

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

Discussion: Chairman Mark Fox noted that the segment offices can assist if further help is needed or return to the Council. The Chairman's Office will route.

XII. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair

TAT_20170829-1242_01d520c4523b8a6.mp3

A. Homesite(s) - Valeri Hosie

Motion: Councilman Fred Fox moved to approve resolution no. 17-182-FWF entitled “*Starla Deane Home Site - North Segment*”. Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 17-183-FWF entitled “*Approval of Consent for Residential Lease Justin Spotted Bear*”. Councilwoman Monica Mayer seconded the motion.

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

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



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

TAT_20170829-1247_01d320c50639baf0.mp3

B. Farm/Pasture Leases - Diana Americanhorse

Motion: Councilman Fred Fox moved to approve resolution no. 17-184-FWF entitled “*Approving Tom Breuer Makoti Hayland Agricultural Leases on Tribal land*”. Councilman Cory Spotted Bear seconded the motion.

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

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

C. Richard White Bear Land Exchange

Item deferred.

D. Keith Mandan Land Exchange

Item deferred.

E. Charles Fox Easement

Motion: Councilman Fred Fox moved to approve resolution no. 17-185-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*”. Councilwoman Monica Mayer seconded the motion.

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

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

F. Leanna Nation Easement



Motion: Councilman Fred Fox moved to approve resolution no. 17-186-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*”. Councilwoman Monica Mayer seconded the motion.

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

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

TAT_20170829-1252_01d320c5b9407602.mp3

G. William Lone Bear Easement

Motion: Councilman Fred Fox moved to approve resolution no. 17-187-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*”. Councilwoman Monica Mayer seconded the motion.

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

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

TAT_20170829-1252_01d320c5b9407602.mp3

H. McKenzie Electric – BIA 12 Mandan Crossing

T3136 move of electrical line.

Motion: Councilman Fred Fox moved to approve resolution no. 17-188-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*”. Councilwoman Monica Mayer seconded the motion.

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

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



TAT_20170829-1252_01d320c5b9407602.mp3

**I. McKenzie Electric – Tim White Body Easement
538A-A**

Motion: Councilwoman Monica Mayer moved to approve resolution no. 17-189-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*”. Councilman Frank Grady seconded the motion.

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

TAT_20170829-1252_01d320c5b9407602.mp3

J. Rural Water Service Line Easements

Motion: Councilwoman Monica Mayer moved to approve resolution no. 17-190-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*”. Councilman Mervin Packineau seconded the motion.

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

TAT_20170829-1252_01d320c5b9407602.mp3

K. Twin Buttes Area A

Motion: Councilwoman Monica Mayer moved to approve resolution no. 17-191-FWF entitled “*Consent to Certain Rights of Way across Tribal land for the Twin Buttes Area 3- Fort Berthold Rural Water in the South Segment*” Councilman Frank Grady seconded the motion.

Vote: 6 Ayes. 1 – Not Present. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
Councilman Fred Fox – Aye



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

TAT_20170829-1252_01d320c5b9407602.mp3

L. 2017 Tribal Moose & Elk Proclamations

Motion: Councilman Fred Fox moved to approve resolution no. 17-192-FWF entitled “*Approval of the 2017 Tribal Moose & Elk Proclamations*” subject to Legal review. Councilman Mervin Packineau seconded the motion.

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

TAT_20170829-1302_01d320c7204eef80.mp3

L. Missouri River Resources (MRR) Production Yard Lease – Carl Artman

MMR seeking to lease 5 acres of surface. Texx Lone Bear noted that the land may be already leased. MMR will work with the NRC to determine status.

M. Missouri River Resources MRR/XTO Assignment – Carl Artman

Seeking a lease swap for 265 acres along the Little Missouri River to allow for the drilling of 4 wells and optimizing DSU’s with no money exchanged. Already approved by the MRR Board.

Motion: Councilman Fred Fox moved to approve resolution no. 17-219-FWF entitled “*Assignment from Missouri River Resources to XTO Energy of Portion of BIA Lease No. 7420A42649*”. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 Ayes. 1 – Not Present. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
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 approve resolution no. 17-193-FWF entitled “*Consent to an Assignment of Right-of-Way No. FBOG101110, granted to Marathon Oil Company for Flowlines between TAT USA 34-22H Well Pad and Veronica USA 14-22TFH Well Pad, to Targa Badlands LLC.*” subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

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

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

TAT_20170829-1312_01d320c887318a90.mp3

N. Fort Berthold Rural Water (FBRW) Report – Pem Hall & Brian Waters, Bartlett & West
Provided an OEM Update of the treatment plant maintenance and operational corrections. Continued plant operations training for staff. A number of modifications that provided additional reimbursements to the tribe. \$7 million funding has been secured for the Twin Buttes treatment plant and water lines. Chairman Mark Fox expressed concerns over delays and additional costs of projects and need for regular NRC updates. Future Mandaree treatment plant lagoon project discussed. Contract awarded for 60+ home connections with the need for easements as they are authorized by BLM and prioritized. Councilman Mervin Packineau pledged assistance for housing connections in his segment.

•
Motion: Councilman Fred Fox moved to approve APE Consultant agreement. Councilwoman Monica Mayer seconded the motion.

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

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

O. Drought Emergency – Lisa Redford
Item deferred.

P. Hay Assistance & Budget – Lisa Redford
Item deferred.

Q. Minot Satellite Office Lease – Lisa Redford
Item deferred.



R. Oil & Gas Committee: – *Carson Hood Jr.*

TAT_20170829-1332_01d320cb545ad470.mp3

1) Energy /Environmental MOU

Chairman Mark Fox expressed continued concerned that Environmental was not represented at this meeting.

Motion: Councilman Fred Fox moved to approve resolution no. 17-194-FWF entitled “*Approval of a Fee and Fine Structure for the MHA Nation Energy Division to Regulate and Oversee Oil and Gas Exploration and Production Activities.*” subject to Legal review and redraft with revision of the title. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

TAT_20170829-1348_01d320cd6e5cdd8a.mp3

2) Tallsalt Energy Policy Contract

Aug 1st 2017 – Jan. 31, 2018 contract term for additional scope of duties.

Motion: Councilman Fred Fox moved to approve “*Approval of Professional Services Contract.*” Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred Fox – Not Voting

Councilman Mervin Packineau – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

3) Mark Van Norman Resolutions – [See Closed Session]

TAT_20170829-1358_01d320ced55cf1c2.mp3

4) Xtiri Software Approval - Harriet Good Iron

Motion: Councilwoman Monica Mayer moved to authorize the Legal Dept. to develop a resolution for the September 15th TBC. Councilman Cory Spotted Bear seconded the motion.

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



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

5) Pipeline Code, 3rd Reading

Item deferred. 30-day Public Comment period with Legal review.

6) Rodeo Club - Charlie Vigen

Item deferred.

TAT_20170829-1408_01d320d03c663d82.mp3

7) ROW – Catherine Nelson, Reality Specialist

Motion: Councilman Fred Fox moved to approve resolution no. 17-202-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Mandaree 7 SESW Pad Project Submitted by EOG Resources, Inc.” Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 17-203-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Fort Berthold 148-95-22D-15-2H, 3H, 6H, 7H, 8H, 10H and Fort Berthold 148-95-27A-34-6H, 7H, 9H, 10H well pad expansion Project Submitted by HRC Operating, LLC.” Councilwoman Monica Mayer seconded the motion.

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

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



Motion: Councilman Fred Fox moved to approve resolution no. 17-204-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the LAWRENCE BULL 1-12H PAD Project Submitted by WPX Energy Williston, LLC.*” Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 17-205-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the LION 18-19H Project Submitted by WPX Energy Williston, LLC.*” Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 17-206-FWF entitled “*Amending Resolution No. 17-059-FWF entitled Consent to Approval of a Right-of-Way across Tribal land for the Spiders Project FEE Lands Project Submitted by Enerplus Resources.*” Councilwoman Monica Mayer seconded the motion.

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

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



Motion: Councilman Fred Fox moved to approve resolution no. 17-207-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Lizards Project Submitted by Enerplus Resources.” Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 17-208-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the WOG Two Shields Butte 13-21 Well Connect Project Submitted by Crestwood.” Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 17-209-FWF entitled “Approval of Setback Variance Requested by ONEOK Rockies Midstream, L.L.C. for the Hunts Along USA Multi-Well Pad project.” Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 17-210-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Bear Ghost Access Road Project Submitted by Targa Badlands LLC.” Councilwoman Monica Mayer seconded the motion.



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

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

TAT_20170829-1413_01d320d0f0532a1c.mp3

Marathon Assignment to Targa.

Motion: Councilman Fred Fox moved to approve resolution no. 17-212.FWF entitled “*Marathon Assignment to Targa*” subject to payment of unrelated fines and Legal review. Councilwoman Monica Mayer seconded the motion.

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

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

TAT_20170829-1353_01d320ce223c9610.mp3

8) Energy Grants

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 17-195-FWF entitled “*Authorization for the MHA Energy Division and the MHA Planning & Grants Department to Submit a Grant Proposal to the U.S. Department of the Interior, Office of the Assistant Secretary-Indian Affairs, through the Office of Indian Energy and Economic Development, the Division of Energy and Mineral Development in response to Solicitation for Proposals for BIA-000-0007-TEDC Grant Program to fund the Optimizing Tribal Data through Technology Project.*” Councilman Fred Fox seconded the motion.

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

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



Motion: Councilman Frank Grady moved to approve resolution no. 17-196-FWF entitled “*Authorization for the MHA Energy Division and the MHA Planning & Grants Department to Submit a 2017 Energy and Mineral Development Project (EMDP) grant proposal to the U.S. Department of the Interior, Assistant Secretary-Indian Affairs, Division of Energy and Mineral Development (DEMD) to fund a Solar Thermal and Seasonal Energy Storage Feasibility Study for the MHA Nation.*” Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 17-197-FWF entitled “*Authorization for the MHA Energy Division and the MHA Planning & Grants Department to Submit a Grant Proposal to the U.S. Department of the Interior, Office of the Assistant Secretary-Indian Affairs, through the Office of Indian Energy and Economic Development, the Division of Energy and Mineral Development in response to BIA-000-0007-TEDC, Solicitation for Proposals for the Grant Program to Build Tribal Energy Development Capacity (TEDC), to fund the MHA Nation Tribal Utility Feasibility Study.*” Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 17-198-FWF entitled “*Authorization for the MHA Energy Division and the MHA Planning & Grants Department to Submit a 2017 Energy and Mineral Development Project (EMDP) grant proposal to the U.S. Department of the Interior, Office of the Assistant Secretary-Indian Affairs, Division of Energy and Mineral Development (DEMD) to fund Using Results from the Preliminary Analysis, Optimize Field Development Model Project.*” Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye



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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 17-199-FWF entitled “*Authorization for the MHA Energy Division and the MHA Planning & Grants Department to Submit a 2017 Energy and Mineral Development Project (EMDP) grant proposal to the U.S. Department of the Interior, Office of the Assistant Secretary-Indian Affairs, Division of Energy and Mineral Development (DEMD) to fund the Building of a Primary Technical Field Development Model for the MHA Nation.*” Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 17-200-FWF entitled “*Authorization for the MHA Energy Division and the MHA Planning & Grants Department to Submit a 2017 Energy and Mineral Development Project grant proposal to the U.S. Department of the Interior, Assistant Secretary-Indian Affairs, Division of Energy and Mineral Development to fund a Feasibility study of a Heating System by Co-Produced Wastewater from Oil and Gas Wells.*” Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 17-201-FWF entitled “*Authorization for the MHA Energy Division and the MHA Planning & Grants Department to Submit a 2017 Energy and Mineral Development Project (EMDP) grant proposal to the U.S. Department of the Interior, Assistant Secretary-Indian Affairs, Division of Energy and Mineral Development (DEMD) to fund a Feasibility Study of Renewable and*



Distributed Energy Generation System for MHA Nation.” Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 17-235-FWF entitled “*Authorization for the MHA Nation Natural Resources Department to Submit a 2017 Energy and Mineral Development Project (EMDP) grant proposal to the U.S. Department of the Interior, Assistant Secretary-Indian Affairs, Division of Energy and Mineral Development (DEMD) to fund an Industrial Mineral Development Project on the Fort Berthold Indian Reservation.*” subject to resolution and Legal review. Councilman Fred Fox seconded the motion.

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

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

XIII. ECONOMIC DEVELOPMENT COMMITTEE – Councilwoman Monica Mayer, Chair

A. Business Loans – Toni Starr, Director

Item deferred.

B. Home Repairs - Holly Fox¹

Addressed.

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

TAT_20170829-1428_01d320d30a6032cc.mp3

A. Tribal Court Report – Mary Sea worth, Acting Chief Judge

Monthly Report submitted that included; Overall Operations & FBDC Goals/638 Scope of Work, Administration Data, Juvenile Department Report, Appellate Court Report, Adult Probation Report, Public Defender Report, Civil Department Report, Criminal Department Report, FBDC Organizational Chart.



B. Tribal Court Judge Position – Mary Seaworth
Addressed above.

XV. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

XVI. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

TAT_20170829-1443_01d320d52452bc7a.mp3

A. Headstart COLA Request – Kelly Bradfield

The Consolidated Appropriations Act, 2017, contains an increase of approximately \$85 million for programs under the Head Start Act for Fiscal Year (FY) 2017. A portion of the increase provides a cost-of-living adjustment (COLA) of 1.0 percent, depending on final funding decisions, to assist grantees in increasing staff salaries and fringe benefits and offsetting higher operating costs. A total COLA amount of \$13,955 Head Start Program Operations.

FTR: Chairman Mark Fox left the meeting and Councilman Cory Spotted Bear assumed the Chair of the meeting.

Motion: Councilman Fred Fox moved to approve a 1% increase from Federal funding. Councilwoman Monica Mayer seconded the motion.

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

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

TAT_20170829-1443_01d320d52452bc7a.mp3

B. Every Student Succeeds At (ESSA) Act Consultation – Wayne Fox, Mark Bluestone,

Motion: Councilwoman Monica Mayer moved to approve New Town Schools ESSA Consultation Plans. Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
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 approve Parshall Schools ESSA Act Consultation.
Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
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 approve White Shield Schools ESSA Act Consultation.
Councilman Mervin Packineau seconded the motion.

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

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

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

TAT_20170829-1453_01d320d68a6c3864.mp3

A. Slawson Contract - John Fredericks

This amendment to the September 6, 2016 Representation Agreement does two things. First, it adds the Mandan, Hidatsa and Ankara Nation ("MHA Nation or "you") as a client for Robin Kaplan LI.,P. Second, it expands Robins Kaplan LLP's representation to include a new matter, specifically representation of the MHA Nation in connection with the lawsuit entitled Slawson Exploration Company, Inc. v. United States Department of the Interior; Ryan Zinke, in his official capacity as Secretary of the United States Department of the Interior; Interior Board of Land Appeals; and James K. Jackson, Administrative Judge, (No.: 1:77-cv-166), currently pending in the United States District Court, District of North Dakota. This amended representation will include monitoring this litigation for the MHA Nation, consulting on behalf of the MHA Nation with the Department of Justice lawyers assigned to represent the defendants in this case, and advising the MHA Nation on the impact of this litigation. Further, if the MHA Nation decides to formally move to intervene in this lawsuit, this representation would include representing the MHA Nation in the motion to intervene and in subsequent litigation.



Motion: Councilman Fred Fox moved to authorize the Chairman to sign an amendment to the Robins Kaplan LLP Contract from the FY2018. Councilwoman Monica Mayer seconded the motion.

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

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

B. Water Pipeline Amendment

Motion: Councilman Frank Grady moved to approve amendment of existing Crestwood Confidentiality Agreement for water pipeline negotiation to extend for one year. Councilman Cory Spotted Bear seconded the motion.

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

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

C. Marathon APD

Motion: Councilman Frank Grady moved to approve the APD on Marathon. Set Back Variance, Recommendation is to proceed. Councilwoman Monica Mayer seconded the motion.

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

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

TAT_20170829-1523_01d320dac045373e.mp3

D. Healing Horse Ranch Proposal – Keith Bear



Seeking financial assistance for the travel costs of five people to tour the Rosewood Services Inc., facility in Great Bend KS and to meet with Mr. Eric & Tammy Hammond and review their models for our people here at home utilizing the Healing Horse Ranch as base of operations. The offices of TAT Social Services, the 477 program, Vocational Rehabilitation, Healing Horse Ranch and a representative from the NHS College have all shown a genuine interest in this collaborative endeavor. There is no place like this in North Dakota. The Anne Carlson School in Jamestown is as close as it gets and even they wish they had such a place for their students, clients and staff. I truly feel we have a great opportunity to help so many of our people with this project. Work release, community service, youth and adults could benefit from this positive program. Rosewood Services has offered to take in tribal members for a tutorship in each area they cover, from social services to nursing care, to candy making and horsemanship techniques they would even be willing to come and shadow our people as the program and get rolling here on Fort Berthold.

Motion: Councilman Cory Spotted Bear moved to approve travel expenses for up to 6 participants subject to returning with a report and plan to the Tribal Business Council, and developing a strategic plan with Northeast Segment representative, Councilman Mervin Packineau. Councilwoman Monica Mayer seconded the motion.

Vote: 5 Ayes. 1 – Not Voting. 1 – Not Present. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
Councilman Fred Fox – Not Voting
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: For airfare and two rental cars.

XVIII. NEW BUSINESS – Tribal Councilman Add Ons

A. Chairman Mark Fox – Elbowoods Documentary

A resolution will be brought forth with Prairie Public to authorize this project.

Item deferred.

TAT_20170829-1613_01d320e1c272c132.mp3

B. Chairman Mark Fox – Allan Chase

Motion: Councilman Fred Fox moved to approve an increase to his business loan subject to Business Loan Program Policies and requirements. Councilman Frank Grady seconded the motion.

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



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

C. Councilman Randy Phelan – Reserved

D. Councilman Randy Phelan – Reserved

TAT_20170829-1523_01d320dac045373e.mp3
E. Councilman Fred W. Fox – Fredman Everette

Requesting an increase of \$100,000 to his \$250,000 Home Mortgage loan.

Motion: Councilman Fred Fox moved to approve an additional \$100,000 for his home loan subject to Home Loan Program requirements. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
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

TAT_20170829-1538_01d320ded9657e52.mp3
G. Councilman Mervin Packineau – Roping Sponsorship – Jess Hall

Requesting a financial sponsorship for the World Series Team Roping Finals in December that he qualified for at South Point Nevada. September 30th is the deadline to reserve a stall. Seeking a total of \$9000 for team members Everett Hall and Hunter and himself. Chairman Mark Fox would like to standardize the sponsorships for this type.

Motion: Councilman Fred Fox moved to approve for a standard \$1,500 for each national qualifying roping events with a max of 2 events (for \$3000). Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye



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

TAT_20170829-1543_01d320dd8d5522e6.mp3

H. Councilman Mervin Packineau – Mitchel Laducer Request

Mitchell Laducer of Laducer Sanitation services in Turtle Mountain presented a request for a short term lease of a truck due to their truck breaking down.

Motion: Councilman Mervin Packineau moved to approve a lease to a 60-day term to Laducer Sanitation. Councilman Fred Fox seconded the motion.

Vote: 5 Ayes. 1 – Opposition. 1 – Not Present. Motion carried.

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

Discussion: Councilman Mervin Packineau asked Legal to draw up lease and specify where payments would be routed through the program.

I. Councilman Frank Grady – Personnel (see Closed Session)

J. Councilman Frank Grady – Reserved

TAT_20170829-1548_01d320de406eeb5a.mp3

K. Councilman Cory Spotted Bear – Twin Buttes Paving Construction

Motion: Councilwoman Monica Mayer moved to approve resolution no. 17-215-FWF entitled “Approval to draw certain 638 funds to fund road work on BIA Route 22 and approval of Three Road Project Contracts” subject to Legal review. Councilman Frank Grady seconded the motion.

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

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

TAT_20170829-1553_01d320def46f12d8.mp3



L. Councilman Cory Spotted Bear – Holly Taft

Seeking financial assistance for educational loans bills stemming from her 2011 nursing school attendance. Also seeking support to develop and nursing programs on Fort Berthold. Presented statistics concerning future shortages of nurses nationwide. Provided services at Fort Berthold for the past 27 years.

Motion: Councilwoman Monica Mayer moved to develop a program to pay past educational costs. Councilman Mervin Packineau seconded the motion.

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

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

Discussion: Al Nygard discussed budgeting limitations and the need to establish the parameters of the policy.

TAT_20170829-1528_01d320db73560178.mp3

M. Councilwoman Monica Mayer –Special Diabetes Program for Indians Indirect Cost Rate - (SDPI) - Jared Eagle

Grant due on Friday for the SDPI. Can not use the provisional IDC rate but need a negotiated rate. Whitney Bell, CEO recommends waiving the indirect rate. Submitted a letter to the Tribal Business Council from 2014 where the Chairman at the time allowed the grant to be submitted. 20% cap on the rate. Negotiated indirect cost rate will not be completed until November.

Motion: Councilwoman Monica Mayer moved to grant the Chairman Mark Fox authority to sign a letter on behalf of the tribe to accept indirect cost rate of 20% for the grant. Councilman Mervin Packineau seconded the motion.

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

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

N. Councilwoman Monica Mayer – Personnel (see Closed Session)



XIX. CLOSED SESSION

A. Human Resources – Barlow Wells

- 1) Single Hires
- 2) Salary Modifications
- 3) Resignations & Terminations

B. TAT Law Enforcement Report– Chief Nelson Heart²

- 1) Report
- 2) Overtime

C. Tribal Health Insurance – Jerry Fozzard

D. Bruce Benson

E. QEP Annual Rental Form & Shut-in Royalty

F. Mark Van Norman Resolutions

G. Keith Fredericks

H. Melanie Luger

I. Caleb Dogeagle

- 1) Member Mortgaged Homes
- 2) Solid Waste Building
- 3) Associate Prosecutor

J. Valorie Hosie Complaint

K. Fort Berthold Rural Water (FBRW) Investigation – Al Nygard

L. Amanda Bracklin

FTR: TBC entered Executive Session.

XX. ADJOURNMENT

Motion: Councilman Frank Grady moved to adjourn the meeting. Councilman Cory Spotted Bear seconded the motion. Meeting adjourned at 9:05PM.



CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 6 were present at the Special Meeting thereof duly called, notice, convened and held on the 29th day of August 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 11th day of October 2017.

ATTEST:

Handwritten signature of Fred W. Fox in black ink.

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

Handwritten signature of Mark N. Fox in black ink.

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