



CALL TO ORDER:

Councilman Fred Fox called the meeting to order at 10:49 am.

PRAYER

Prayer by Darlene Perkins.

I. ROLL CALL:

Present: Councilwoman Monica Mayer, Councilman Randy Phelan, Councilman Fred Fox.
Quorum established.

II. APPROVAL OF AGENDA:

Motion: Councilwoman Monica Mayer moved to approve the agenda. Councilman Randy Phelan seconded the motion: Vote: 3-0-0. Motion carried.

III. APPROVAL OF MINUTES:

- April 24th, 2017 Judicial Committee Minutes
- August, 1st, 2017 Judicial Committee Minutes

Motion: Councilman Randy Phelan moved to approve the August 1st, 2017 Judicial Committee minutes with corrections. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

FTR: Councilman Frank Grady joined the meeting at 11:03 am.

IV. NEW BUSINESS:

A. TERO issue (Tribal Court Process)

Item deferred.

B. Civil Erroneous Falsified Claim - Leon Little Owl

Item deferred.

C. Medical Clearance Decision – Kathryn R. Eagle-Williams, EMHC CEO

Dr. Eagle brought forth an issue of Nurse Practitioners being denied authorization to provide medical clearance at the Justice Center for inmates by the court.

Directive: Councilwoman Monica Mayer moved to authorize any licensed providers be authorized to provide medical clearance. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

Discussion: Councilwoman Monica Mayer noted that it should be in the 638 contract.

Presented a report of the Auricular Acupuncture Detoxification event this weekend. Councilwoman Monica Mayer noted that any additional services need to be approved by the Health Committee as the governance entity of the EMHC.



Motion: Councilman Randy Phelan moved to forward to Tribal Business Council meeting. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

J. Byron Sidney Howard Request - Anita Howard Deane

Motion: Councilman Frank Grady moved to approve Life & Limb request and forward Byron Sidney Howard Life & Limb to the next Tribal Business Council meeting subject to documentation. Councilman Randy Phelan seconded the motion.

K. Henry Young Bird Request

Seeking Life & Limb to get to medical

Motion: Councilman Randy Phelan moved to forward the Henry Young Bird Life & Limb Request to the next Tribal Business Council meeting. Councilman Frank Grady seconded the motion. Vote: 4-0-0. Motion carried.

L. Lester Lone Bear Request

Motion: Councilman Frank Grady moved to forward Lester Lone Bear Life & Limb Request to the next Tribal Business Council meeting. Councilman Randy Phelan seconded the motion. Vote: 4-0-0. Motion carried.

V. REPORTS – PROGRAM UPDATES:

A. Public Safety Division of Drug Enforcement – Chief Gerald White & Special Agent Chad Coulter

MHA-DDE K9 Agents participated in a joint K9 training with Mclean County Sheriff's Office. Provided a report of recent investigations and cases. MHA-DDE K9 agents attended a recertification course with their K9s in Minot. Chief White, Chief of K9 Operations White, and SA Coulter participated in tactical training with ATF agents/task force officers in North Dakota. MHA-DDE agents have conducted numerous hours of surveillance and interviews regarding various other drug-related investigations. Additionally, MHA-DDE K9 agents have been diligently working traffic, which resulted in a number of traffic stops, arrests, and various drug/drug paraphernalia items seized. Regular meetings continue with Assistant United States Attorney (AUSA) Rick Volk, United States Attorney's Office (USAO); Mountrail County State's Attorney Wade Enget; SA Derek Davis, Homeland Security Investigations (HSI), and various other agencies re ongoing prosecutions and joint cases. Since January 1, 2017, as a result of MHA-DDE cases prosecuted by the United States Attorney's Office, the following is a summary of actions that have occurred in federal court: 37 individuals (19 enrolled individuals and 18 non-enrolled individuals) have been arraigned in federal court on a variety of federal drug related offenses. Agents have prepared for and/or participated in 17 federal hearings, to include detention and revocation matters. 19 individuals, to include 13 enrolled members, have entered guilty pleas in federal court. 11 individuals, to include 4 enrolled members, have been sentenced in federal court. As additional 16 individuals, to include 11 enrolled members, are scheduled to be sentenced in federal court through 2/12/2018. 2 federal drug-related jury trials are scheduled for November and December 2017 respectively.



B. HR Tribal Programs - Barlow Wells, Director
Item deferred.

C. TAT Tribal Court - Marvel Heart, Court Administrator
Item deferred.

D. Homeland Security - Cliff Whitman, Director
Item deferred.

E. Criminal Investigation - Nelson Heart, Chief of Police
Item deferred.

F. Adult Detention /Juvenile Detention (GTFJC) - Titus White Body & Mike Young Bird, Administrators

Presented August & September Program reports. For August: The Gerald "Tex" Fox Justice Center (GTFJC) currently has 19 Correctional Officer on staff. With 2 position open. 8 Corrections Officers are currently IPA uncertified. Religious services were offered to the inmates weekly. Alcoholics Anonymous was offered to the inmates weekly. Multiple transports were made for medical, dental, and rehabilitation reasons. From 8/01/2017 to 8/30/2017 at 0800 hours there were 225 inmates brought into the custody of the GTFJC. Our capacity is currently 36 inmates. 153 were males and 72 were females. 130 were arrested in New Town, 44 in Four Bears, 24 in Parshall, 8 in Mandaree, 15 in White Shield, 4 in Twin Buttes. 172 were under the influence of Drugs and or Alcohol. There were 377 charges assigned to the 225 inmates creating an average of 1.68 charges per person. We had 23 transports for the month 13 of which were out of the local area. We had 6 Facility Incident Reports and 11 Serious Incident Reports for the Month of July 8 involving Overcrowding. In September; the month of September 2017, the GTFJC currently has 18 Correctional Officer on staff. With 3 position open. 7 Corrections Officers are currently IPA uncertified. We currently need to repair the padded cell, a piece of the wall is missing and a door hinge is broken off of the wall so that door is unusable. From 9/01/2017 to 9/30/2017 at 0800 hours there were 132 inmates brought into the custody of the GTFJC. Our capacity is currently 36 inmates. 96 were males and 36 were females. 80 were arrested in New Town, 21 in Four Bears, 17 in Parshall, 10 in Mandaree, 2 in White Shield, 2 in Twin Buttes. 96 were under the influence of Drugs and or Alcohol. There were 207 charges assigned to the 132 inmates creating an average of 1.57 charges per person. We had 26 transports for the month 14 of which were out of the local area. We had 6 Facility Incident Reports and 11 Serious Incident Reports for the Month of September. 3 Attempted Suicides and 2 assaults on Correctional Staff. Training Contract present The purpose of the contract with Consultant Contract for Conditioned Response Training for TAT Corrections Staff with training in various areas of correctional facilitation. Corrections Training in 10 areas to be chosen by the program.



Discussion of Elder Protection Coordinator meetings the Elder Protection Team. Lack of services for elders. Guardian services at about \$200/month similar to the State. Attended tribal consolation last week in Phoenix and testified on the tribes needs and Missing and Murdered Indigenous Women. Have been awarded grant funding \$893k/3yrs and need to rework the title budget. Also will be asking to furnish the Bismarck shelter in the next fiscal.

Motion: Councilman Frank Grady moved to approve Legal to draft a contract for the Guardianship Code. Councilman Randy Phelan seconded the motion. Vote: 4-0-0. Motion carried.

Motion: Councilman Randy Phelan moved forward Federal Family Violence Provision Resolution forward to the next Tribal Business Council meeting. Councilman Frank Grady seconded the motion. Vote: 4-0-0. Motion carried.

I. TAT Legal - Caleb Dogeagle, Attorney

Presented two contracts: Rob Porter Contract & the Contract for a Special Legal Counsel Contract to Retain Atcitty & Van Norman Law, Prof. LLC, to Provide Oil & Gas Regulatory Legal Services for FY 2018.

Motion: Councilman Randy Phelan moved to forward Rob Porter & Shannon Atcitty, Mark Van Norman Contracts to the next TBC. Councilman Frank Grady seconded the motion. Vote: 4-0-0. Motion carried.

Motion: Councilman Randy Phelan moved to forward EMHC pay scale provider/overtime to the next Tribal Business Council meeting. Councilman Frank Grady seconded the motion. Vote: 4-0-0. Motion carried.

VI. CLOSED SESSION

VII. ADJOURNMENT

Motion: Councilman Randy Phelan moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 1:02pm.



CERTIFICATION

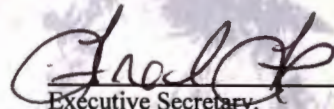
I, the undersigned, as Chairman for the Tribal Business Council 's Judicial Committee of the of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council's Judicial Committee is composed of three [3] members of whom [2] constitute a quorum; 3 were present at the Judicial Meeting thereof duly called, noticed, convened and held on the 1st day of February 2018; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 3 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Dated this 1st day of February 2018.

ATTEST:



Judicial Committee Chairman,
Councilman Fred Fox
Tribal Business Council
Three Affiliated Tribes



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