



CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 10:30AM.

OPENING PRAYER

Prayer by Jim Miller.

ROLL CALL

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

I. APPROVAL OF AGENDA

Motion: Councilman Frank Grady moved to approve the agenda. 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

II. NEW BUSINESS:

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A. Upcoming Tax Meeting on December 15th.

The Tribe will be hosting the Tribal / State Tax meeting with the ND Legislature in New Town in the MHA Room at 9 AM with color guard to start the event.

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B. Liquor Tax Regulations

Chairman Mark N. Fox provided a summary of the TAT Alcohol Ordinance/Regulations that was formally approved by the Federal government putting into motion the Tribes enforcement of Liquor Tax Regulations last spring. The Tribe had provided public hearings & notice for comment as required. After the North Dakota State legislature failed to negotiate a mutual tax agreement with the MHA Nation, the Tribe moved forward with the implementation. Chairman Mark N. Fox noted that the Tribe has also met with liquor retailers and wholesalers and their attorneys who are refusing deliveries due to their concern of liability and other items. After hearing their concerns the Tribe has decided to suspend or stay the implementation of the ordinance in the interim until the issues are resolved.

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C. FY2018 Budget – Whitney Bell, CFO

Motion: Councilman Fred Fox moved to approve resolution no. 17-298-FWF entitled “Approval of Amended Fiscal Year 2018 General Fund Budget for the Three Affiliated Tribes” 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

Discussion: The CFO will insure that the \$100,000 for the Elbowoods agreement for the Prairie Public documentary is included. Budget meeting to be held in January for the quarterly review.

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D. Disbursements

Motion: Councilman Fred Fox moved to approve resolution no. 17-299-FWF entitled “Directive to the Office of Trust Fund Management to Make Available Funds for Withdrawal from Three Affiliated Tribes Proceeds of Labor Account PL7228700 in the Amount of \$25,100,000.00” 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. 17-300-FWF entitled “Authorization for a Disbursement to the Elders” 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

Discussion: Submitted resolution to be edited to include those who turn 60 years of age by December 31st, 2017 and establish this as the policy.

Motion: Councilman Frank Grady moved to approve resolution no. 17-301-FWF entitled “Authorization for a one-time Disbursement of Funds from Tribal Oil & Gas Royalty Revenues to All Enrolled Members of the Three Affiliated Tribes” 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

E. Emergency Action Items – Al Nygard
Jefferson Baker assistance with medical bills.

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F. Robert Finley Life & Limb – Al Nygard
Requesting full Life & Limb for the maximum amount.

Motion: Councilwoman Monica Mayer moved for Life & Limb up to \$25,000. Councilman Frank Grady seconded the motion. Motion carried.

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

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G. Nurse Practitioner Contract Connie Ebach
Discussed the sign-on/retention bonus portion of the contract and whether it is still relevant. Councilwoman Monica Mayer believed the sign-on bonus was high and needed to be reviewed. Chairman Mark N. Fox recommended removing the sign-on bonus and returning in January to look at the retention option.



Motion: Councilman Fred Fox moved to approve the contract subject to Legal review and removal the sign-on bonus language but return with retention based on performance. 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

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H. Coverage for the Justice Center

The above contract will address the need for medical services at the Justice Center.

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I. TAT Back Ground Check Policy – Al Nygard

Law Enforcement is currently approved by resolution to perform all background checks on new employees. H/HR Committee recommended exempting appointees due to possible audit issues. The CEO submitted an Executive Action to exempt. Chairman Mark N. Fox would prefer 1). Low Level Check pre-employment back-ground check for appointees. 2). Mid-Level back-ground for all. And 3.) Highest Level check for those that require them (such as those dealing with children, Law Enforcement, etc.)

Motion: Councilman Frank Grady moved to approve the Executive Order EA 2017-30. Councilman Mervin Packineau seconded the motion.

Vote: 3 Ayes. 2 – Oppositions – 1. 1 – Abstention. 1 – Not Present. Motion carried.

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

Motion Failed

Discussion: Councilwoman Monica Mayer noted that North Segment will do back-ground checks due to the possible liability issues on their hires and believes the Executive Order is a little vague.



Motion: Councilman Mervin Packineau moved to approve a Policy to require an expedited minimum back-ground check for all appointees. 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

Discussion: Chairman Mark N. Fox recommends annual update on all back ground checks for all employees.

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J. Jeff Baker Medical Bills

Outstanding medical bills of his deceased wife. CEO's office is getting copies of the medical bills. The bills are in collections and he has 21 days to pay. Also discussed slow payment of medical bills stemming from EMHC referrals.

Motion: Councilwoman Monica Mayer moved to approve authorization to make payments up to 50% of total bill on behalf of Jeff Baker. 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

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K. Livestock Feed Assistance – Lisa Redford

Discussed providing livestock feed assistance of \$25/head with a cap of 200 head of cattle or 25%. Ranchers have expressed concern over not getting the needed number of bails due to the limited quantity of bales. Councilman Randy Phelan informed the Council that he is doing a Horse feed program with his Segment funds. Chairman Mark N. Fox discussed possible IRS issues of ranchers getting a 1099 and recommended another option to take the baled hay.

Motion: Councilman Fred Fox moved to approve a policy of providing cattle feed assistance at \$25/head with a cap of 200 head. Councilman Cory Spotted Bear seconded the motion.



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

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

Discussion: Lisa Redford noted that the counties are covering losses for five months based on grazing acreage of which, not all qualify.

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Motion: Councilman Mervin Packineau moved to approve Mandaree Consultant Contract for Laci Schettler subject to Legal review and to be paid from Mandaree Segment funds. 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

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L. Enrollment

Motion: Councilman Fred Fox Moved to approve resolution no. 17-302-FWF entitled “Approval of 60 Applicants for Enrollment into the Three Affiliated Tribes” 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

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Motion: Councilman Fred Fox moved to approve resolution 17-303-FWF entitled “Approval of the Relinquishment of Jose Maria Oliva, JR. Enrollment Number 301U-09505 from Membership



in the Three Affiliated Tribes” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Abstained
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: 15,851 total TAT members.

III. CLOSED SESSION:

- A. HR- Single Hires – Barlow Wells, HR Director**
- B. Alcohol Ordinance – John Fredericks, Attorney**
- C. Health Contract/Confidentiality**
- D. Finance Process**
- E. Sober Lodge Contract**

III. ADJOURNMENT

Motion: Councilman Frank Grady moved to adjourn the meeting. Councilman Cory Spotted Bear seconded the motion. Meeting adjourned at 12:50 PM.



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL COMMITTEE MEETING
DECEMBER 5th, 2017 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]


CERTIFICATION

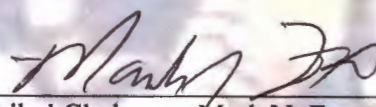
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 7 were present at the Regular Meeting thereof duly called, notice, convened and held on the 5th of December, 2017; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 6 members; 0 members opposed; 0 members abstained; 1 Members not voting.

Chairman (X) Voting () Not Voting

Dated this 11th day of January, 2018.

ATTEST:


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


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