



CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 11:00 AM.

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, Councilman Fred Fox.

Quorum established.

I. APPROVAL OF AGENDA

Motion: Councilman Randy Phelan moved to approve the agenda. 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

II. APPROVAL OF MINUTES

- **October 11th, 2017 Regular Meeting Minutes**
- **October 23rd, 2017 Regular Meeting Minutes**

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Motion: Councilman Randy Phelan moved to approve the October 2017 minutes. 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

- **November 15, 2017 Regular Meeting Minutes**
- **December 5th, 2017 Special Meeting Minutes**



III. SPECIAL GUESTS & ELDERS

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A. Elders Organization – *Thomas Eagle, Ramona Two Shields, Donna Morgan*

Brought forth concerns of physical records taken from the Fort Berthold Agency to the Lakewood CO. Office. The group is asking for the return of the records to the New Town BIA Office. There most concerned with the allottee records and would like to see an official resolution from the Tribal Business Council keeping the records at the local agency. The group has submitted letters to various levels of the Federal government laying out their concerns. Chairman Mark N. Fox provided a summary of work on the Communitization (CA's) process and his concerns on the idea of a CA and royalties. The group expressed their concerns on the removal of records and not receiving notice that the records were to be moved. Councilman Fred Fox expressed his commitment to keeping these services and others that have moved to the regional level in Fort Berthold and the need for face to face service in the need for information. Tim LaPoint (Great Plain Regional Director) and Carla Clark (Indian Service Center) presented information on the CA process. Before the Service Center was established there was a back-log (from 2008) and 19 CA's were transferred to the Service Center to free up to do other things. All the documents are shared and are in the TAAMS systems. Carla Clark noted that the Center processed 37 of the back-log of 182 and that the original records will be returned to New Town. Tim Lapointe noted that a Petroleum Engineer has been found to assist at the Center and at the Fort Berthold Agency. The Center has set up a toll free number to improve communication and increased access to informational services.

Motion: Councilman Randy Phelan moved to have the 19 CA's records returned to the Fort Berthold Agency immediately. Councilman Frank Grady seconded the motion.

Vote: 4 Ayes. 3 – Abstentions. Motion carried.

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

Discussion: Tim LaPointe noted that they will not be able to get them done in a timely manner without the 19 records. Carla Clark provided an explanation of process of CA overlap with its complexity and need for the original documents. Chairman Mark N. Fox explained the history of the one stop shop for Energy. Discussion of having that service at the Fort Berthold Agency and having them detailed here.

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Motion: Councilman Mervin Packineau moved to approve the Healing Horse Ranch fee-to-trust application resubmission. 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

Discussion: Tim LaPointe noted that it can be a written request. Councilwoman Monica Mayer asked Legal to create resolutions for the three development areas in New Town and two in Van Hook to be put into trust.

B. Tim LaPointe, Regional BIA Director – Addressed Above

EXECUTIVE COMMITTEE REPORTS

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

A. Report

Provided an overview of the recent State/Tribal Tax meeting. Review of upcoming events and meetings. Provided an update on the Little /Big Missouri issues, fee-trust activities, activities against opiates and manufacturers. Councilwoman Monica Mayer, Councilman Fred Fox, & Councilman Frank Grady will co-chair a special committee on the opiate issue. Next Tribal Business Council on January 10th.

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

A. Report

Challenged all organizations to participate in a float contest and ugly Christmas contest, Christmas lights, and many other activities.

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

A. Report

Provided a Records Office web page update, Taking control of Oil & Gas transportation costs from royalties, upcoming events and activities.

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

A. CFO Report – Whitney Bell

B. Four Bears Casino Report - Pat Packineau, General Manager [See Closed Session]

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



C. Small Loans – Mary Ellen Sun

1) Small Loans Application

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

Motion: Councilman Fred Fox moved to approve Group A Applications (14) subject to Small Loans Policies & Procedures. 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

Motion: Councilman Mervin Packineau moved to approve Group B Applications (7) subject to cosigner and subject to Small Loans Policies & Procedures. B#7 cosigner requirement waived Councilman Fred Fox seconded the motion.

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

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

Discussion: Councilman Mervin Packineau asked that the cosigner requirement for applicant B#7 be waived due to medical situation.

Motion: Councilman Fred Fox moved to approve Group C Application (1) subject to Small Loans Policies & Procedures. 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



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

VIII. OFFICER REPORTS

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A. Chief Executive Officer Report – Al Nygard

Employee Bonuses at \$500/300. Councilman Fred Fox expressed the wish to have a Federal Programs report to the Tribal Business Council.

Motion: Councilman Fred Fox moved to approve employee bonuses of \$500 for over a year /\$300 for under a year. 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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1) Tax Department Report – Cynthia Monteau, Tax Commission Director

Presented a report that included Revenue Collections- FY2018 and Comparison FY2017 10/1/17 thru 9/30/18, FY2017 Revenue Collections, Fiscal Years 2008 thru 2018 Revenue Collections, Fiscal Year 2018 Drilling Fees, Fiscal Year 2018 Drilling Fees, and Fiscal Years 2008 - Present Drilling Fees. Also presented a consultant contract between the Three Affiliated Tribes and the Brattle Group to provide expert analysis and reports on the effects of double taxation of businesses within and/or working on the Fort Berthold Reservation.

Motion: Councilman Mervin Packineau moved Brattle Group Consultant Agreement subject to Legal review & cost negotiation by Councilman Mervin Packineau & Legal. 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



Discussion: John Fredericks recommended expediency on the 3 month study due to current negotiations. Councilman Fred Fox mentioned the need for solid numbers of State tax revenue returned back to the reservation.

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2) Enrollment – *Sevant S. Taft*

Motion: Councilman Randy Phelan moved to approve resolution no. 17-305-FWF entitled “Approval of 33 Applicants for Enrollment into the Three Affiliated Tribes”. 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: Councilman Randy Phelan asked for an update on including clan information and maybe Indian name the enrollment cards. Chairman Mark N. Fox also mentioned tribal tax number. Chairman Mark N. Fox requested Tribal Council ID card that includes the Federal Tax ID #. The Three Affiliated Tribes now has 15,879 total members.

Motion: Councilman Randy Phelan moved to approve an option to include clan information & or Indian name on their tribal enrollment card. 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

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3) Executive Orders

Motion: Councilman Fred Fox moved to ratify Executive Action EA 2017-29 - “**NOW THEREFORE BE IT RESOLVED**, The Three Affiliated Tribes authorizes and approves to extend the hunting season on the Fort Berthold Indian Reservation by a period of seven (7) days.” 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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Motion: Councilman Randy Phelan moved to ratify EA 2017-28 “**NOW THEREFORE BE IT RESOLVED**, The Three Affiliated Tribes authorizes and approves Small Loan approval to Dean Wilkinson, \$6,500.00 and to Kermit Heart, \$3,000.00 based on the terms and conditions of Small Loans policies and procedures.” 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

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4) Special Diabetes Project Initiative (SDPI) - Jared Eagle

Discussed program funding problems and the need to lobby for additional funding due to the current legislative bill being attached to the CHIPS bill with a funding level of 25% (\$155,000) of this year’s funding. Councilwoman Monica Mayer would like to be included in the lobbying efforts. There is a March 23rd deadline. Mr. Eagle will also participate in the lobbying efforts. All of the ND legislative representatives have been made aware of the issue. Councilwoman Monica Mayer noted that the Great Plains region receives the majority of the national funding and it is critical for continued services for patients & staffing at the Tribes’ Diabetes Clinic. The Federal government has funded this program for over 20 years.

IX. UNFINISHED BUSINESS

A. Joint Orientation Brief – Department of Veteran Affairs - Bruce Nagel & Bill Hale

Item deferred.

B. Ethan Hall Land Partition

Item deferred.



C. Shane Johnson Land Exchange

Item deferred.

D. Mandaree Incorporation

Item deferred.

E. Justice Commission Report - Donovan Foughty

Item deferred.

F. Charles Hall Home Resolution

Present a report on MHA clients at the Charles Hall Home. The report show the majority of placements are youth not living on the reservation. Over the past 6 years the average number of MHA members utilizing the services is at about 10 clients/year.

Motion: Councilman Randy Phelan moved to approve \$100,000 (based on \$10,000/member for services/year). 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 – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

G. Parshall School Grant Agreement

TAT Legal has the grant agreement sent from the attorney from Parshall (Scott Wagner) and the change in numbers after the referendum vote failed to secure loan approval. 56% vote for the low interest loan from the community fell short of approval due to the condition of raising property taxes in Parshall. TAT Legal will work with the attorney representing Parshall Schools to develop a final grant agreement for the new school construction.

H. National AIHEC Basketball Tournament Support Resolution

Item deferred.

I. Doradus Hotel Group Opportunity – Terry Bynum

Seeking expansion of their tribes' (Porch Band of Creek Indians) economic investments through hotels & entertainment by limited partnership. The Group is affiliated with Marriot and Disney within the mid-market. Shakopee and Pechanga are other tribes expressing interest have secured commitment for about \$60 million. Investment would be spread throughout a number of their projects to lesson risk. Disney (Florida) has sold land to the group to develop next to their main venue with a planed retail development around the property. The capital would be stretched over



an 18-month period to get the project completed and operate the business for about five years and then sell it. No Letter of Intent would be needed at this time. The group has invited the Tribal Business Council to meet with them and tour the locations and have further discussion.

FTR: Acknowledgement of Alexis Woods' accomplishments in her college track career and academic success at North Dakota State University.

X. MEDICAL REQUESTS

A. Arnie Sorenson – Mona Pond

Has reached the \$25,000 maximum for Grants & Donations for his mother but asking for reimbursements for his own costs incurred while paying her bills out of pocket. Grants and Donations will not reimburse Mr. Sorenson.

Motion: Councilman Frank Grady moved to reimburse Arnie Sorenson for the cost incurred from his mother's Nursing Home bill from the balance of the \$25,000 previously approved for his mother according to policy subject to document verification. 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Councilwoman Monica Mayer would like a better plan for payment of her bills and would like to see the total annual amount.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XI. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair

A. Homesite(s) - Valeri Hosie

Item deferred.

B. Farm/Pasture Leases - Diana Americanhorse

Item deferred.

C. Jolene Siers Home Mortgage [See Closed Session]

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



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1. Slawson Safety Barrier Letter

Presented a public safety issue concerning the failure of Slawson to abide by Federal “Best Management Practices” (BMP’s) and put in place fencing around their well pad sites in the New Town community. Chairman Mark N. Fox asked that this issue also be brought to the attention of the NDIC or BLM concerning the fencing and close proximity to the housing and proposed recreational projects. Councilwoman Monica Mayer provided a brief update as to development of the area and the need to move the land from fee to trust and the development of a master plan in the upcoming year.

Motion: Councilman Frank Grady moved to authorize Councilwoman Monica Mayer to submit the letter to Slawson requesting that they fence their well pads as discussed above, and subject to Legal review. Councilman Mervin Packineau seconded the motion.

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

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

2. Request Letter – McKenzie Electric [See Closed Session]
Addressed Previously

3. BIA 2- Shared Road Agreement – Carson Hood Jr & Stoney Williams

Provided an update as to reconstruction of BIA 2 for the spring construction season with possible pavement and winter upkeep by Enerplus.

4. Outstanding Invoices for Shared Roads Agreement – Carson Hood Jr. & Stoney Williams

Industry is paying their 49% but our roads dept. is not paying its sub-contractors. (TEK, J&J, Chief Oilfield Services, Interstate, T-Bench, and others). Mr. Hood will return to the next Tribal Business Council meeting with the total amount owed.

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5. ROW’s – Paul Grady & Catherine Everett

Motion: Councilman Randy Phelan moved to approve resolution no. 17-306-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the PHASE 1B HWY 22 MOD LOOP LINE Project Submitted by Crestwood).” 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 resolution no. 17-307-FWF entitled “Consent for an Approval of a Right-of-Way across Tribal lands for the TAT Surface Site and Access Road Submitted by Targa Badlands LLC.” Councilwoman Monica Mayer seconded the motion.

Vote: 7 Ayes. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 17-308-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Horse Camp Project Submitted by Targa Badlands LLC.” Councilman Randy Phelan seconded the motion.

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

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

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A. Child Support Contract – Bill Woods

Motion: Councilman Fred Fox moved to approve the Child Associate Judge / Taylor Dawn Olson, Contract. Councilwoman Monica Mayer seconded the motion.

Vote: 7 Ayes. Motion carried.
Chairman Mark N. Fox – Aye



Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Mervin Packineau moved to approve the Gregory L. Kidder Service Contract for database maintenance. Councilwoman Monica Mayer seconded the motion.

Vote: 7 Ayes. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

B. Land Buy-Back Contract

Addressed below under the Legal Dept. items.

XIII. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

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Motion: Councilman Fred Fox moved to approve resolution no. 17-311-FWF entitled “*Approving of Architect/Engineer Contract with Nelson Tremain Partnership for Satellite Outreach Facility in Bismarck, North Dakota*” 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

Motion: Councilman Fred Fox moved to approve resolution no. 17-312-FWF entitled “*Approving of Architect/Engineer Contract with Nelson Tremain Partnership for Child Shelter Care Facility in New Town, North Dakota*”. 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

Motion: Councilman Fred Fox moved to approve resolution no. 17-313-FWF entitled “*Approving Architect/Engineer Contract for MHA Nation Homeless Shelter Project*”. Councilwoman Monica Mayer seconded the motion.

Vote: 7 Ayes. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

XIV. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

A. Fairy Godmothers Daycare Payment Issues – Peggy Desjarlait

Brought forth an issue of late payments from the 477 Program for services provided to 477 clients. The Day Care has waited two months for payment. The Al Nygard, CEO will investigate the process downfall.

B. Chad Dahlen Travel Close-Out Waiver

Various trips under the Levings Administration were not closed out properly. Finance has not been able to make a full accounting of what is owed and have been deducting from his disbursements (about \$2000 in total).

Motion: Councilman Mervin Packineau moved to waive the Chad Dahlen travel close-out. 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



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

A. Emergency Housing – *Lorraine Davis*
Item deferred.

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B. Elbowoods Memorial Health Center (EMHC) Update – *Dr. Kathy Eagle*

Submitted a written report that included a listing of current providers, Administrative Activities, Recruitment efforts, budget & financials, Corrective Action Plan Items, Departmental reports, upcoming events, forecasting, Service Quality Activities, Diagnostic Services statistics, Referrals, and other items. Expressed concerns over the possible loss of federal funding for coverage of tribal children and expressed the need for additional lobbying.

XVI. ECONOMIC DEVELOPMENT COMMITTEE - *Councilwoman Monica Mayer, Chair*

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A. Housing Consultant Agreement– *Lawrence Baker, Director*

Motion: Councilman Frank Grady moved to approve the Lori Pemberton-Fredericks contract subject to changing the term to Oct.-Sept. fiscal duration. Councilman Cory Spotted Bear 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 – Not Voting
Councilwoman Monica Mayer – Aye

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B. Fuel Request – *Fawnah Muma*

Seeking financial assistance with the cost of a student driving to school in Beulah. Drives about 92 miles everyday. Requesting \$8,367 to cover the cost of mileage due to the remoteness of their home and there being no bus route or High School in the Twin Buttes community.

Motion: Councilman Fred Fox moved to approve 75% not to exceed \$5,000. Councilman Randy Phelan seconded the motion.

Vote: 5 Ayes. 1 – Abstention. 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 – Abstained
Councilman Cory Spotted Bear – Aye



Councilwoman Monica Mayer – Not Voting

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

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Motion: Councilman Fred Fox moved to approve the George Abe Contract (Land-Buy Back Program). Councilman Randy Phelan seconded the motion.

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

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

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Motion: Councilman Randy Phelan moved to approve resolution no. 17-309-FWF entitled "Approval of the TERO Settlement with Oneok Inc., and Oneok Rockies Midstream, L.L.C. ("Oneok")" Councilman Mervin Packineau seconded the motion.

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

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

XVIII. NEW BUSINESS – Tribal Councilman Add Ons

- A. Chairman Mark Fox- *Reserved*
- B. Chairman Mark Fox – *Reserved*
- C. Councilman Randy Phelan – **Verizon Tower** [See Closed Session]
- D. Councilman Randy Phelan – *Reserved*

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- E. Councilman Fred W. Fox – **Consultant Contract**

Motion: Councilman Fred Fox moved to approve the Phil Gullickson Consultant Contract from the White Shield Segment budget. Councilman Randy Phelan seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye



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

Motion: Councilman Mervin Packineau moved to approve the Jim Norris Consultant Contract from the White Shield Segment budget. 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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F. Councilman Fred W. Fox – TERO Fee Waiver Request for White Shield School

Motion: Councilman Mervin Packineau moved to approve resolution no. 17-310-FWF entitled “Approval of Waiver of the TERO Employment Rights Fee for the White Shield School Project” 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

G. Councilman Mervin Packineau – James Baker [See Closed Session]

H. Councilman Mervin Packineau – Reserved

I. Councilman Frank Grady – Reserved

J. Councilman Frank Grady – Reserved

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K. Councilman Cory Spotted Bear – Travis Hallam

Mr. Hallam brought forth a request for payment of \$477 to pay for the emergency response vehicle utilized by the search crew. Also discussion of the Pipeline Safety Dept. budget and the need for additional funds. Chairman Mark N. Fox’s office will be pay for the vehicle repairs.



- L. Councilman Cory Spotted Bear – *Reserved*
- M. Councilwoman Monica Mayer – *Reserved*
- N. Councilwoman Monica Mayer – *Reserved*

XIX. CLOSED SESSION

- A. Pay Increases
- B. Human Resources HR – *Barlow Wells & Cheryl Abe*
- C. Leave Payout Issue – *Al Nygard & Cheryl Abe*
- D. TAT Law Enforcement Report– *Nelson Heart, Chief of Police*
 - 1. Report – *Captain Grace Her Many Horses*
 - 2. Lead Investigative Responsibility
- E. Jolene Siers Home Mortgage
- F. Tribal Health Insurance – *Jerry Fozer*
- G. Ellen Smith
- H. Finance Positions – *Anita Howard*
- I. Ervin Halvorson
- J. Shenan Atcitty Contract² – *Carson Hood Jr.*
- K. Steve Gunderson Tallsalt Contract FY 2018² – *Carson Hood Jr.*
- L. Murdered and Missing Indigenous Women Awareness Effort – *Mark Van Norman & Carson Hood Jr.*
- M. Justice Center – *Antoine Brugh, Mike Young Bird, Quincy Crow*
- N. Emergency Enrollment
- O. EMHC – *Kathy Eagle*
- P. James Baker – *Kelly Baker*
- Q. Ellen Smith
- R. Law Enforcement HR -
- S. Verizon Tower
- T. Finance Issue - *Al Nygard*

XX. ADJOURNMENT

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilman Cory Spotted Bear seconded the motion. Meeting adjourned 12/19/2017 at 2:35PM.



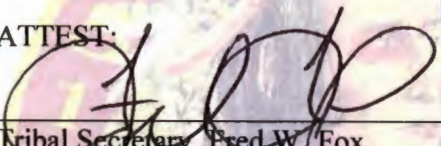
CERTIFICATION

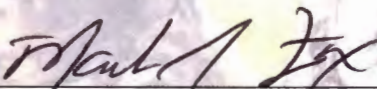
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 7 were present at the Regular Meeting thereof duly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