



CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 11:35AM.

OPENING PRAYER

Prayer by Darlene Perkins.

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 Frank Grady seconded the motion.

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

II. APPROVAL OF MINUTES

- January 10th, 2018 Special Meeting Minutes
- January 11th, 2018 Regular Meeting Minutes

Item deferred.

III. SPECIAL GUESTS & ELDERS

A. MHA Language Project - Bernadine Young Bird

Expressed concerns regarding NHS Language Board resolutions that provided for Declaration of Emergency & budget under resolution no 15-057-LKH entitled “*Three Affiliated Tribes Declaration of a “State of Emergency” in the loss and decline of the three sacred languages and cultures of the three tribes and recognition of the Nueta Hidatsa Sahnish Language Board as the interim Language Board for the revitalization of the tribal languages and cultures*”. The NHS Language Board has been active. Also noted that the College is developing a Language Institute.



Loren Good Day of the Education Dept presented a resolution Entitled:

“Supporting the Mandan, Hidatsa, Arikara Language & Culture Department, a formal tribal entity, to support, strengthen, revitalize and promote our heritage languages and cultural lifeways of the Mandan, Hidatsa, Arikara peoples; and to formally establish a Language & Culture Advisory Committee to provide advice, guidance and input on culturally appropriate programming and materials.”

Chairman Mark N. Fox recommended more work through the Education Committee to review and determine the best path forward. Councilwoman Monica Mayer & Councilman Cory Spotted Bear noted that the Education Committee special language work session to take place soon.

Deferred back to Education Committee.

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- **Missing Persons Protocol**

Bernadine Young Bird requested that the Council develop & implement a protocol to follow when tribal members go missing. It was noted that the B.I.A & the State of North Dakota has one.

Motion: Councilman Randy Phelan moved for Legal to develop a protocol on how to address missing persons incidents. 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

Discussion: Chairman Mark N. Fox also recommended seeking advice from experts in the field and have Legal draft a resolution.

EXECUTIVE COMMITTEE REPORTS

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

A. Report

Presented recent activities and upcoming events such as; Parshall Skating Rink grand opening, State of the State Address, Strengthening Government to Government Relationships event, Drug Treatment Planning meeting, improving after treatment services and drug testing all employees,



and the stressed the importance of enforcing the ban of employees having personal business interests in Oil & Gas. Upcoming activities include; Independent Study on the Impact of Dual Taxation, Rez Conference, 3rd Annual Polar Plunge, Condolences to the Tillie Walker family and remembrances of her achievements & dedication to the Tribe. February 9th will be proclaimed Tillie Walker Day.

V. VICE CHAIRMAN'S REPORT - Councilman Randy Phelan

A. Report

Meet with Len Helms and the need for representation on the North Dakota Industrial Commission (NDIC). Also attended a meeting with various tribal leaders to discuss the opioid problem to establish a concerted effort to address the problem, and provided details of the Horse feed program. Councilman Randy Phelan also expressed his condolences to the Tillie Walker family.

Motion: Councilman Randy Phelan moved to approve resolution no. 18-010-FWF entitled "Recognizing February 9 as Tillie Fay Walker Day for the Mandan, Hidatsa, and Arikara Nation" 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

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

A. Report

Records Office is currently test its new web site internally that includes minutes and resolution back to 1980 and requested comments and review. Councilman Fred Fox expressed the importance of scheduling committee meetings to give Council time review items the Records Office time prepare documents for the Council meetings. EMT Training & upcoming Ambulance Service beginning April 1st for the White Shield community,

- **Four Bears Segment Report** – Councilman Frank Grady
Provided information on the upcoming Upper Missouri River Songs event,
- **South Segment Report** – Councilman Cory Spotted Bear
Discussed recent meeting at the White House concerning World Prosperity and the initiative for e-connectivity and technological advancement and rural prosperity. Ice rink & warming house completed in Twin Buttes, Design phase of the Twin Buttes Community Center.



- **North Segment** – *Councilwoman Monica Mayer*
Maintenance building project, Hosting of the AHIEC National Basketball Tourney, Northern Lights upgrades, State Opioid Grant to develop a Sober Living Resource Center to called “The Door” for after care.

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

Provided a report on activities in North East Segment.

A. CFO Report – *Whitney Bell*

1) Budget

Submitted Expense Report, Budget Meeting Feb. 22nd @ 1:30PM, WB informed the Tribal Business Council the per pow-wow

Motion: Councilman Randy Phelan moved to approve resolution no. 18-011-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 \$19,450,000.00”. Councilman Mervin Packineau seconded to 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

2) Auditing

Mr. Bell noted that the Tribe has worked with RSM for nine years and recommended their continued services until the new financial system is in place on April 1st. Chairman Mark N. Fox & Councilwoman Monica Mayer recommended as a best practice regularly changing auditing firms.

Motion: Councilman Randy Phelan moved to approve a new Letter of Engagement for the RSM auditing firm for 1-year. Councilman Mervin Packineau seconded to the motion.

Vote: 5 Ayes. 1 – Opposed. 1 – Abstention. Motion carried.

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



3) Memorandum for Staff Request for Raises- Whitney Bell - CFO.

All are full time permanent employees with the last raises being in 2015 or 2016. Requesting that these be effective Oct 1, 2017 or one year from date of last salary adjustment. Staff not on this list will be considered at the 1 year anniversary of the date they became a permanent employees under the CFO's supervision.

Motion: Councilman Randy Phelan moved to approve a 10% raise for #2-27 of the presented list. Councilman Mervin Packineau seconded the motion.

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

Discussion: Councilwoman Monica Mayer recommended regular performance based employee evaluations. Councilman Randy Phelan & Chairman Mark N. Fox recommended that item #1 reorganize and rename the position due to the large jump in salary. Councilman Randy Phelan also recommended a regular COLA every 2 years. Councilwoman Monica Mayer noted that any raises should be performance based.

B. Four Bears Casino Report – Scott Wilson, General Manager [See Closed Session]
Item deferred.

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C. Small Loans – Mary Ellen Sun

Motion: Councilman Randy Phelan moved to approve Group A Small Loans Application subject to Loan Policies and requirements. Councilman Frank Grady seconded the motion.

Vote:

Vote: 6 Ayes. 1 – Abstention. Motion carried.
Chairman Mark N. Fox – Aye
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: Two additional applications were added at the time of the meeting. Also discussion of raising the maximum loan amount. The Director will look at the financial projections to determine if it would be feasible.

Motion: Councilman Randy Phelan moved to approve Group B Small Loans Application subject to Loan Policies and requirements. 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

VIII. OFFICER REPORTS

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

Presented an update of Federal program budgets and the effects on the ability to draw down that funding.

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

Presented the monthly report that included ; Fiscal Years 2013-2018 Tax Collections, FY' 18 Oil and Gas Tax Collections and FY' 17 Comparison, FY2017 and FY 2018 Tax Collections, 2013-2018 Motor Vehicle Fuels, Oil and Gas Tax and Drilling Fees Collected, Fiscal Year 2018 Drilling Fees, Fiscal Years 2013 - 2018 Drilling Fees.

Motion: Councilman Randy Phelan moved to approve the 1st reading for the Adoption and Approval of '*Chapter 1: General Provisions. Section 113. Tax Credits*' of the *Three Affiliated Tribes Tax Code*. Councilman Frank Grady seconded to 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Voting

2) **Federal Programs Report** – *Prairie Rose Chapin* *Budget report submitted the CEO.*

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3) Enrollment – *Sevant S. Taft*

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 18-015-FWF entitled “*Approval of 17 Applicant for Enrollment into the Three Affiliated Tribes*” subject to Legal review. Councilman Randy Phelan 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Voting

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Motion: Councilman Cory Spotted Bear moved to approve resolution no. 18-016-FWF entitled “*Amendment to the Enrollment Ordinance of the Three Affiliated Tribes – Fraud and Erroneous Enrollments*” subject to Legal review. Councilman Fred Fox seconded the motion.

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

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

Discussion: 3rd and final reading.

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4) Executive Orders

Motion: Councilman Randy Phelan moved to ratify Executive Action EA 2018-30 “*The Three Affiliated Tribes authorizes and approves \$1,200.00 to cover travel expense for each member of Post 253, Post 271, Post 9061 and Unit 300 to participate in the Iwo Jima Parade in Phoenix, AZ on February 24th, 2018.*” Councilman Cory Spotted Bear seconded the motion.

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

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



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

IX. UNFINISHED BUSINESS

A. Ethan Hall Land Partition⁴

Item deferred.

B. Shane Johnson Land Exchange⁴

Item deferred.

C. Mandaree Incorporation²

Item deferred.

D. National AIHEC Basketball Tournament Support Resolution² – Dr. Twila Baker

Submitted a budget and provided an update as to the contributors and partners supporting the event.

Motion: Councilman Fred Fox moved to approve resolution no. 18-017-FWF entitled “Authorizing Support for the 2018 National AIHEC Basketball Championships.” Councilman Randy Phelan seconded to 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: Amount change to \$50,000.

E. Holistic Health Practitioner Contract Clarification – Karilee Lieberman¹

Item deferred.

F. Earth Lodge Repair Bid¹ – Tourism Dept.

Item deferred.

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



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- G. MHA Nation Motor Vehicle Registration Resolution¹** – *Richard Hall & Stacey Driver*
Asking for an amendment of resolution no. 7-169-VJB to allow MHA DOT taking over tribal vehicle management. Mrs. Driver also sought clarification as to any staff moving from Property to DOT to follow the duties. Councilman Randy Phelan noted that the budget needs to accompany this. The CEO and the Department will follow up and re-present.

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- H. Outstanding Invoices for Shared Roads Agreement Report¹** – *Carson Hood Jr. & Stoney Williams*
To check for unpaid invoices from EnerPlus and concur with Carson Hood and Al Nygard.

- I. Medical Request** – *Wyatt Bruce²*
Item deferred

X. MEDICAL REQUESTS

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- A. Burr Request**
An elder requested assistance with medical bills from Sanford. Jerry Fozzer of Tribal Care will look into the issue.

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.

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- C. Fort Berthold Rural Water (FBRW) Bid Acceptance** – *Pem Hall*

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 18-012-FWF entitled “Award of Construction Contract for the South Segment Water Treatment Plant Project” Councilman Mervin Packineau seconded to 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 Cory Spotted Bear moved to approve resolution no. 18-013-FWF entitled “*Transfer of funds to a single account for the South Segment Water Treatment Plant Project*”. Councilman Randy Phelan seconded to 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 approve resolution no. 18-014-FWF entitled “*Award of Construction Contract for the Master Meter Vault for Twin Buttes and Mandaree*”. 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

D. Pouch Point – Jim Mossett
Addressed by the CEO.

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E. Credit Card for the Animal Control - Antoine Fettig

Motion: Councilman Randy Phelan moved to approve resolution no. 18-017-FWF entitled “*Approval of Corporate Credit Card for the Animal Control Division*” subject to Legal review. 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

F. James Mossett Land Exchange

Item deferred.

G. Land Exchange – CJ Johnsrud II

Item deferred

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

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1) ROW's – Paul Grady & Catherine Everett

Motion: Councilwoman Monica Mayer moved to approve resolution no. 18-019-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the MC MHA 24-10TFH, MC MHA 24-10H, MC MHA 24-10-2H Project Submitted by Whiting Oil & Gas Corporation.*” 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 Randy Phelan moved to approve resolution no. 18-020-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the Halcon Sherman Pad URD Line (17C) Project Submitted by McKenzie Electric Cooperative.*” 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



Motion: Councilman Randy Phelan moved to approve resolution no. 18-021-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Igneous Pad Project Submitted by Enerplus Resources.” 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

Motion: Councilman Randy Phelan moved to approve resolution no. 18-022-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Metamorphic Project Submitted by Enerplus Resources.” 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

Motion: Councilman Randy Phelan moved to approve resolution no. 18-023-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Lions Cross Tie-In Project Submitted by Crestwood.” 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 Randy Phelan moved to approve resolution no. 18-024-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Otter Woman Loop Line Project Submitted by Crestwood.” 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 Randy Phelan moved to approve resolution no. 18-025-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Mega Pad 2 Loop Line Project Submitted by Crestwood.” 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 – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

2) New Oil and Gas Technology Presentation - Kathy Neset
Item deferred.

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3) Lease Transfer Request MMR – Carl Artman

Motion: Councilman Randy Phelan moved to approve resolution no. 18-026-FWF entitled “Authorization for Transfer of Lease No. 7420A42643” subject to Legal review. 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 – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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4) Pipeline Safety Code – Travis Hallam

Carson Hood Jr. provided an update and informed the Council that the Pipeline Safety Code is in its 30-day comment period and that it is being compiled and will be brought forward at the next Tribal Business Council meeting. Meet with Len Helms to discuss the recent increased flaring. NRC has requested a Pipeline Safety Taskforce be developed. Travis



Hallam noted that the operators requested representation on that committee to voice their concerns.

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

A. Justice Commission Report

Item deferred.

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B. Public Safety Mesh Network – *Daniel Eslinger*

Seeking a 1 yr. *Right of Entry* for Badlands Cellular of North Dakota/ Verizon Wireless for the purpose of performing an inspection of the Property, including surveys, a structural strength analysis, subsurface boring tests, an environmental site assessment, and any other activities as Verizon Wireless may deem necessary, at the sole cost of Verizon Wireless. In addition, Verizon Wireless may remove samples of the soil from the Property. The Owner shall not be responsible for the actions of Verizon Wireless's employees or contractors while they are on the property. ND04 Ritz, ND04 Moccasin. Councilman Cory Spotted Bear requested a tower for Twin Buttes and was given contact information.

Motion: Councilman Frank Grady moved to approve permission to survey for the 3 sites. 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 – Aye
Councilwoman Monica Mayer – Aye

Discussion: John Fredericks noted that it may require additional approvals through the BIA due to the subsurface boring tests and may be more than just surveying.

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C. Denver March Pow Wow Sponsorship - *Grace Gillette*

B.J. Brady presented a request for a sponsorship of \$25,000 to defray the pre-production costs of \$31,500 for the 44th Annual Denver March Powwow. Costs due before the event are \$2,500 Event Insurance; \$25,000 Coliseum advance rental; and \$4,000 advertising.

Motion: Councilman Randy Phelan moved to approve a \$25,000 sponsorship subject to all MHA members receiving free admission. 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

- XIII. EXECUTIVE COMMITTEE** – *Chairman Mark N. Fox*
XIV. EDUCATION COMMITTEE – *Councilman Cory Spotted Bear, Chair*
XV. HEALTH & HUMAN SERVICES COMMITTEE - *Councilman Frank Grady, Chair*
A. Elbowoods Memorial Health Center (EMHC) Update – *Dr. Kathy Eagle, CEO*

Presented a written report for February 2018.

1) Contracts

Motion: Councilman Fred Fox moved to approve the Orlan Jackson Employment Contract amendment. Councilman Frank Grady seconded the motion.

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

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

Discussion: Due to unforeseen circumstance Dr. Jackson is unable to fulfill the 3 days/week and is asking for it to be reduced to two days.

Motion: Councilman Fred Fox moved to approve a new contract with Tammy DeCoteau Trauma-Informed Care Practice, PLLC December 14, 2017 through September 30, 2020. Councilwoman Monica Mayer seconded the motion.

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

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

Discussion: Contract from the Robert Wood John Grant for \$15,000/yr for three years.



Motion: Councilman Fred Fox moved to approve resolution no. 18-028-FWF entitled “Authorization for the FY 2018 Tribal Practices for Wellness in Indian Country Grant Application to the Centers for Disease Control and Prevention (CDC)/Agency for Toxic Substances and Disease Registry (ATSDR)”. Councilman Frank Grady seconded the motion.

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

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

Discussion: To work with Kat Productions to develop the campaign.

Motion: Councilman Fred Fox moved to approve the Field Site Affiliation Agreement with Walden University. Councilman Cory Spotted Bear seconded the motion.

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

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

Discussion: Masters Level Social Work intern to do a rotation with EMHC and provide counseling services at no cost to the tribe. Chairman Mark N. Fox was assured that no research was involved.

2) Tribal Health - Red Fox Sanchez

Motion: Councilman Fred Fox moved to approve the Podiatric Contract of Guy K. Slann subject to prorating requested bonus into the contract. Councilman Cory Spotted Bear seconded the motion.

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

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



Councilwoman Monica Mayer – Not Voting

Discussion: Strike the 90 day termination wording in the presented contract and leave the 30-day option. Councilwoman Monica Mayer expressed concerns with providing a consultant a sign-on bonus. Mrs. Sanchez noted that the cost is billable.

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B. Tribal Care Health Insurance – Jerry Fozer

Medicare Enrollment is until March 31. Assisting-in elders who qualify and need assistance in signing up for Part A and B. Shaundel and Patricia will be assisting the elders by going to different Segments. Seeking to utilize MHA Facebook to reach out to MHA members and Boon customers to help educate members and utilize their coverage. Also to potentially add to MHA members the current My Health Pass Plan which is the patient advocacy with a telephone number option at the front or back of the member's card. Coordinating a date for workshop with MHA, Boon and Tribal-Care. Research a plan to assist with burial costs. A Plan setup in which half could be used to help the family and the other half will go back to the tribe, to offset the cost of getting the coverage. Possible change to bi-annual enrollment dates in June and December and a cap on enrollment.

C. Life & Limb – Stacey Red Fox

Motion: Councilman Frank Grady moved to authorize Life & Limb for the listed individuals. 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

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D. Housing – Travis Hallam

Has completed the TAT Home Mortgage process and qualified for \$367,000. The program caps their loans at \$200,000 without Tribal Business Council approval. In order to get his home started he will only need \$165,000 but needs a pre-approval letter for \$250,000 to start construction. Mr. Hallam is also selling his home in Twin Buttes to increase his capital.

Motion: Councilman Fred Fox moved to approve a \$250,000 pre-approved loan and TAT Home Mortgage to issue a letter to Mr. Hallam stating so. 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 – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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E. Ty Thompson Contract - Al Nygard

Motion: Councilwoman Monica Mayer moved to approve the Ty Thompson Consultant Contract to coordinate access to services of the MHA Nation addiction services system, subject to minor edits as to oversight from Board to Tribe and report to Health/HHR quarterly. Councilman Frank Grady seconded the motion.

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

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

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F. Travel Reimbursement Request – Marilyn Young Bird

Seeking reimbursement of costs for airline tickets, hotel reservations, food, and taxi's, to travel to the Orchard Treatment Center in Palm Springs, Florida for Connie Azure and Marilyn Youngbird. Travel costs all paid for under Marilyn Youngbirds' personal credit card in the amount of \$1,987.40.

Motion: Councilman Frank Grady moved to approve the Marilyn Young Bird travel reimbursement for \$1,987.40. Councilman Fred Fox seconded the motion.

Vote: 4 Ayes. 1 – Abstention. 2 – Not Voting. Motion carried.

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

Discussion: To report to committee on progress.



G. Fitness & Recreation Request – Kevin Finley
Item deferred.

XVI. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer, Chair
No Items

XVII. LEGAL DEPARTMENT – Caleb Dog Eagle, Esq., MHA Supervising Attorney
No Items

XVIII. NEW BUSINESS – Tribal Councilman Add Ons

A. Chairman Mark Fox- United Tribes Gaming Association (UTGA) Dues

Motion: Councilman Randy Phelan moved to approve resolution no 18-029-FWF entitled “Approval of the United Tribes Gaming Association Membership and Payment of Annual Dues.” 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

B. Chairman Mark Fox – Polar Plunge Contribution
American Indian Cancer Association fundraiser

Motion: Councilman Frank Grady moved to approve \$5000 from the Chairman budget and challenge each segment to participant in the plunge or contribute \$5000 to the cause. 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



C. Councilman Randy Phelan – Land Issue [Closed Session]

D. Councilman Randy Phelan – Reserved

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E. Councilman Fred W. Fox – BIA 18 Road Project

Seeking to secure the Federal funds in the amount of \$3.5 million for the road project. Legal will develop the resolution to authorize the BIA to design.

Motion: Councilman Fred Fox moved to approve resolution no 18-030-FWF with title to be determined and to develop a design and authorize the funding of \$3.5 million subject to Legal working on resolution to authorize BIA 18 old Garrison Trail Overlay for design work for the project subject to Legal review. 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

F. Councilman Fred W. Fox – Reserved

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G. Councilman Mervin Packineau – Kiara Packineau

Seeking an educational loan to attend Paul Mitchell the School Phoenix – Cosmetology

Motion: Councilman Fred Fox moved to approve an Educational Loan for Kiara Packineau with any available tribal resources (such as 477, Education Grants, etc.) be applied to pay down on the loan. Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 – Abstent. Motion carried.
Chairman Mark N. Fox – Aye
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

H. Councilman Mervin Packineau – Reserved

I. Councilman Frank Grady – Lone Bear (Closed Session)



J. Councilman Frank Grady – Reserved

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K. Councilman Cory Spotted Bear – Special Project Update - Dennis Fox and Marita Abe

Motion: Councilman Cory Spotted Bear moved to approve 18-031-FWF entitled “Approval of Contract to Engage Jiran Architects & Planners, P.C. to Design the Twin Buttes Community Center”. Councilman Frank Grady seconded the motion.

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

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

L. Councilman Cory Spotted Bear – Reserved

M. Councilwoman Monica Mayer – Reserved

N. Councilwoman Monica Mayer – Reserved

XIX. CLOSED SESSION

- A. Human Resources HR – Barlow Wells & Cheryl Abe**
- B. TAT Law Enforcement Report– Nelson Heart, Chief of Police**
 - 1. Report - Grace Her Many Horses, Captain**
- C. Tribal Court Report – Marvel Heart & Elizabeth Yellow Bird**
- D. Four Bears Casino Report – Scott Wilson, General Manager**
- E. Frank Whitecalfe**
- F. Alfred Smith**
- G. Tribal Health – Red Fox Sanchez**
- H. Land Issue (Koty Brugh Home Site)**
- I. Lone Bear Family Contribution – Councilman Frank Grady**

XX. ADJOURNMENT

Motion: Councilman Randy Phelan moved to adjourn the meeting. Councilman Fred Fox seconded the motion. Meeting adjourned at 6:22PM Vote: 6-0




CERTIFICATION

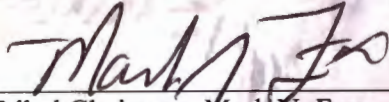
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 7 were present at the Regular Meeting thereof duly called, notice, convened and held on the 12th of April, 2018; 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 12th day of April, 2018.

ATTEST:


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


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