



CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 12:27PM.

OPENING PRAYER

Prayer by Tom Demaray.

ROLL CALL

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

I. APPROVAL OF AGENDA

Motion: Councilwoman Monica Mayer moved to approve the agenda. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
Councilman Fred W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Not Present
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
- February 7th, 2018 Regular Meeting Minutes

Motion: Councilwoman Monica Mayer moved to approve the January 10th, January 11th, & February 7, 2018 Tribal Business Council minutes with corrections. Councilman Mervin Packineau seconded the motion.

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

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



FTR: Councilwoman Monica Mayer to serve as acting Vice Chairman for the meeting.

III. SPECIAL GUESTS & ELDERS

A. Fred Poitra

House moved off his lot and trespass issue or compensation. Has not heard from the Tribe in over a year. Al Nygard provided a report. Offer and counter offer was made, house moved from the area. Poitra explained that he did not receive the counter offer. To return as Old Business for the next Tribal Business Council agenda.

B. Holly Taft Recognition

Item deferred.

EXECUTIVE COMMITTEE REPORTS

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

A. Report

Provided an updates on recent activities such as the; Federal Partners Meeting, Strengthening the Government to Government meeting the Governor, Goldman-Sachs investment meeting to increase the power of our investments, Elbowoods Basketball Documentary, Hotel investment opportunity at Disney World, Architect meetings for the new Tribal Capital, Veterans' Outreach meeting, Iwi Jima event participation, American Petroleum Institute (Royalty Policy Committee) meeting and Duel Taxation Administrative remedy, State-Tribe-BLM meetings on flaring issues, REZ Conference, New Town Junior High School Recognition, EPA, Drug treatment meetings, treatment & after care services,

V. VICE CHAIRMAN'S REPORT- Councilman Randy Phelan

A. Report

FTR: Councilwoman Monica Mayer & Councilman Cory Spotted Bear provided Segment Reports

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

A. Report

Item deferred

VII. TREASURER'S REPORT - Councilman Mervin Packineau

On target to complete the audit.

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A. CFO Report – Whitney Bell

Submitted Expense Report and noted the Tribe is at 45% through fiscal year and at a 37% expenditure rate. Meeting are ongoing with programs for budget adjustments and mid-year program review. Chairman Mark N. Fox recommended April 3rd for the Mid-Year Budget



meeting. Total revenue received to date is around 50%. New paperless financial system go-live date is at April 1st.

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

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C. Small Loans – Mary Ellen Sun, Val Mayer Credit Manager, Whitney Bell, CFO

Motion: Councilman Cory Spotted Bear moved to approve Group A: (7) small loans applications subject to Small Loans policy & requirements. Councilman Fred W. Fox seconded the motion.

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

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

Motion: Councilman Mervin Packineau moved to approve Group B: (1-6) small loans applications subject to Small Loans policy & requirements & collateral requirements. Councilman Fred W. Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to approve Group C (1-10): small loans applications subject to Small Loans policy & requirements additional collateral or Directors discretion. Councilman Fred W. Fox seconded the motion.

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

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



Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Mervin Packineau moved to approve Group D (1): small loans applications subject to Small Loans policy & requirements with additional collateral and cleaning up outstanding loans. Councilman Fred W. Fox seconded the motion.

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

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

Motion: Councilman Fred W. Fox moved to approve Group E (1-Educational): small loans applications subject to Small Loans policy & requirements. Councilman Cory Spotted Bear seconded the motion.

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

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

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D. Business Loans – Toni Starr

Motion: Councilwoman Monica Mayer moved to approve business loan application #1 for \$100,000 subject to Loans policy & requirements. Councilman Mervin Packineau seconded the motion

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

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



Discussion: Applicant #2 application status up to the Director.

VIII. OFFICER REPORTS

A. Chief Executive Officer Report – Al Nygard

1) Federal Programs Report

CEO provided a Federal Programs Budget report & list of unfunded projects.

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2) Executive Orders

Motion: Councilman Mervin Packineau moved to ratify EA 2018-02;

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby recognizes the contributions made by Malcom Wolf to Indian Country, the MHA Nation, and beyond; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby recognizes and proclaims February 18 as Malcom Wolf Day from this day forth.

Councilman Fred W. Fox seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred W. Fox – Aye

Councilman Mervin Packineau – Aye

Councilman Frank Grady – Not Present

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

Motion: Councilman Mervin Packineau moved to ratify EA 2018-03; Authorizes extension of current forensic audit and Chairman to sign.

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves Chairman Mark N. Fox authority to sign a modified contract with WIPFLI CPAs and Consultants to avoid disruption of services provided to the Three Affiliated Tribes.

Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred W. Fox – Aye

Councilman Mervin Packineau – Aye

Councilman Frank Grady – Not Present



Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to ratify EA 2018-04;

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves a RES Las Vegas 2018 Bronze Sponsorship in the amount of \$8,000.00 to the National Center for American Indian Enterprise.

Councilman Mervin Packineau seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to ratify EA 2018-05;

NOW THEREFORE BE IT RESOLVED, to commit tribal funds in an amount not to exceed \$22,000.00 to support continued investigation of crimes in cooperation with State and Federal law enforcement agencies.

Councilwoman Monica Mayer seconded the motion.

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

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

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- 3) **Tax Department Report** – *Cynthia Monteau, Tax Commission Director*
Submitted a written report that included; FY'18 Monthly Revenue Collections By Tax Type, Pie Chart- FY'18 Monthly Revenue Collections To Date (12/17 thru 3/18), 5-Year (FY'14- FY'18) Monthly Revenue Collections Comparison, Line Graph - FY'14 thru FY'18 Monthly Revenue Collections Comparison, 5-Year (FY'14- FY'18) Annual Revenue Collections By Tax Type, and Graph - 5-Year (FY'14-FY'18) Annual Revenue Collections BY Tax Type.



Motion: Councilman Fred W. Fox moved to approve the 2nd Reading of the Tax Credit Code. Councilwoman Monica Mayer seconded the motion.

Vote: 5 Ayes. 2 – Not Present. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
Councilman Fred W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Not Present
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to approve the Witfli Contract amendment. Councilman Fred W. Fox seconded the motion.

Vote: 5 Ayes. 2 – Not Present. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
Councilman Fred W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Not Present
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Cory Spotted Bear moved to authorize the Chairman to sign off on an additional up to 180 days extension of the Alcohol Tax suspension. Councilman Mervin Packineau seconded the motion.

Vote: 5 Ayes. 2 – Not Present. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
Councilman Fred W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Not Present
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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4) Enrollment – *Sevant S. Taft*

Motion: Councilman Fred W. Fox moved to approve resolution no. 18-032-FWF entitled “Approval of 54 Applicants for Enrollment into the Three Affiliated Tribes”. Councilwoman Monica Mayer seconded the motion.

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



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

Discussion: 15,944 total members.

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5) Lease Rental Overpayment – John Fredericks, Attorney

Bureau of Indian Affairs is proposing to restrict Individual Indian Monies (IIM) Account number 301T301052 because an overpayment of \$942.20 was issued to the Three Affiliated Tribes and to which the Three Affiliated Tribes was not entitled. Oil & Gas Lease 301- 7420A4907 4 allotment 301-MT1847 (89.95 acres), was originally leased to Marathon, effective February 8, 2008 and expires on February 7, 2013 . This lease contained the following described lands; Section 11 , T152N, R93W (Lot 5, 14.26 acres, Lot 9, 31.36 acres), Section 14, T152N, R93W (Lot 2, 26.11 acres), Section 27, T152N, R93W (Lot 2, 18.22 acres). Rental over payment on a portion of this lease was due to segregation of t he lease upon approval of Communitization Agreement NDM-101124 (CA). which included only Lot 2 of Section 27, T152N, R93W. The portions segregated out of the base lease are described as Lots 5 and 9 of Section 11, TIS2N, R93W (45.62 acres) and Lot 2 of Section 14, TIS2N. R93W (26.11 acres). The remaining base lease (7420A49074) acreage in Lot 2 of Section 27, T152N. R93W is 18.22 acres and is held by production. Production was not established in Sections 11 and 14 and these portions of the segregated lease expired on February 7, 2013. The lessee continued to incorrectly pay for the entire tract acreage, 89.95 acres which created this over payment. The 71.73 acres in sections 11 and 14 are unleased and no rental payments are due. The DOJ recommends just paying due to allow them to proceed with a lease compliance issue with Marathon. Recommends paying the uncontested amount.

Motion: Councilman Fred W. Fox moved to pay the \$942. Councilman Mervin Packineau seconded the motion.

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

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

Discussion: John Fredericks will provide the BIA letter to the Records Office.



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6) Thunder Butte Refinery – Bernie Fox

April 1st deal for the 3.5 mole pipeline. \$705K increase for the pipeline field survey to explore the feasibility of a 3.5 mile pipeline connecting to the Enbridge line and due diligence. Chairman Mark N. Fox want credit for this work down the line for future negotiated contracts.

FTR: Councilman Frank Grady joined the meeting at 2:29PM

Motion: Councilman Fred W. Fox moved to approve resolution no. 18-33-FWF entitled “Appropriation of Funds for Initial Funding of Thunder Butte Petroleum Services, Inc. Makoti Pipeline Project”. Councilman Mervin Packineau seconded the motion.

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

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

Discussion: Purpose of the pipeline is to enable the Tribe to get oil stored at the facility to the market.

Motion: Councilman Fred W. Fox moved to approve resolution no. 18-034-FWF entitled “Approval of Loan for Thunder Butte Petroleum Services, Inc. for Operating Costs”. Councilman Mervin Packineau seconded the motion.

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

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

Discussion: Councilwoman Monica Mayer expressed concern with Thunder Butte being able to repay the \$1.5 million dollar loan. Bernie Fox expressed his confidence in Thunder Buttes ability to repay the loan and it’s eventual self sufficiency. John Frederick noted that the EPA believed that the refinery could receive a minor source permit of 50 thousand barrels if designed correctly.



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7) Parshall Close-Up

A financial request for 13 enrolled members which include 9 students and 3 chaperones to attend Close-Up in Washington D.C. May 27- June 2, 2018. The group requested \$ 25,000.00. The group has raised \$7,000 through several fundraisers.

Motion: Councilman Fred W. Fox moved to approve a sponsorship of \$19,500 (\$1500 per student) for the students Parshall to attend the Close-up event. Councilman Mervin Packineau seconded the motion.

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

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

IX. UNFINISHED BUSINESS

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A. Ethan Hall Land Partition⁵ – Harley Texx Lone Bear

Motion: Councilman Mervin Packineau moved to approve resolution no.18-035-FWF entitled “Approval of Partition between Allotment Number 301-1094A” 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 W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Short discussion on the Range Units. Mr. Lone Bear will review and return.

B. Shane Johnson Land Exchange⁵

Item deferred.

C. Mandaree Incorporation³

Item deferred



D. Holistic Health Practitioner Contract Clarification – Karilee Lieberman²

Item deferred and the CEO and staff to contact and clarify the issue.

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E. Earth Lodge Repair Bid² – Darin Morsette, Tourism Director & T.J. Plenty Chief

The program is requesting assistance to repair an earth lodge damaged by fire. Chairman Mark N. Fox recommended approving subject to the next budget meeting.

Motion: CSP moved to approve allocation subject to budget meeting. Councilman Frank Grady seconded the motion. Councilman Frank Grady seconded the motion.

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

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

Discussion: Will work with the CEO to determine insurance coverage by the next meeting. Also Chairman Mark N. Fox discussed a sacred eternal flame type monument. Chairman Mark N. Fox asked that design upgrades be considered. T.J. Plenty Chief discussed possible design concepts and locations.

F. Medical Request – Wyatt Bruce³

Item deferred.

G. James Mossett Land Exchange¹

Item deferred

H. Land Exchange – CJ Johnsrud II¹

Item differed.

I. New Oil and Gas Technology Presentation - Kathy Neset

Item deferred.

J. Fitness & Recreation USA Wrestling Request – Kevin Finley²

Item deferred to the April TBC.

K. Grant Request Clarification - Neil Hale

Hardship grants from each segment and the Chairman's Office. Councilman Fred W. Fox will follow-up.

L. TSRC/XTIRI - Harriet Goodiron (See Closed Session)



X. MEDICAL REQUESTS

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

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

A. Justice Commission Report

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1) Judicial Code of Conduct – Caleb Dogeagle

The Justice Commission has recommended approval.

Motion: Councilman Fred W. Fox moved to approve the 1st Reading of the Judicial Code of Conduct. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred W. Fox – Aye

Councilman Mervin Packineau – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

B. Deb Thompson/Nursing Home Initiative Contract

Item deferred.

C. Cody Steel/Dive Team Contract & Budget - Cliff Whitman, Homeland Security

Item deferred.

FTR: Chairman Mark N. Fox stepped out of the meeting at 3:20pm and Councilwoman Monica Mayer assumed the Chair as acting Chairman.

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D. Public Safety Mesh Network – Danial Eslinger

Presented a proposal to provide a ubiquitous wireless mesh network for video, voice and data applications for improved public safety such licenses plate recognition, video monitoring of reservation egresses, and vest cams all run through a central control center. Chairman Mark N. Fox noted that the Justice Center has already been established a control center with a similar project and welcomes the competition.

FTR: Chairman Mark N. Fox resumed the Chair of the meeting.

Estimated cost to cover the egress point and the network development would cost about 8 million.



XII. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

XIII. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

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A. New Town High School Senior Class Trip Request

The New Town Senior class of 2018 is raising funds for an educational trip to Washington D.C. and New York City after graduation. As of today, 29 students and chaperones will be attending the trip and raised \$38 159.56 from 35 different fundraisers and events. The students continue to raise funding and but are short of their goal by \$24,993.44.

Motion: Councilwoman Monica Mayer moved to approve a sponsorship. Councilman Mervin Packineau seconded the motion.

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

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

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B. Oral Preservation of History and Language Budget Request - Nora Packineau

Presented a project budget of \$71, 287.21 to document, preserve, and create a digital repository of the oral History and traditional knowledge of MHA tribal teachings, language, and culture, as told through the stories and personal narratives of our tribal elders. CEO will appoint an employee from the Education Dept. as a liaison between Ms. Packineau and the tribe to insure progress and a final product at the end of the contract.

Motion: Councilman Cory Spotted Bear moved to approve the 1-year consultant contract. Councilwoman Monica Mayer seconded the motion.

Vote: 6 Ayes. 1 – Present. Motion carried.

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



Discussion: Councilwoman Monica Mayer noted there needs to be monthly reporting to the Education meeting.

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C. Minot State University Cultural Club Pow Wow & Education Program Request – Helamen Hale & Annette Mennem

The Turtle Mountain Tribe will match whatever the Three Affiliated Tribes donates to the event. The event takes place April 2th & 28th.

Motion: Councilman Fred W. Fox moved to approve a sponsorship of \$10,000 from 380. Councilwoman Monica Mayer seconded the motion.

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

Discussion: CEO will return with a resolution.

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D. Education Assistance for Graduate Studies – Anita Gegleman & Breyleigh Gegelman
Seeking financial assistance for Doctorate studies Northwestern Health and Sciences University College of Chiropractic in Bloomington MN.

Motion: Councilman Mervin Packineau moved to approve a \$9,500 grant for (3 semesters and an optional \$9,500 student loan). Councilman Frank Grady seconded the motion.

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

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E. Rodeo School Sponsorship – Blaine Foote

2-day school free tuition to enrolled MHA tribal members. Has raised half of the \$6,700 total budget.



Motion: Councilman Fred W. Fox moved to approve a sponsorship of \$3,350 for rough stock. Councilman Frank Grady seconded the motion.

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

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

Motion: Councilman Fred W. Fox moved to approve \$3,500 sponsorship for NDRA rodeo event at the Healing Horse Ranch. 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 W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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F. Tuition Assistance – Autumn Cardinal

Crystal Hallam presented a request for Miss Cardinal (High School Sophomore) for financial assistance to attend the Intensive Law & Trial summer program (10-days in Washington , D.C..)

Motion: Councilman Cory Spotted Bear moved to approve \$3,750 (75%) Councilman Mervin Packineau seconded the motion.

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

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

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

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A. Elbowoods Memorial Health Center (EMHC) Update – Dr. Kathy Eagle, CEO.



Dr. Eagle submitted a monthly written report that included such items; EMHC/EPAC Dental Optometry Building design is near completion, HR, Budget, AR, Insurance payments and third party billing, Estimated total revenue was \$159,922.61, referrals, Public Health Nursing, Managed Care, Service Quality Services, Performance Improvement, CMO Report, Behavioral Health, and Justice Center collaboration report.

Motion: Councilman Fred W. Fox moved to approve the “*Employment Contract - Medical Staff - Chief Medical Officer- Psychiatric Practice Physician*”. Councilman Frank Grady seconded the motion.

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

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

Motion: Councilman Fred W. Fox moved to approve the “*Employment Contract - Medical Staff - Family Practice Physician - Dr. Zane Rising Sun*”. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
Councilman Fred W. 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 18-063-FWF entitled “*Authorization to apply to the Enhancement and Expansion of Treatment and Recovery Services for Adolescents, Transitional Age Youth, and their Families-Department of Health and Human Services-Substance Abuse and Mental Health Services Administration Funding Opportunity*” subject to Legal review. Councilman Frank Grady seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
Councilman Fred W. 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 a 2 year “*Clinical Affiliation Agreement for Residency Education Between Elbowoods Memorial Health Center and Cincinnati Children’s Hospital Medical Center*”. 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 W. Fox – Aye

Councilman Mervin Packineau – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

B. Tribal Care Health Insurance – Jerry Fozer
Item deferred.

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C. Life & Limb – Stacey Red Fox

Motion: Councilwoman Monica Mayer moved to approve an additional \$3,500 for the participants presented. Councilman Fred W. Fox seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred W. Fox – Aye

Councilman Mervin Packineau – Aye

Councilman Frank Grady – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

XV. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer, Chair

XVI. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair

A. Homesite(s) - Valeri Hosie
Item deferred.

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B. Farm/Pasture Leases - Diana Americanhorse

Motion: Councilman Mervin Packineau moved to approve resolution no. 18-036-FWF entitled “*Henry Almit Breuer Agricultural Leases on Tribal land*”. Councilman Fred W. Fox seconded the motion.



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

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

Motion: Councilman Fred W. Fox moved to approve resolution no. 18-037-FWF entitled “*Richard White Bear Agricultural Leases on Tribal Land*”. 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 W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Mervin Packineau moved to approve resolution no. 18-038-FWF entitled “*Jonathan Zacher Agricultural Leases on Tribal Land*”. Councilman Frank Grady seconded the motion.

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

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

Motion: Councilman Mervin Packineau moved to approve resolution no. 18-039-FWF entitled “*Richard Risan Agricultural Leases on Tribal Land*”. Councilman Frank Grady seconded the motion.

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

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



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

Motion: Councilman Fred W. Fox moved to approve resolution no. 18-040-FWF entitled “*Corey Sanders Agricultural Leases on Tribal Land*”. Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Mervin Packineau moved to approve resolution no. 18-041-FWF entitled “*Marty Young Bear Agricultural Leases on Tribal Land*”. Councilman Frank Grady seconded the motion.

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

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

C. Richard White Bear Land Exchange – Harley Texx Lone Bear

Correction on the Allotment no. on page 3 tribal allotment.

Motion: Councilman Mervin Packineau moved to amend resolution no. 17-120-FWF entitled “*Approval of the Land Exchange between the Three Affiliated Tribes and Lou Ann Phelan*”. 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 W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye



Motion: Councilwoman Monica Mayer moved to approve resolution no. 18-042-FWF entitled “Approval of the Land Exchange between the Three Affiliated Tribes and Austin Gillette” subject to Legal review Councilman Fred W. Fox seconded the motion.

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

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

Discussion: 6.25 acres and value for value. Where his grandmothers house used to be for land in the taken area.

Motion: Councilman Fred W. Fox moved to approve resolution no. 18-043-FWF entitled “Approval of the Land Exchange between the Three Affiliated Tribes and Richard White Bear” subject to Legal Review. Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 18-044-FWF entitled “Consent to Certain Right(s) of Way across Tribal land” (McKenzie Electric Easement) subject to Legal review. Councilman Mervin Packineau seconded the motion.

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

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

Discussion: Realignmnet for Highway 8 south of Twin Buttes.



D. Gavin Clarkson Endorsement (NM)

Chairman Mark N. Fox recommended developing a flat amount with the upcoming election year and noted that Paulette Jourdan is also running for Governor of Idaho.

Item deferred.

E. Easements - Shaylane Miller

Item deferred.

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F. Non-Disclosure to Create a Board for Tobacco Farm – Dominick Sillitti & John Mahoney

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 18-045-FWF entitled “Approval of Mutual Confidentiality Agreement between Allegany Capital Enterprises, LLC and Mandan, Hidatsa & Arikara Nation.” Councilman Mervin Packineau seconded the motion.

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

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

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G. Charging Eagle Bay Road

Chairman Mark N. Fox discussed clarifying or perfecting the recreational easement lease with the Corps before they take steps to nullify the Tribes lease. The BIA was to Councilman Cory Fredericks noted that Judy Fredericks has a lifetime lease on the access. The CEO will look into the issue.

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. 18-046-FWF entitled “Approval of Setback Variance Requested by Spotted Hawk Development, LLC for the Black Horse Well Pad. Councilman Mervin Packineau seconded the motion.

Vote: 3 Ayes. 1 – Opposition. 1 – Abstention. 1 – Not Voting. 1 – Not Present.
Motion carried.



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
MARCH 15th, 2018 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

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

Motion: Councilwoman Monica Mayer moved to approve the resolution entitled “*Approval of Setback Cariance Requested by Spotted Hawk Development, LLC for the Mufasa Well Pad and Multi Use Corridor Project*” Councilman Fred W. Fox seconded the motion.

No Vote:

Discussion: Carson Hood Jr. noted that concurrences were attained from Councilman Mervin Packineau. Chiarman Mark N. Fox noted that the BIA indicated to the Tribal Business Council in Denver that review was needed relative to an agreement. Carson Hood Jr. recommended deferring until the conditions for approval are clarified.

Motion: Councilman Fred W. Fox moved to defer all A1-A8 SHD ROW. 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 W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to approve resolution no. 18-047-FWF entitled “*Clarification of Trespass Fine Issues to and Paid by Marathon Oil Company for Overbuilding the Jones Road, as set forth in Resolution No. 17-287-FWF*” subject to Legal review. Councilman Fred W. Fox seconded the motion.

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

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



Motion: Councilman Fred W. Fox moved to approve resolution no. 18-048-FWF entitled “*Consent and Approval to Modify BIA ROW No. FBOG101117 to Add Two Wells on the Two Shields Butte 13-21 Well Pad, Submitted by RimRock Oil and Gas Williston, LLC*”. 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 W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to approve resolution no. 18-049-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the African Animals Central Project Submitted by Enerplus Resources*”. Councilman Fred W. Fox seconded the motion.

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

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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 18-050-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal Land for the Fish South Project Submitted by Enerplus Resources*”. Councilman Fred W. Fox seconded the motion.

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

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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 18-051-FWF entitled “*Approval of Setback Variance Requested by ONEOK Rockies Midstream, LLC to connect the Kattevold USA CTB Well Site to Existing Pipeline Infrastructure*”. Councilman Fred W. Fox seconded the motion.



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

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

Motion: Councilman Fred W. Fox moved to approve resolution no. 18-052-FWF *Consent to Approval of a Right-of-Way across Tribal land for the Delores Sand 29-32H Pad Expansion Project Submitted by WPX Energy Williston, LLC.* 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 W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to approve resolution no. 18-053-FWF entitled “*Approval of Setback Variance Requested by ONEOK Rockies Midstream, LLC to connect the Kattevold USA CTB Well Site to Existing Pipeline Infrastructure*” subject to Legal review Councilman Fred W. Fox seconded the motion.

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

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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 18-064-FWF entitled “*Consent to Approval of a Right-Of-Way across Tribal land for a Temporary Freshwater Pipeline for the Joseph Eagle 19-18H Pad Submitted by WPX Energy Williston, LLC.*” Councilman Fred W. Fox seconded the motion.

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

Chairman Mark N. Fox – Aye



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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 18-054-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the Nancy Dancing Bulll-36H Pad Project Submitted by WPX Energy Williston, LLC.*” Councilman Fred W. Fox seconded the motion.

Vote: 6 Ayes. 1 – Not Present. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
Councilman Fred W. 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. 18-055-FWF entitled “*Consent to Approval of a Right-of Way across Tribal land for the Bierstadt Access Road Project Submitted by Targa Badlands LLC*” 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 W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to approve resolution no. 18-056-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the Moccasin Creek 14-11 Project Submitted by Targa Badlands LLC*” subject to Legal review. Councilman Fred W. Fox seconded the motion.

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



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

Motion: Councilman Fred W. Fox moved to approve resolution no. 18-057-FWF entitled “Approval and Consent to Modify BIA ROW No. FBOG101151 to Expand the Surface Site for the New Tribes/Cranes Project Submitted by Targa Badlands LLC” 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 W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Fred W. Fox moved to approve resolution no. 18-058-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Birdsbill Connector Project Submitted by Crestwood” 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 W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Fred W. Fox moved to approve resolution no. 18-059-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Mandaree Loop Line Project by Crestwood” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

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

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



Motion: Councilwoman Monica Mayer moved to approve resolution no. 18-060-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the AOC Monitoring Wells Project Submitted by Crestwood*” subject to Legal review. Councilman Frank Grady seconded the motion.

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

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

FTR: Attorney for SHD noted that SHD is ready to pay the fines but was under the understanding the fines have to be first approved by the Tribal Business Council. A 3-2 poll vote of the Council to defer the SHD ROW. The TBC decided to wait for BIA clarification of their concerns discussed at the last Federal Partners meeting in Denver. Caleb Dogeagle recommended passing the two resolutions concerning the fines.

Motion: Councilman Fred W. Fox moved to approve resolution no. 18-061-FWF entitled “*Approval of Assessment of Civil Fine on SHD Oil and Gas, LLC for Non-Use of Right-of-Way No. FBOG100920 for the Mattie Grace Pad*” 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 W. 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. 18-062-FWF entitled “*Approval of Assessment of Civil Fine on SHD Oil and Gas, LLC for Non-Use of Right-of-Way No. FBOG101012 for the Old 7 Inch Tank Battery*” subject to Legal review. Councilman Fred W. Fox seconded the motion.

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

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



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

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2) Mid-stream and flow line Fees Update

Annual fees \$10,000 flat rate and \$10,000 flat rate for any flow lines. Noted that the Pipeline Code still needs to be approved. Legal was not positive if the cost of the fees would be passed on to the Allottees. Chairman Mark N. Fox noted that there will be a Possessory Tax that will coming into play.

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3) Whitting/RimRock Assignment - Jennifer Bland

Presented a request for Consent of Assignment to RimRock Oil and Gas Williston Resources, Inc. of Partial IMDA Contract No. 7420A49001 (partially segregated and re-designated as Lease Contract No. 7420A49001 on Allotments MT3053, MT3053-A, MT2147; Lease Contract No. 7420A42403 on Allotment MT1970; Lease Contract No. 7420A42404 on Allotment T2249; and Lease Contract No. 7420A42405 on Allotment MT1773). Also Whiting Petroleum Corporation’s Request for Consent of Assignment to RimRock Oil & Gas Williston Resources, Inc. of Partial IMDA Contract No. 7420A48596, (partially segregated and designated as Lease Contract No. 7420A42585 for Allotment MT2232).” Request to forward to Tribal Business Council will be ready then. Chairman Mark N. Fox expressed some concerns with the BIA and clarifying the process. Councilman Cory Spotted Bear noted that the operator does work in his segment and has not been to see him. The Chairman polled the Council members and they all agreed to defer for clarification.

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

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A. Rob Porter Contract

Mr. Porter has left his law firm and is now an independent consultant.

Motion: Councilman Fred W. Fox moved to approve the Rob Porter Contract and to pay to the individual with authorization to the Chairman to send a letter to his former firm (Denton) requesting the transfer of MHA’s files to Mr. Porter. Councilman Mervin Packineau seconded the motion.

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

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



XVIII. NEW BUSINESS – Tribal Councilman Add Ons

- A. Chairman Mark Fox- *Reserved***
- B. Chairman Mark Fox – *Reserved***

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C. Councilman Randy Phelan – Johnson Roping Event

Have received commitments from some of the top ropers in the world. Mr. Johnson has committed \$50, 000 of his own money. Also slots reserved for local ropers. Seeking \$60,000 sponsorship from the Tribe.

Motion: Councilman Cory Spotted Bear moved to approve the Shane Johnson Roping Event Sponsorship Request for \$25,000 and match an additional amount from the 4Bears casino. 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 W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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D. Councilman Randy Phelan – Kingdom Business – Pastor & Leadership Request – L. Ken Hall

April 9th/10th Prayer & Leadership Conference at the Arrow Creek Christian Center.

Motion: Councilman Cory Spotted Bear moved to approve that each segment is approved to sponsor, and not to exceed \$15,000 per Segment/Chairman’s Office. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
Councilman Fred W. 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. Councilman Fred W. Fox – Terrilynn Charging Educational Trip
Amy Charging**



Motion: Councilman Fred W. Fox moved to approve adding Bayliegh Monson (same as Amy Charging) under the standard Grant policy. Councilwoman Monica Mayer seconded the motion.

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

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

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F. Councilman Fred W. Fox – Four Bears Pool Classic

Motion: Councilman Fred W. Fox moved to approve Four Bears Pool Classic for a \$5,000 sponsorship. Councilman Frank Grady seconded the motion

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

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

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G. Councilman Mervin Packineau – Hammerin – Tex Hall

Primary BC/BS and Boone as secondary. Boone didn't accept the bills from Mayo. Submitted bills from care at Mayo Clinic. Asking for assistance to pay the bill and that Boone work with Mayo in the future. Boone representative (Monica) noted that the issue is running through probate at this time and that Tribal Care's Legal dept. is working with Mayo at this time.

Motion: Councilwoman Monica Mayer that, if not resolved in 30 days by Boone/Tribal –Care, they will coordinate to get necessary documentation to make the claim based on the probate process, that Tribal-Care will pay the claim and EMHC will assist by seeing what they can pay. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Present
Councilman Fred W. 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 Tribal-Care to enroll Shelly Harvey and review balances for payment. 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 W. Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: EMHC will look into reducing the bill if they are given access to their records for this item and the previous.

H. Councilman Mervin Packineau – Larry Trujillo
Item deferred.

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I. Councilman Frank Grady – BIA 2

Councilman Frank Grady expressed his concern over the condition of BIA 2 and the problems it is causing for school buses and tribal members. Requesting Four Bears Segment Office to be Project Manager of the project. John Fredericks noted that the 638 Contract is with the Tribe and a specific contact person and it would require working with the BIA because it is their road.

Motion: Councilman Frank Grady moved to request the BIA Roads Department prioritize and expedite BIA 2 and utilize Darin Old Coyote as contact person. Councilman Fred W. Fox seconded the motion.

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

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

J. Councilman Frank Grady – Reserved
K. Councilman Cory Spotted Bear – Reserved
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. Justice Center – *Al Nygard, CEO*
- E. Four Bears Casino Report – *Scott Wilson, General Manager*
- F. Frank Whitecalfe¹
- G. East Station Road Scale – *Catherine Everett, Carolyn Spotted Horse*
- H. Trespass/Expired ROW Citation and Resolution
- I. Steve Kelly
- J. TSRC/XTIRI - *Harriet Goodiron*

XX. ADJOURNMENT

Motion: Councilwoman Monica Mayer moved to adjourn the meeting. Councilman Frank Grady seconded the meeting. Meeting adjourned the meeting at 7:08PM. Vote: 5-0



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 10th of May, 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.

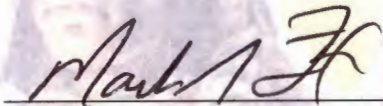
Chairman Voting Not Voting

Dated this 10th day of May, 2018.

ATTEST:



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



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