



## **CALL TO ORDER**

Chairman Mark N. Fox called the meeting to order at 2:01PM (6/11/2018).

- 6/12/2018 11:23AM reconvened

## **OPENING PRAYER**

Prayer by Arlene Charging.

## **ROLL CALL**

- [6/11/2018] *Present:* Councilwoman Monica Mayer, Councilman Cory Spotted Bear, Councilman Mervin Packineau, Chairman Mark N. Fox, Councilman Frank Grady(Absent), Councilman Randy Phelan, Councilman Fred Fox. *Quorum established.*
- [6/12/2018] *Present:* Councilwoman Monica Mayer, Councilman Cory Spotted Bear(Absent), Councilman Mervin Packineau(Absent)m Councilman Frank Grady(Absent)

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## **I. APPROVAL OF AGENDA**

***Motion:*** Councilman Randy Phelan moved to approve the agenda. Councilman Fred Fox seconded the motion.

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

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

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## **II. APPROVAL OF MINUTES**

- April 12<sup>th</sup>, 2018 Regular Meeting Minutes
- April 13<sup>th</sup>, 2018 Special Meeting Minutes
- April 30<sup>th</sup>, 2018 Special Meeting Minutes

***Motion:*** Councilman Randy Phelan moved to approve the April 2018 minutes subject to corrections. Councilman Fred Fox seconded the motion.

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

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



Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

### III. SPECIAL GUESTS & ELDERS

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#### A. Tekakwitha Conference – *Marilyn Young Bird*

**Motion:** Councilman Fred Fox moved to approve assistance at \$1,300/person. Councilman Randy Phelan seconded the motion.

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

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

**Discussion:** To provide a sign up sheet (Danielle Henry)

### ***EXECUTIVE COMMITTEE REPORTS***

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#### III. CHAIRMAN'S REPORT - *Chairman Mark N. Fox*

Condolences to the families that lost loved ones. Provided an overview of recent activities such as; Directors meeting, Elders Luncheon, USA Boxing/National Indian Boxing meeting, Royalty Policy Committee Meeting, Army Corps of Engineers meetings 4 permit approvals, Discussed the need for a meeting with the Corps of Engineers on return of land, enforcement/regulation, and leasing, Upcoming budget meetings, Federal Partners, Great Plains Tribal Chairman's Health, Ethics Commission Working Session on Policies & Procedures (June 28/29), Employee Fun Day on July 12<sup>th</sup>. TBC meeting on the July 11<sup>th</sup>. The Chairman also encouraged everyone to get out and vote in the local elections.

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#### IV. VICE CHAIRMAN'S REPORT - *Councilman Randy Phelan*

Expressed his condolences to the families' recent losses. Community Clean-up and wrist bands for the State Fair, Mandaree Rodeo Club, Cattle Relending cattle purchase (240 head), BIA review of BIA Route 13. Off-Reservation voting discussed. Reminded everyone to get out and vote in the local elections. Summer Youth Application (20 openings), Bakkan Days 4<sup>th</sup> of July Events update.

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#### V. SECRETARY'S REPORT – *Councilman Fred W. Fox*

New ambulance & garage grand opening and EMR classes completed. EMT classes coming up. Sharing EMT with Mandaree. Approval of the minutes is up to date and requests are generally going



out the same day. Internal Records Office test web site is still operational while the new site is being transitioned to the main public web site.

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

Expressed his condolences. Parshall Clean-up Day and State Fair passes, Purchase of the 10 acres property (Old Trailer Park, car wash, RV hook-up, & future location of a Family Dollar), To date North East segment has purchase about 1000 acres, June 21/22 - Horse Races & Indian Relay, June 22-24 Parshall Pow-Wow, Boys & Girls Club Grand Opening.

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**A. CFO Report – Whitney Bell**

**Motion:** Councilman Randy Phelan moved to approve an amendment to resolution no. 18-003-FWF entitled “*Approval of Corporate Credit Card for the Department of Veteran Affairs.*” subject to Legal review. Councilman Fred Fox seconded the motion.

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

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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-165-FWF entitled “*Approval of Corporate Credit Card for the Animal Control Division.*” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 18-164-FWF entitled “*Approval of Corporate Credit Card for the Fort Berthold Diabetes Program.*” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Abstained



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

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

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**C. Small Loans** – *Val Mayer & Mary Ellen Sun*

**Motion:** Councilman Mervin Packineau moved to approve Group A (19); Small Loans Applications (19) subject to Loan requirements & guidelines. Councilwoman Monica Mayer seconded the motion.

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

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

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• **Edmund Baker Loan Issue**

Mary Ellen Sun & Edmund Baker discussed a Small Loan (\$7,800) given in lieu of Docket Grant (due to unavailable funds) in 2015 and the resulting check inadvertently issued directly to Mr. Baker from Finance instead of Small Loans. As agreed the amount was to be converted to a grant for years of employment service. In the meantime, Mr. Baker was making payments on the loan and other loans determined to be for his education. Mr. Baker has worked for the Tribe since 2013. Mr. Baker expressed the concern that he should have already fulfilled his commitment of years of service and was asking for the matter to be resolved before his disbursements start being levied as payment. Al Nygard, CEO recommended zeroing out the balance.

**Motion:** Councilwoman Monica Mayer moved to zero out the Edmund Baker's loan balance and convert to a grant. Councilman Cory Spotted Bear seconded the motion.

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

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



Councilman Frank Grady – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

*Discussion:* All the loans were part of his educational loan package

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#### IV. SEGMENT UPDATES

##### A. North Segment - Councilwoman Monica Mayer

Recent activities include planting 550 trees with a plan to continue annually. Planted a pumpkin patch, Earn a Bike Education Incentive (100 bikes), Community flower planting, wrecking yard Project, Summer Youth activities, Maintenance Building completion by July, Day Care Center Project, Aquatic Center project, Nursing home project, Sobriety Resource Center, Collaborating with the City of New Town on a movie theatre & bowling alley. Business development ventures such as a car wash, laundromat & Jiffy Lube.

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##### B. Twin Buttes - Councilman Cory Spotted Bear

Community Clean up, TB Pow-Wow, Horse race & foot races, cemetery fencing project, orchard planting, 4000-acre bison pasture fencing project, west housing improvement with splash pad and more, water treatment plant projects, trailer park approval, community center parking lot paving, BIA 22 paving, Bakkan Cookfest, Sober Living Lodge Project & trailer park project.

#### V. OFFICER REPORTS

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

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###### 1) Federal Programs Report

Received 2 new grants for a total of just under \$400,000. Drug testing continues at 45% complete. Have brought on 16 staff for the Good Will Recovery Program. The 477 Program Review is completed and the initial report is the program is doing well.

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###### 2) Executive Orders

**Motion:** Councilman Randy Phelan moved to ratify executive action EA2018-10;

**NOW THEREFORE BE IT RESOLVED,** The Three Affiliated Tribes authorizes and approves the purchase of property located at 3820 72nd Avenue NW, Parshall, ND and legally described as: Sublot A of Outlot 3 and Outlot 3 of Government Lots 3 & 4 of SW Quarter of Section 19, Township 152 Range 89 West of the Fifth Principal Meridian, Mountrail County North Dakota, 8.9 acres more or less in the amount of \$340,000.00 to Century 21 Morrison Realty.

Councilman Cory Spotted Bear seconded the motion.



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

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

*Discussion:* Item would require a resolution.

**Motion:** Councilman Randy Phelan moved to ratify executive action EA2018-11;

*Tribes hereby ratifies EA 2018-11, and authorizes and approves the attached contract with Meyer Contracting, Inc. to complete the Paving Project for the Twin Buttes Community Center and the Catholic Church parking lots in the amount of \$823,740, subject to additions and deductions as provided in the contract, to come from tribal funds.*

& and approve resolution no. 18-142-FWF entitled “*Authorizing Construction Contract and General Contractor for Trailer Park Facility in Twin Buttes, North Dakota*” subject to Legal Review. Councilman Mervin Packineau seconded the motion.

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

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

**Motion:** Councilman Randy Phelan moved to ratify executive action EA2018-12;

*NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves the General Fund financial obligation of \$210,000 to Fund 0044 for establishing the Summer Youth Program for Fiscal Year 2018. Each segment and the Office of the Chairman will be allocated \$30,000 to implement their Summer Youth Initiative. Youth participants will be limited to a maximum compensation of \$12.00 per hour.*

Councilwoman Monica Mayer seconded the motion.

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

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



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

**Motion:** Councilman Randy Phelan moved to ratify executive action EA2018-13;

**NOW THEREFORE BE IT RESOLVED,** *The Three Affiliated Tribes authorizes and approves an expenditure in the amount of \$9,000 to the E.P.I.C., held by the Living Waters Family Worship Center, in Mandaree Friday and Saturday June 1-2, 2018.*

Councilman Cory Spotted Bear seconded the motion.

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

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

**Motion:** Councilman Randy Phelan moved to ratify executive action EA2018-14;

**NOW THEREFORE BE IT RESOLVED,** *The Three Affiliated Tribes authorizes and approves Joint Venture Potential Transaction Summary of Principal Terms agreement with Bruin E&P Operating, LLC (the "Term Sheet"), with the express recognition that the Term Sheet is not intended to and does not create a binding and enforceable agreement between the Parties, but represents only a limited agreement to negotiate in good faith toward (1) definitive agreement With respect to the transaction covered by the Term Sheet.*

Councilman Cory Spotted Bear seconded the motion.

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

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



**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-143-FWF entitled “Approval for Purchase of Real Property in Parshall, North Dakota.” subject to Legal review. Councilman Mervin Packineau seconded the motion.

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

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

In the 7<sup>th</sup> month of Fiscal Year 2018 (FY'18) total monthly revenue collections (at the time of this report) are \$19,819,855.07. Overall collections for the month of April are higher than March by \$2,410,105.29 and \$1,232,306.06 higher than the monthly average for FY'18. The monthly average collected for the past 7 months is \$18,587,549, for a total amount collected in FY'18 of \$130,112,843.06. Oil production and extraction make up about 89.5% of the revenue collections for FY'18. A 5-year (FY'14-FY'18) Monthly Revenue Collections Comparison for the month of April, shows April 2018 is the second to highest month for collections, behind February 2014. A 5-year (FY'14-FY'18) Annual Revenue Collections Comparison shows that current collections are at 89% of FY'17 and 48% of FY'14, respectively. FY'14 was the highest year of annual revenue collections over the past 5 years. The monthly average collected for the past 7 months (Oct-Apr) of Drilling Fees (at the time of this report) is \$1,785,714. March and April collections were both at \$1,500,000. Drilling Fees for FY'18 (Oct-Apr), are at 95% of the FY'17 total annual Drilling Fee collections.

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**4) Enrollment – Sevant S. Taft**

**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-144-FWF entitled “Approval of 41 Applicants for Enrollment into the Three Affiliated Tribes” 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 – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilman Frank Grady – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Not Voting





*Discussion:* 16, 059 total members.

**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-145-FWF entitled “Amendments to the enrollment ordinance of the Three Affiliated Tribes – Enrollment Committee” subject to Legal review. Councilman Fred Fox seconded the motion.

Vote: 4 Ayes. 1 – Opposition. 1 – Not Voting. 1 – Not Present. Motion carried.

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

*Discussion:* Councilwoman Monica Mayer expressed opposition to the need for another committee. Revise resolution to remove residency requirement (Part II) replace with “The TBC shall appoint”.

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**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-146-FWF entitled “Amendment to the Enrollment Ordinance of the Three Affiliated Tribes – Appeals” subject to Legal review and changes. Councilman Fred Fox seconded the motion.

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

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

*Discussion:* (Appellate Panel replacement with the Enrollment Committee) Additional Appeals process to be from the TAT Judicial system.

## VI. UNFINISHED BUSINESS

### A. Mandaree Incorporation<sup>8</sup>

*Item deferred.*

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**B. Karilee Lieberm Holistic Health Practitioner Contract Clarification<sup>6</sup> – Al Nygard, CEO**  
Request for \$7000 request for cost associated with attending training to attain a Holistic Health Practitioner certification. TAT Grants & Donations program reviewed and denied her application for an educational grant, due to their guidelines to only provide grants to accredited institutions. It



was agreed that the Tribe would benefit in this situation from a tribal member having this certification.

**Motion:** Councilman Randy Phelan moved to approve \$7000 for the year to pursue Holistic Health Practitioner certification. Councilman Fred Fox seconded the motion.

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

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

**Discussion:** Councilwoman Monica Mayer expressed the need for Policies and Procedures concerning the pay back of school loans.

**C. Land Exchange<sup>6</sup> – CJ Johnsrud II**  
*Item deferred.*

**D. New Oil and Gas Technology Presentation<sup>6</sup> - Kathy Neset**  
*Item deferred.*

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**E. Fred Poitra Trespass Negotiation<sup>3</sup>**

Caleb Dog Eagle, MHA Lead Attourney, noted that Mr. Poitra rejected the initial offer and recommended reconsideration of the Tribe's offer.

**Motion:** Councilman Randy Phelan moved to authorize reconsideration & negotiation with Mr. Fred Poitra to come to an mutual agreement on a settlement. Councilman Fred Fox seconded the motion.

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

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

**FTR:** *Mr. Fred Poitra joined the meeting and approached the TBC.*

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**Motion:** Councilman Randy Phelan moved to approve an offer of \$25,000 to Fred Poitra for the trespass on his property in New Town. Councilman Fred Fox seconded the motion.

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

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

**F. Life & Limb Request<sup>4</sup> – Anita Hall**  
CEO will check to see if addressed.

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**G. Metal Detectors for the NTHS approved last year<sup>4</sup> – Chief of Police Nelson Heart**  
Schools expressed concern where the units would be installed. The CEO will investigate further.

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**H. Antonette Halsey Life and Limb Request<sup>3</sup>**  
Vonnie Jo Alberts provided some details as to the request and noted she was to gather the bills together for submission and reimbursement at the Health/HR Committee.

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**I. MHA Enterprises Board Appointment (Twin Buttes)<sup>2</sup>**

**Motion:** Councilman Fred Fox moved to approve resolution no 18-147-FWF entitled "*Approval of the Tribal Business Council's Appointment for the Communication Board by the Twin Buttes Segment Representative*" [Julie Beston] 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 – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilman Frank Grady – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 18-148-FWF entitled "*Approval of the Tribal Business Council's Appointment for the Enrollment Board by the Twin*"



*Buttes Segment Representative*” [Amy Mosset]) subject to Legal review. Councilman Fred Fox seconded the motion.

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

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

**J. B.I.A. RU17/93/913<sup>2</sup>**(see Closed Session)

**K. Quality Assurance Project Plan<sup>3</sup>**  
*Item deferred.*

**L. Pouch Point Cost Share<sup>2</sup>**- *Steve Kelly*  
*Item deferred*

**M. Emergency Operation Plan with NIM’s Integration<sup>3</sup>** - *Cliff Whitman Sr.*  
*Item deferred.*

**N. PSC Point of Contact Change<sup>2</sup>** - *Al Nygard*  
*Item deferred back to Committee.*

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**O. Bomb Dog Purchase Request<sup>2</sup>** - *Gerald White, Drug Task Force*

A cost quote and training information Vohne Liche Kennels, Inc. (7953 N. Old Route 31, Denver, IN) was submitted to the TBC for review. Included in the quote was Guarantee: Effective from date of purchase. 100% health 6 Months, Skeletal 12 Months. If a genetic or hereditary problem is found K-9 will be replaced. Vet report must accompany K-9 on return. Workability 3 Months, Compatibility 1 Month. Also included was Housing for one student for a six-week course

**Motion:** Councilman Fred Fox moved to approve the purchase of a new dog for \$18,255 subject to securing insurance. 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



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**P. Millard W. “Bill” Hale<sup>2</sup>**

Mr. Hale was previously approved by the TAT Mortgage Program and the TBC in May of 2017 for a home mortgage of \$200,000. He is seeking an increase of his home mortgage loan by \$100,000.

**Motion:** Councilman Randy Phelan moved to approve an increase in the current home loan by \$100,000 subject to TAT Mortgage Program income verification & policies & procedures. 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 – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilman Frank Grady – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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**Q. Missouri River Resources (MRR) – Dave Williams & Carl Artman**

**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-149-FWF entitled A Resolution entitled, “*Authorization to apply for 25 C.F.R. 211.56 permit for geotechnical review and analysis in Township 147N Range 93W Sections 20, 21, 22, 23, 27, 28, 29, 32, 33, and 34*”. 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 – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilman Frank Grady – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Discussion:** TBC members expressed concern with the item not being brought through committee. Councilman Randy Phelan asked that this not become a practice. Discussion of standardizing permit fees and recommended a \$1000 fee instead of \$500.

**VII. MEDICAL REQUESTS**

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**A. Stan Charging Dental Assistance Request**

Requesting \$2,100 assistance for dental procedure.



**Motion:** Councilman Fred Fox moved to approve financial assistance for the dental procedure not to exceed 50% according to policy. Councilman Randy Phelan seconded the motion.

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

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

### **COMMITTEES OF THE TRIBAL BUSINESS COUNCIL**

#### **VIII. JUDICIAL COMMITTEE** – *Councilman Fred W. Fox, Chair*

##### **A. Justice Commission Report**

*Item deferred.*

##### **B. Tribal Court Report** – *Marvel Heart & Elizabeth Yellow Bird*

Written report submitted.

#### **IX. EDUCATION COMMITTEE** – *Councilman Cory Spotted Bear, Chair*

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##### **A. 2018 National UNITY Conference** – *Mary Kim Titla*

Vonnie Alberts provided information concerning the requested sponsorship as her daughter Vonica is a member. Ms. Titla joined the meeting later and provided additional detail.

**Motion:** Councilman Randy Phelan moved to approve a \$5000 for the 2018 National UNITY Conference sponsorship. Councilman Fred Fox seconded the motion.

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

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

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##### **B. Dissertation Proposal** - *Thomasina Mandan*

Currently enrolled in an Online PhD program at Montana State University in Bozeman and will be developing Native American cultural curriculum template at a number of institution throughout the



US & Canada as part of her dissertation. On completion the templates will be available online. The program requires approval from the Council or local IRB/RRB Board to conduct research.

**Motion:** Councilman Cory Spotted Bear moved to approve Fort Berthold Reservation schools for the presented research request. 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 – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilman Frank Grady – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**C. Roberta “Bobby” Krueger Request**

Current employee of the Tribe is seeking assistance to pay school loans for about \$20k.

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

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

Submitted the CEO’s Report & requested information by Councilwoman Monica Mayer, Resolution correction for the Office of Women’s Health (Office of Violence Against Woman & SAMSA grants. Legal will need to develop a resolution to correct and SAMSA do also. Councilman Frank Grady expressed his concerns about the level of diabetic care and would provide more detail in closed session.

**FTR:** [6/12/2018] Chairman Mark N. Fox rejoined the meeting at 12:43PM.

**B. Tribal Care Health Insurance – Jerry Fozzard**

Complemented Councilman Fox on getting segment members certified as EMT personnel. Discussion of recent treatment work sessions. Chairman Mark N. Fox noted that we need coordination on the on the front end of clients to combat excessive costs. Will be setting up information stands at the Pow-wows.

**C. Life & Limb – Stacey Red Fox**  
*Item deferred.*

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

**A. Toni Garcia Home Purchase/Mortgage**  
*Item deferred.*

**B. MHA DOT - Richard Hall & Stacey Driver**



*Item deferred.*

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**C. Tourism Funding Request- Darian Morsette**

Rob Hawkin of Upper Deck Concerts, Jason Morsette, and Darin Morsette presented proposal for entertainment events. Possible locations at the Earthlodge village, Buffalo Ranch or another location. The cost to put on the festival would be about \$346,000. Gretchen Wilson & Trace Atkins on the 1<sup>st</sup> day, with Rat & Theory of a Dead Man on the second day. The Council wanted more long-range planning. Councilman Cory Spotted Bear expressed his concern over having alcohol at the Earthlodge village.

**Motion:** Councilman Mervin Packineau moved to approve planning for the Labor Day weekend event. Councilman Randy Phelan seconded the motion.

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

**Discussion:** Councilwoman Monica Mayer, Chairman Mark N. Fox recommended more time to promote and plan an event.

**Motion withdrawn**

**Motion:** Councilman Mervin Packineau moved to approve planning for next year. Councilman Randy Phelan seconded the motion.

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

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**D. MHA Interpretive Center Funding Request - Delphine Baker**

Received permit from the Corps for construction of the Interpretive Center. Seeking \$30,000 for documentary on the construction of the Center.





**Motion:** Councilwoman Monica Mayer moved to approve \$30,000 subject to Legal review. Councilman Fred Fox seconded the motion.

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

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

**FTR:** [6/12/2018] Chairman Mark N. Fox stepped out of the meeting & Councilman Randy Phelan assumed the Chair of the meeting.

**XII. NATURAL RESOURCES COMMITTEE** – Councilman Randy Phelan, Chair

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**A. Tex Lone Bear**

**Motion:** Councilman Fred Fox moved to approve resolution no. 18-160-FWF entitled “Approval of Removal of Allotment 139A from Range Unit - 44 Adding Allot”. 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

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**B. Homesite(s) – Tex Lone Bear**

1) **Motion:** Councilman Fred Fox moved to approve resolution no. 18-161-FWF entitled “Approval of Homesites Leases and Consent and Survey for Residential Lease” [Frank Grady, Leeann Nation & Daniel Seminole]. Councilman Cory Spotted Bear seconded the motion.

**FTR:** [6/12/2018] Councilman Frank Grady joined the meeting.

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

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



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

- 2) **Motion:** Councilman Fred Fox moved to approve resolution no. 18-162-FWF entitled “Approval of Homesites Leases and Consent and Survey for Residential Lease” [Norma Baker-Flying Horse, Donna Poitra, & Galvin Standish]. Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Not Voting  
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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- 3) **Range Unit 17 - Tom Wells, Kayla Danks, Texx Lone Bear**

Cattle have been identified in range unit 17 for at least a week. The brand is located on the right rib, Lazy IT or bar T. During the May 10, 2018 Tribal Business Council meeting RU 17 was discussed, TBC requested ownership information/RU checklist info/etc., and BIA staff to present at the June 2018 TBC Meeting. TBC directed both Gainus Little Soldier and Casey Fredericks to stay off of RU 17 until a decision was made based on factual information. Requested the BIA investigate this potential trespass on Range Unit 17 as soon as possible.

**Motion:** Councilwoman Monica Mayer moved to fence down the middle between section 20 & 19 of RU 17. Councilman Fred Fox seconded the motion.

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

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

**Discussion:** Councilman Cory Spotted Bear stated that it will be fenced and that BIA or Tex Lone Bear will survey and place flags to mark the fence line. BIA will address the trespass. Councilman Cory Spotted Bear asked that it be flagged first.

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**C. Farm/Pasture Leases - Diana Americanhorse**



**Motion:** Councilman Fred Fox moved to approve resolution no. 18-163-FWF entitled “Agricultural Leases” on Tribal land”. Councilman Frank Grady 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:** Councilman Fred Fox asked that next year that Indian Preference be applied. Councilman Fred Fox discussed the need for 1-year lease terms to accommodate new farmers with USDA grants. Tex Lone Bear will research the USDA requirements.

**D. Easements - Shaylane Miller**  
*Item deferred.*

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**E. Oil & Gas Committee: – Carson Hood Jr.**

MHA Energy Expo information provided. July 17/18. Confirmation from Scott David to speak, and working on a few other dignitaries. Q&A sessions with the BIA & BLM on the seconded day.

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**1) ROW’s – Paul Grady & Catherine Everett**

**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-152-FWF entitled “Approval of Setback Variance Requested by ONEOK Rockies Midstream, LLC for the Ness USA Project.” Councilman Fred Fox seconded the motion.

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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-153-FWF entitled “Consent to Approval of a Right-of-Way across Tribal Land for the MRR LMR B2 Project Submitted by Missouri River Resources.” Councilman Fred Fox seconded the motion.

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



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

**FTR:** [6/12/2018] Councilman Mervin Packineau joined the meeting at 11:52AM.

**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-154-FWF entitled “Consent to Approval of a Right-of-Way across Tribal Land for the Bison 27-34H Project Submitted by WPX Energy Williston, LLC.” Councilman Fred Fox seconded the motion.

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

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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-155-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the North Mabel 2-35H Project Submitted by WPX Energy Williston, LLC.” Councilman Fred Fox seconded the motion.

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

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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-156-FWF entitled “Consent to Approval of a Right-of-Way across Tribal Land for the Clouds West Project Submitted by Enerplus Resources (USA) Corporation. Councilman Fred Fox seconded the motion.

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

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



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

**Motion:** Councilman Fred Fox moved to approve resolution no. 18-157-FWF entitled “*Consent to an Assignment to McKenzie Electric Cooperative of Right-of-Way No. FBOG101104 and FBOG101104 Amendment #1, per Resolution 16-277-FWF, granted to Enerplus Resources (USA) Corporation Company for Utilities and Associated Above Ground Appurtenances.*” Councilman Randy Phelan seconded the motion.

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

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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-158-FWF entitled “*Consent to Assign to McKenzie Electric Cooperative, the Utilities and Associated Above Ground Appurtenances Right-of-Way for the Greek Gods East Project, BIA ROW No. FBOG101022, originally granted to Enerplus Resources (USA) Corporation Company.*” Councilwoman Monica Mayer seconded the motion.

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

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

**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-159-FWF entitled “*Consent to Approval of a Temporary Right-of-Way across Tribal land for Hidatsa North Secondary Access Submitted by WPX Energy Williston, LLC.*” Councilman Fred Fox seconded the motion.

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

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



Councilman Frank Grady – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**FTR:** Chairman Mark N. Fox left the meeting and Councilman Randy Phelan assumed Chair of the meeting 12:00PM.

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**F. FBRW – Pem Hall & Al Nygard**

Water Park/Casino line replacement. Asbestos issues come into play and disruption of services at the casino. Chairman Mark N. Fox asked that they look into utilizing a water tank/cistern type water source in the interim. Important to collaborate with the Casino and also consider the future new Tribal Administration building.

**1) Water treatment plant and McKenzie Electric Agreement for Line Extension 3-Phase Power Supply.** Discussion of getting the cost down. Increase was due to inclusion of the engineering design completion. Bid process needs to be effective. Pem Hall will insure McKenzie Electric works with the Engineers. About an 8-mile line replacement that will also benefit residential users along the line. New users will see some of the cost. Chairman Mark N. Fox expressed the need for lobbying to insure sufficient year end funding. Pem Hall expressed that the need includes current and future projects and he will gather information for the TBC to present.

**Motion:** Councilman Cory Spotted Bear moved to approve the McKenzie Electric agreement. Councilman Randy Phelan seconded the motion.

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

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

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**2) Mandaree Intake Landslide Stabilization Project.**

Change order due to staggering piles and resulted in reduction in contract amount for \$35k less.

**Motion:** Councilman Randy Phelan moved to approve the change order. Councilman Cory Spotted Bear seconded the motion.

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

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



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

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**3) Ground Water Permit Policy Comment Period Extension**

Comment period ended on Friday with 13 comments. Chairman Mark N. Fox noted there were requests for an extension of the comment period and recommended to the 30<sup>th</sup>. Pem Hall noted that he will keep receiving continue to receive comments.

**XIII. EXECUTIVE COMMITTEE** – *Chairman Mark N. Fox*

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

**XV. NEW BUSINESS – Tribal Councilman Add Ons**

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**A. Chairman Mark Fox- Tom Reeves**

Youth Rodeo Proposal for a 5-month program and also Drug and Alcohol awareness. General liability insurance will be provided by WHYP/Reeves, along with a waiver/release for each participant/parent acknowledging their responsibility for participating in the clinic/school. WHYP will work with MHA to produce marketing materials to promote each school/clinic. MHA will be responsible for distributing the materials in a timely manner for best exposure. The MHA Nation will provide access to first responders and/or an ambulance for the duration of each clinic/school, as well as sufficient working facilities to host each clinic/school. This will include a covered "classroom" area and arena/livestock pens. Although, meals and housing will be the responsibility of each participant, each clinic/school will be offered free of charge to all. No limits on number of participants will be imposed. However, to provide an adequate amount of stock and equipment, sufficient pre-registration will be encouraged each month.

**Motion:** Councilman Randy Phelan moved to authority to negotiate approve \$50,000 over 6 month. Councilman Cory Spotted Bear seconded the motion.

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

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

**Discussion:** Will coordinate the events with the Segments and the Chairman's staff.

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**B. Chairman Mark Fox – Business Property**



\$1.8 million (\$6/square foot for the property) for recovery outreach facility/clinic to support the Treatment facility. Acquire under Drug Treatment or land purchase fund.

**Motion:** Councilman Fred Fox moved to approve resolution no. 18-150-FWF entitled “Approval of Purchase of Real Property from RBK Ventures, LLP. In Bismarck, North Dakota” 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 – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilman Frank Grady – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**C. Councilman Randy Phelan –NABI Sponsorship Alfred Smith**

**Motion:** Councilman Fred Fox moved to approve \$600/enrolled participant for youth player and up to 2 coaches. Councilman Randy Phelan seconded the motion.

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

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

**D. Councilman Randy Phelan – Reserved**

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**E. Councilman Fred W. Fox – 1<sup>st</sup> Annual Medicine Wheel INFR Tour Rodeo**

Margaret Breuer’s grand-daughter seeking sponsorship for regional rodeo in Wyoming.

**Motion:** Councilman Fred Fox moved to approve \$5,000 and casino match of \$5,000. Councilman Randy Phelan seconded the motion.

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

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





Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

*Discussion:* Free admission to TAT members.

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**F. Councilman Fred W. Fox – Carlos Quarry Dental Request**  
Seeking assistance for a minor child.

**Motion:** Councilman Fred Fox moved to approve a request for medical assistance of 50% form General Fund for medical in the amount of \$1,050. 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

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**G. Councilman Mervin Packineau – Anita Howard-Deane**

Presented issue of the Enrollment Office dropping her blood quantum down to ¼ last year from 3/8. She was the only sibling that was changed. Chairman Mark N. Fox expressed the importance following policy & procedures. Mother and father not list but her aunt was listed as her mother. Councilman Randy Phelan recommends the new committee review it or the Director, so she can challenge.

**Directive:** Councilman Randy Phelan moved to direct Enrollment to review and report to the TBC. 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

**H. Councilman Mervin Packineau – Reserved**  
**I. Councilman Frank Grady – Reserved**



**J. Councilman Frank Grady – Reserved**

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**K. Councilman Cory Spotted Bear – Construction Contract**

12 Lot Trailer Park with paved roads with utility connections. Cost is about \$433,160. Councilman Cory Spotted Bear noted a possible \$4000 addition for unexpected fill dirt. From segment funds.

**Motion:** Councilman Randy Phelan moved to authorizing the Chairman to sign contract subject to Legal review. 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

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**L. Councilman Cory Spotted Bear – Chad Morsette Jr. AAU Request**

Seeking a sponsorship for the remaining need of \$4,651.08. for the 2018 AAU basketball tournaments. Has raised \$335.77 from food sales.

**Motion:** Councilman Cory Spotted Bear moved to approve a sponsorship of \$2,350. Councilman Fred Fox seconded the motion.

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

**M. Councilwoman Monica Mayer – Reserved**

**N. Councilwoman Monica Mayer – Reserved**

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**O. Honor Flight Resolution**

**Motion:** Councilman Randy Phelan moved to approve resolution no. 18-141-FWF entitled “Approving Donation up to \$30,000 to the North Dakota Native American Veteran’s Honor Flight Program” 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 – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilman Frank Grady – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**XVI. CLOSED SESSION** 1:56PM

- A. Marcus Levings<sup>3</sup>
- B. Kyle Mandan<sup>3</sup>
- C. Ty Thompson Request
- D. Bear Den Water Issue
- E. WPX Temporary Permit – *Brandon Harris*
- F. Scott Wilson Proposal
- G. Human Resources HR – *Barlow Wells & Cheryl Abe* [6/11/2018]
- H. TAT Law Enforcement Report – *Nelson W. Heart, Chief of Police*
- F. Four Bears Casino Report – *Scott Wilson, General Manager*
- G. Riverbed – *John Fredericks*
- H. Honorarium for Firefighters – *Al Nygard*
- I. Waiver of Procurement Process
- J. Teddy Dubois-Gonzalez Consultant Agreement – *Whitney Bell*
- K. Diabetic Care Issues - *Councilman Frank Grady*
- L. Flora “Kandi” Wolfe
- M. Barlow Wells – *Barlow Wells, Mary Ellen Sun, & Val Mayer*
- N. Business Loans – *Val Mayer*
- N. Thomas McCarty - *El Marie Conklin*

**XVII. ADJOURNMENT**

**Motion:** Councilman Fred Fox moved to adjourn the meeting. Councilman Randy Phelan seconded the motion. Meeting adjourned at 5:40PM.

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

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





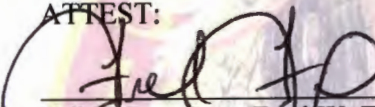
### CERTIFICATION

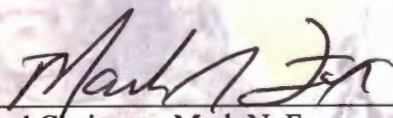
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 7 were present at the Regular Meeting thereof duly called, notice, convened and held on the 15<sup>th</sup> of August, 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 15<sup>th</sup> day of August, 2018.

ATTEST:

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

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