



CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 11:30AM.

OPENING PRAYER

Prayer by Keith Bear.

ROLL CALL

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

I. APPROVAL OF AGENDA

Motion: Councilman Randy Phelan moved to approve the agenda. Councilwoman Monica Mayer seconded the motion.

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

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

II. APPROVAL OF MINUTES

- A. 5/10/2018 TBC Minutes**
- B. 6/11/2018 TBC Minutes**

Motion: Councilman Randy Phelan moved to approve the May 2018 and June 2018 Tribal Council meeting minutes. 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

- C. 7/11/2018 TBC Minutes**
- D. 8/14/2018 TBC Minutes**



III. SPECIAL GUESTS & ELDERS

A. Marilyn Hudson

Item deferred.

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B. UTTC Events Week Sponsorship Request - Eric Grey Cloud & Katt Dye-Chapin

Presented a request for \$50,000 for the UTCC Pow-Wow and activities associated with the Leadership Summit. The group rose funding for student tuition aid during the week-long event. The Tribe assisted with \$25,000 last year and received free wrist bands for tribal members that were handed out at the Bismarck satellite office. Chairman Mark N. Fox noted that the Tribe received 500 wrist bands last year and quickly ran out so he recommended a different approach and noted that there are other things that the Tribe does to support the event also. Councilman Randy Phelan recommends \$9000/day.

Motion: Councilman Randy Phelan moved to approve \$9000/day with subject to 600 wrist bands for tribal members. 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

Discussion: Katt Dye-Chapin would need to take the request for 600 wristbands back to her committee. Councilwoman Monica Mayer brought up an issue of a booth rate increase for the Warriors of the 21st Century” and that they pulled out of the UTTC Leaders’ Summit. The Chairman noted that his office would help. Councilwoman Monica Mayer stated that all the TAT should have a huge presence at the Summit. Especially the drug and alcohol programs. Chairman Mark N. Fox & Councilman Mervin Packineau who are represented on their board will see what solution they can do find.

C. Mac Schneider

Item deferred to September.

EXECUTIVE COMMITTEE REPORTS

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

A. Report

Provided an update of recent meetings & activities; ND Superintendent of Public Instruction meeting, Elders Luncheon & Disbursement, successful Regional Tax Conference that allowed the Tribe to express taxation concerns. Commended the Little Shell Pow-wow Committee on a great



event. Grand opening of the Water Park (Phase I) with over 600 in attendance. 1942 Elbowoods Basketball Documentary update. Upcoming events include: Back to School Picnic in Bismarck, UTTC Summit & Pow-wow with the Tribal Leadership Summit & lobbying efforts, celebrating ND Hall of Fame 1942 Basketball Team induction & reception, and walk through of the new Good Road Recovery facility (9/5). Child Safety Center construction has started that will provide a safe place for children.

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B. United Tribes Gaming Association Membership and Payment of Annual Dues.(UTGA)

Motion: Councilwoman Monica Mayer moved to approve resolution no. 18-198-FWF entitled “Approval of the United Tribes Gaming Association Membership and Payment of Annual Dues.” subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

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

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C. Consultant Contracts

1) Ethics Commission Grant Walker

Motion: Councilwoman Monica Mayer moved to approve a one-year Grant Walker contract. Councilman Cory Spotted Bear seconded the motion.

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

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2) Razor Consulting

Motion: Councilwoman Monica Mayer moved to approve the Razor Consulting contract subject to 1 year contract change. Councilman Cory Spotted Bear seconded the motion.

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



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

FTR: Staff recognition of Wendi Wells, and the maintenance staff for the successful Water Park project completion and the work of the maintenance staff contribution during the Little Shell celebration.

V. VICE CHAIRMAN’S REPORT - Councilman Randy Phelan

Sent out condolences to the morning and noted the elders are asking the TBC to organize another prayer day. Current West Segment projects & events included the opening of the Jump House on Oct 1st, Back to School Bash (Aug. 22nd) & Gift Cards.

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- **Restorative Justice Pilot Program** – Nikos Valance & Caleb Dog Eagle, Lead Attorney
Project to develop and implement two parallel pilot projects employing restorative justice practices and incorporating indigenous culture. Nationally, only practiced at the juvenile level. Seeking \$25,000 and have sent proposals to oil companies. Have met with the State. \$150,000 total budget for the first year. One project on Fort Berthold with coordination initially by Nikos Valance with a transition to a management team. Chairman Mark N. Fox requested an entity be established for oversight. Caleb Dog Eagle recommended the Legal Dept. and the Court. Al Nygard, CEO recommended contribution be contingent on securing other additional funding sources to reach the needed \$150,000. Councilman Randy Phelan wants insurance that the data proprietary concerns are addresses to protect the tribe.

Motion: Councilman Fred Fox moved to approve resolution no. 18-199-FWF entitled “Restorative Justice Pilot Program” subject to Legal review & resolution. 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: Councilman Randy Phelan also want insurance that the proprietary interests of the Tribe for the data be secured for the Tribe. Al Nygard stated that it can be worked into the budget, but would require a resolution. Reporting would be to the Judicial Committee.



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

Councilman Fred Fox provided an update on the Records Office web page, congratulated the Chairman on the opening of the Water Park, informed the public of the Sept 28th—30th, 3rd Annual Pawnee Arickara Reunion in Nebraska, Completion of the White Shield Apartment complex, White Shield School Grand Opening in October, and the Back to School Bash.

VII. TREASURER'S REPORT - Councilman Mervin Packineau

A. TERO Waiver Request for Parshall School Construction – Beth Schwartz, Superintendent

Motion: Councilman Randy Phelan moved to approve 18-201-FWF entitled “Approval of Amended Fiscal-Year 2018 General Fund Budget for the Three Affiliated Tribes” subject to Legal review & resolution. 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

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B. CFO Report – Whitney Bell

Expense report presented that included Special Projects.

1) FY2018 Budget Modification

Chairman Mark N. Fox noted that the increase in oil revenue has allowed the Tribe to provide additional funding for the Educational Trust Fund (\$10 million) & the Peoples Fund (\$21 million).

Motion: Councilman Randy Phelan moved to approve the amendend/adjusted FY2018 budget. Councilman Mervin Packineau seconded the motion.

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



Councilwoman Monica Mayer – Aye

2) OSFM

Motion: Councilman Randy Phelan moved to approve resolution no. 18-202-FWF entitled “Directive to the Office of Trust Fund Management to Make Available Funds for Withdrawal from Three Affiliated Tribes Proceeds of Labor Account PL7228700 in the Amount of \$80,100,000.00” subject to Legal review. Councilman Fred Fox seconded the motion.

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

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

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D. Small Loans – Val Mayer & Mary Ellen Sun

FTR: Chairman Mark N. Fox stepped out of the meeting at 12:33pm. & Vice Chairman Randy Phelan assumed Chair of the meeting.

Motion: Councilman Mervin Packineau moved to approve Group A. applications subject to Small Loan policy & requirements. Evangeline Conklin and Sherri Gillette added subject to policies & requirements. Councilman Fred Fox 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

FTR: Chairman Mark N. Fox returned to the meeting and assumed the Chair of the meeting.

Motion: Councilman Randy Phelan moved to approve Group B applicants and authorize subject to lessor amount and or co-signor. 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

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E. Business Loans – Toni Star

Motion: Councilman Mervin Packineau moved to approve the submitted loan increases. Councilman Randy Phelan seconded the motion.

Vote: 6 - Ayes. 1 – Abstention. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Abstained
Councilwoman Monica Mayer – Aye

VIII. SEGMENT UPDATES

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A. North Segment – Councilwoman Monica Mayer

Provided an update: 65 employees, budget is in good shape, Sobriety Wellness Center opened to all, Maintenance building, new wrecking yard under construction, noted that children want horseback riding, community clean-up, collaboration with the city of new town for a movie theatre / bowling alley, secured reasonable prove for the old Rensch’s property for a Jiffy Lube/Car Wash/ tire business development project, arts and crafts center, and nursing home project, staff meeting in Shakopee, Elders Yacht trip, Elders lawn care, trying to create jobs, \$1.2 million in the bank, 78% favorable housing collections.

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B. Twin Buttes – Councilman Cory Spotted Bear

Sent out condolences to the mourners and congratulated the Little Shell Pow-wow committee, successful Bakkan Rock Cook-Fest, Community Center, Ground blessing on the Silver Living Lodge, Back to School event with gift cards handed out, Honey Bee harvest produced 90 lbs., Grand opening in a month for the new recreation areas, Sober Living Lodge opening is TBA, Upcoming Elders Trip upcoming, Equestrian Park, Trailer Park opening soon, 50 new homes in the last three years.

C. Four Bears – Councilman Frank Grady
Item deferred.



IX. OFFICER REPORTS

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A. Chief Executive Officer Report – Al Nygard

1) Federal Programs Report

Financial report submitted to the council.

2) Executive Orders

Motion: Councilman Fred Fox moved to ratify EA-19;
NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves the following small loan requests for Jessica Phelan's memorial subject to meeting all requirements relating to the small loan department's policies and procedures: 1. Adele Phelan \$17,500, 2. Martha Phelan \$7,300, 3. Maranda Johnson \$18,000. Councilman Frank Grady seconded the motion.

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

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

Motion: Councilman Fred Fox moved to ratify EA-20;
NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes hereby rescinds the hire of Emily Conner as the CFO for the Good Road Recovery Center and the applicants will be rescored and presented again to the TBC for consideration. Councilman Frank Grady seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to ratify EA-22;
NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves a \$4,500 sponsorship for Champ Hettich to participate in the US Kids World Golf Championship on August 2-4, 2018 in Pinehurst, NC. Councilman Randy Phelan seconded the motion.



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

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

Motion: Councilman Cory Spotted Bear moved to ratify EA-23;
NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves the following small loan requests for the clients listed based on the terms and conditions of small loans policies and procedures. 1. Cindy Packineau \$4,000.00, 2. Clarence Sun Jr. \$5,000.00, 3. Delrene Simpson \$5,000.00. Councilman Randy Phelan seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to ratify EA-24;
NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves the following small loan requests for the clients listed below based on the terms and conditions of the small loan department's policies and procedures: 1. Lee Ann Nation \$6,000.00, 2. Dorothy Packineau \$3,900.00, 3. Kenny Smith Sr. \$4,200.00. Councilman Randy Phelan seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to ratify EA-25;
NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby recognizes the contributions made by Rosella Little Soldier the MHA Nation and NOW THEREFORE BE IT



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

FURTHER RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby recognizes and proclaims August 4th as Rosella Little Soldier Day from this day forth. Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to ratify EA-27;
NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves expenditure line item of \$1,600.00, payable to Value Midwest Incorporated, to purchase an amended appraisal that states the value of each divided tracts on Partition of Tract No. 689A, 320 acres in Dunn County, ND for Dennis Fox. Councilman Randy Phelan seconded the motion.

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

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

Motion: Councilman Fred Fox moved to ratify EA-28;
NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves an expenditure line item of a \$10,000 sponsorship for the 2018 Crow Fair Pow Wow and another \$10,000 sponsorship for the Crow Fair Parade. Councilman Randy Phelan seconded the motion.

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

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

Motion: Councilwoman Monica Mayer moved to ratify EA-29;
NOW THEREFORE BE IT RESOLVED that the Three Affiliated Tribes hereby authorizes And approves a contract with Meyer Woodstone of Maple Grove, Minnesota to the construction of



the Twin Buttes Community Center as designed and authorizes a guaranteed maximum price of \$12,508,946.00 subject to additions and deductions as provided in the contract to come from Tribal Funds. BE IT FURTHER RESOLVED, that the Tribal Business Council waives the TERO fees and Solid Waste fees. BE IT FURTHER RESOLVED, that this Executive Action shall serve as a notice to Proceed for Meyer Woodstone to commence work on the Twin Buttes Community Building) BE IT FURTHER RESOLVED, that the Chairman is authorized to execute the contract documents attached hereto. BE IT FINALLY RESOLVED, The owner's representative for this contract/action shall be Cory Spotted Bear, MHA Twin Buttes Representative. Councilman Fred Fox seconded the motion.

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

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

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3) Tax Department Report – Cynthia Monteau, Tax Commission Director

Report submitted. July is the 10th month of Fiscal Year 2018 (FY'18). OPT and OET collections are not included in July because they have not been reported, therefore, July's collections without actual oil and gas revenue are estimated at \$21,702,796.93. A 5-year (FY'14-FY'18) Monthly Revenue Collections comparison for the month of July, shows the estimated month of July is the second highest month for collections. Actual July oil and gas collections will be reported in mid-August. A 5-year (FY'14-FY'18) Annual Revenue Collections Comparison shows that current estimated FY'18 revenue collections have surpassed FY'17 by approximately \$54,760,228.70. FY'14 was the highest year of annual revenue collections over the past 5 years at over \$270 million. The total amount of Drilling Fees Collected for the past 10 months (Oct-July) (at the time of this report) is \$18,100,000, with the monthly average of \$1,810,000. June was the lowest month collected at \$200,000 and May was the highest at \$4,000,000. Drilling Fees for FY'18 (Oct-July), are \$5 million higher than the total annual fees collected in FY'17.

4) Enrollment – Sevant S. Taft, Enrollment Officer

Motion: Councilman Mervin Packineau moved to approve resolution no. 18-205-FWF entitled “Approval of 48 Applicants for Enrollment into the Three Affiliated Tribes” 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

Discussion: 16,124 total tribal members.

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Motion: Councilwoman Monica Mayer moved to authorize the Legal Dept. to work to expedite the disenrollment process with Cheyenne River for Vonica Alberts. Councilman Randy Phelan seconded the motion.

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

Motion: Councilman Fred Fox moved to approve the Enrollment Dept. to hire a 90-day temporary employee. 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

Discussion: Al Nygard noted that the amount of Federal funding carry-over needs to be determined.

5) LIHEAP Resolution

Motion: Councilman Frank Grady moved to approve resolution no. 18-203-FWF entitled "Authorization of FY 2019 Community Services Block Grant Application Submission to the Office of Community Services, U.S. Department of Health and Human Services for Low Income Energy Assistance Program Grant" Councilman Randy Phelan seconded the motion.

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.
Chairman Mark N. Fox – Aye



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

Motion: Councilman Frank Grady moved to approve resolution no. 18-204-FWF entitled "Authorization for the Three Affiliated Tribes' Low Income Home Energy Assistance Program to Exclude Income Generated From Royalty Payments or Bonuses From Minerals Rights in the Computation of Gross Income for Purposes of Qualifying for the LIHEAP Program" Councilman Randy Phelan seconded the motion.

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

X. UNFINISHED BUSINESS

A. Quality Assurance Project Plan⁴ - Jim Mossett
Deferred to Committee.

B. Pouch Point Cost Share³ - Jim Mossett
Item deferred.

C. Emergency Operation Plan with NIM's Integration⁵ - Cliff Whitman Sr.
Item deferred.

D. Toni Garcia Home Purchase/Mortgage²
Item deferred.

E. MHA Education Pathways
Item deferred.

XI. MEDICAL REQUESTS

A. Rebecca Jensen
Item deferred.

B. Trey Everett
Item deferred.



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C. Dental Bill – Kelsey Kraft

Motion: Councilman Randy Phelan moved to approve assistance in the amount of \$2,650 (75% of request). Councilman Mervin Packineau seconded the motion.

Vote: 6 - Ayes. 1 – Abstention. Motion carried.

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

FTR: Chairman Mark N. Fox stepped out of the meeting at 3:17PM.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

FTR: Chairman Mark N. Fox resumed the chair.

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

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

Motion: Councilman Frank Grady moved to approve Employee Training & in house agreement for employee training, for service back to Elbowoods or repayment. Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to approve the Annual Special Purpose Assignment Agreement (IPA Agreement). Councilman Randy Phelan seconded the motion.

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

Chairman Mark N. Fox – Aye



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

Motion: Councilman Randy Phelan moved to approve Family Nurse Practitioner (Mandaree)
Councilman Fred Fox seconded the motion.

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

Motion: Councilman Randy Phelan moved to approve resolution no. 18-206-FWF entitled “*Tribal Opioid Response Grant, Department of Health and Human Services Substance Abuse and Mental Health Services Administration.*” subject to Legal review. Councilman Fred Fox seconded the motion.

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

Motion: Councilwoman Monica Mayer moved to approve the EMHC contract for Pediatrician (Anita Martin, MD) with retention bonus. Councilman Frank Grady seconded the motion.

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



Motion: Councilman Frank Grady moved to approve the EMHC employment contract for Family Health Practitioner (Bernice Dubois). Councilman Fred Fox seconded the motion.

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

Motion: Councilwoman Monica Mayer moved to approve an employment contract for the EMHC Chief Dental Officer (Scott Mortenson, DDS.). Councilman Fred Fox seconded the motion.

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

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

B. Tribal Care Health Insurance – Jerry Fozzard & Savannah Epercy

We are working on work shop to address claim data to track costs. Researching burial insurance and will present at the results at the next TBC. Reviewed today's agenda and submitted comments and information, & concerns various from various medical claims brought up today.

C. Life & Limb – Stacey Red Fox & Judith Danks
Item deferred.

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D. Life & Limb Request - Diana Poitra

Request for assistance to pay \$2,848.40 insurance co-payment. Emergency room hospital and clinic bills were paid by Boon. The family is doing fundraising to help with costs.

Motion: Councilman Fred Fox moved to approve Life & Limb for XXXXXX. Councilwoman Monica Mayer 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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E. Tribal Health - Red Fox Sanchez

Presented May & June written reports to the TBC. Discussed upcoming consultant training class concerning funding the budget and third party billing (Sept 11-14th).

Motion: Councilman Fred Fox moved to approve the requested expenditure for the training. Councilman Frank Grady seconded the motion.

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

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

Discussion: Al Nygard noted that quotes would be needed or a waiver of the acquisition policy.

Motion: Councilman Fred Fox moved to waive the acquisition policy to enable sole source selection of the training consultant. Councilman Cory Spotted Bear seconded the motion.

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

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

Discussion: Trainor would like to do Q & A with elders at the Event Center and asking for assistance with a meal for the event.

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



Motion: Councilman Fred Fox moved to approve the event at the 4Bears Casino. Councilman Cory Spotted Bear seconded the motion.

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

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

- **Recruitment Issue With Securing Housing**

Has 2 recruits for RN and Case Manager (MSW-Circle of Life) with housing issues. It was noted that Elbowoods housing units may be an option and that they are managed by North Segment Property Management. Councilwoman Monica Mayer noted that she has 9 homes that are currently being painted and they may be spoken for by EMHC not tribal employees. Councilwoman Monica Mayer stated that by resolution the Elbowoods housing was originally designated for Clinic employees. Four Bears Segment will also try to assist.

F. Medical Request – McCrea Danks

Mr. Danks is in need of a new dialysis/insulin pump which is not considered a durable equipment request. Insurances only allow one DMI a year. Councilwoman Monica Mayer recommended that it be presented to the EMHC PRC to approve the purchase of the equipment.

Motion: Councilman Frank Grady moved to have EMHC look into assisting. Councilman Fred Fox seconded the motion.

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

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

Discussion: Councilman Randy Phelan asked about third party billing on ambulance calls from Mandaree and if EMHC is paying. Melissa Brady noted that if they call it in. Councilwoman Monica Mayer noted that people have 72 hours to contact EMHC according to policy. Elders have 30-days to notify EMHC.

TAT_20180815+1355_01d4349f953dcfa4

G. Travis Morsette Jr. Dental Request – Pat Wilkinson



Seeking assistance for a \$12,740 dental request.

Motion: Councilwoman Monica Mayer moved to approve 75% of the total for the assistance request for Travis Morsette Jr. Councilman Cory Spotted Bear seconded the motion.

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

Discussion: Riley Morsette Life & Limb question.

Motion: Councilman Randy Phelan moved to approve resolution no. 18-206-FWF entitled “*Approval of the Land Exchange between the Three Affiliated Tribes and Mr. Spencer Wilkinson, Sr.*” dollar for dollar” subject to Legal review. Councilman Fred Fox seconded the motion.

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

Motion: Councilman Fred Fox moved to approve Riley Morsette for continued Life & Limb assistance for an additional \$3,500. 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

XIII. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer, Chair

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A. Home Mortgage Increase Request – Norma Baker

Asking for an additional \$10,000.



Motion: Councilman Randy Phelan moved to approve Norma Baker for a \$10,000 home loan increase subject to loan policies & requirements. Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Randy Phelan moved to approve the home mortgage increases for; 1.) Cory & Sierra Spotted Bear (\$20,000) & 2.) Tesha Fredericks (\$200,000) subject to loan policies & requirements. Councilman Fred Fox seconded the motion.

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

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

Discussion: Updated Change in Client Loan Amount Revised memo.

B. Planning and Grants Resolutions – Sheila Many Ribs
Item deferred.

TAT_20180815+1405_01d434a0fc5b995e

C. FEMA Multi-Hazard Mitigation Plan - Karen Day

Each segment will review the Plan for their individual segment needs and Caleb Dog Eagle will submit to FEMA.

D. Home Mortgage Request - Valerie Mayer
Item deferred.

TAT_20180815+1410_01d434a1af712c20

E. MHA Interpretive Center – Delphine Baker

Provided a report on the Center ground-breaking that included over 200 attendees. EPA approved for the site's sewer-system. Breaking ground in September.



Motion: Councilman Fred Fox moved to approve resolution no. 18-208-FWF entitled “*Approving the Waiver of TERO Fees for MHA Interpretive Center Project*” Councilman Mervin Packineau seconded the motion.

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

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

F. Mandaree Enterprises (MEC) – Clarence O’Berry

Motion: Councilman Fred Fox moved to approve resolution no. 18-209-FWF entitled “*Mandaree Enterprises, LLC Owner Exclusion for MEC Energy Services, LLC*” Councilman Mervin Packineau seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 18-210-FEF entitled “*Mandaree Enterprises, LLC Owner Exclusion for MEC Distribution, LLC*”. Councilman Mervin Packineau seconded the motion.

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

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

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G. MHA Department of Transportation (DOT)– Richard Hall, Director

Profit & Loss Report submitted for Oct 1, 2017 - Aug 15, 2018 showing \$6,896,495.73 Net Income. Categories include: Citations(\$257,663.24), Credit Card Fee(\$171,718.60),



Permits(\$1,760,800.00), Registration(\$4,508,914.99), and TERO Fees(\$197,398.90). Various samples of the MHA Nation License Plate presented to the council.

Motion: Councilman Mervin Packineau moved to approve resolution no. 18-211-FWF entitled “*Authority and Duty to Enforce Weight Limits Applicable to All Roads Within the Jurisdiction of MHA Nation.*” Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve the production the MHA Nation License Plates. Councilman Cory Spotted Bear seconded the motion.

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

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

Discussion: The Chairman made suggestions to have “Great MHA Nation” on top, or “MHA” on top and “Three Tribes on the bottom”. Other design option includes Veterans plates with the branch logo, and Segments. Councilwoman Monica Mayer has offered the land at the old North Segment building for a new DOT site.

XIV. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair

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

B. Farm/Pasture Leases - Diana Americanhorse
Item deferred.

C. Easements - Shaylane Miller –
Item deferred.

TAT_20180815+1450_01d434a74a6eb544

D. Oil & Gas Committee: – Carson Hood Jr., Energy Director



1) ROW's – Paul Grady & Catherine Everett

Motion: Councilman Randy Phelan moved to approve resolution no. 18-212-FWF entitled “Amendment to Resolution No. 17-117-FWF entitled `Approval of a Fee Structure for the MHA Nation Energy Division to Regulate and Oversee Oil and Gas Exploration and Production Activities.” Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Randy Phelan moved to approve resolution no. 18-213-FWF entitled “Approval of Setback Variance Requested by Bruin E&P Operating, LLC for the FB 152-93-9C-10-7H, 8H, 9H, 10H, 11H, 12H, 13H, 14H and 15H –Bonita Well Pad Project.” Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 18-214-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Fort Berthold 152-93-9C-10-7H, 8H, 9H, 10H, 11H, 12H, 13H, 14H and 15H - The Bonita Well Pad, Road and Utility Corridor Project Submitted by Bruin E&P Operating, LLC.” Councilman Randy Phelan seconded the motion.

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

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



Motion: Councilman Randy Phelan moved to approve resolution no. 18-215-FWF entitled “Approval of Modification to BIA ROW No. FBOG100573 to Add Four Wells to the Missouri Pad, Fort Berthold 152-94-14D-11-3H, and Fort Berthold 152-94-14D-11-4H, Submitted by Bruin E&P Operating, LLC.” Councilwoman Monica Mayer seconded the motion.

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

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

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E. Fort Berthold Rural Water (FBRW) Report – Pem Hall, Director

North Prairie Rural Water District is requesting to serve the Makoti area that FBRW doesn’t currently have funding for. Pem Hall has concerns that our users and distribution lines would be blocked out. Federal funding short-fall for FBRW discussed and seeking guidance from the TBC on how to proceed. Mr. Hall noted that FBRW has the capacity but is lacking the funding and would seek approval for the State to offset development costs. Councilman Randy Phelan noted that we still don’t have people hooked-up in Mandaree. Mr. Hall provided a reservation-wide projects report.

Motion: Councilman Mervin Packineau moved to approve the Director to discuss with the North Prairie Rural Water District representative concerning possible external resources. Councilman Randy Phelan seconded the motion.

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

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

Discussion: John Fredericks recommended an agreement with the State to build the system and turn the system over to FBRW. Pem Hall noted that there is \$19.2 million currently in reimbursement status.

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F. Land Purchase in North Segment – Victoria Mandan, North Segment Property Service

A property owned by Wade Uran Land is up for sale on 5th St. in New Town near Northern Lights Community Center. Price has been negotiated down to \$25,000 with no incumbencies. Currently a



lot of drug activity is occurring at the location from squatters. Would like to use the property for garden space.

Motion: Councilman Randy Phelan moved to authorize the Wade Uran land purchase subject to Legal review, title insurance, and title free and clear with resolution. Councilman Cory Spotted Bear seconded the motion.

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

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

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

A. Justice Commission Report

Item deferred.

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

Written report submitted. Key items included; Collected \$382,000 in old fines since March. Updated Policies & Procedures is currently under Legal review. Building issues continue to be under review. Presented an amended organizational chart and were directed to work with CEO and returning. After discussion it was recommend to write-off the old fines from those that are deceased.

C. El Marie Conklin

Item deferred.

TAT_20180815+1530_01d434ace58e0318

D. Corrections Administration – *Al Nygard, CEO*

Recommended consolidation of supervision of the Adult & Juvenile Detention/Corrections under one Administrator. Policy states only one administrator. Most of the current policies reflect a single administrator. The Council deferred item.

E. Point of Contact for PSC revision - *Al Nygard, CEO*

Law Enforcement adjudication. Recommending changing from Chief Heart to the HR Director to serve as Point of Contact for Law Enforcement adjudication.

Item deferred.

TAT_20180815+1535_01d434ad9989cff0

F. YoungHawk/Bear Post 253 Sponsorship Request - *Jason Morsette*

Honolulu Pow-wow Committee has asked YoungHawk/Bear Post 253 be in attendance for the pow wow as a color guard for the event. The event will be held in Hawaii at the Waikiki Beach October



6-7, 2018. The Post is requesting travel, per diem and hotel costs for all members going. Presented a budget and list of attendees.

Motion: Councilman Fred Fox moved to approve sponsorship of \$1,200/person. Councilman Randy Phelan seconded the motion.

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

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

Discussion: Commander: YoungHawk/ Bear Post 253; Robin Fox, John Red Hawk, Thomas Eagle, Kathy White Bear, Clement Packineau, Gary Dickens, Austin Gillette, Jonelle Abe, Donald Dickens, Shannon Fox, Duane Bowen Singers; Alfred Morsette III, Didymus T Morsette, John Bearstail, Sidrick Baker, Rylan Baker, Auxiliary 253; Jean Red Hawk, June Eagle, Donna May Lewis, Glenis Rush, Lori Hendrick. Tourism will also travel to showcase some of the events that we have here and as a great place to promote the Tribe.

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G. Victim Services – Sadie Young Bird, Director

Bernadette Jackson presented a contract for professional counseling services for the Domestic Violence Program of the Three Affiliated Tribes and the Fort Berthold Coalition against Domestic Violence. Counselor crisis intervention for domestic and sexual violence victims, training to staff, etc. – Funding through a 3 year grant. Heidi Danks would be the consultant. Chairman Mark N. Fox recommended an annual contract.

Motion: Councilman Fred Fox moved to approve the consultant contract subject to term change to 1 year for Heidi Danks. Councilman Randy Phelan seconded the motion.

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

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

H. TAT Law Enforcement Report– Nelson W. Heart, Chief of Police Addressed.



TAT_20180815+1550_01d434afb46cbbba0

I. MHA Public Safety Division of Drug Enforcement

Overtime issue previously addressed. BIA/LES issue are not recognizing TAT DEA and threatening cases.

Motion: Councilman Fred Fox moved to approve an appeal to the BIA/LES decision not recognizing the TAT DEA. Councilwoman Monica Mayer seconded the motion.

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

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

XVI. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

XVII. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

**I. Acupuncture School Fees/Tuition for Benjamin Demko – Marilyn Young Bird
Item deferred.**

II. Cultural Committee Development – Nora Packineau

Motion: Councilman Cory Spotted Bear moved to appoint Councilman Randy Phelan as Cultural Committee Chairman. Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to appoint Chairman Mark N. Fox as Chairman of the Recreation Committee with Councilwoman Monica Mayer & Councilman Mervin Packineau as members. Councilwoman Monica Mayer seconded the motion.

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

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



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

FTR: Councilman Fred Fox left the meeting at 4:36pm.

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

A. Riverbed Mineral Ownership

OST is asking for the Tribe to waive regulations to set up account.

Motion: Councilman Randy Phelan moved to authorize OST to create an account for royalties. Councilwoman Monica Mayer seconded the motion.

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

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B. Good Road Corporate Charter – John Fredericks

Motion: Councilman Randy Phelan moved to approve resolution no. 18-216-FWF entitled “Petition for Charter of Incorporation for Good Road Recovery, Incorporated under Section 17 of the Indian Reorganization Act”. 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 – Not Present
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 the Patty Marz Contract. 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 – Not Present
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Patty Marz seeking John Donham Contract Claim and believes she can get more money.

XIX. NEW BUSINESS – Tribal Councilman Add Ons

- A. **Chairman Mark Fox- *Reserved***
- B. **Chairman Mark Fox – *Reserved***
- C. **Councilman Randy Phelan – *Reserved***
- D. **Councilman Randy Phelan – *Reserved***
- E. **Councilman Fred W. Fox – National Legion Convention**
Councilman Fred Fox will sponsor at the amount of \$1,200/person for Post 253.
- F. **Councilman Fred W. Fox – *Reserved***
- G. **Councilman Mervin Packineau – *Reserved***
- H. **Councilman Mervin Packineau – PHS TERO Waiver – Beth Schwartz, Parshall Schools Superintendent**

Presented a request for a waiver of the TERO fees for the construction of the new High School in Parshall. Submitted a similar resolution that New Town used for their project as an example. Caleb Dog Eagle will develop a resolution. Councilman Fred Fox noted that White Shield Segment would contribute to upgrading the Parshall football field. Reported that they are currently improving entry access security at the current school and have a Resource Officer.

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

Motion: Councilman Mervin Packineau moved to approve resolution no. 18-200-FWF entitled “Approval of a Waiver of the TERO Employment Rights Fee for the Parshall School Project” subject to Legal review. Councilman Fred Fox seconded the motion.

Vote: 5 Ayes. 2 – 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 – Not Voting



FTR: Chairman Mark N. Fox returned to the meeting and reassumed the Chair of the meeting.

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I. Councilman Frank Grady – TERO Commissioner Appointee

Motion: Councilman Frank Grady moved to appoint Lloyd Johnson as the Four Bear Segment representative to the TERO Commission, subject to the TERO requirements. Councilman Cory Spotted Bear seconded the motion.

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

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

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J. Councilman Frank Grady – Sidrick Baker Request

Mr. Baker brought forth issue with trying to get his two grand-daughters enrolled. Enrollment stated his blood quantum is not high enough. Paternal grand-parents should have been listed as 4/4 and enrollment has not replied to Mr. Bakers assertions on errors on the 1934 Base Roll record. The CEO to work with the Enrollment Office on the issue to insure Mr. Baker gets an answer.

Directive: Councilman Frank Grady directs the Enrollment Director to answer Sidrick Baker on his submitted information. 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 – Not Voting
Councilman Mervin Packineau – Not Present
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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K. Councilman Cory Spotted Bear – Four Bear Lift Station – Justin Spotted Bear, Director

Motion: Councilman Frank Grady moved to approve resolution no. 18-217-FWF entitled “Approval of funding granted by the Tribe, for the renovation of Four Bears Master lift station” subject to including Four Bears Segment funding and Legal review & amendments. Councilman Cory Spotted Bear seconded the motion.

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



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

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L. Councilman Cory Spotted Bear – Morsette Request
Seeking \$3,750/family for mileage assistance.

Motion: Councilman Cory Spotted Bear moved to approve the RoyChelle Morsette Family & the Chad Morsette family request for assistance for the cost of gas to transport their children to/and from school in the rural Twin Buttes area where there are no bus services. Councilwoman Monica Mayer seconded the motion.

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

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

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M. Councilwoman Monica Mayer – Darlene Perkins

Submitted a business plan for her Red Lightning Couture, collateral statement, and minutes from previous loan action. Seeking \$100,000. Oil & Gas collateral & company profits.

Motion: Councilwoman Monica Mayer moved to approve a \$100,000 business loan subject to loan policies. Councilman Randy Phelan seconded the motion.

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

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

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N. Councilwoman Monica Mayer – Post 271 National American Legion Convention, Minneapolis (August 24th-27th)



Motion: Councilman Fred Fox moved to approve \$900/person for all recognized Posts & Auxiliary's. Councilwoman Monica Mayer seconded the motion.

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

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

XX. CLOSED SESSION:

- A. Enerplus Issue with TERO Commission – *Whitney Bell & Lisa Lonefight*
- B. WhiteFish Woman Loan Repayment – *Caleb Dogeagle, Lead Attorney*
- C. Sheila Many Ribs

XXI. ADJOURNMENT:

Motion: Councilman Randy Phelan moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 6:38pm.




CERTIFICATION

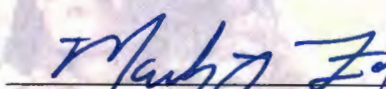
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 5 were present at the Special Meeting thereof duly called, notice, convened and held on the 21st of September, 2018; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 5 members; 0 members opposed; 0 members abstained; 2 Members not voting.

Chairman (X) Voting () Not Voting

Dated this 21st day of September, 2018.

ATTEST:


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


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