



CALL TO ORDER

Vice Chairman Randy Phelan called the meeting to order at 1:47PM.

OPENING PRAYER

Prayer by Gerrilyn Yellow Bird.

ROLL CALL

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

I. APPROVAL OF AGENDA

Motion: Councilman Cory Spotted Bear moved to approve the agenda. Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Not Present
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

II. APPROVAL OF MINUTES

- 7/11/2018 TBC Minutes
- 8/14/2018 TBC Minutes
- 8/15/2018 TBC Minutes

Item deferred

III. NEW BUSINESS:

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A. Mac Schneider

Phyllis Howard introduced Mr. Schneider as a longtime friend. The former Democratic Leader who is running for a ND Congressional seat in the House. In 2013, he negotiated the Tax Agreement and pushed the Tribes agenda. Mac Schneider a former aid to Pomeroy and assisted with many tribal issues. Opposed the tax rule that dropped the tax. Platform includes Human Trafficking, Tax fairness, access to educational opportunities. Councilman Fred Fox asked Mr. Schneider about the Equal Footing Doctrine and the Tribes riverbed issue. Mr. Schneider pledged to pursue a measure of fairness and that the Federal government realizes the Tribe's position. Councilwoman Monica



Mayer asked that when he is elected to provide her nation a seat at the table and that the riverbed and equal taxation issues are prioritized. Councilman Mervin Packineau

Motion: Councilman Fred Fox moved to approve a \$5000 political campaign contribution. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Not Present
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: Councilman Randy Phelan expressed that the Tribe really needs his support and requested access to meet with tribal officials in person because it's disappointing when we go to meet in D.C. that our representatives are directed to staff members. The riverbed issue and missing indigenous women campaign are important issues at this time. Councilman Cory Spotted Bear thanked Mac Schneider for coming to today council meeting and reiterated the importance of the riverbed issues, missing indigenous woman campaign and the States failure to help the Tribe with reservation roads and funding for transportation projects affected by oil development. Councilman Randy Phelan also noted the crime and addiction issues.

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B. Executive Orders – Al Nygard, CEO

Motion: Councilman Fred Fox moved to ratify EA 2018-31;

NOW THEREFORE BE IT RESOLVED, to accomplish these objectives the Tribal Business Council hereby hires the firm Holland and Knight, LLP, and authorizes the Chairman to execute the attached engagement letter. Councilman Randy Phelan seconded the motion.

Vote: 7 - Ayes. Motion carried.

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

Motion: Councilman Randy Phelan moved to ratify EA 2018-32;



NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes a one-time payment to Fire Mountain Residential Treatment Center of Estes Park, Colorado in the amount of \$12,000 for the treatment of Rowyn Murray. The family will provide for the balance of payment. Councilman Fred Fox seconded the motion.

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

Motion: Councilman Randy Phelan moved to ratify EA 2018-33;

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes the attached consultant contracts to assist in disseminating information to Alottees about the Land Buy Back Program. The consultants are: Ed Lone Fight, Donna Harwood, and Stephanie Grounds. Councilman Fred Fox seconded the motion.

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

Motion: Councilman Randy Phelan moved to ratify EA 2018-34;

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes and approves a line item expenditure of \$2500.00 to Charlie Vigen to assist with expenses to attend the Championship of Championship Indian Relay Races in Walla Walla, Washington. 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: Other teams to get a similar motion.

Motion: Councilman Cory Spotted Bear moved to provide a similar assistance from EA 2018-34. Councilman Mervin Packineau 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 – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Voting

FTR: Councilman Frank Grady joined the meeting at 2:41PM.

IV. CLOSED SESSION:

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A. Human Resources HR – Barlow Wells, Director

1) Comp-Time Pay out Request

B. MRR – Dave Williams

C. WPX – Brandon Harris

D. Shane Johnson

E. Ethics Commission – Judge G. John Traylor

F. Sanish Scouts Search Group

G. Appointments

H. Temporary Water Permit

I. ND-State 9-Ball Tourney Sponsorship

H. Financial Request - B.J. Brady

I. Frank White Calfe

V. ADJOURNMENT:

Motion: Councilman Fred Fox moved to adjourn. Councilman Mervin Packineau seconded the motion. Meeting adjourned at 5:53PM.

FTR: Meeting reopens for the following issue. Roll Call and All Present

J. Unauthorized Release of Information

Motion: Councilman Fred Fox moved to adjourn. Councilman Cory Spotted Bear seconded the motion. Meeting adjourned at 6:05PM.



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 Executive Meeting thereof duly called, notice, convened and held on the 31st of October, 2018; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 6 members; 0 members opposed; 0 members abstained; 1 Members not voting.

Chairman (X) Voting () Not Voting

Dated this 31st day of October, 2018.

ATTEST:

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

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