



CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 11:39AM.

OPENING PRAYER

Prayer by Lyda Bearstail.

ROLL CALL

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

I. APPROVAL OF AGENDA

Motion: Councilman Randy Phelan moved to approve the agenda. 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 – Aye
Councilman Frank Grady – Not Present
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Present

II. APPROVAL OF MINUTES

- 7/11/2018 Tribal Business Council Minutes
- 8/14/2018 Tribal Business Council Minutes
- 8/15/2018 Tribal Business Council Minutes

Motion: Councilman Randy Phelan moved to approve the July 2018 Tribal Business Council minutes subject to minor corrections. Councilman Mervin Packineau 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 – Aye
Councilman Frank Grady – Not Present
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Present



Motion: Councilman Randy Phelan moved to approve the August 2018 Tribal Business Council minutes subject to minor corrections. Councilman Mervin Packineau 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 – Aye
Councilman Frank Grady – Not Present
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Present

- **9/20/2018 Tribal Business Council Minutes**
Minutes deferred.

III. SPECIAL GUESTS & ELDERS

A. Marilyn Hudson¹

Item deferred.

B. Fargo-Moorhead Crossroads Sponsorship Request - Willard Yellow Bird

FTR: Councilwoman Monica Mayer joined the meeting at 11:52AM.

Motion: Councilman Fred Fox moved to approve a sponsorship of \$20,000 subject to enrolled MHA members receiving free admission. 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

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- #### **C. North Dakota Native American Hall of Honor – Scott Davis, Calvin Grinnell, & Marlo Sveen.**
- The organization is trying to raise \$12 million. The Tribal Business Council will look at funding the request at the next budget work session.

FTR: Councilman Frank Grady joined the meeting at 12:02PM.

EXECUTIVE COMMITTEE REPORTS



FTR: Birthday honor song and gifts presented to Chairman Mark N. Fox.

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

A. Report

The Chairman provided an overview of recent and upcoming events, project updates, condolences & commendations. Key events included the grand openings of the Water Park, Treatment Center, and the 1942 Elbowoods Boys Basketball Team Hall of Fame event at the Heritage Center. Harriet Good Iron named Gold Star Mother of the Year; EPA meeting that included the Regional Director., 1st Annual Fall Fest to showcase recent development at Fort Berthold, Outreach dinners. Upcoming events include the Arickara/Pawnee Reunion event, Global Gaming Conference, ND Tax Committee meetings to propose better taxation split on production revenue, White Shield School Grand opening, Law Enforcement Appreciation Day Oct. 20th. The Chairman related his thoughts expressed what a privilege it was to attend the Sen. John McCain funeral services at Washington Cathedral.

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B. Good Road Recovery Center (GRRC) KIPU Software - Sherry Baker, CPC

Motion: Councilman Randy Phelan moved to approve \$20,000 for the KIPU billing software. 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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C. VFW Post 9061 Financial Request - Commander Carson Hood Sr.

Motion: Councilwoman Monica Mayer moved to approve \$9,000 and look at an additional \$6,000 in the new fiscal. 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

V. VICE CHAIRMAN’S REPORT- Councilman Randy Phelan

Provided a summary of recent activities, upcoming schedule and update on ongoing projects in West Segment. Events included; August Back to School Bash with gift cards, Mandaree Horse Track development with the rodeo club. Provided and update on progress made in the building of the new Mandaree School.

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

Provided a summary of recent activities, upcoming schedule and update on ongoing projects in East Segment. Records Office update provided on the Records Office web site. Rules of the Chambers have been posted. Events included; Apartment building opening, 3rd Arikara Pawnee Reunion in Norfolk, Nebraska hosted by the Ponca, Grand opening of the White Shield School(Oct. 24th), East Segment Tribal Building, White Shield Ambulance certification, structural fire service by next year, new daycare building in November, Back to School Bash, Elder’s Center A& E selected.

VII. TREASURER’S REPORT - Councilman Mervin Packineau

Provided a summary of recent activities, upcoming schedule and update on ongoing projects in North East Segment.

FTR: Chairman Mark N. Fox went through the rules of conduct the Chambers.

A. CFO Report – Whitney Bell

Item deferred.

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

Item deferred.

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C. Small Loans – Val Mayer & Mary Ellen Sun

Motion: Councilman Randy Phelan moved to approve Group A(14) applications: subject to Loan Dept. Policies, procedures & requirements. Councilman Fred Fox 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 – Abstained

Councilman Frank Grady – Not Voting

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye



Motion: Councilman Randy Phelan moved to approve Group B applications: Education Loans (1) subject to Loan Dept. Policies, procedures & requirements. 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 – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Additional requests added; Samantha _____, _____, Baily Phelan.

Motion rescinded

Motion: Councilman Fred Fox moved to approve Group B (4) applications subject to Loan Dept. Policies, procedures & requirements. 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 – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Randy Phelan moved to approve Group C: applications subject to Loan Dept. Policies, procedures & requirements & further Director Requirements. 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

D. Business Loans – Toni Star
Item deferred.



VIII. SEGMENT UPDATES

A. North Segment – Councilwoman Monica Mayer

The segment has 65 staff members; budget is currently in good shape. New upcoming projects include; a car wash, Jiffy Lube, laundromat, tire center, movie theatre, bowling alley. The segment hired Shone Schimel as a high school basketball coach. Sitting on the Stack committee, there are only 12 in the United States that sit on that committee.

B. Twin Buttes – Councilman Cory Spotted Bear

The Sober Living Lodge facility is going up, water treatment plant construction in on schedule, and the first harvest from the community honey project. Grand opening for the recreation center with Billy Mills in attendance on Sept. 29th.

C. Four Bears – Councilman Frank Grady
Item deferred.

IX. OFFICER REPORTS

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A. Chief Executive Officer Report – Al Nygard

1) FY19 Budget

Twin Buttes & White Shield projects still need to be added to the FY19 budget. There is 5% that is still not in the projection that will be added before approval. Need an action for a generator at the Energy building.

2) Generator Purchase

Motion: Councilman Randy Phelan moved to approve resolution no. 18-222-FWF entitled "Approval of the Consultant Contract of T.W. Enterprises for the Generator and UPS System at MHA Energy Building" 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 – Aye

Councilman Frank Grady – Not Voting

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 18-223-FWF entitled "Approval of the Consultant Contract of T.W. Enterprises for the annual maintenance services for generators". 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 – Aye
Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

3) Executive Orders

Item deferred.

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

August is the 11th month of Fiscal Year 2018 (FY'18). OPT and OET and Alcohol Tax collections are NOT actual for August because they have not been reported, therefore, August's collections without ACTUAL oil and gas revenue are estimated at \$22,099,033.9. A 5-year (FY'14-FY'18) Monthly Revenue Collections Comparison for the month of August, shows the estimated month of August is the second highest month for collections. ACTUAL August oil and gas collections will be reported in mid-September. 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 \$78,400,296.96. 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 11 months (Oct-Aug) (at the time of this report) is \$20,000,000, with the monthly average of \$1,818,181. June was the lowest month collected at \$200,000 and May was the highest at \$4,000,000. Drilling Fees for FY'18 (Oct-Aug), are \$6.9 million higher than the total annual fees collected in FY'17.

Motion: Councilman Mervin Packineau moved to extend “*Temporary Suspension of Alcohol Ordinance Licensure and Regulatory Requirements.*” Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to renew to renew the Wipfli/ Joseph Eve Consultant Agreement. [1-year contract and included in budget 0050] Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye



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

Motion: Councilwoman Monica Mayer moved to approve the Collective Strategies Consultant Agreement. [Term: through Sept 30th 2019 and included in budget from 380] Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Fred Fox moved to extend the Brattle Group Inc. Consultant Agreement [from 380 fund – Term through Dec. 31st, 2018 for 3 months.] 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

Motion: Councilman Fred Fox moved to approve the Artic IT, Systems Operations and Maintenance consultant agreement from 0050. 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 – Aye
Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye



Motion: Councilman Fred Fox moved to approve resolution no. 18-248-FWF entitled “Demanding that the Department of Interior Fulfill its Trust Responsibility and Complete Title and Mapping Work in the Missouri River Bed within the Fort Berthold Indian Reservation and Opposing Solicitor’s Opinion M-37044” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

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

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

Discussion: John Fredericks & TAT Legal to review.

5) Enrollment – Sevant S. Taft

Motion: Councilman Fred Fox moved to approve resolution no. 18-224-FWF entitled “Approval of 56 Applicants for Enrollment into the Three Affiliated Tribes” 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Voting

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 18-225-FWF entitled “Approval of the Relinquishment of Ethel Louise Baker Enrollment Number 301U-06617 from Membership in the Three Affiliated Tribes” Councilman Fred Fox seconded the motion.

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

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



X. UNFINISHED BUSINESS

A. Pouch Point Cost Share⁴ - Jim Mossett

Family asked for the item to be removed.

B. Emergency Operation Plan with NIM's Integration⁶ - Cliff Whitman Sr.

Deferred back to the Natural Resources Committee.

C. Toni Garcia Home Purchase/Mortgage³

Deferred back to the Natural Resources Committee.

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D. MHA Education Pathways Continuation Proposal³ - Al Nygard, CEO

(Formally Education Pipeline) Negotiated an agreement for services provided. Modifications on contract to focus on finding resources for students in higher education. To reduce various tribal grant expenditures. Chairman Mark N. Fox noted concerns with duplicative services. Al Nygard discussed steps to increase collaborations and deliverables to reduce any duplication. Also discussed improving data collection and focusing on the end result of their services with specified expectations. Councilman Fred Fox noted that the whole tribal education budget receives less than this service costs the Tribe. Councilman Cory Spotted Bear would like the input of the Education Director. Contract for 1 – year agreement for \$531,536.

Motion: Councilman Fred Fox moved to approve half of the amount specified in resolution no. 18-227-FWF entitled, "Approval of the MHA Education Pathways Continuation Proposal." 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 – Aye

Councilman Frank Grady – Not Voting

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

Discussion: Approved half of the finding request and required to report before receiving the remainder. Dr. Ruth Swaney suggested that the TBC consider as to why they are contracted and not employees.

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E. El Marie Conklin²

Presented 4 issues that are awaiting Legal Dept. action on or response. Discussion on the garnishment of disbursements & judgements on people living off the reservation. Chairman Mark N. Fox thought garnishments are People's Fund & the child support (Christmas). Renewal of the Associate Judge Appointment under contracts discussed.



Motion: Councilman Fred Fox moved to grant authority to the Chairman to sign and approve contract Associate Judges at tribal court. 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 – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

Discussion on the recent change to court fees with no notice and the need for a policy delegating who has the authority to change those fees. Elmarie Conklin always thought the authority was with the Judicial Committee and not the Court Administrator and needs to be an official action. The Judicial Committee will review. Juveniles are being held longer than 72 hours without being charged for a crime. Elmarie Conklin has asked for the policy allowing this and has not received the requested policy. The CEO will get a clarification from the court and have Legal review. A Magistrate is hearing cases and issuing warrants with no resolution establishing a contract. Chairman Mark N. Fox asked that the core documents be provided by the Justice Commission.

F. Acupuncture School Fees/Tuition for Benjamin Demko¹ – Marilyn Young Bird
Item deferred.

XI. MEDICAL REQUESTS

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A. Rebecca Jensen¹

Seeking assistance for the unmet cost for dentures.

Motion: Councilman Fred Fox moved to approve \$2000 (75% of \$2,700) for a denture work bill. 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 – Aye
Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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B. Trey Everett¹

Seeking \$3,228.60 for costs not covered by insurance for surgery.



Motion: Councilman Fred Fox moved to approve assistance in the amount of \$2,500 (75% as Policy). 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 – Aye
Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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C. Lisa Furr

Seeking assistance in the amount of \$8,856 for medical bills from 2012 that are in collections with Red River Collections. Did not have insurance at the time of billing. Was taken by ambulance to Trinity. Have worked through Contract Health. Kathy Eagle will research.

Motion: Councilman Cory Spotted Bear moved to approve medical assistance in the amount of \$6,700 to Red River Collections subject to EMHC verifying that they cannot assist. Councilwoman Monica Mayer seconded the motion.

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

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

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D. Dental Assistance Request - Geneva Hale

Seeking assistance for a child's orthopedic surgery for braces at Sanford in the amount of \$5,920.

Motion: Councilman Fred Fox moved to approve \$4,500 for dental assistance. Councilwoman Monica Mayer seconded the motion.

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

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



Councilwoman Monica Mayer – Aye

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XII. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer, Chair

A. Home Mortgage Request - Valerie Mayer
Item deferred

XIII. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair

A. Homesite(s) – Tex Lone Near & Valeri Hosie

Motion: Councilman Fred Fox moved to approve resolution no. 18-228-FWF entitled “Thomas and Jody Pfliger’s Land Sale to the Three Affiliated Tribes” 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: Chairman Mark N. Fox noted be paid for from the FY19 Land Acquisition funds. Tex Lone Bear noted that the new land received from the Corps is adjacent.

Motion: Councilman Randy Phelan moved to approve resolution no. 18-229-FWF entitled “Approval of Removal of Allotment 594A B from Range Unit - 93” [Leo Cummings] 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

Discussion: Removing property for Elderly Housing in Four Bear segment. Chairman Mark N. Fox noted that the land needs to be fenced and that not extra land is taken out.



Motion: Councilman Randy Phelan moved to approve farm & pasture lease resolution no. 18-230-FWF entitled “*Wilber Hunts Along farm pasture lease*” subject to Legal review. 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

Discussion: \$11/acres on the former Tod Hall property. No farm acreage.

FTR: *It was later determined by Legal that a resolution was not needed for the above item.*

Motion: Councilman Randy Phelan moved to approve resolution no. 18-231-FWF entitled “*Approval of Home Site Leases and Utility Corridors for Home Sites*” [Dallas Fox-Osborne, Julius Poitra, Jasson White Owl, Shaylane Miller, Trajen Hale, Angelita Walker, Jason Morsette, Laura Sandvold, Goddeua Wieler, Chad Johnson] 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. 18-232-FWF entitled “*Consent to Certain Right(s) of Way Across Tribal Land*” [Gabriel Fettig Jr.-Range Unit 97] 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. 18-233-FWF entitled “Consent to Certain Right(s) of Way Across Tribal Land” [Antoine Smith] 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 Fred Fox moved to approve resolution no. 18-234-FWF entitled “Approval of Home Site Leases and Utility Corridors for North Segment”. 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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Motion: Councilman Randy Phelan moved to approve an amendment to resolution 17-099-FWF entitled “Approval of the Land Exchange between the Three Affiliated Tribes and Nancy E. Fox.” (Nancy Fox Land Exchange 44 acres for 40 acres. Amend current resolution no. T1276. Councilman Mervin Packineau seconded the motion.

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

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

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

C. Easements - Shaylane Miller



Item deferred.

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D. North Segment Wrecking Yard Update – Victoria Mandan

Provided update on the North Segment Wrecking yard with THPO, Environmental Permit, & topographical map, privacy fence for the 10.5 acres site that is all tribal.

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E. Fort Berthold Rural Water (FBRW) - Section 17 – Pem Hall

Motion: Councilman Randy Phelan moved to approve resolution no. 18-249-FWF entitled "Award of Construction Contract for the Mandaree WTP Wastewater Ponds Project". 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

Motion: Councilman Randy Phelan moved to approve resolution no. 18-250-FWF entitled "Approving and Appropriating Funds for Restoration and Maintenance of Queen of Peace Cemetery". 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilman Frank Grady – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Presented a progress report on the Twin Buttes Water Treatment Plant that highlighted current activities. At about 80% completion on the ponds, footings completed. Project is on schedule for the July 2019 completion date. Previous payment infrastructure from oil companies used to extend lines and will need a new agreement that is current with Legal review. Water Park is finishing up, Energy Building work, and then moving the crew to White Shield. Councilman Randy Phelan reminded the Director that Chandee Chase & Tony Smith, Dennis Two Crow, Chauncy Good Bird really need water with winter coming. Councilman Fred Fox noted that his segment needs the White Shield water tower budget for fire protection.



Motion: Councilman Cory Spotted Bear moved to authorize the Chairman to sign any new Administration Building project contracts pending Legal review. Councilwoman Monica Mayer seconded the motion.

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

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

TAT_20180921-1333_01d451afa97b1436.mp3

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

Motion: Councilman Randy Phelan moved to approve resolution no. 18-235-FWF entitled “Approval of a Memorandum of Understanding Between the Energy Division and the Tribal Historic Preservation Act for Coordination and Capacity Building in the Processing Right-of-Way for Oil and Gas Exploration and Production Activities” subject to Legal review. [THPO]. 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 – Aye
Councilman Mervin Packineau – Not Voting
Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

TAT_20180921-1338_01d451b05c9bf454.mp3

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

Motion: Councilman Randy Phelan moved to approve resolution no. 18-236-FWF entitled “Approval of Setback Variance Requested by EOG Resources, Inc. for the Liberty 11 NWSE Pad.” 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

Discussion: Councilman Randy Phelan noted the in committee the negotiated processing fee was for \$5,000. Presented resolutions will need to be changed.

Motion: Councilman Randy Phelan moved to approve resolution no. 18-237-FWF entitled “Approval of Setback Variance Requested by EOG Resources, Inc. for the Liberty 11 SWNE Pad.” 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

Discussion: Councilman Randy Phelan noted the in committee the negotiated processing fee was for \$5,000. Presented resolutions will need to be changed.

Motion: Councilman Randy Phelan moved to approve resolution no. 18-238-FWF entitled “Approval of Setback Variance Requested by EOG Resources, Inc. for the Liberty 14 NWSE Pad.” subject to Legal review. Councilman Fred Fox seconded the motion.

Discussion: Councilman Randy Phelan noted that in committee the negotiated processing fee was for \$5,000. Presented resolutions will need to be changed.

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 noted the in committee the negotiated processing fee was for \$5,000. Presented resolutions will need to be changed.

Motion: Councilman Randy Phelan moved to approve resolution no. 18-239-FWF entitled “Approval of Setback Variance Requested by EOG Resources, Inc. for the Liberty 23 SWSE 2 Pad”. Subject to Legal review. Councilman Fred Fox seconded the motion.

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



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
SEPTEMBER 21ST, 2018 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

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 noted that in committee the negotiated processing fee was for \$5,000. Presented resolutions will need to be changed.

Motion: Councilman Randy Phelan moved to approve resolution no. 18-240-FWF entitled “Approval of Setback Variance Requested by EOG Resources, Inc. for the Liberty 23 NWSE Pad”. 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

Discussion: Councilman Randy Phelan noted the in committee the negotiated processing fee was for \$5,000. Presented resolutions will need to be changed.

Motion: Councilman Randy Phelan moved to approve resolution no. 18-241-FWF entitled “Approval of Setback Variance Requested by EOG Resources, Inc. for the Liberty 23 NENW Pad.” 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

Discussion: Councilman Randy Phelan noted the in committee the negotiated processing fee was for \$5,000. Presented resolutions will need to be changed. Concern was expressed about [A7] & [A8] of the booklet that growth within the set-back to existing wellpads should be further from the lake and not closer. Councilman Randy Phelan noted that at NRC it was explained that the the terrain would take any spills away from the lake. A&, A8, & D1 deferred to NRC.



Motion: Councilman Randy Phelan moved to approve resolution no. 18-242-FWF entitled "*Approval of Setback Variance Requested by ONEOK Rockies Midstream, LLC for the Shobe 24 USA CTB*". 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. 18-243-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal land for the Strings Project Submitted by Enerplus Resources (USA) Corporation*" 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 Randy Phelan moved to approve resolution no. 18-244-FWF entitled "*Approval of Setback Variance Requested by Targa Badlands LLC for the Ness USA CTB Pipeline Project*". 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. 18-245-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal land for the Twin Buttes Water Treatment Plant Underground Power Line Project Submitted by McKenzie Electric Cooperative, Inc.*". 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

Motion: Councilman Randy Phelan moved to approve resolution no. 18-246-FWF entitled "Approval of Assessment of Civil Fine on RimRock Oil & Gas Williston, LLC for Trespass of BIA ROW No. FBOG100359 for the Skunk Creek 12-7 Well Pad and Consent to Amend BIA ROW No. FBOG100359 to add Four Additional Wells on the Skunk Creek 12-7 Well Pad." 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 approve resolution no. 18-247-FWF entitled "Consent to Amend BIA ROW NO. FBOGJ01213 to add Four Additional Wells on the MOCASSIN CREEK MHA 24-10 Well Pad Submitted by RimRock Oil & Gas Williston, LLC". 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

XIV. JUDICIAL COMMITTEE – Councilman Fred W. Fox, Chair
A. Justice Commission Report
Item deferred.

TAT_20180921-1418_01d451b5f6b14116.mp3

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



Recently hired one new Probation Officer, Collecting old fines and the writing off of fees from deceased, drug court/wellness court meetings, FullCourt software update and staff training. Received a new application for Public Defender and Assistant Prosecutor. Organizational Chart will be reviewed by the CEO. Building maintenance issues to be reviewed by a technician and results sent to Chairman Mark N. Fox and Tiffany Hodge. Also issues with the U.S. Attorney declining cases.

Motion: Councilman Fred Fox moved to approve the Justice Commission Contract extensions for 12-months subject to Legal Review. 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 – Aye
Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: John Foughty, John Mahouny, Michelle Lavar-Parks, Caleb Dogeagle, & Doreen Yellow Bird.

Motion: Councilman Fred Fox moved to approve the B.J. Jones (Associate Judge) contract for 1 year subject to Legal Review. 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 – Aye
Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

TAT_20180921-1428_01d451b75da0e024.mp3

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

Motion: Councilman Fred Fox moved to approve resolution no. 18-251-FWF entitled “Approval of a Contract for services with Zuercher Technologies for public safety software, Hardware and related services.” subject to Legal review. Councilman Randy Phelan seconded the motion.

Vote: 5- Ayes. 2 – Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye
Councilman Fred Fox – Aye



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

TAT_20180921-1438_01d451b8c4a53f8a.mp3

Motion: Councilman Mervin Packineau moved to approve applying for the Edward Byrne Grant (JAG) subject to Legal review & resolution.

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

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

TAT_20180921-1603_01d451c4acbe8014.mp3

A. Action Items

Motion: Councilman Fred Fox moved to approve all of the following Executive Committee actions as recommended in committee;

- **Contract Extension (D. Spotted Bear)**
- **Grant Writing Contract (K. Deane)**
- **Dental Request (Lingren)**
- **Leo Cummings (Range Unit)**
- **Sacred Fire Project – TJ Plenty Chief & Dennis Duetch**
- **Program Support (Chili Jamboree)**
- **FY19 Wake Fund /Elder Payments Increase**
- **Proposed Community Watch; Field Assessment**
- **Technical Assistance for Law Enforcement Surveillance**
- **Casino Park Improvements Request**
- **Renewable Energy Consultant Contract**
- **Sage Pond**
- **Post 9061 Budget**
- **Post 253 Sponsorship – Austin Gillette**
- **Wrangler Team Roping Tour Sponsorships**

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

TAT_20180921-1523_01d451bf11aaf15c.mp3

B. INFR - Polly Chase

Submitted a budget for Casey Johnson and Chandee Chase for a sponsorship to participate at the INFR. Councilman Mervin Packineau thought there could be up to 10 participants this year.

Motion: Councilman Fred Fox moved to approve financial assistance at 75% of the request not to exceed \$5000 as policy for each qualified enrolled contestant. Councilman Grady seconded the motion.

Vote: 3 Ayes. 2 – Abstentions. 1 – Not Voting. Motion carried.

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

Discussion: List of qualifiers to be brought in and added to the record.

XVI. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

A. Education Pathways Contract

Addressed under the following item.

TAT_20180921-1438_01d451b8c4a53f8a.mp3

B. Education Dept. – Dr. Ruth Swaney

Discussion of Education Pathways Program and the preference that the consultants absorbed as employees under the dept. The Education Dept. already does most of what the Pathways program does except servicing members off the reservation.

Motion: Councilman Fred Fox moved to approve a quarterly payment FY19 of the Education Pathways Contract. 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 – Aye
Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: To return with a report of effectiveness. Councilman Randy Phelan asked that Dr. Swaney help with the annual schools distribution. Chairman Mark N. Fox noted it is in the FY18 budget. Seeking Tribal Business Council approval to work on the Community Schools Project & the ND Dept. of Instruction. Will put a memo together to the Chairman to sign.

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

TAT 20180921-1548_01d451c292b583d60.mp3

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

Suicide Prevention Walk next week. Funding secured SAMSA grant. Design of the new Dental & optometry building and went with Comstock, GMP up \$1.2 million due to the lateness of the season. Behavioral Health Focus Groups upcoming.

- **Motion:** Councilman Fred Fox moved to approve the Provider Contract Dr. Sandra Figueroa Vargas for a 2 year term. Councilwoman Monica Mayer seconded the motion.

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

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

- **Motion:** Councilman Fred Fox moved to approve the Dr. Joanne Lee Family Practice Physician Contract 2 year term with sign on bonus. 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 – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

- **Motion:** Councilman Fred Fox moved to approve resolution no. 18-252-FWF entitled “Authorizing Assessment of Annual Rent to Elbowoods Health Programs”. Councilman Randy Phelan seconded the motion.



Vote: 5 - Ayes. 1 – Abstention. 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 – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Abstention

Cross-Anderson would not change dispute language. Chairman Mark N. Fox recommended re-opening the bid.

TAT_20180921-1448_01d451ba2aa77b9e.mp3

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

Medicare enrolled start Oct. 15th and meet with as many elders as possible. Researched a burial plan and funeral assistance. Bided out to a number of carriers. Councilman Randy Phelan recommends finding a plan for FY19. Councilwoman Monica Mayer recommended bringing it through the Health Committee. Councilman Mervin Packineau recommended an age specific plan.

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

TAT_20180921-1453_01d451baddaa386e.mp3

D. Tribal Health - Red Fox Sanchez

Hosted a Medical Billing Generation Training with participants from the great plains. Nation Billing Exam soon to be conducted. CHR has billed and received their first billing and now live on RPMS for PCC data entry. CHR Director salary was increased to improve recruitment. Circle of Life has hired a Supervisory LAC with 2 more to be hired & and a Behavior Health Specialist. Also need to develop a room with increased privacy at the Circle of Life for telemedicine and counseling. August: 13-Followup Care, 7 in treatment, 2 in sober living, 8-discharged, 5-completed, 3-non-completions. Coordinated Services; 28-clieants, 4-in treatment, 7-pending facility approval, 17-incomple application. Have housing issues, need a house for a Home Health Care Case Manager with an MSW. She is currently living with her family in half a trailer house. Need 5 units for employees. North Segment will look into seeing if they have any extra housing. Councilman Fred Fox states he would look into open up housing for anyone who needs it. Councilman Randy Phelan noted that Terry Red Fox will be bringing a proposal to fix their HUD homes if the tribe can supplement their budgets at a million per segment. Red Fox Sanchez noted that the Case Manager is about to leave due to housing issues. Chairman Mark Fox would give up one of the Chairman's houses in EMHC on an interim basis and to work through North Segment Property Management.

TAT_20180921-1543_01d451c1dfb5428a.mp3

E. Wellness Coalition - Dr. Leolani Ah Quin, LCSW, DBH, EMHC Behavioral Health Director
Seeking Tribal sanction of the Coalition.



Motion: Councilman Fred Fox moved to approve the Wellness Coalition Charter. 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 – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

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

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 – Reserved**
- F. Councilman Fred W. Fox – Reserved**

TAT_20180921-1503_01d451bc44b6eb8a.mp3

G. Councilman Mervin Packineau – Tom Reeves Proposal

Delvin Foot joined Mr. Reeves to present the proposal. Participation is growing and commended the segments on their facilities. Presented information on promoting an Indian stock company & shows. Planning for a Bucking Horse Show at the Casino. Submitted a budget break-down of the various programs they are proposing. To be brought back to the next budget meeting.

FTR: Councilman Cory Spotted Bear left the meeting.

TAT_20180921-1533_01d451c078a01896.mp3

H. Councilman Mervin Packineau – Blake Stone Turner

Seeking educational assistance to attend a trade school for music production. Currently applying for short term student housing. Would be there for 7 months. Councilman Mervin Packineau noted that there is an Educational Loan available for \$2,500/-. The family will be fundraising also.

Motion: Councilman Mervin Packineau moved to approve an Educational Grant in the amount of \$9,500 for Blake “Stone” Turner to attend the Garnish Music Production Academy in Los Angeles, CA. for tuition & fees. 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 – Aye
Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

Discussion: For the initial housing costs Chairman Mark N. Fox recommend seeking assistance from each segment and the Chairman’s office.

- I. Councilman Frank Grady – *Reserved*
- J. Councilman Frank Grady – *Reserved*
- K. Councilman Cory Spotted Bear – *Agriculture Council – Jim Mossett*

Motion: Councilman Randy Phelan moved to approve resolution no. 18-259-FWF entitled “Membership to the Intertribal Agriculture Council” [Charlie Vigen & Jim Mossett]subject to Legal review & resolution. 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 – Aye
Councilman Frank Grady – Not Voting
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

- L. Councilman Cory Spotted Bear – *Reserved*
- M. Councilwoman Monica Mayer – *Reserved*
- N. Councilwoman Monica Mayer – *Reserved*

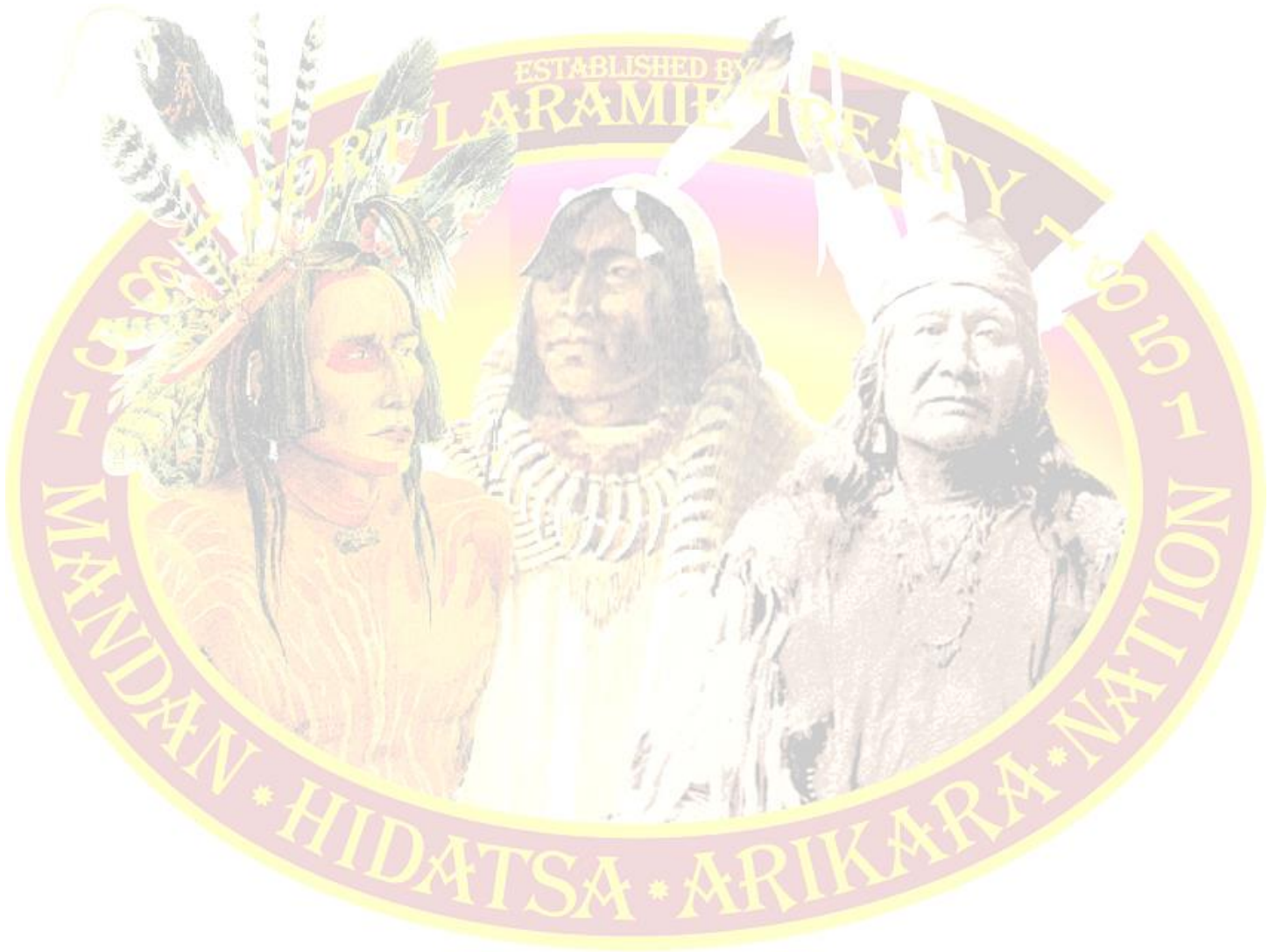
XX. CLOSED SESSION:

- A. Frank White Calfe
- B. Brianna Foote, LPN
- C. Other:
 - 1) Right of First Refusal
 - 2) Outreach & Wellness Center
 - 3) Veteran’s Affairs Building
- D. Youth Trip Abroad Assistance Request – *Chasmin Yellow Bird*
- E. EMHC Employee Issue – *Kathy Eagle, CEO*
- F. Justice Center Adult application Concern
- G. Housing Issue
- H. Continuing Budget Resolution
- I. Doug Rensch Land Purchase.



XXI. ADJOURNMENT:

Motion: Councilman Randy Phelan moved to adjourn the meeting. Councilman Frank Grady seconded the motion. Meeting adjourned at 6:16PM. Vote: 5-0-0-2.






CERTIFICATION

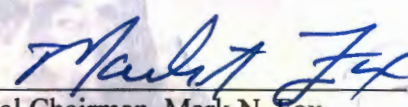
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 7 were present at the Executive Meeting thereof duly 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