



CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 2:50PM.

OPENING PRAYER

Prayer by Arthur T. Mandan.

ROLL CALL

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

I. APPROVAL OF AGENDA

Motion: Councilman Randy Phelan moved to approve the agenda. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

II. ELECTION OF OFFICERS:

- A. Vice Chairman
- B. Secretary
- C. Treasurer

Motion: Councilman Cory Spotted Bear resolution no 18-262-FWF entitled “*Appointments of the Tribal Business Council Executive Officers as of November 2018 and Authorizing Signatory Authority to the Treasurer of the Three Affiliated Tribes.*” Councilwoman V. Judy Brugh 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye



III. SELECTION OF STANDING COMMITTEES:

- A. Economic Committee**
- B. Education Committee**
- C. Health & Human Resource Committee**
- D. Judicial Committee**
- E. Natural Resources Committee**
- F. Energy Committee**
- G. Cultural Committee**

Motion: Councilman Mervin Packineau moved to approve resolution no 18-263-FWF entitled “Appointments to the Tribal Business Council Standing Committees 2018.” 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

IV. APPROVAL OF MINUTES:

- **10/31/2018 Special TBC Minutes**
- **10/31/2018 Executive Committee Minutes**

Motion: Councilman Randy Phelan moved to approve presented 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

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

Provided a summary of recent activities and upcoming events such as; Upcoming Veteran’s events, the *Get out the Vote* initiatives & Voter ID efforts, Recent election and planning for the new council, and thanked all those that exercised their right to vote.



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II. VICE CHAIRMAN'S REPORT – Councilman Randy Phelan

Expressed condolences to those families in mourning. Attended NIGA meeting in Pechanga and big item was Horse betting. Chairman Mark N. Fox noted also concern about internet and sports betting issues and the state gambling. Councilman Randy Phelan participated on a tax panel and resolution at NCAI that was a big step in Indian Country. Plans for a new school is moving along with the old compound to go to the Tribe. Jump House deadline had to be pushed back. Halloween events were successful. Upcoming Veterans Honoring Pow-Wow. The first tribal member elected to the ND State House Ruth Buffalo and Councilman Randy Phelan & Chairman Mark N. Fox recommended an event to honor her. Thanksgiving Dinner on the 15th.

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III. SECRETARY'S REPORT – Councilman Fred Fox

Records Office update: Currently all resolutions and minutes up to date with committee minutes being uploaded. Recommended getting committee minutes approved in a timely manner. Segment update: Good turnout at the Arickara Pawnee reunion and presented the Pawnees with a staff with 13 feathers representing the 13 bundles that are shared. Rig Friendly meetings have been productive and recommended all the TBC attend to stay informed. Recent grand opening of the White Shield School. Recent Law Enforcement Appreciation Day and Culture Is Cool in White Shield. New Gym holds 1300 and will be sponsoring the boys district basketball tournament.

V. SEGMENT UPDATES

A. North Segment Update - Councilwoman Monica Mayer

About 70 on staff with the budget in good shape. Maintenance building opening in Dec. with all maintenance staff moving in. Wrecking yard fencing is going up today. Renchs Property development will move ahead. 23 & 1824 property development of a laundromat & car wash. Arts and crafts center with pottery wheels, kilns, sewing machines open from 9-9 to be open in about 30 days. Her priority project will be the long term care project. Recently appointed to the Secretary's Tribal Advisory Committee and attended the meeting in Alaska which provides a powerful avenue to express health care issues. Halloween Party sponsored by the Native American Church, with Thanksgiving and Christmas Dinner being planned.

B. South Segment Update - Councilman Cory Spotted Bear

Expressed condolences to those that lost loved ones. Acknowledge Delvin Driver & Tom Mandan for the prayers – today and his staff. Inter-Tribal Buffalo Council meetings recently with 63 head as part of the TBC herd. Recent participated to the repatriation of many Mandan relatives from the State Historical Society at the Double Ditch. Chairman Mark N. Fox conversation with the Governor to build a memorial and also to serve as a symbol of Tribal & State collaboration. Recognized Calvin Grinnell & Hans Fredericks on the work done with the Historical Society. Community Center walls are going up, Elders Center opening in Dec., Water Treatment plant is on track, 12 new trailers houses, with walking paths and sidewalks going in

C. Four Bears Segment Update – Councilwoman V. Judy Brugh

Expressed congratulations to the other candidates. Would like to see a new Dialysis, Dental, and Long Term Care Center. Expressed the need to bring the community back together.



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VI. TREASURER'S REPORT – Councilman Mervin Packineau

Expressed congratulations to the new council people. Councilman Mervin Packineau & Chairman Mark N. Fox presented Beth Schwartz (Parshall Schools Superintendent) with a check for \$3.5 million for the construction of a new school in Parshall for the \$9 million match with the school District. Chairman Mark N. Fox commended the TBC for supporting the reservation school district. Dec. 2019 is the expected opening.

A. Chief Financial Officer (CFO) Report – Whitney Bell

The CFO presented the Expense Report the TBC with a written report according to the continuing resolution at 70%. Dec. Budget meetings. 11% fiscal year complete. Councilman Cory Spotted Bear & Councilman Randy Phelan expressed a correction to the segment expenditures. Councilman Mervin Packineau noted that a second look at expenditure coded to 380 will need to be reviewed. Chairman Mark N. Fox noted that the TBC wanted to wait for the FY2019 budget until the election was over to allow for their input. Chairman Mark N. Fox emphasized the need for programs to use their cuff accounts. Chairman Mark N. Fox noted that they approved at Executive Session to provide increase the Wake Fund (from \$5,000 to \$6,500) & Elder Disbursement to be increased from \$1000 to \$2000. Councilman Randy Phelan would like to see it lowered to 55. Chairman Mark N. Fox noted that it could be possibly after some economic analysis.

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B. Small Loans – Val Mayer & Mary Ellen Sun

Motion: Councilman Randy Phelan moved to approve Group A: (25) applications: subject Small Loans Policies & Procedures. Councilman Cory Spotted Bear seconded the motion.

Vote: 5 Ayes. 2 – Abstentions. Motion carried.

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

Discussion: Chairman Mark N. Fox added to Group A.

Motion: Councilman Randy Phelan moved to approve Group B: (3) applications: subject Small Loans Policies & Procedures and cosigner. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Discussion: Raising the Small Loans limit.

Motion: Councilman Fred Fox to increase the small loans cap to \$30,000 for tribal employees in good standing. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Discussion: Councilwoman Monica Mayer recommended allowing tribal employees to pay down half before they can get another loan.

C. Business Loans – Toni Star [Closed Session]

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IX. CHIEF EXECUTIVE OFFICER (CEO) REPORT – Roger White Owl, Acting CEO

Chairman Mark N. Fox introduced the Acting CEO Roger White Owl.

A. Executive Orders

Motion: Councilman Randy Phelan moved to ratify 2018-235; NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes and approves a line item expenditure of \$50,000 to Rain in the Middle Equine Therapy Program for at risk persons. This program will be scheduled over a 10-month period starting October 2018. First payment of \$5,000 will be processed on 10-5-18 to assist in preparations for the first scheduled therapy session scheduled for October 25th. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye



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Motion: Councilman Randy Phelan moved to ratify EA 2018-236; NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes and approves a line item expenditure of \$2000.00 to Shantel Fettig to assist with travel expenses incurred during her trip to Europe scheduled for October 8-18, 2018. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Randy Phelan moved to ratify EA 2018-237; NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes and approves a line item expenditure of \$4,120.05 to Minot State University to assist Courtney Johnson with tuition and living expenses. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Randy Phelan moved to ratify EA 2018-238; NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes and approves the Home Sites and Utility Corridors listed below: (no number# Kathy Young Bear Homesite lease) and approve resolution no. 18-264-FWF entitled “*Approval of Home Site Leases and Utility Corridors for Home Sites*” 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Randy Phelan moved to ratify EA 2018-239; NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes the a contribution from the General



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Fund in the amount of \$10,000 to support the NDNV GOTV advertising effort to raise awareness of the voting requirements in North Dakota. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Randy Phelan moved to ratify EA 2018-240; NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes the following enrolled members found to qualify under the policy to be authorized to participate in full Life and Limb policy assistance [Names Redacted]. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Randy Phelan moved to ratify EA 2018-241; NOW THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes hereby authorizes and approves a small loan for [Name Redacted] for \$3,500 to assist with past due bills. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Randy Phelan moved to ratify EA 2018-242; NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes and approves a small loan for the following individuals: [Names Redacted]. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Randy Phelan moved to ratify moved to ratify EA 2018-243; NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes and approves a sponsorship to The National Center for American Indian Enterprise Development in the amount of \$3,000. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Mervin Packineau moved to ratify EA 2018-244; NOW THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes hereby authorizes site-civil earthwork and utilities contract to be awarded to Charging Eagle Enterprises, LLC of Killdeer, ND in the amount of One Million eight hundred one thousand five hundred thirty one dollars (\$1,801,531) and authorizes the Tribal Chairman to execute all proper contracts to proceed. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Randy Phelan moved to ratify EA 2018-245; NOW THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes hereby authorizes and approves a contract with Capital City Construction in Bismarck, North Dakota to complete the remaining general construction of the TAT -MHA Satellite Outreach Wellness facility as designed and authorizes the construction cost in the amount of \$4,670,900.000, as reflected in the attached general contractor services contract. BE



IT FURTHER RESOLVED, that the Three Affiliated Tribes hereby authorizes and approves additional costs associated with material testing and inspections, procurement of Furniture, Fixtures and Equipment, Technology, Reimbursable Expenses for its contractors, Owner's Representative costs, and the Owner's Construction contingency costs in an amount not to exceed \$1,013,563.00. BE IT FINALLY RESOLVED, that the Chairman is authorized to execute the contract documents attached hereto and take such actions as is necessary to carry out the terms and intent of this Executive Action. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Randy Phelan moved to ratify EA 2018-246; NOW THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes hereby authorizes and approves the attached "Settlement Agreement and Release of Claims" and "Assignment and Easement Agreement". BE IT FINALLY RESOLVED, that the Chairman is authorized to execute the "Settlement Agreement and Release of Claims" and "Assignment and Easement Agreement" attached hereto. Councilman Fred Fox 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Abstained

Motion: Councilman Randy Phelan moved to ratify EA 2018-247; NOW THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes hereby authorizes and approves a contract with Woodstone, Inc. to act as its Construction Manager to complete the construction of the MHA Nation Interpretive Center as designed and authorizes a guaranteed maximum price of \$22,000,000.00 subject to additions and deductions as provided in the contract, to come from Tribal Funds. BE IT FINALLY RESOLVED, that the Chairman is authorized to execute the contract documents attached hereto. Councilwoman Monica Mayer seconded the motion.

Vote: 7 Ayes. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Aye



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Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Randy Phelan moved to ratify EA 2018-248; THEREFORE BE IT RESOLVED, That the Executive Committee of the Tribal Business Council of the Three Affiliated Tribes declares that an emergency exists due to the urgency of completing the contracts and BIE certification process for the Mandaree School, the intended April, 2019 groundbreaking for the school, and the fact that a Tribal Business Council is not scheduled to meet until November 8, 2018, and hereby approves and appropriates the sum of \$40,000,000 for the construction of the Mandaree School and related facilities, budgeted at \$20,000,000 for each of the next two fiscal years, FY20 19 and FY2020. BE IT FURTHER RESOLVED, That the Executive Committee of the Tribal Business Council of the Three Affiliated Tribes hereby approves the execution of a Letter of Request, to be executed by the Chairman and Secretary of the Tribal Business Council, confirming the appropriation of \$40,000,000 for the Mandaree School project (\$20,000,000 in FY2019 and \$20,000,000 in FY2020), so that the Mandaree School District may proceed with execution of contracts and submissions to the BIE for certification. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Randy Phelan moved to ratify EA 2018-249; NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes Gregory Breuer to participate in the life and limb program but must qualify under the program's current policies and procedures. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye



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Motion: Councilman Randy Phelan moved to ratify EA 2018-250; NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes and approves Four Bears Segment and the Three Affiliated Tribes Finance Department to process purchase orders for medical requests only. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Randy Phelan moved to ratify EA 2018-251; NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes and approves a line item expenditure of \$2000.00 to El Marie Conklin to assist Raiette Grajeda with legal fees. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Fred Fox moved to ratify EA 2018-252; “Appointment of NCAI Delegates and Authorization for Payment of Membership Dues to NCAI”. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 18-265-FWF entitled “Authorizing a Construction Management Contract for the Tribal Interpretive Center” 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

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B. Tax Department Report – Cynthia Monteau, Tax Commission Director

September is the 12th month of Fiscal Year 2018 (FY'18). Monthly Revenue Collections are \$25,559,958.45. A 5-year (FY'14-FY'18) Monthly Revenue Collections Comparison for the month of September, shows the estimated month of September is the second highest month for collections within the past 5 years. A 5-year (FY'14-FY'18) Annual Revenue Collections Comparison shows that FY'18 at \$253 million is the second highest year of annual revenue collections over the past 5 years, at \$17 million less than FY'14 which was about \$270 million. The total amount of Drilling Fees Collected for FY'18 is \$20.9 million, with the monthly average of \$1.7 million. June was the lowest month collected at \$200,000 and May was the highest at \$4,000,000. Drilling Fees for FY'18 were \$7.8 million higher than collections in FY'17.

1) Elimination of the State of North Dakota's Dual Taxation of Tribal Natural Resources on Trust Land

Motion: Councilman Fred Fox moved to approve resolution no. 18-266-FWF entitled “*Demanding the Elimination of the State of North Dakota's Dual Taxation of Trust Natural Resources on the Fort Berthold Indian Reservation.*” Councilwoman Monica Mayer 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

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C. Enrollment – Sevant S. Taft

Motion: Councilman Fred Fox moved to approve resolution no. 18-267-FWF entitled “*Approval of 63 Applicants for Enrollment into the Three Affiliated Tribes*”. Councilman Mervin Packineau 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

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D. Pathways Budget

Requesting 3 & 4th Quarter funding from the 2018 budget. 4 mentors throughout the State and 3 office staff and advertising for the Bismarck area. Cory Sanders from Fort Berthold. \$262,000 for FY2018. Councilman Randy Phelan asked for a report of activities. Councilwoman Monica Mayer asked that the program report to the Education Committee. Councilman Cory Spotted Bear reminded the TBC of the Education Service Center for a one stop shop for all educational needs.

Motion: Councilman Fred Fox moved to approve the 3rd & 4th Quarter funding for the Pathways Program. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Discussion: Councilman Cory Spotted Bears will process.

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E. Long-Term Care Assistance Policy

Motion: Councilman Fred Fox to grant authority to Chairman Mark N. Fox to provide additional assistance for those previously receiving long term care (nursing home) on a case by case basis for up to \$40,000 within a fiscal year as policy. 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 Cory Spotted Bear – Aye



Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Discussion: Chairman Mark N. Fox noted that there are about 15 members currently being assisted.

X. UNFINISHED BUSINESS

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- A. Acupuncture School Fees/Tuition for Benjamin Demko² – Marilyn Young Bird**
\$17,934/year tuition cost. According to policy \$9,500 could be approved.

Motion: Councilman Randy Phelan moved to approve a \$9,500 grant broken up by quarters.
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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Discussion: Tribal Student loan is also a possibility.

- B. Fort Berthold Housing Authority - Terrance Redfox**
Item deferred

- C. Legal Contract Renewal**
Item deferred.

XI. NEW BUSINESS

TAT_20181108-1650_01d477831a14c090.mp3

- A. Safe Alternatives for Abused Families (SAAF) - Molly McDonald, Director**
Seeking a donation for the safe house shelter that is based in Spirit Lake, N.D. a nonprofit organization that assists victims of domestic violence and sexual assault for the five county area and the Spirit Lake Nation. Recently opened in 2018. The Shelter is base in a 4-bedroom modular home. Have served 5 MHA tribal members this year. 70-80% of our clients are Native American. SAAF is requesting \$25,000 for operating costs of the shelter.

Motion: Councilwoman Monica Mayer moved to approve subject to budget. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Discussion: Councilman Mervin Packineau would like the support to go toward direct services.

TAT_20181108-1700_01d47784800b6c5e.mp3

B. Fort Berthold Rural Water (FBRW) – Pem Hall, Acting Director

FBRW Mandaree WTP Heating System Improvements - The low quote received for the Heating System Improvement was received by Advanced Mechanical Inc. in the amount of \$55,940.00. The contract documents stipulate that Fort Berthold Rural Water reserves the right to award the contract, if awarded, based on the quote that is in its best interest. Based upon our review, the quote received from Advanced Mechanical Inc. for the construction of the Mandaree WTP Heating System Improvements is the quote of best interest to FBRW, but is subject to approval. The award to Advanced Mechanical Inc., and the Notice to Proceed are dependent on approval from the TAT Tribal Council. The Work for this project will be substantially completed on or before November 1, 2018, and completed and ready for final payment on or before January 15, 2019.

Motion: Councilman Randy Phelan moved to approve \$56,000 for the FBRW Mandaree WTP Heating System Improvements. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Randy Phelan moved to approve resolution no. 18-269-FWF entitled “*Consent to Certain Rights(s) of Way across Tribal land*” [White Shield School FBRW water main & others] 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye



Motion: Councilman Randy Phelan moved to approve resolution no. 18-270-FWF entitled “*Consent to Certain Rights(s) of Way across Tribal land*” [Harlen Deene Home Site ROW] subject to Legal review’
Councilman Cory Spotted Bear 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

C. Nursing Home Assistance - Melanie Grinnell
To be addressed according to the todays policy change.

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D. Nelson Baker Request – Mister Baker

Seeking Life & Limb assistance for his Grandson. Councilwoman Monica Mayer recommended Boon Insurance & Life & Limb. Chair Mark N. Fox noted that the child is not a member but the father is a member but the Council Representatives could help with the BOON premiums. Has received one Life & Limb assistance of \$3,500. Request \$4,300/month

Motion: Councilman Fred Fox moved to approve \$4,200/ month for 6-months up to \$25,000 for Life & Limb assistance. Councilwoman Monica Mayer seconded the motion. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Discussion: Councilwoman V. Judy Brugh would like to look into problems with Boon Insurance.

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E. Earthlodge Project - T.J. Plenty Chief

Motion: Councilman Cory Spotted Bear moved to approve \$500/office to purchase prizes for raffle. 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 – Not Present
Councilman Mervin Packineau – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

F. Todd Flinn Sponsorship / Barrel Racing

Item deferred.

TAT 20181108-1720_01d477874d0a39c2.mp3

G. Grant Request – Councilman Cory Spotted Bear

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 18-271-FWF entitled “Approval for the Twin Buttes Wellness Center Project: A Community Development Grant from Shakopee Mdewakanton Sioux (Dakota) Community Business Council”. Councilwoman V. Judy Brugh 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 18-272-FWF entitled “Three Affiliated Tribes Authority to apply for Intertribal Buffalo Council (ITBC) 2018 Herd Development Grant for Phase II”. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

H. ROW – Michelle Grisham



Motion: Councilman Cory Spotted Bear moved to approve resolution no. 18-273-FWF entitled “Consent to Certain Right(s) of Way across Tribal land” [Michelle Grisham]. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

TAT_20181108-1725_01d47788002d881a.mp3

I. James & Marie Baker Request

Seeking assistance to get into a different house. The TBC agreed to provide \$500 from each segment to route through. Councilman Cory Spotted Bears Office will route.

J. Parshall High School

Addressed above

TAT_20181108-1730_01d47788b3fbc0ee.mp3

K. Hans Young Bird Dental Request

Requesting \$5,500 dental assistance for a minor child. Chairman Mark N. Fox recommends approving 75% of request according to policy.

Motion: Councilwoman Monica Mayer moved to approve \$4,125 dental request to the vender. Councilman Cory Spotted Bear 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye

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L. Pipeline Engineer Contract - Travis Hallam

Motion: Councilman Cory Spotted Bear moved to approve a 1 month contract extension for the Frankie Lee Pipeline Engineer 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Voting
Councilwoman V. Judy Brugh – Aye

Discussion: Current contract expired October 1st.

TAT_20181108_1735_01d47789672940d0.mp3

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

Motion: Councilman Randy Phelan moved to approve Land Buy Back Recruitment into salary with a letter from Chairman Mark N. Fox to change LBBP employees to consultants. 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 Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Voting
Councilwoman V. Judy Brugh – Aye

FTR: Chairman Mark N. Fox reminded the TBC that councilmembers are allowed 1 staff member present each during Closed Session

XIII. CLOSED SESSION:

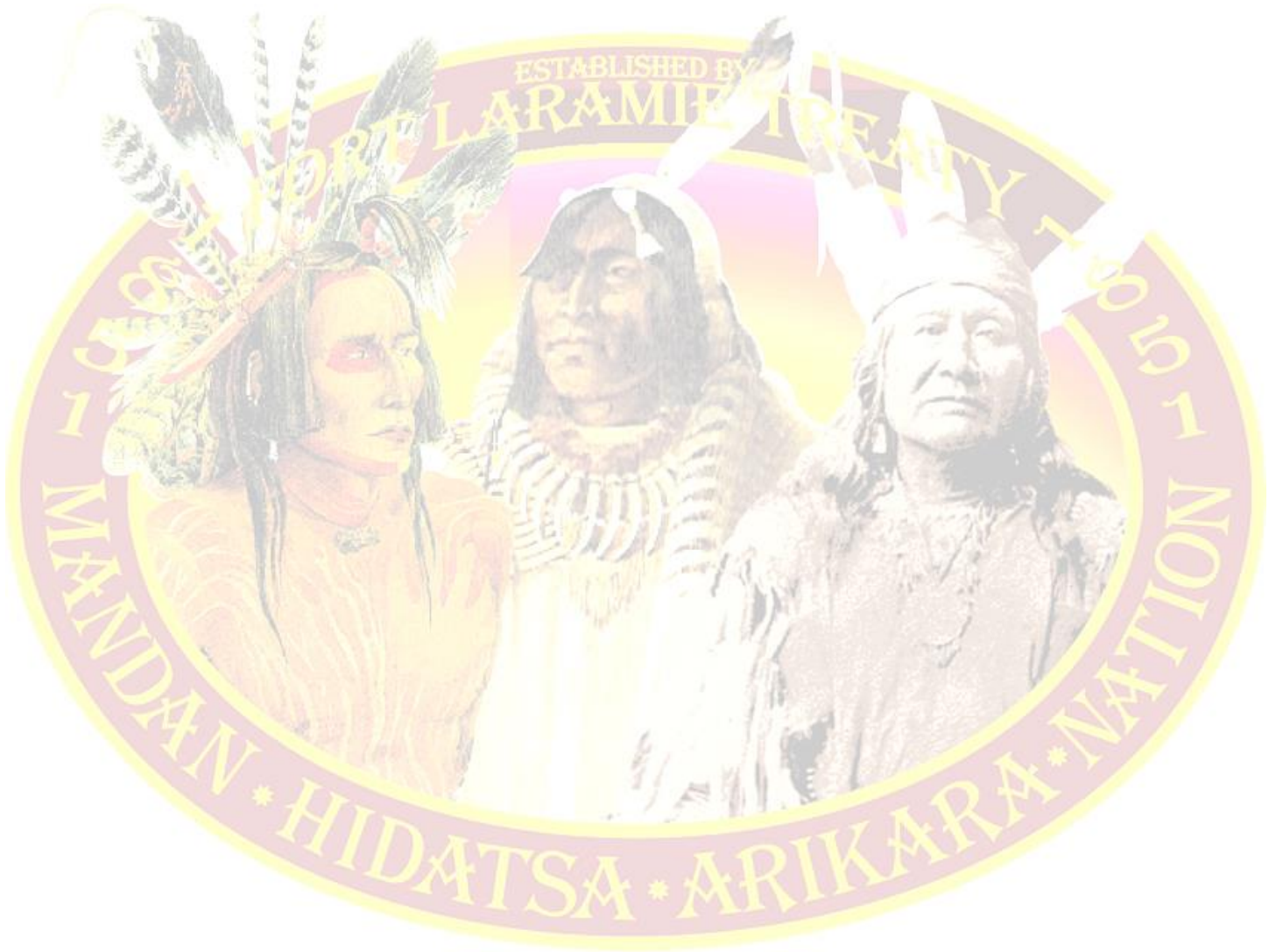
- A. Special Request**
- B. Magdalena Egan-Gonzalez**
- C. Business Loans – Toni Star**
- D. Kasey Hall Request**
- E. HR Issue – Dr. Leolani Ah Quin, EMHC Director of Behavioral Health & Dr., Kathy Eagle, EMHC CEO**
- F. TERO Concern – Mike Howe**
- G. Karen Walks**
- H. FBRW Clarion Bank Account**
- I. Four Bears**

XIV. ADJOURNMENT:



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
NOVEMBER 8th, 2018 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

Motion: Councilman Cory Spotted Bear moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 8:26PM. Vote: 6-0-0-1 (FF-NP)





THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
NOVEMBER 8th, 2018 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

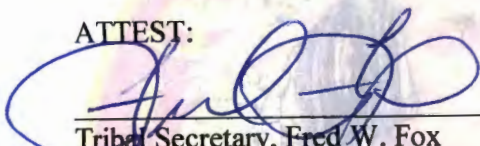
CERTIFICATION

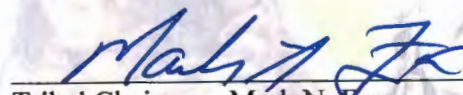
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 6 were present at the Regular Meeting thereof duly called, notice, convened and held on the 20th of December, 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 20th day of December, 2018.

ATTEST:


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


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