



## CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 12:28PM.

**FTR:** Next TBC to be moved to the 7<sup>th</sup>, with an Executive Committee meeting on Weds. Energy/NRC to be moved to the 14<sup>th</sup>

## OPENING PRAYER

Prayer provided by Councilman Randy Phelan.

## ROLL CALL

**Present:** Councilwoman Monica Mayer, Councilman Mervin Packineau, Councilman Randy Phelan, Councilman Fred Fox, Chairman Mark N. Fox, Councilwoman V. Judy Brugh(Not Present), Councilman Cory Spotted Bear (Not Present). *Quorum established.*

**Others:** Roger White Owl, CEO, Cesar Alvarez, Cynthia C. Monteau, Tax Director, Lenny Abrahams, Stephanie Baker, Kim Reynolds, Lisa Lone Fight, and Cheyannea Hart.

## I. APPROVAL OF AGENDA

**Motion:** Councilman Randy Phelan moved to approve the agenda. 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  
Councilwoman V. Judy Brugh – Not Present  
Councilman Cory Spotted Bear – Not Present  
Councilwoman Monica Mayer – Aye

## II. NEW BUSINESS

### A. Tax Legislative Process

Approving the signing of compact changing the percentage reviewed and authority of the chairman to sign. Current issues include; Straddled wells, 50/50 percentage, riverbed drilling opposition to new drilling at 50/50. Senate Bill 2312.



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING  
FEBRUARY 25<sup>th</sup>, 2019 MINUTES  
[NO CLOSED SESSION CONTENT]

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**Motion:** Councilwoman Monica Mayer moved to grant authority to Chairman Mark N. Fox to sign “*Compact Between the Three Affiliated Tribes and the State of North Dakota Regarding Oil and Gas Production and Extraction Taxes Within The Fort Berthold Indian Reservation*” and minor changes/amendments that don’t change the meaning of the compact. Councilman Randy Phelan seconded the motion.

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

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

**Discussion:** Resolution no. 19-050-FWF reserved for the resolution entitled “*Approval of the 2019 Oil and Gas Tax Agreement Between The Three Affiliated Tribes And State of North Dakota*”

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**B. Capital Lunch Sponsorship**

To also seeking assistance to include oil partners

**Motion:** Councilman Fred Fox moved to approve \$10,000 for the Capital Lunch from the General Fund. Councilman Randy Phelan seconded the motion.

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

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

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**C. COLT Membership**



**Motion:** Councilman Randy Phelan moved to approve resolution no. 19-049-FWF entitled "Appointing the Delegates from the Three Affiliated Tribes to the Coalition of Large Tribes (COLT) and Authorizing the Payment of the Coalition of Large Tribes Dues" any councilman available and subject to Legal review. Councilman Fred Fox seconded the motion.

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

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

**Discussion:** Any council who is available can be a delagate.

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#### **D. Marilyn DeYoung**

Catholic Organization in Bismarck has custody/guardianship of her adult brother (Sterling Two Shields) and control of his royalties. His sister Marilyn DeYoung is trying to bring him home and seeking a lawyer and trying to get the the State to comply with a tribal court order that gives her guardianship. TAT Social Services believes the organization trying hold on to him for the money.

**Motion:** Councilwoman Monica Mayer moved approve a small loan of \$15,000 (up to the max) and payment of Legal fees for Marilyn DeYoung & Sterling Two Shields. Councilman Fred Fox seconded the motion.

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

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

**Discussion:** Councilman Mervin Packineau recommended an exception to Policy & Procedures.

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#### **E. COLT/Energy Meal**



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING  
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[NO CLOSED SESSION CONTENT]

**Motion:** Councilman Randy Phelan moved to approve not to exceed \$7,500 from the General Fund. Councilwoman Monica Mayer 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  
Councilwoman V. Judy Brugh – Not Present  
Councilman Cory Spotted Bear – Not Present  
Councilwoman Monica Mayer – Aye

V. **ADJOURNMENT**

**Motion:** Councilman Fred Fox moved to adjourn the meeting. Councilman Mervin Packineau seconded the motion. Meeting adjourned at 1:21pm.



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**CERTIFICATION**


I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 7 were present at the Regular Meeting thereof duly called, notice, convened and held on the 25<sup>th</sup> of February, 2019; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 7 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Chairman (X) Voting    ( ) Not Voting

Dated this 7<sup>th</sup> day of March, 2019.

ATTEST:

  
\_\_\_\_\_  
Tribal Secretary, Eric W. Fox  
Tribal Business Council,  
Three Affiliated Tribes

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