



CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 12:37PM.

OPENING PRAYER

Doreen Yellow Bird

ROLL CALL

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

I. APPROVAL OF AGENDA

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

II. APPROVAL OF MINUTES

- 2/14/2019 Regular Meeting Minutes
- 2/25/2019 Special Meeting Minutes

Motion: Councilman Randy Phelan moved to approve the February 2019 Tribal Business Council minutes. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

III. SPECIAL GUESTS & ELDERS

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A. Darlene Perkins



Missing & Murdered Indigenous Women (MMIW) Benefit & Fashion Show postponed to May and requesting a sponsorship. Developing committee for the MMIW committee and seeking suggestions for members. Recently had a hypodermic needle break off in her while injecting insulin and expressed concern over the needles that EMHC distributes for their diabetic clients. Darlene Perkins noted that a brand that they used to distribute worked much better. Presented an international woman's magazine to the TBC featuring an article about her company. Seeking recommendations for a MMIW committee.

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B. New Town Senior Class Trip

The students have been working diligently all year to save for an exciting, yet educational trip to Orlando, Florida for their senior trip after graduation. An important part of their trip will be the Y.E.S seminar which consists of tours and an actual art lesson on how to draw various characters for comics. At the start of their senior year, the group had \$10,988.00 in their account. The class of 2019 consists of 55 students, and because of this there are a high number of students that are interested in going on the senior class trip. As of today, there are 29 students and chaperones that will be attending the trip. Our class has generated \$33,159.56 so far this year with 35 different fundraisers and events. They have sold popcorn, coffee, chocolate covered strawberries, flowers, and so much more. Each student that is attending has also contributed \$300 of their own money and had to volunteer 30 hours to be eligible for the trip. The group is still short of their goal by about \$30,000. They are also fundraising for their graduation ceremony.

Motion: Councilman Cory Spotted Bear moved to approve \$37,000 for the trip and graduation. 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

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

EXECUTIVE COMMITTEE REPORTS

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

Recent meeting included; NAFSA, Brava Group Economic study, Press conferences in Bismarck, hearings at the Capital, 2312 work sessions, Malcolm Wolf Day, Ira Hayes planning & outreach, investment meetings, NCAED meetings, internal audit meetings, Energy Day & hearing on 2312 tax agreement and the tax agreement amendment to 80/20 in favor of the tribe. Waiting for final committee approval and approval through the House. Upcoming events includes; Ice Water Warrior Plunge to raise funds for cancer research with the hope to raise \$50,000 with 50 jumpers. Proceeds to the American Indian Cancer Association and related tribal programs. Commended the girls & boys basketball teams and the new venues at the Casino & White Shield School for the Districts & Regional tournaments. Meeting with the Ethics commission for final policies & procedures, delegation to Holland to tour



agriculture facilities for the leading producer second only to the U.S. The tribe has committed to perusing developing green houses for tribal agricultural businesses, National Tribal Horse Tournament planning, Tribal Self-Governance, NIGA, NAFOA. Continue to work on Tax issues, riverbed issue, Federal funding issues.

V. VICE CHAIRMAN'S REPORT - *Councilman Randy Phelan*

Upcoming schedule; Rig Friendly meets have been postponed. Hiraaca Language Summit this weekend. Hay program is providing feed due to the extreme weather. Expressed excitement over Mandaree High School basketball.

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

Committee meeting minutes and TBC minutes have been uploaded to the Records Office web site. Put out a request for historical documents for the web site. Attended Health work session meetings, tour of the KDU and visited with staff & patients.

VII. TREASURER'S REPORT - *Councilman Mervin Packineau*

Projects include a new restaurant. Provided an update on Tribal/State Tax Agreement work,

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

Item deferred.

B. Four Bears Casino Report* – *Scott Wilson, General Manager*

Item deferred

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C. Small Loans* – *Val Mayer & Mary Ellen Sun*

Motion: Councilman Cory Spotted Bear moved to approve Group A (13) Small Loan application subject to Loans policies & requirements: Councilwoman V. Judy Brugh seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Abstained

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

VIII. SEGMENT UPDATES

A. North Segment – *Councilwoman Monica Mayer*

Regular Health Care work session work on unpaid bills, cardiac training community AED plan & CPR training with a goal of 250 people, 75 employee staff meeting and strategic planning, 6 main street projects, new community building & long term care facility planning, house testimony fight for increased health care funding,



B. Twin Buttes – Councilman Cory Spotted Bear

Construction projects; water treatment plant, community center elders home improvement, ambulance services project, cold storage units, 8 room motel, rodeo area, swimming pool, three more award winning round homes, Elders Building is serving meals with grand opening in the Spring. Attended the Indigenous Farming conference, participated in a wild horse count.

C. Four Bears – Councilwoman V. Judy Brugh

Provided an overview of upcoming events; new recreation equipment, war bonnet parade, monthly community party's, birthdays, community board meetings, fire extinguisher training, Graham Building, bible studies, Elbowoods basketball tourney, cultural presentations, mentoring, daycare opening soon. Old building opening soon for events, kitchen is open and providing diabetic friendly meals, seeing a growth in elders.

FTR: Chairman Mark N. Fox informed the TBC that Native American Hall of Fame was contacted by a number Congressman and others that Lydia Sage Chase & Edwin Benson has been for the nominated for induction. Meal provided by the Little Braves youth activities group. Councilwoman V. Judy Brugh recognized Norma Baker –Flying Horse Red Berries Woman recognized for representing the MHA Nation in the fashion world.

FTR: Pennies for Patients Leukemia fundraising.

IX. OFFICER REPORTS

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A. Chief Executive Officer Report* – Roger White Owl, Acting CEO

1) Federal Programs Report*

Item deferred.

2) Executive Orders*

Motion: Councilman Mervin Packineau moved to ratify EA-73; NOW THEREFORE BE IT RESOLVED, The Tribal Business Council Mortgage Loan to Allen Nygard, a Tribal elder and veteran, \$200,000 contingent on meeting Mortgage Loan criteria. 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

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

EA-74; NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves the small loan request subject to the policies of TAT Small Loans Department by K.F. in the amount of \$25,000.



Tabled

Motion: Councilman Cory Spotted Bear moved to ratify EA-75;

NOW THEREFORE BE IT RESOLVED, The Executive Committee of Three Affiliated Tribes directs the TAT Small Loans department to refinance and consolidate K.F. current small loan with previously approved sum of \$25,000 dollars, contingent upon proper collateral to secure to the request.

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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Mervin Packineau moved to ratify EA-76;

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves a small loan request for J.F. for \$19,400.00 based upon the policies and procedures of the small loan department. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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3) Fort Berthold Rural Water (FBRW) Contract

Motion: Councilman Mervin Packineau moved to approve resolution no. 19-051-FWF entitled “*Authorization for Awarding Fort Berthold Rural Water On-Call Service Contracts (Electrical, Municipal and O&M Services)*”. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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4) TAT-MHA Satellite-Outreach Wellness Facility

Motion: Councilman Mervin Packineau moved to approve resolution no. 19-052-FWF entitled “*Approving of Further Construction and Costs for the TAT-MHA Satellite-Outreach Wellness Facility, Bismarck, North Dakota*” 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

5) Tax Department Report* – Cynthia Monteau, Tax Commission Director

Report Submitted that included the FY'19 Monthly Revenue Collections By Tax Type (+18,488,865.10 change) ; 5-Year (FY'15-FY'19) Annual Revenue Collections By Tax Type (1,410,379,566.53) ; Charts FY'19 Monthly Drilling Fees ; 5-Year (FY'15-FY'19) Annual Drilling Fees Comparison

6) Enrollment* – Sevant S. Taft, Enrollment Director
Item deferred.

X. UNFINISHED BUSINESS

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A. Fort Berthold Housing Authority (FBHA)– Toni Parisian, Director & Coby Rabbithead

Presented the FBHA Phase 1 – FBHA Community Revitalization 5-year plan. Inspections & Environmentals completed on the 30 units of phase I. Also requesting approval to apply for a ICDBG grant for \$4 million with \$300,000 match. Environmentals submitted to the Chairman’s Office (5 units/segment) for signature. Planning Dept. confirmed that no one else has applied for the grant.

Motion: Councilman Fred Fox moved to approve resolution no. 19-053-FWF “*Authorization for the Fort Berthold Housing Authority to Apply for the Housing & Urban Development, Community Development Block Grant Program (ICDBG) for Indian Tribes*” 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

- **Request for Funds**

Requesting \$1,870,000.00 as soon as possible for a down payment to order 30 units. Chairman Mark N. Fox noted that adjustments to the General Funds would require a separate resolution. Total running need of \$6.5 million. The Director explained that HUD funding should start be available in July if the grant is approved.

Motion: Councilman Fred Fox moved to approve \$3.25 million for the fiscal year and resolution no. 19-058-FWF subject to Legal & resolution. Councilman Randy Phelan seconded the motion.

Vote: 7- Ayes. Motion carried.

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

Discussion: Councilwoman Monica Mayer expressed concern over the the cost and quality of renovation and with the overall cost of \$124,000/unit wants to ensure that the quality is good. The Director discussed turn-key homes and demolishing /replacing some homes. Chairman Mark N. Fox recommedned using contruction schedules diligently and not pre-pay the sub-contractors.

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A. A.S Nursing Home Bill Reimbursement²

Motion: Councilman Fred Fox moved to approve payment for 75% of the claim according to policy. Not to exceed \$40,000. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

B. Setback Discussion¹



Item deferred.

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C. Salary Increase – S. YB.¹

Worked for the tribe for many years and the CEO believed that she didn't make the requirements for the cutoff date.

Motion: Councilwoman Monica Mayer moved to approve the 5% raise for S.Y.B. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Cory Spotted Bear moved to approve 5% raise for Headstart staff subject to not without jeopardizing the Federal funding. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Lenny Abrahms noted that the increase would need to come from the supplement.

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D. Aging Services¹ – Polly Chase

Motion: Councilman Cory Spotted Bear to approve increasing the Aging Services budget to allow them to expand the meals program. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye



Councilwoman Monica Mayer – Aye

XI. MEDICAL REQUESTS

No items.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XII. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer, Chair

XIII. ENERGY COMMITTEE – Chairman Randy Phelan, Chair

A. Energy Dept. Update* - Carson Hood Jr., Director

No items.

B. ROW's* – Paul Grady & Catherine Everett

No items.

XIV. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

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A. C.Y Tuition Bill

Motion: Councilman Fred Fox moved to approve an educational loan not to exceed \$6,500 (with \$3000 in collateral & check sent to Vender). 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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B. Denver March Pow-Wow

Motion: Councilman Fred Fox moved to approve a sponsorship of \$25,000 to the Denver March Pow-wow subject to free admission for MHA tribal members and booths. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye



XV. HEALTH & HUMAN SERVICES COMMITTEE - Councilwoman Monica Mayer, Chair

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

Motion: Councilman Fred Fox moved to approve the Navigant Contract, not exceed \$20,000. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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B. Tribal Health* – Red Fox Sanchez, Director

Mariah Antone presented two bids for grant entitled “*Money Follows the Person*” and the campaign to promote education to increase Medicare enrollment.

Motion: Councilman Randy Phelan moved to approve the lowest bid and subject to securing a third bid and the Chairman’s office to review and run through Health Committee. 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
Councilwoman V. Judy Brugh – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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C. Life & Limb* – Alva Irwin, Grants & Donations Director

Motion: Councilman Cory Spotted Bear moved to approve the Life & Limb application renewal for W.B. for \$25,000. 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
Councilwoman V. Judy Brugh – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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D. Good Road Recovery Center(GRRC) – Ty Thompson, Director

Provided a program update. Full house waiting list. Good applicants, budget approved. First phase of client stepping down to the next phase of recovery. Social detox license. Some female patients currently on an outpatient basis until our women’s wing is staffed. Councilwoman Monica Mayer noted that while the facility is not fully staffed, the federal government will only fund at 50% and that on a recent tour she saw half the beds empty and the facility cannot survive unless and unable to provide crisis services. We need to become highly functional and success lies in the staffing. Chairman Mark N. noted that there is a lot of eyes watching us develop the facility so we need to be sure to have the required policies & procedures in place as we ramp up operations. Snow removal issue has been resolved through indirect costs and the financial software goes live next week and we can start billing.

Motion: Councilman Randy Phelan moved to approve the highlighted hires with #2 (#3 as Residential Tech). 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
Councilwoman V. Judy Brugh – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Councilman Mervin Packineau noted that the Register Nurse position would need a separate supervisor. Councilwoman Monica Mayer expressed the need to ramping up services.

XVI. JUDICIAL COMMITTEE – Councilwoman V. Judy Brugh, Chair

A. Justice Commission Report*

Item deferred.

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B. Tribal Court Report* – Marvel Heart, Court Administrator

Completed CT AS grant and submitted to tribal CEDS office, phone lines are working on the court side, Juvenile Director is working well and setting up meetings to build better relationships with community programs, as they relate to JV department. Court Donated its 20 passenger van to the Peer Support Group to help transport clients to meetings and other activities, Ferrin Wells picked it up from Tribal Court. Continue working on FBDC survey for input from community. (2) Currently have six positions being advertised, Public Defender, Prosecutor, Court bailiff, Director of Juvenile Services, Projects Manager, and Public defender clerk. Work continues with Justice Commission on



Tribal Codes, rules of professional conduct for attorneys/advocates, and court training. Concerns; Chief Judge remains open and the Chairman noted that stepping up the search for applicants. Waiting on HR to finalize transfers and hiring for court positions. There are still some maintenance issues with the Court Building, including temperature control in certain rooms, electricity stays on in Jury deliberation room, and minor issues with court room doors. Maintenance and MIS has been working to fix these issues. Chairman Mark N. Fox noted there will be an upcoming meeting with the architect concerning the issues and some improprieties that took place the phone line possibly being cut. The court is still trying to get training here on site for clerks. We need an increase in our budget; the cost for the training from Ms. Ramona Tsosie was about \$6000 in 2017. Fines & Fee Schedules at the next Judicial Committee. Stronger role to Sharon Thompson to assist with the judicial system. Staffing: 25 (FTE) active employees- 6 vacancies(1 Chief Judge, 1 Assistant Prosecutor, 1 Public Defender, Supervisor of JV, 2 bailiff, 1 JV Officer).

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

The new BIA Special Agent Gary Sam introduced himself. Chief Heart reported that staff receiving OC instructor training to enable in-house certification of our officers & security officers. Majority of the officers are certified for the field. We have 30 certified officers, 3 awaiting the academy, 5 adjudication and 5 awaiting both adjudication & academy. Upcoming training includes; Drug Investigation through IPA, DB training, and CPR/First Aid/AD Ready through North Segment. Councilman Randy Phelan would like to have more of a presence in Mandaree. Councilman Fred Fox also expressed the need to have a visible presence in his segment. With 7 law enforcement officers living in White Shield it seems that they are pulled from the community to patrol elsewhere. Chief Heart noted that there is some awaiting adjudication that will be deployed. Councilman Randy Phelan has met with the McKenzie County Sheriff on developing an agreement similar to White Shield. Chairman Mark N. Fox reminded Chief Nelson to inform the Chairman when events dictate (to his work phone). Names aren't needed but just update as to emergencies like fugitives. Councilman Fred Fox asked that we also need to find officers for the long term and if there is a reason for the high turnover. Councilman Randy Phelan recommended a Pre-Law Enforcement Program at NHSC to train our own people. Chairman Mark N. Fox commented that for years there has been the wish to develop a more local Federal training school perhaps at UTTC.

FTR: Councilman Mervin Packineau returned to the meeting.

XVII. NATURAL RESOURCES COMMITTEE – *Councilman Randy Phelan, Chairman*

A. Homesite(s)* - *Valeri Hosie*

Item deferred.

B. Farm/Pasture Leases* - *Diana Americanhorse*

Item deferred.

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C. Easements* - *Shaylane Miller*



Motion: Councilman Randy Phelan moved to approve resolution no. 19-054-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*” subject to Councilman Cory Spotted Bear review of #5 Dunn Count near Custom homes area. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Voting

Discussion: 8 tracks on tribal fee & trust.

FTR: Another item is for fee land adjacent/east to Elbowoods clinic from the Richard Sierra family for 80 acres at the old dump grounds are seeking \$25,000/acre. Chairman Mark N. Fox recommended further assessment, environmental and negotiation. Appraisal on Shane Johnson property through Executive Order. Old Chances R building is also being offered to the tribe (3 lots).

XVIII. CULTURAL COMMITTEE – Chairman Randy Phelan, Chair
No items.

XIX. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

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A. Nueta Hidatsa Sahnish College (NHSC) – Dr. Twyla Baker, President

Alternative complaint procedure available to all students that is outside of the normal Nueta Hidatsa Sahnish College (NHSC) complaint and grievance system not being issued a fair outcome with regard to academic programs or practices of NSHC, students may choose to approach the Tribal Ombudsman Office, which will be located within the Office of the Director of the Mandan Hidatsa Arikara (MHA) Tribal Education Office.

Motion: Councilman Randy Phelan moved to approve for the Director of the TAT Education Dept. (Dr. Ruth Swaney) to assume the duties for the student complaint process as the Ombudsperson under the US. Dept. of Education-Financial Aid requirements for the Nueta Hidatsa Sahnish College. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye



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- B. 2019 Denver West Classic – Donavan Lacroix**
Requesting \$5,500 to take a team to the event.

Motion: Councilman Fred Fox moved to approve \$700/enrolled players & coaches per policy. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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- C. Vonica LaPlante Request**

Recently elected President of the native student body for Wanbli Ota, Fort Lewis College's largest and oldest native student organization on campus, also serve as First Year Student Ambassador on the Association of Students of Fort Lewis College, our main student government organization. Every year Wanbli Ota oversees and hosts a weeklong multitude of native cultural activities including workshops, the Miss Hozhoni Days pageant, an alumni social, and the popular Hozhoni Days powwow. As the Wanbli Ota President, she is requesting a sponsorship for weeklong activities in the amount of \$5,000. Thus far our native student organization budget is at \$30,000 (budget submitted). After discussion the members of the council agreed to help with \$500/segment and Chairman's office.

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- XX. LEGAL DEPARTMENT – Caleb Dog Eagle, Esq., MHA Supervising Attorney**

FTR: Pension would not need a resolution as it was previously approved by 03-109-RP that was never certified. Councilman Mervin Packineau noted that it was in the budget. Appropriated for one year and no new resolution required. Roger White Owl, noted that that 03-109-RP was never signed. Councilman Mervin Packineau recommended that the current Chaiman sign the old resolution.

Motion: Councilman Fred Fox moved to approve Chairman Mark N. Fox to sign resolution 03-109-RP resolution. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye



Councilwoman Monica Mayer – Aye

Discussion: Appropriating as laid out for this year's budget. For those requesting the pension can request the minutes and submit with a purchase order.

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A. 477 Contract Renewal

Motion: Councilman Cory Spotted Bear moved to approve the Sandra Moon Contract with a cap of \$45,000. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

XXI. 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***

FTR: Chairman Mark N. Fox stepped of the meeting and Councilman Fred Fox assumed the Chair.

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G. Councilman Mervin Packineau – Nora Packineau

Discussion of language revitalization. Hidatsa Language Nest program with elders and community. Have sat down with the elders to discuss most important areas to address and it was determined to start an immersion program with the children. Hoping to start in May. Received approval with the Alliance. Others are also interested. Originally started as a 6-month program but was change to an 18-month program. Seeking an extension for 4-6 months at no cost.

FTR: Chairman Mark N. Fox returned to the meeting.

Motion: Councilman Fred Fox moved to approve project contract extension with a term to 9/30/2019. Councilman Cory Spotted Bear 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: 18 month program budget of \$250,000 for the fiscal. Councilman Cory Spotted Bear recommended that Nora Packineau return to the Education Committee meeting and refresh the scope of the contract. Then he would be willing to schedule a special meeting to address.

FTR: Chairman Mark N. Fox stepped out and Councilman Fred Fox assumed the Chair 4:07PM.

H. Councilman Mervin Packineau – Reserved

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I. Councilman V. Judy Brugh – Four Bears Home Mortgage Program Payroll Deduction

Chairman Mark N. Fox recommended mirroring the tribal mortgage program & loans standards & requirements. Councilman Fred Fox noted that the White Shield Mortgage program collects \$27,000/month.

Motion: Councilman Fred Fox moved to approve resolution no. 19-055-FWF entitled “*Approval of the Four Bears Home Mortgage Program Payroll Deduction for Tribal Employees, Entities, and Affiliates*”. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

J. Councilman V. Judy Brugh – Reserved

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K. Councilman Cory Spotted Bear – Jessica White Plume

Motion: Councilman Fred Fox moved to approve resolution no. 19-056-FWF entitled “*Approval for the Application for the Twin Buttes Champions Ranch Project: A Community Development Grant from Shakopee Mdewakanton Sioux (Dakota) Community Business Council*” 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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L. Councilman Cory Spotted Bear – Kayla Alkire

Home flooded by a broken sewer line in their home in Mobridge due to the cold. City will not cover the cost. Councilman Cory Spotted Bear recommended applying the Disaster Relief grant from Cliff Whitman's program.

Motion: Councilwoman Monica Mayer moved to approve disaster relief \$4000 and \$500/segments & Chairman's Office. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

M. Councilwoman Monica Mayer – Reserved

N. Councilwoman Monica Mayer – Reserved

XXII. CLOSED SESSION

- A. Dawn Bull Bear**
- B. Human Resources (HR)* – Barlow Wells, Director**
- C. Four Bears Casino Report* – Scott Wilson, General Manager**
- D. Four Bears Audit Report**
- E. Legal Contracts**
- F. Kingdom Business Conference**
- G. Riverboat**
- H. Tribal Care Health Insurance* – Jerry Fozzard & Pamela Lewis**

XXIII. ADJOURNMENT

Motion: Councilman Randy Phelan moved to adjourn. Councilwoman V. Judy Brugh seconded the motion. Meeting adjourned at 5:33PM.



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 12th of April, 2019; 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 12th day of April, 2019.

ATTEST:

Handwritten signature of Fred W. Fox in black ink.

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

Handwritten signature of Mark N. Fox in black ink.

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