



* Standing Agenda Item
Superscript indicates times deferred (After 3-times returned to Committee)

CALL TO ORDER

Chairman Mark N. Fox called the meeting to order at 12:06PM.

OPENING PRAYER

Greta White Calfe

ROLL CALL

Present: Councilwoman Monica Mayer, Councilman Cory Spotted Bear (Not Present), 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 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

II. APPROVAL OF MINUTES

- **April 12th, 2019 Tribal Business Council Regular Meeting Minutes**

Motion: Councilman Randy Phelan moved to approve the April 12th, 2019 Tribal Business Council Regular Meeting Minutes subject to minor corrections. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

III. SPECIAL GUESTS & ELDERS

TAT_20190509-1121_01d5065951e86a8e.mp3

A. Joseph Whitetail Eagle



Spent 4 years on the Navaho reservation after graduating high school from White Shield. His house recently suffered fire and lots of smoke damage and he was recommended by the Chairman and Cliff Whitman to seek emergency grants. TAT resolution 14-173-VJB states that the grant is no more than \$4000 and he has been waiting for over a year. He is requesting assistance. He is a certified licesed contractor and can do the repairs himself.

Motion: Councilman Mervin Packineau moved to approve the \$4,000 emergency assistance from TAT resolution 14-173-VJB. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

Discussion: White Shield Segment office will process. The CEO noted the reason for the delay was that the nature of the fire didn't fall under the parameters of the resolution. Chairman Mark N. Fox noted that current policies allow for smoke damage.

TAT_20190509-1116_01d506589edd436a.mp3

B. Kateri Tekakwitha Conference - Greta White Calfe and Cleo Charging

Motion: Councilman Fred Fox moved to approve \$1,200 for each tribal member attending as policy. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

Discussion: Point person is to create a list at the conference of attendees.

EXECUTIVE COMMITTEE REPORTS

TAT_20190509-1131_01d5065ab7f82f20.mp3

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

Provided a summary of recent activities & events such as; NIGA meetings in April, Virgil Hill meeting to bring world championship fights to the Casino, Federal Partners, Easter Holiday Gift Certificate program, Minot State Pow-Wow sponsorship, Land Group Advisory Meeting in DC, Chairman's Clean-



up day and reservation wide beautification projects which includes shore line cleanup around the Four Bears peninsula, and 2 miles in Bismarck, Award received from the City of Bismarck, Graduations coming up and the Chairman commended all the graduates. Upcoming Native Business Institute next week, Ethics Commission meeting with revised policies, Beach Project grand opening on May 31st, Showing of the PBS special on the historic Elbowoods Basketball team entitled “Basketball, water and the lost city of Elbowoods” Beautification Project is tilling elder gardens. Presented blankets to the ND Governor and staff during the State Oil Production Tax Agreement signing. Provided information concerning issues with recent duplicate disbursement checks and staff error on the new finance system. Asked those who have received a duplicate check to return it to the tribe (or they will not get their next distribution). The Tribe will insure that the problems will be fixed with the next distribution.

FTR: *The TBC recognized Councilman Mervin Packineau birthday with an honor song and gifts and special comments.*

TAT_20190509-1146_01d5065cd1e97e8e.mp3

V. VICE CHAIRMAN’S REPORT- Councilman Randy Phelan

Recently started the monthly West Segment clean-up with July clean-up for fair wrist bands, Re-elected as Vice Chairman at the NIGA Quarterly meeting, also related his outstanding experience of working with the TBC to get the State Production Tax Compact done. Upcoming events & activities include: Cattle relending will be up and running and getting the cows out, Mandaree School ground breaking(May 15th at 1pm), Horse Sale on the 18th at the rodeo grounds. Mandaree High School seniors are going to Hawaii for their trip. Projects include an apartment complex.

TAT_20190509-1156_01d5065e38151094.mp3

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

Provided Records Office report. White Shield graduation May 24th, Wat Bonnet Dance 12th, Elder Trip next week, and wished a Happy Mother’s Day,

TAT_20190509-1221_01d50661bb0634e6.mp3

VII. TREASURER’S REPORT - Councilman Mervin Packineau

Will be ramping up our Finance Dept. to prevent the disbursement issues, Housing projects, Emergency Search & Rescue Team.

TAT_20190509-1251_01d50665f1e7d2b6.mp3

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

Presented the year to date May 9th Expense report. 48% spent, 61% through the fiscal and operating at the approved level. A couple of areas will need adjustment at the next quarter possibly in June. Chairman Mark N. Fox recommended the first part of June for a budget work session. Councilman Mervin Packineau ask for a Federal update also.

Business loan item presented concerning a loan that was approved for a certain amount with collateral requirement. The parties have not come together for a dollar for dollar collateral requirement and requests and exception for a not collateralized a piece of equipment. In a prior meeting the TBC supported, but would need an exception under the collateral terms not to be one for one. Collateral requirements for inventory.



Motion: Councilwoman V. Judy Brugh moved to grant [XXXXX] a onetime waiver for this particular loan. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

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

TAT_20190509-1256_01d50666a5194c0c.mp3

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

Motion: Councilwoman V. Judy Brugh moved to approve Group A: Small Loan Applications subject to Loans Policies & Recommendations. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 1 – Abstention. 1 – Not Present. 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 – Not Present
Councilwoman Monica Mayer – Aye

Discussion: To add XXXXX.

Motion: Councilman Randy Phelan moved to approve Group B: Small Loan Applications (1-4) subject to Loans Policies & recommendations & (#1-#4) co-signor. Councilwoman V. Judy Brugh 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye



Discussion: #1-4 are tribal employees and are trying to catch up on their loans, Mary Ellen Sun recommended # 1-4 with cosigner, but not #5 because the co-signor is making the payments and is behind. If they got caught up then Loans could reconsider. Chairman Mark N. Fox asked that the one that owes the \$755 paid up that the Director reconsider needing a co-signor. Councilman Mervin Packineau requested that XXXXX be added to the A: group.

TAT_20190509-1231_01d50663230f0d30.mp3

D. Amerada-Hess – Jim Baker, Shawn Packineau, & Billy Moran

Healing Horse Ranch check presentation from Amerada-Hess to carry on their activities that are making a big difference to the youth.

E. Home Loans

Motion: Councilman Fred Fox moved to approve \$350,000 for the M.J. Gunderson Home Loan for a home in Mandan subject to Loan Policies & requirements. 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

Motion: Councilman Mervin Packineau moved to approve Rusty Gillette refinance and transfer home to tribal home mortgage program and collateral consideration of \$68,000 subject to clear title and Loans Policies & Procedures. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: \$50,149 total owed on the house that has an estimated value of \$192,900. Refinancing home because his wife's name is on the house and divorce agreement is for him to refinance without her name on mortgage.

VIII. SEGMENT UPDATES

TAT_20190509-1201_01d5065eeca1e3f34.mp3

A. North Segment – Councilwoman Monica Mayer



Property Management moved into the new building and will be tearing down the old Salters Trailer Court building to make way for a day care center, Demolition of a number of buildings on Main Street with new car wash/Quick Lube/laundromat with construction starting in a couple of weeks and projected completion in September, purchasing the old Charbee's land for the laundromat, old Dr. Wilson building demolition for park land, New lighted basketball court outside of Northern Lights, Sobriety center called "the Door" is running very well, Day Work Force Project is also working well in collaboration with the Chairman's Beautification Project, North Segment Home Services is open and New Town Nursing Home contract for 9 beds has been negotiated (and trying to secure additional beds), Van Hook Sub-division engineering completed and working on the roads, Hockey ring project with funding from the Chairman's Office, A&E under way on the Theatre/Bowling Alley Project with the City, Wrecking yard and possible wrecker services being researched, Thanked the TBC for all the determination to bring about the historic State Oil Production Tax Compact,

B. Twin Buttes – Councilman Cory Spotted Bear
Item deferred.

TAT_20190509-1156_01d5065e38151094.mp3

C. Four Bears – Councilwoman V. Judy Brugh

Wished everyone a Happy Mother's Day. The Segment took water & supplies and gas money to aid the flood victims at the Pine Ridge Reservation. Recent Judicial working session on May 6th focusing on drug awareness and seriousness of the new drugs and their effects. Native American Sign Language community workshop with Harry Sitting Bear, Community Tree Planting Project, Tribal member donated a tree to each elder, Work Force Community Program, Staff CPR Certifications completed, Kingdom Business Attendance, Elder Trip, New Community Nurse, Clean Up Day on the 26th, Four Bears Pow Wow honoring of Charlie Moran & Lawrence Baker, Congratulated the upcoming school graduates

IX. OFFICER REPORTS

TAT_20190509-1306_01d506680cef6f2c.mp3

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

- 1) **Federal Programs Report***
- 2) **Executive Orders***

Motion: Councilman Fred Fox moved to ratify EA-2019-84;

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves the closing of the following accounts at Cornerstone Bank in New Town, ND:

1. 21 00007794
2. 21 00007802
3. 2100007810

All funds from these three accounts will be transferred into the Three Affiliated Tribes General Fund account 84363.

Councilwoman V. Judy Brugh 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

Motion: Councilman Randy Phelan moved to ratify EA-2019-85;

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council of the Three Affiliated Tribes hereby unequivocally commits the two million dollars (\$2,000,000) set aside for food sovereignty in its 2019 budget as funds for the Tribe's Cost Share obligation for the Funding Opportunity; and

BE IT FINALLY RESOLVED, The Tribal Business Council will provide any and all necessary documents to the Department of Energy necessary to illustrate the Tribe's financial, administrative, and governmental commitment to this Funding Opportunity.

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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

Motion: Councilman Randy Phelan moved to ratify EA-2019-86;

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves the sum of Twenty-Two Thousand and five hundred dollars (\$22,500) for White Shield High School Senior trip for expanses of flights, hotel accommodations, and transportation for the trip.

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



Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

Motion: Councilman Randy Phelan moved to ratify EA-2019-87;

THEREFORE BE IT RESOLVED, That the Executive Committee of the Tribal Business Council of the Three Affiliated Tribes hereby declares that an emergency exists, in that the MHA Land & Livestock Corporation needs to purchase cattle for the cattle relending program as soon as possible in order to provide maximum benefit to the enrolled member producers participating in program, and the Tribal Business Council is not scheduled to meet again until its regular meeting in May, 2019.

BE IT FURTHER RESOLVED, That the Executive Committee of the Tribal Council of the Three Affiliated Tribes hereby authorizes the appropriation and immediate drawdown from the TAT General Fund of \$700,000.00 for the MHA Land & Livestock Corporation for purposes of purchasing cattle for its cattle relending program and operational expenses of the Corporation.

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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye

Discussion: Chairman Mark N. Fox would like to know the return from last year and present a report. Councilman Randy Phelan believed there was 100% return.

Motion: Councilwoman V. Judy Brugh motion to approve rescinding no. 16-067-LKH entitled “Assigning the Three Affiliated Tribes Background Investigations to the Law Enforcement Specialist for all Tribal Law Enforcement Entities“ subject to Legal review and resolution. Councilman Mervin Packineau 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Aye



FTR: Roger White Owl provided a summary of key points of the recently attended State Legislative testimonial hearings at the Standing Rock Tribal Council Chambers concerning Access to Voting.

TAT_20190509-1311_01d50668c0d3bef8.mp3

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

Motion: Councilman Fred Fox moved to approve updated Business Licenses;

- Advance Cash
- Cover Cash
- Sovereign Advance
- MAXLEND
- MHA Systems
- Bluestone Apparel
- Little Missouri Lodge Enterprises
- Blacktail Catering
- JC Java Coffeehouse
- Ree Act Security Systems, LLC
- Badger Management Services, LLC

Councilwoman V. Judy Brugh 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

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Not Present

Councilwoman Monica Mayer – Not Voting

Motion: Councilman Fred Fox moved to approve resolution no. 19-071-FWF entitled “USDA Local Food Promotion Program Funding Opportunity No. USDA-AMS-TM-LFPP-G-19-0001 and 25 percent (25%) Matching of Federal Funds Awarded” subject to Legal review.

Councilwoman V. Judy Brugh 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

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Not Present

Councilwoman Monica Mayer – Not Voting



Discussion: Striking a provision or line.

TAT_20190509-1321_01d5066a27006fd6.mp3

4) Enrollment* – *Sevant S. Taft, Enrollment Director*

Motion: Councilman Fred Fox moved to approve resolution no. 18-072-FWF entitled “Approval of 31 Applicants for Enrollment into the Three Affiliated Tribes” subject to Legal review. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Not Present
Councilwoman Monica Mayer – Not Voting

Discussion: 16, 239 total tribal members,

TAT_20190509-1326_01d5066adb0fbfbc.mp3

M. Perkins discussed a blood quantum issue with child denied enrollment and has proof of eligibility through a resolution that her mother is ¼ MHA. Sevant Taft noted that when the software was upgraded the blood quantum was calculated incorrectly. Chairman Mark N. Fox noted that under the policy the child would have 1/8 blood. Councilman Fred Fox expressed that it is hard because we have more children without a tribe and the blood quantum being changed. Councilman Randy Phelan expressed concern especially it being 1/32. Councilwoman V. Judy Brugh recommended going by the resolution and enroll the child. Councilman Fred Fox noted that in the original resolution has a totally different blood quantum (02-001-) Chairman Mark N. Fox recommended following the appeals process or appellate process based on the enrollment code. Councilman Fred Fox suggested following the appeals process with Legal checking the correct body to hear the appeal. After discussion the Chairman Mark N. Fox recommended waiving the appeals requirement.

Motion: Councilman Randy Phelan recommended waive the appeals requirement and use the mother’s ¼ blood quantum to enroll the child. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye



Discussion: To be added to today's enrollment resolution.

FTR: Chairman Mark N. Fox stepped out at 2:57pm and Councilman Randy Phelan assumed the chair.

X. UNFINISHED BUSINESS

TAT_20190509-1356_01d5066f10eab954.mp3

F. Child Support¹ – William Woods Jr., Interim Director

Ashly Meade presented for the Director. Recommendation presented for applicant for Director position. HR has a copy of the resume documents recommended by the Interim Director as well as HR for the Director position. The position has been advertised for over two years.

Motion: Councilman Fred Fox moved to approve the recommendation by the Interim Director for the Director position. Councilwoman V. Judy Brugh seconded the motion.

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

Chairman Mark N. Fox – Not Voting

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

XI. MEDICAL REQUESTS

A. L. B. – V. – Medical Bill¹

Item deferred.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XII. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer, Chair

TAT_20190509-1356_01d5066f10eab954.mp3

A. Department of Transportation (DOT) Report – Richard Hall, Director

Discussed the need for office space and found a temporary spot at the Northern Lights Community Center. Seeking to purchase the old Rays TV Shop lots (2) in New Town. Councilwoman Monica Mayer noted that we are about 3 years out for an established new building. At present no buildings are available. Councilwoman Monica Mayer would be in favor of the old Ray's TV building. The seller is asking \$110,000 for the building. The program brings in \$10.5 million. Councilman Randy Phelan is in favor and Councilwoman Monica Mayer would like the CEO to look into the budget possibilities. Information Day for truckers and contractors in June. Opening up TAT plates for member contractors.

Motion: Councilwoman Monica Mayer moved to approve the purchase of the building (2 lots - old Rays TV Lot) subject to budget discussion with the CEO and procurement process. Councilman Cory Spotted Bear seconded the motion.



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

Chairman Mark N. Fox – Not Voting
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

FTR: Resolution 19-118-FWF entitled “Three Affiliated Tribes Tribal Business Council approving and supporting MHADOT Licensing Administration to Purchase Building in New Town on 335 Main St.”

B. Planning and Grant’s – Sheila Many Ribs, Director

Motion: Councilman Fred Fox moved to accept the Bush Foundation grant (\$209,000), with Fund Code to be established. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Not Voting
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: \$209,000 grant to the tribe. BLM to be the consultant/2 year contract to assist in completing the grant tasks. CEO expressed concern with court of jurisdiction language. Deb Nelson noted that the Bush Foundation is bound by Minnesota jurisdiction and that they have never had any legal actions against them. John Fredericks had no objections since it is a grant with no tribal match in funds.

Motion: Councilman Fred Fox moved to approve the DLN Consulting Contract. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Not Voting
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



FBHA has applied for this year's ICBG Grant.

Motion: Councilwoman V. Judy Brugh moved to approve for 2020 CDBG application and resolution to Mandaree Segment. Councilman Randy Phelan seconded the motion.

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

Chairman Mark N. Fox – Not Voting

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

TAT_20190509-1427_01d5067346e75572.mp3

C. Cemetery Funds – Shell Creek – Wendi Wells, Pat DuBoise, & Ed Hall

Cemetery Code that Ed Hall proposed discussed. Proposed budget to maintain and take care of reservation reinternment cemeteries. Ed Hall noted that all bottomland reinternment cemeteries would all be taken care of with the new code. Councilman Cory Spotted Bear recommended panels for fences because a chain link requires a lot of maintenance. 10 church cemeteries and about 10 private cemeteries. Pat DuBoise noted that they did have a budget and the TBC has been helping along with different Depts. informally taking turns digging graves when requested. Councilman Randy Phelan noted that we increased the burial fund from \$5-6,500 thousand but the mortuary's in turn raised their prices so maybe we need to start making our own caskets and rough boxes again. Pat DuBoise noted development of a web site with names of members & grave sites. GIS/Mapping/Indexes & database/Web site. Councilman Mervin Packineau & Ed Hall have been working on this for a number of years. Wendi Wells noted that Shell Creek has the highest need and would like a planning committee put into place, and placing importance to the historical ties for those coming home to find their ancestors.

Motion: Councilman Mervin Packineau moved to approve a TAT Cemeteries program and budget for FY19 for \$200,000 subject to the next budget meeting. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Not Voting

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: Ed Hall noted that there may need to be some GIS training for the staff, fences, & maintenance. The office would be with Public Works/Solis Waste. Councilwoman Monica Mayer



asked that the group re-evaluate their budget and broaden the scope of their program. The CEO will meet with them and discuss possibility of working within a new Dept. such as an off shoot of Education from Grants & Donations. To return with a budget for 2020.

D. Loan Request – Felicia Felix for Vincent Fox

Item deferred.

TAT_20190509-1442_01d5067561d1db08.mp3

E. Fort Berthold Housing Authority (FBHA) – Toni Parisian, Director & Coby Rabbithead, CFO
Seeking the remainder of this year budget. New units coming in at the end of June. Mandaree & White Shield Units scheduled for placement. Requesting that the budgeted \$3.2 million was budgeted be readily available for the project term. Further reported that housing lease compliance is being tightened up. Councilwoman Monica Mayer informed the group of her segments requirements on wage deduction for tribal employees. FBHA is looking into something similar. The Director requested a waiver of TERO fees for the housing project. Councilman Randy Phelan asked the presenters to return with a resolution with the exact amount to be waived.

Motion: Councilman Fred Fox moved approve to subject to budget adjustments & meetings. Councilwoman V. Judy Brugh seconded the motion.

TAT_20190509-1827_01d50694ecfa437c.mp3

F. Kevin Finley

Seeking support for the upcoming NBA and WNBA's Minnesota Timberwolves and Lynx basketball academy to be held on Ft. Berthold, June 25-26, 2019 at the Johnny Bird Community Building. Provided a budget of \$21,000.00.

Motion: Councilman Fred Fox moved to approve \$21,000.00 sponsorship. 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

Discussion: Chairman Mark N. Fox strongly recommended that they find additional resources.

- Seeking sponsorship of \$11,769.19 for the "Building Champions" football camp.

Motion: Councilman Cory Spotted Bear moved for tentative approval "Building Champions" football camp subject to seeking additional external resources. 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

XIII. ENERGY COMMITTEE – *Chairman Randy Phelan, Chair*

TAT_20190509-1502_01d506782ee72b14.mp3

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

B. ROW's* – *Paul Grady & Harriette LePage*
Total ROW Project: \$453, 583.89

Motion: Councilman Fred Fox moved to approve resolution no. 19-073-FWF entitled “*Approval of Setback Variance Requested by Marathon Oil Company for the Shortall USA Project.*”
Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1 – Not Voting. Motion carried.
Chairman Mark N. Fox – Not Voting
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: Councilwoman Monica Mayer moved to approve resolution no. 19-074-FWF entitled “*Approval of Setback Variance Requested by Marathon Oil Company for the Pennington USA 31 and Ardis USA Project.*” Councilman Fred Fox seconded the motion.

Vote: 6- Ayes. 1 – Not Voting. Motion carried.
Chairman Mark N. Fox – Not Voting
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: Councilwoman Monica Mayer moved to approve resolution no. 19-075-FWF entitled “*Approval of Setback Variance Requested by ONEOK Rockies Midstream, LLC for the Atkinson USA CTB.*” Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Not Voting
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: Councilwoman Monica Mayer moved to approve resolution no. 19-076-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the Atkinson USA CTB Project Submitted by ONEOK Rockies Midstream, LLC.*” Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Not Voting
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 Fred Fox moved to approve resolution no. 19-077-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the Missouri 2 FB-152-94-14D Master Meter Project Submitted by ONEOK Rockies Midstream, LLC.*” Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Not Voting
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 Fred Fox moved to approve resolution no. 19-078-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the Bursheia USA Multi-Well Pad Project Submitted by ONEOK Rockies Midstream, LLC.*” Councilwoman Monica Mayer seconded the motion.



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

Chairman Mark N. Fox – Not Voting
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: Councilwoman Monica Mayer moved to approve resolution no. 19-079-FWF entitled “Approval of Assessment of Civil Fine on RimRock Oil & Gas Williston, LLC for Trespass of BIA ROW No. FBOG100248 for the Skunk Creek 13-18 Well Pad and Consent to Amend BIA ROW No. FBOG100248 to Add Six Additional Wells on the Skunk Creek 13-18 Well Pad Submitted by RimRock Oil & Gas Williston, LLC.” subject to Legal review. Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Not Voting
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 Fred Fox moved to approve resolution no. 19-080-FWF entitled “Approval of Assessment of Civil Fine on RimRock Oil & Gas Williston, LLC for Trespass of BIA ROW No. FBOG100619 for the Charging Eagle 14-14 Well Pad and Consent to Amend BIA ROW No. FBOG100619 to Add Four Additional Wells and an Aboveground Temporary Waterline on the Charging Eagle 14-14 Well Pad Submitted by RimRock Oil & Gas Williston, LLC.” subject to Legal review Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Not Voting
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 Fred Fox moved to approve resolution no. 19-081-FWF entitled “Approval of Assessment of Civil Fine on RimRock Oil & Gas Williston, LLC for Trespass of BIA ROW No. FBOG100082 for the Charging Eagle 15-14 Well Pad and Consent to Amend BIA ROW No. FBOG100082 to Add One Additional Well on the Charging Eagle 15-14 Well Pad Submitted by



RimRock Oil & Gas Williston, LLC.” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1 – Not Voting. Motion carried.
Chairman Mark N. Fox – Not Voting
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: Councilwoman Monica Mayer moved to approve resolution no. 19-082-FWF entitled “*Approval of Consent to Amend BIA ROW No. FBOG100523 to Add Six Additional Wells on the Skunk Creek 4-18 Well Pad Submitted by RimRock Oil & Gas Williston, LLC.*” subject to Legal review. Councilman Fred Fox seconded the motion.

Vote: 6- Ayes. 1 – Not Voting. Motion carried.
Chairman Mark N. Fox – Not Voting
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 Fred Fox moved to approve resolution no. 19-083-FWF entitled “*Approval of Consent to Amend BIA ROW No. FBOG100220 to Add Four Additional Wells on the Skunk Creek 4-10 Well Pad Submitted by RimRock Oil & Gas Williston, LLC.*” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1 – Not Voting. Motion carried.
Chairman Mark N. Fox – Not Voting
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: Councilwoman Monica Mayer moved to approve resolution no. 19-084-FWF entitled “*Approval of Assessment of Civil Fine on RimRock Oil & Gas Williston, LLC for Trespass of BIA ROW No. FBOG100928 for the Skunk Creek 1-8 Well Pad and Consent to Amend BIA ROW No. FBOG100928 to Add Two Additional Wells on the Skunk Creek 1-8 Well Pad submitted by RimRock Oil & Gas Williston, LLC.*” subject to Legal review. Councilman Fred Fox seconded the motion.



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

Chairman Mark N. Fox – Not Voting
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 Fred Fox moved to approve resolution no. 19-085-FWF entitled “*Approval of Assessment of Civil Fine on RimRock Oil & Gas Williston, LLC for Trespass of BIA ROW No. FBOG100169 for the Skunk Creek 2-8 Well Pad and Consent to Amend BIA ROW No. FBOG100169 to add Two Additional Wells on the Skunk Creek 2-8 Well Pad Submitted by RimRock Oil & Gas Williston, LLC.*” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Not Voting
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: Councilwoman Monica Mayer moved to approve resolution no. 19-086-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the Butterflies Turtles Loop Project Submitted by Targa Badlands LLC.*” Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Not Voting
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 Fred Fox moved to approve resolution no. 19-087-FWF entitled “*Approval of Dwelling Setback Variance Requested by Targa Badlands LLC for the Riverview 30 Surface Site.*” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Not Voting
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: Councilwoman Monica Mayer moved to approve resolution no. 19-088-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the African Animals Central Project Submitted by Targa Badlands LLC.” Councilwoman V. Judy Brugh seconded the motion.

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

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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 19-089-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Peppers South Well Connect Project Submitted by Arrow Pipeline, LLC.” Councilwoman V. Judy Brugh seconded the motion.

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

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

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 19-090-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land for the Greek Gods East Well Connect Project Submitted by Arrow Pipeline, LLC.” Councilman Cory Spotted Bear seconded the motion.

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

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



Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 19-091-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for the Strings South Project Submitted by Enerplus Resources (USA) Corporation.*” Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Not Voting
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

C. 10% Interest or less Resolution

Resolution presented entitled “*Delegating Authority to the MHA Energy Division to Process and Grant Tribal Consent for Oil and Gas*“. The Council for the inclusion of veto power in the resolution and return. Designed to streamline the process for small track ROW. Chairman Mark N. Fox has a concern over any tracks not having TBC review so recommended continuing as is.

Item deferred

TAT_20190509-1522_01d5067afdf27a88.mp3

D. Missouri River Setback Modification

Would allow the development of the wells prior to 2017 and the 1000’ setback restriction. Resolution presented entitled “*Resolution entitled Amending the Missouri River, Badlands, and Sacred Sites Protection Act, Concerning the 1,000 Foot Setback Restriction. (Third Amendment)*”

Tabled

E. Proposed Drones Guidelines

John Fredericks noted that the oil industry are using drones to inspect their well sites. Councilman Randy Phelan noted that this is a big issue and needs a better look. The Council discussed a possible interim approval until all aspects of the issue can be reviewed.

Proposed guidelines subject to resolution.

Tabled

TAT_20190509-1537_01d5067d18f5b550.mp3

F. Shared Roads Agreement- Enerplus

Same agreement signed in 2014. Amendment no. 4 to MHA Nation Roads Department Road Damage Repair & Restitution Agreement.

Motion: Councilman Fred Fox moved to approve “*Amendment no. 4 To MHA Nation Roads Department Road Damage Repair & Restitution Agreement*”. Councilwoman V. Judy Brugh seconded the motion.



Vote: 5- Ayes. 2 – Not Voting. Motion carried.
Chairman Mark N. Fox – Not Voting
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

FTR: Mandaree School project received a good FONZI report for the environmental assesment.

TAT_20190509-1532_01d5067c64e80d9c.mp3

G. TERO / Energy Checklist

Insure Kayla Danks has a copy of the check list.

Addressed

TAT_20190509-1532_01d5067c64e80d9c.mp3

H. Trespass Code

Submitted a draft Trespass Code [1st Reading] that was originally presented in 2014. John Fredericks noted that it has been reviewed twice.

Item deferred.

I. CleanSmart Solutions

Item deferred.

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

TAT_20190509-1542_01d5067dccc3c4.mp3

J. Myrmidon Water Gathering System Expansion Project Waiver – Travis Hallam
South of New Town 1 mile before the curve on 30th St.(Marathon).

Motion: Councilwoman Monica Mayer moved to approve resolution no. 19-117-FWF entitled “A Waiver of the Policy Regarding Pipeline Construction Materials Requested by Marathon Oil Company for the Myrmidon Water Gathering System Expansion Project.’ Councilman Fred Fox 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

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

TAT_20190509-1817_01d5069386dcc1e2.mp3

A. Waterpark Construction – *Wendi Wells, Special Projects*

Motion: Councilman Randy Phelan moved to approve resolution no. 19-110-FWF entitled “*Approving Additional Costs and Expansion of the Four Bears Water Park in New Town, 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

TAT_20190509-1557_01d5067fe6fd87f0.mp3

B. Kerry Libby Consultant Contract for Paleontology

Motion: Councilman Randy Phelan moved to approve Consultant Contract for Paleontology. 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

Discussion: Councilwoman Monica Mayer would like them to report to the Cultural Committee. Supervisor is to be Lisa Lone Fight.

TAT_20190509-1602_01d506809ae19b9e.mp3

C. North Segment Property Management (NSPM) Wage Deduction Resolution

Motion: Councilman Randy Phelan moved to approve resolution no. 19-093-FWF entitled. “*Approval of the North Segment Property Management Payroll Deduction for Tribal Employees, Entities, and Affiliates*” subject to Legal review. 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

Discussion: Resolution to be edited to include a case by case waiver for those in good standing.

D. North Segment Special Project Resolution

Motion: Councilman Fred Fox moved to approve resolution no. 19-094-FWF entitled “*Approval and Obligation of Fiscal Year 2019 Tribal General Funds for North Segment Economic Development projects*” subject to Legal review. 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

E. College Internship Program

Motion: Councilman Fred Fox moved to establish a College Internship Program from the General Fund. 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: At a pay rate of \$18 to \$20. Will look at the old budget to establish how much for each segment.

TAT_20190509-1602_01d506809ae19b9e.mp3

F. MHA Mentoring Program – Chance Rush



Motion: Councilman Cory Spotted Bear moved to approve 1 year program funding. 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

TAT_20190509-1602_01d506809ae19b9e.mp3

G. Twin Buttes Community Center Pool Addition Project

\$1.5 million project with 3 lanes connected to a recreation area, changing room, indoors as part of the community center.

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 19-095-FWF entitled, “Authorization for Construction Costs for the new Pool Addition on the Twin Buttes Community Center” 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 – 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: To include FY 2019 language in the resolution.

TAT_20190509-1612_01d5068202e9a23a.mp3

H. White Shield Community Building

Motion: Councilman Fred Fox moved to approve resolution no. 19-096-FWF entitled “Authorization for Architectural, Engineering, and Pre-Construction Costs for the White Shield Community Center”. Councilwoman V. Judy Brugh 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

Motion: Councilman Fred Fox moved to approve resolution no. 19-092-FWF entitled “*Authorization for the Special Projects Line Item Title/Project Change from White Shield Teacher Housing to White Shield Elder Center.*” Councilman V. Judy Brugh 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

TAT_20190509-1612_01d5068202e9a23a.mp3

I. Mandaree 12 Unit Apartment Complex

Motion: Councilman Fred Fox moved to approve resolution no. 19-097-FWF entitled “*Authorization for Architectural, Engineering, and Pre-Construction Costs for the Mandaree 12 Unit Apartment Complex*” Councilwoman V. Judy Brugh 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. Hemp Code

Natural Resource Committee to do the 1st Reading.

XV. HEALTH & HUMAN SERVICES

TAT_20190509-1627_01d506841cd643d6.mp3

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

Motion: Councilwoman Monica Mayer moved to approve & amend the Juanita Mendoza Contract to extend hours. 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

Motion: Councilman Fred Fox moved to approve resolution no. 19-116-FWF entitled “*Authorizing Submission of Application to Indian Health Services for Small Ambulatory Program (SAP) Grant*” subject to Legal review. 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. Tribal Health* – *Red Fox Sanchez, Director*
Item deferred.

TAT_20190509-1552_01d5067f33c5e0a6.mp3

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

(3) Applicants for assistance. Discussion on person with a bill remaining and expended assistance

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

Applicant A:

Chairman Mark N. Fox noted that the policy is \$45,000/fiscal.

Motion: Councilwoman Monica Mayer moved to approve Applicant A: [XXXXXX] with assistance for \$20,000. 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 – Not Voting
Councilwoman V. Judy Brugh – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Will readdress the remaining bill in the next fiscal.

Applicant B:



Baby needing access to the Life & Limb grant for room and board & mileage. Will be expending the \$3,500 quickly because it is expected that they could be staying 3-6 months. . The applicant meet their limit soon and Chairman Mark N. Fox recommended doubling the grant of \$3,500 to \$7000.

Motion: Councilman Randy Phelan moved to approve #B [XXXXX] for \$7,000 and return next month for additional. 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

Applicant C.

Motion: Councilman Randy Phelan moved to approve #C [XXXXX] for Life & Limb 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

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

E. Kidney Dialysis Unit (KDU) – Callie Baker BSN, MSN. , Director
Item deferred.

TAT_20190509-1632_01d50684d0bec72e.mp3

F. Social Services – Kathy Felix, Director

Motion: Councilman Cory Spotted Bear moved to approve \$100,000 budget increase for the program subject to budget work session. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: The Director noted that this would be the last time she would be presenting to the Council. Councilwoman V. Judy Brugh thanked her for her service to the Tribe.

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

A. Justice Commission Report*

Item deferred.

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

Item deferred.

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

Item deferred.

XVII. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chairman

TAT_20190509-1637_01d5068583bida16.mp3

A. Homesite(s)* - Texx Lone Bear, Natural Resources Director

Motion: Councilman Fred Fox moved to approve resolution no. 19-098-FWF entitled "Approval of Home Site Leases and Utility Corridors for Home Sites subject to removing item #8 from the presented 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: Councilman Cory Spotted Bear thought that #8 already had a home site in Twin Buttes and will review.

TAT_20190509-1707_01d50689b8e011ee.mp3

B. Farm/Pasture Leases* - Diana Americanhorse

Blanket Agricultural Resolutions for Tribal & Majority Tribal Interest; 1) 34 Tribal tracts, 2) 23 Tribal tracts, 3) 11 Majority Tribal Interest, 4) 8 Majority Tribal Interest. All approved at Natural Resources Committee, BIA 2019 Farm Bid Sale completed. Outcome of bids presented. Some not bid on. NRC has a set rate of \$60 non-members and \$52 members minimum for Crop.



Motion: Councilman Fred Fox moved to blanket approve (4) resolutions numbers; 19-101-FWF, 19-102-FWF, 19-103-FWF, & 19-104-FWF each entitled “*Agricultural Leases on tribal land*” subject to a previously approved rate minimums & 1 year term leases & Legal review. 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

C. Easements*

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 19-099-FWF entitled “*Consent to Certain Rights of Way across Tribal land for the McKenzie Electric Cooperative*” 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

TAT_20190509-1722_01d5068bd2e5caf0.mp3

D. Solid Waste – *Patrick Dubois*

Seeking \$1,773,409.37 for Special Project Inert Pit & Transfer Station budget. Working with I.H.S for over two years. Have I.H.S. and Tribal funding. Chairman Mark N. Fox recommended referring to the budget process. Current inert pit is at 90% capacity.

Motion: Councilman Cory Spotted Bear moved to approve temporary approval contingent to budget work session. 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

E. Public Works - Justin Spotted Bear, Director

Black Eagle Lift Station \$1.39 million estimate. \$700,000 to split the sewer flow to not overwhelm the I.H.S. portion of the system with the addition of the Mandaree School project. 50% I.H.S. funding. Requesting a budget increase for the project of \$328,000.

Motion: Councilman Randy Phelan moved to approve funding increase of \$700,000 pending budget review. Councilwoman V. Judy Brugh seconded the motion.

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

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

- **Coffle Plumbing & Heating Contractor**

Additional asphalt needed for unsatisfactory road bed put down by a different company. The company improved the situation. Has run through Legal. Paid agreed amount of \$1.149 million original finding but now need additional \$111,600 for costs. Recommended to split the cost of overage.

Motion: Councilman Randy Phelan moved to approve 50% of cost subject to company approval. Councilwoman V. Judy Brugh seconded the motion.

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

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

F. Chris McLaughlin Land Sale

Item not ready yet.

G. Shane Johnson

Item deferred.

TAT_20190509-1657_01d5068850ff5504.mp3



H. New Town Lots

Wilkinson Properties LLC's Land Sale to the Three Affiliated Tribes to allow North Segment continue in the development for the car wash. 3 lots. Old Charbee's Lot. Adjacent lot to the east is tribal. The seller has agreed to sell at appraisal cost which is \$195,000 for three commercial lots at .64 total acres at \$7.00/ft². Parcel #'s; 560036500, 560036600, 560036700 ; Lots 19, 20, and 21, Block 26, City of New Town, Section 17, T 152N, R 92W Mountrail County of approximate 0.64 acres, 5th PM of North Dakota, with a 100% interest, appraised value of \$195,000.00. Resolution presented by legal entitled: *"Wilkinson Properties LLC's Land Sale to the Three Affiliated Tribes"* assigned resolution no. 19-106-FWF upon completion of negotiations.

Motion: Councilwoman Monica Mayer moved to approve the acquisition of the three lots. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

I. KGI Cell Tower - Rick Adams

Rick Adams, of KGI, representing Verizon (Badlands Cellular of North Dakota Limited Partnership) for ND04 Notting Butte - Site Walk (Tract ID 301 T0631A-A, Fort Berthold, Sect 5, T148N, R92 W, Dunn County, ND - 100% Tribal) Verizon Proposal for a 100 foot x 100 foot area at \$12,000/year. There is an existing towers and Crestwood gas line. McKenzie Electric line also. When he was on site reviewing the area a local land owner came out and said that the road was his but after research found that the improved road wasn't. The project would like to just add onto the road for access to the 250' tower site and put in a cattle guard. Language, easements and exhibits would need to be negotiated after granted a right of entry for surveying. Councilman Randy Phelan noted that they wanted it for free but we talked them into \$1000/month.

"Verizon Wireless" for a period of three hundred and sixty five (365) days from the date of this consent, to enter onto the Property and contiguous property owned or controlled by the Owner for the purpose of performing an inspection of the Property, including surveys, a structural strength analysis, subsurface boring tests, an environmental site assessment, and any other activities as Verizon Wireless may deem necessary, at the sole cost of Verizon Wireless. In addition, Verizon Wireless may remove samples of the soil from the Property. The Owner shall not be responsible for the actions of Verizon Wireless's employees or contractors while they are on the property."

Motion: Councilman Randy Phelan moved to approve the Right of Entry Agreement subject to Legal review. 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

Discussion: Keith Mandan drive way has no easement, but Texx Lone Bear recommended an alternate route that is 100% tribal. Councilman Randy Phelan can sign the Right of Entry.

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 19-100-FWF entitled “Authorizing an MOU with the BLM for a road in Townships 148N R95, Township 148N R96W and Township 149N R95W”. 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

J. McKenzie Electric

Addressed above.

K. Clarissa Mandan

Seeking authorization for campers at Stanton and riverbank stabilization.

TAT_20190509-1737_01d5068debdffc56.mp3

L. Fort Berthold Rural Water (FBRW) – Pem Hall

Motion: Councilman Randy Phelan moved to approve BOR Construction Agreement. 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 – Not Voting
Councilman Mervin Packineau – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to approve Plumbing O&M Budget. 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

Motion: Councilman Randy Phelan moved to approve resolution no. 19-107-FWF entitled "FBRW's NAA Meter Project Funding Proposal". 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Randy Phelan moved to approve blanket approval of all three items (4,5,6). 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

FTR: 3-Phase Power update for the easement with an \$50,000 additional cost to get power to the intake.

TAT_20190509-1752_01d5069005e95de8.mp3

M. TAT Fire Management – Marle Baker

Motion: Councilman Randy Phelan moved to approve resolution no. 19-108-FWF entitled "Approval of the 2019 Fort Berthold Reservation Burn Ban." 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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 19-109-FWF entitled “Authorization for those members of local volunteer Fire Department who are Three Affiliated Tribes Employees to receive Administrative Leave during an incident response or training.” 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

TAT_20190509-1712_01d5068a6bdba4b6.mp3

N. Game & Fish – Kristen Mason, Bio Tech

Cross bow season is open to all tribal members or any disabled with permit.

Motion: Councilman Randy Phelan moved to approve resolution no. 19-105-FWF entitled “Approval of the 2019-2020 Tribal Hunting and Fishing Proclamations” 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

XVIII. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

TAT_20190509-1757_01d50690b906bffe.mp3

A. ND Council of the Arts/Grant Request – Troy Geist & Keith Bear

Seeking a \$91,000 grant. Chairman Mark N. Fox recommends ½ of request subject to budget meeting.

Motion: Councilman Fred Fox moved to approve ½ of the request subject to budget meetings & agreement from the elders over the content. Councilwoman Monica Mayer seconded the motion.

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



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

Discussion: Councilman Randy Phelan would like to have person as a topic in the movie and speak to the elders who speaks the language.

TAT_20190509-1812_01d50692d2ff4b90.mp3

B. Transition Academy – Mary Baker

Part of a network cohort to create change in the community and picked a transition community for High School 11th & 12th grades(White Shield, Parshall, New Town & Mandaree) requesting \$7,500.

Motion: Councilman Cory Spotted Bear moved to approve a \$7,500 grant for the Transition Academy. 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

C. Nueta Hidatsa Sanish College (NHSC)

Budget for sports program.

Item deferred.

D. Committee Language Reporting

Motion: Councilwoman Monica Mayer moved to approve language reporting to be before the Cultural Committee. 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

XIX. CULTURAL COMMITTEE – *Chairman Randy Phelan, Chair*

XX. LEGAL DEPARTMENT – *Tyra Wilkinson, Interim MHA Supervising Attorney*

Motion: Councilman Mervin Packineau moved to approve John Frederick IRS Struss Contract. 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 Randy Phelan moved to approve resolution no. 19-111-FWF entitled “*Authorizing Funding for Parshall Schools Construction Project*”. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Randy Phelan moved to approve resolution no. 19-112-FWF entitled “*Waiver of TERO Fees/Taxes imposed by Section 601 of the MHA TERO Ordinance for the Architects and Contractors contracted for the Mandaree School Project*”. 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
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye



Motion: Councilman Fred Fox moved to approve resolution no. 19-113-FWF entitled “*Approving Architect Agreement for MHA Rescue Facility, Four Bears Peninsula*”. 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

TAT_20190509-1822_01d5069439effede.mp3

Rescue & Dive Team Facility

Chairman Mark N. Fox noted that the tribe should not be paying more that 8% on A&E for projects and should be generally at around 6%. This one would allow for the negotiation of cost. Not to exceed 60-70,000 on the fees. Rescue & Dive Team Facility will be 3000 sq. ft. with the shop separate. Ackerman.

Motion: Councilman Randy Phelan moved to approve Rescue & Dive Team Facility subject to Legal review & resolution. 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

FTR: Resolution no. 19-113-FWF entitled “*Approving Architect Agreement for MHA Rescue Facility, Four Bears Peninsula*”

XXI. NEW BUSINESS – Tribal Councilman Add Ons

TAT_20190509-1126_01d5065a04fbfd20.mp3

A. Chairman Mark Fox- Jim Mossett

Mr. Mossett representing the Twin Buttes elder organization addressed the TBC for clarification on elder disbursements. Councilman Fred Fox noted that they should have received \$3,000 in December for a total of \$7,000 a year. Another payment coming in July.

B. Chairman Mark Fox – Reserved

C. Councilman Randy Phelan – Yvette Young Bear-Chase

Seeking \$3000 to move an existing trailer house away from their property.



FTR: Each Segment & the Chairman's office will contribute \$400.

D. Councilman Randy Phelan – Reserved

E. Councilman Fred W. Fox – Miranda Perkins (see Closed Session)

TAT_20190509-1837_01d5069653064ee4.mp3

F. Councilman Fred W. Fox – Shawnta Everett

Seeking approval for a Home Mortgage Loan of an additional \$147,000. She currently owes around \$43,000 on her home loan. So, it would be added on to that loan and the home would be taken as a trade in by Liethcy Homes in Minot. N.D. She has a home with them that she currently pays on but being forced to relocate. She would like to get a bigger home to permanently live in. She has the application complete and all the information they require. But, she don't have time to wait for their committee to meet and approved her as she needs to be moved by the end of summer because the Cotton Wood Trailer Park is closing. She is finalizing leasing land by Van Hook under NRC at this Tribal Council meeting and with this approval she can bring all her documents to Home Mortgage for them to review my finances and start processing my home purchase.

Motion: Councilman Fred Fox moved to approve additional \$147,000 for her mortgage subject to Loan Policies & recommendations. 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

TAT_20190509-1847_01d50697b9058bd2.mp3

G. Councilman Mervin Packineau – J.G.

Motion: Councilman Mervin Packineau moved to approve for \$2,750 (=50% of cost) for Souris Valley Dental Group for dental implant. 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 – Abstained

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

TAT_20190509-1847_01d50697b9058bd2.mp3

H. Councilman Mervin Packineau – Jess Baker



Year behind in bills. Chairman Mark N. Fox received messages on bidding on a lease that Jess had. Councilman Randy Phelan: 2 years delinquent.

Motion: Councilman Mervin Packineau moved to approve to send notice to the BIA to allow him to continue to lease and outstanding amounts be paid in 30 days (at which time if not paid to go out to bid. Councilman Fred Fox seconded the motion.

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

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

TAT_20190509-1857_01d506991f1b7aac.mp3

I. Councilman V. Judy Brugh – Eagle’s Landing Expansion Project – Robert White

Motion: Councilman Fred Fox moved to approve resolution no. 19-114-FWF entitled “*Approval and Authorization of a Special Projects General Fund Appropriation in the Amount of \$8,000,000 for the Construction of a New Four Bears Eagles Landing C-Store; Authorization for the Project of up to \$2,000,000 in FY 2019, \$4,000,000 in FY 2020, and \$2,000,000 in FY 2021*” subject to phased fiscal funding at 2 mil./4 mil./2 mil.. 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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 19-115-FWF entitled “*Approval of Waiver of the TERO Fee for the New Four Bears Eagles Landing C-Store Construction Project*” subject to Legal review. 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

- J. Councilman V. Judy Brugh – Waylon Pretends Eagle** [*see Closed Session*]
- K. Councilman Cory Spotted Bear – Reserved**
- L. Councilman Cory Spotted Bear – Reserved**

TAT_20190509-1923_01d5069ca11bd5a8.mp3

- M. Councilwoman Monica Mayer – NDSU Extension**
Brief update provided.

XXII. CLOSED SESSION

- A. Human Resources (HR)* – Barlow Wells, Director**
- B. F. M – Nursing Home¹**
- C. Marcus Levings¹**
- D. Councilman Mervin Packineau**
- E. Partition Issue from Executive Committee**
- G. Waylon Pretends Eagle**
- H. Councilwoman Monica Mayer – Tony Starr**
- I. Carson Hood Jr. – Energy**
- J. Elbowoods Memorial Health Center (EMHC) HR Items – Dr. Kathy Eagle, CEO**
- K. Law Enforcement Back Ground Responsibilities**

ADJOURNMENT:

Motion: Councilwoman V. Judy Brugh moved to adjourn the meeting. Councilman Randy Phelan seconded the motion. Meeting adjourned at 9:30PM.



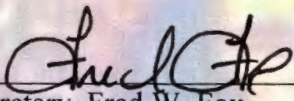
CERTIFICATION

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 13th of June, 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.

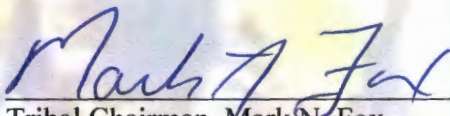
Chairman (X) Voting () Not Voting

Dated this 13th day of June, 2019.

ATTEST:



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



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