



* 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 11:32AM.

OPENING PRAYER

Harriet Good Iron.

ROLL CALL

Present: Councilwoman Monica Mayer, (Not Present), 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: 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 – Aye
Councilwoman Monica Mayer – Not Present

II. APPROVAL OF MINUTES

- **May 8th, 2019 Special Tribal Business Meeting Minutes**
- **May 9th, 2019 Regular Tribal Business Council Meeting Minutes**

Motion: Councilman Randy Phelan moved to approve the May 2019 TBC Minutes subject to minor corrections. 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 – Aye
Councilwoman Monica Mayer – Not Present

III. SPECIAL GUESTS & ELDERS

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A. MHA Elders Organization Budget – Ramona Two Shields

MHA Elders Board members introduced: (White Shield) Tooksi Eagle & Gary Dickens, (Parshall) Ramona Two Shields & Melvin Malnourie, (New Town) Gloria Fast Dog, (Four Bears) June Lazotte & John Danks Jr., (Mandaree) Rosie Johnson & Keith Mandan, (Twin Buttes) Pete Fredericks & Raven Heart. Executive Director is Ashly Bullis with Minni Two Shields as Assistant. Jeffrey Fox is the Board President. Submitted a packet for review that included program guidelines, fiscal budget, and program statistics. Seeking an increase in their budget for the 587 elders they serve on reservation & 847 off the reservation. Currently receive \$200,000/year and seeking an increase in their budget.

Motion: Councilman Randy Phelan moved to approve a budget increase to \$300,000/yr. from \$200,000/yr. 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 – Aye
Councilwoman Monica Mayer – Not Present

Ramona Two Shields presented a separate enrollment issue concerning her grandson Otter. Has a full blood MHA member great grandfather on his father's side (William Conklin). Received a denial letter from the Enrollment Office and was told to go get birth certificates. Expressed a complaint with advertising Advisory Committee meetings times & dates. She is asking today because it is becoming an issue with her grandson not having health insurance. Ramona Two Shields was asked to return during the Enrollment portion of the agenda. She thanked Councilman Randy Phelan for following the traditions over the Troy Gist (NDHS) request for requiring him to consult the elders first. Ramona noted problems with an "Art for Life" grant that the MHA Museum received. Ramona Two Shields asked the TBC to be a bit leery of the gentleman. Chairman Mark N. Fox noted that he will be back. Raven Heart expressed a problem with Wilfred Snow getting enrolled and made a request to allow her built up leave be donated to her brother.

Motion: Councilman Cory Spotted Bear moved to allow the donation of Raven Heart's sick leave to her brother Tom Crows Heart Sr. 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 – Aye
Councilwoman Monica Mayer – Not Present



FTR: Acknowledgement of Mike White for his 26 years of services in Law Enforcement.

IV. Human Resources (HR)- Single Hires* – Barlow Wells, Director[see Closed Session]

EXECUTIVE COMMITTEE REPORTS

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

Elbowoods documentary went well with premier at the casino ball room that included many family members of the original players. DVD's will be available in the near future. The Chairman noted that the event was very emotional for many of the people in attendance. We hope to get every elder a copy of the DVD. Chairman Fox asked the other council people to help and pitch in to purchase more. Attended Memorial Day/Veteran's day events at Four Bears & White Shield. Renewable Energy meeting with NREL assisting and exploring the goal of developing renewable resources. Army Corp of Engineering meeting that took on oil and gas impacts, unlawful water extraction, riverboat, land development, permits & easements and the cultural center approvals to completed 15-16 months out. Key issue was the riverboat pilot project to include a gaming vessel to be built. NAFSA meetings in Denver along with Crestwood and PetroGulf. Working on water agreements to get water for industry. Attended a Round Table discussion with Asst. Secretary for Indian Affairs, Tara Sweeny at Gila River over murdered and missing persons, drug problems and the need for more resources. Also expressed problems with the regional BIA not supporting the tribe a recent letter to the tribe affecting the tribe's ability to provide law enforcement. The tribe puts millions of dollars into these services to supplement what the federal government is not providing. Commended the TBC in their support for the tribal members in Bismarck/Mandan. Upcoming meetings with Sanford on contractual issues & dialysis issues with industry work session to follow. Also will be needing a budget work session & NCAI Tax presentation in a few weeks. Secretary of Interior Bernhardt notified the Chairman Mark N. Fox that the Figure 4 Ranch area has been approved to put it into trust and increase the tribe's land base by 8-9%. There are still some administrative tasks yet but does expects total completion within a couple of months.

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VI. VICE CHAIRMAN'S REPORT- Councilman Randy Phelan

Expressed condolences to those that recently lost loved ones. Recent events included the Elder Trip to Deadwood, The Memorial Day Pow-Wow. Upcoming events include a Horse Sale. Expressed gratitude to the TBC for supporting construction of the new high school with completion in 2020. The old community center is being remodeled/converted as a homeless shelter. Grand opening of the new HeadStart for July 17th. Thanked the Transportation Administration for their work on the roads in Mandaree.

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VII. SECRETARY'S REPORT – Councilman Fred W. Fox

Provided an update and overview on the Records Office Web site and asked everyone to take a look. Recently attended a refinery meeting to discuss pipeline access & permits. White Shield update



included; Construction of the new Elders Center, Administration Building, Sahnish Healing Lodge is operational and open 24/7.

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VIII. TREASURER'S REPORT - Councilman Mervin Packineau

Recent activities included; Community Board meeting with Drug Enforcement report; Clean-Up Day with Bingo & Bouncy Houses and bike give-away ; Upcoming Parshall/Lucky Mound Celebration ; Healing Horse Ranch will be having Indian Relay Races & Northern Badlands Indian Rodeo events Association ; Community development is moving forward.

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A. CFO Report* – Whitney Bell

Provided a brief budget report. Chairman Mark N. Fox advised adjustments in budget in June and avoid concerns with distributions happening again.

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

Submitted the May 2019 Financial Report. Chairman Mark N. Fox noted that the quality of events at the casino makes all the difference. It was noted that an additional gaming site in Mandaree would take some time.

FTR: Councilwoman Monica Mayer joined the meetings at 12:45PM.

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C. Small Loans* –Mary Ellen Sun

Motion: Councilman Randy Phelan moved to approve small loan applications Group A(18): subject to loans policies & requirements. Councilman Fred Fox seconded the motion.

Vote: 5- Ayes. 1 – Abstention. 1 – Not Voting. Motion carried.

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

Discussion: To add [J.S.] to the applicants.

Motion: Councilman Randy Phelan moved to approve small loan applications Group B(9): subject to loans policies & requirements. 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

Discussion: For Group B, their debt is higher than their income. A new policy in effect to allow qualifying small loan applicant according to income for all in Group B. Councilman Randy Phelan recommended increasing the payment amount. Chairman Mark N. Fox recommended decreasing the amounts of the loans or just working to find a solution to allow them to borrow. Councilman Mervin Packineau noted that credit ratings are also used.

D. Mortgage Program – Val Mayer

The following applicants have been approved through the Mortgage Loan Committee and require further TBC approval, above the loan committee \$200,000.00 approving policy. These clients have an existing approved loan and are requesting additional amount to meet their home purchasing needs. Qualifying applicant criteria has been reviewed and qualified for income verification for repayment of the additional loan amount. Combined Total: \$200,000.00.

Motion: Councilman Fred Fox moved to approve (3) home mortgage loan increases. Councilman Randy Phelan seconded the motion.

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

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

E. Native Connections IDC Decrease – Iva Gillies

Roger White Owl, CEO presented and let the TBC know that he will return after completion of additional administrative items.

Item deferred.

IX. SEGMENT UPDATES

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A. North Segment – Councilwoman Monica Mayer

Youth activities and graduation gifts to the high school students ; Gave out books to the Headstart graduates ; Wrestling workshop to promote the sport ; Basketball court completed with lights; ice skating/roller blading rink construction ; elders home services program up and running with application for credentialing ; main street building being demolished to make way for future projects for new car wash & laundromat ; Beautification project in full swing ; wrecking yard is open &



purchasing a towing truck ; Community Building planning with Senior Center ; Long Term Care Facility A&E underway ;

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B. Twin Buttes – Councilman Cory Spotted Bear

Clean up day with basketball, T-Shirt, & Frisbee give away ; Water Treatment plant to be running end of June, Community Center completion end of August ; geothermal wells for the pool, solar panels for the community ; motel project with 6 – 8 rooms, cold storage units ; Pow- wow grounds move. Cemetery fencing project. Tree planting ; Side walk project ; Working on ambulance service ; splash pad project ; invited everyone to the Twin Buttes Celebration with softball tourney at the new diamonds ; community garden and honey bee project ; HUD housing project going well ; 21 summer youth workers ; elders trip this summer.

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C. Four Bears – Councilwoman V. Judy Brugh

Provided a brief community update. Drug Awareness program under way ; Community Board discussion on gated communities ; 80 elders in the community with 53 over 55. Elder Fair and shopping trip. Elders Trip planning; Mothers Day Dinner; Frucone Site cleanup by Maintenance; Native Sign Language work shops ; tree planting ; Successful Four Bears Pow-wow with honoring of Charlie Moran & Lawrence Baker. ; 4th of July Celebration Dinner; Graduates Honor Diner; Recreation activities for the youth;

X. OFFICER REPORTS

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

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

Motion: Councilman Mervin Packineau moved to ratify EA-88;

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves a small loan request for Kelly Foote in the amount of \$15,000.00. This loan will be refinanced and consolidated with her previous loan(s). This will be an exception to the current small loans policy and 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



Motion: Councilman Fred Fox moved to ratify EA-89;

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves small loan requests for the following individuals based upon the policies and procedures of the small loan department. 1.[M.L.] - \$3,000 2. [F.B.]- \$3,000 3. [B.D.]- \$5,000 4. [L.S.] - \$5,000 5.[K.M.] - \$3,900.

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 Fred Fox moved to ratify EA-90;

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves small loan requests for the following individuals based upon the policies and procedures of the small loan department. 1. [C.H.] - \$1,000.

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

Motion: Councilman Cory Spotted Bear moved to ratify EA-91;

NOW THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes hereby authorizes and approves the MHA Twin Buttes Segment to complete the construction of five (5) Living Stone Lodge Roundhomes as designed and authorizes approximately \$1,500,000 (5 homes at \$266,667.00 per unit plus additional costs for concrete exterior work) subject to additions and deductions as provided in the contracts to come from Segment funds.

BE IT FURTHER RESOLVED, that the Chairman is authorized to designate Cory Spotted Bear, MHA Twin Buttes Representative to execute any and all contract documents pertaining to the Living Stone Lodge Round Homes project hereto.



BE IT FINALLY RESOLVED, The owner's construction manager for this project/action shall be Geordan Traver of the Twin Buttes Community Staff.

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 ratify EA-92;

NOW, THEREFORE, BE IT RESOLVED that The Three Affiliated Tribes approves and authorizes that the Chairman, the Treasurer, and Councilperson Cory Spotted Bear execute said independent Consultant Contract for Don Two Bears, Jr., which contains provisions for a four-month term and payment to Consultant in an amount not to exceed \$35,000.00, to come from Twin Buttes Segment funds, for services performed pursuant to the terms of said Contract.

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 Mervin Packineau moved to ratify EA-93;

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves the attached agreement regarding the Johnny Bird Memorial Hall Site Assessment and Remediation Strategy. (*Johnny Bird Memorial Hall Building and Site Assessment I Remediation Strategy- Ackerman-Estvold*)

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

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

Accepting Business Licenses for 2019, beginning June 1, 2019. Developing Tax Department website. Will put tillable forms on website to make available to the public. Revising job descriptions, create licensing and clerical positions. Online Web Portal: Working with vendor for online payment module for taxes and fees. Working with vendor for online web portal to enhance functionality to include online business license processing. Creating confidentiality and security protection information and forms for online web portal. Fiscal: Revenue collections are up to date; Total April Revenue Collections: \$24,757,587.06. Collected \$5,037,731 .99 more than April 2018. Total FY2019 Collections: \$151,071,601. Collected \$ 5,037,732 more than FY2018 (7 months). Cuff Accounts are up to date but working on balancing with Intacct in the new system. Motor Vehicle Fuel Refunds may be claimed for FY2018 through December 30th, 2019. Developing interim process for background review of tribal business licenses issued. Will be submitting to legal for review. Developing interim process for background review of tribal business licenses issued. Will be submitting to legal for review. Reviewing Draft Business Code pertaining to Business Licenses & submitting to legal for review. Developing response to Proposed Code Amendments Comments: 10% Oil Production Tax and Tax Credit. Will be submitting to legal for review. May 30, 2019 - met with ND Tax Commission, Scott Davis, ND Indian Affairs, and Governor's counsel along with John Fredericks, legal counsel to discuss draft Alcohol Tax Agreement. PIT Tax - transportation allowance discussion to occur at Federal Partner's Meeting on July 30th, 2019. Business Licenses; Chairman Mark N. Fox asked the dept. to step up the regulatory review to protect the people.

Motion: Councilman Randy Phelan moved for interim approval of the business licenses;

- NORTHERN PLAINS SEAMLESS GUTTERS LLC -GLENN LACROIX- GUTTER & DOWNSPOUT INST.
- WHITE HEADED EAGLE CONSULTING -MARCUS D. LEVINGS- CONSULTING SERVICES.
- TORCHES FIREWORKS -CHRIS HOUSTON- ENTERTAINMENT.
- Q's KITCHEN -SUZANNE STYREN- FOOD.
- 1804 C STORE -GLORIA BREENAN- CONVENIENCE STORE.
- ALL RND RED DETAILING -PANSY M ECKISS- AUTO CARE.
- WILD WEST JUNCTION -PATRICK DUBOIS- SMOKESHOP/LAUNDRY /CAFÉ.
- MY LITTLE MEXICO -LUIS LOPEZ- FOOD.
- AFLAC -AMANDA ARNST- BENEFITS ADVISOR.
- AFLAC -JOHNNALEE WALDRON- BENEFITS ADVISOR.
- MEC MANAGEMENT -CLARENCE O'BERRY- CONSULTING SERVICES.
- MANDAREE ENTERPRISES -CLARENCE O'BERRY- HOLDING COMPANY.
- DAE SUNG, LLC -CLARENCE O'BERRY- COMMERCIAL CONSTRUCTION.
- GROSE CONSTRUCTION- PHILLIP FOX- INDUSTRIAL CONSTRUCTION.



- MEC DEVELOPMENT, LLC -CLARENCE O'BERRY- ORGANIZATIONAL SERVICES.
- MEC DISTRIBUTION -PATRICK O'BERRY- RETAIL DEALER/WHOLESALE.
- MEC ENERGY SERVICES, LLC EDMUND -WHITE BEAR JR- ENERGY/ACTIVITY/ENGINEER SERVICES.
- MEC TECHNOLOGIES, LLC -RONALD LAVERDURE- CLAIMS PROCESSING.
- MEC SERVICES, LLC -CLARENCE O'BERRY- CONSULTING SERVICES.
- SINEKI MANAGEMENT -PHILLIP FOX- GOVT CONTRACTING.

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

Chairman Mark N. Fox provided an update on work to develop a Tribal/State Alcohol Tax agreement. The State is asking for split State favors State greatly and we don't see the MHA Nation agreeing with their offer. The TBC may need to make some hard decisions toward Duel Taxation.

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

Motion: Councilman Cory Spotted Bear moved to approver resolution no. 19-119-FWF entitled “Approval of 27 (Twenty-Seven) Applicants for Enrollment into the Three Affiliated 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

Discussion: 16, 384 total members. Ramona Two Shields returned to speak for her grandson Otter. Councilman Randy Phelan recommended that she return and speak to Sevant Taft.



Motion: Councilwoman V. Judy Brugh moved to have Enrollment lay out adjustments Ramona Two Shields grandson records and then through the Chairman's office with Legal for review. 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: Councilwoman Monica Mayer asked the Director for addition report break downs by segment, elders, youth, and on & off the reservation.

XI. UNFINISHED BUSINESS

A. L. B. – V. – Medical Bill³

Item deferred.

B. Loan Request² – Felicia Felix for Vincent Fox

Item deferred.

C. 10% Interest or less Resolution²

Item deferred.

D. Trespass Code²

Item deferred.

E. CleanSmart Solutions²

Item deferred.

F. Chris McLaughlin Land Sale²

Item deferred.

G. Shane Johnson²[Closed Session]

H. Nueta Hidatsa Sahnish College (NHSC)² – Dr. Twila Baker, President

Item deferred.



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I. Charles Hall Youth Services (CHYS) - Gayle Klopp, Gayla Sherman, & Keith Bear.

Need to become nationally accredited to continue to serve. Family First Prevention Services Act; To remain part of the continuum of care in North Dakota for foster care youth, Charles Hall Youth Services must be licensed at a higher level of care dictated by federal regulation. This newly-defined higher level of care, a Qualified Residential Treatment Program (QRTP), will require the following by October 1, 2019. National accreditation - CHYS is in the process of completing national accreditation through the Council on Accreditation (COA). Whole-system change trauma-informed model of care- CHYS has begun training in the Risking Connection and Restorative Approach model. Full-time nurse with contracted 24/7 emergency nursing care. Employ 1-2 Family Engagement Specialists to coordinate and provide family involvement (including siblings) during youth's placement and after-care support for a minimum of 6 months. Increase direct care staffing to meet newly required minimum staffing levels. Three agencies- Serenity Homes, Fargo; Harmony House, Devils Lake; and Lake Oahe Group Home, Standing Rock- have elected not to become licensed as a QRTP. Eckert Youth Home, Williston, will not become licensed as of October 1 and is looking at repurposing its services. Placement statistics: Average Indian youth placements continue at 48% ; MHA placements continue at 8-10 per year; 2018 MHA placements were 38% of all Indian youth placements; as of June 10, 2019, MHA placements were 40% of all Indian youth placements. Keith Bear, former youth of CHYS, elected to the Charles Hall Foundation board of directors in 2018. Ruth Buffalo elected to serve on the CHYS governing board of directors in Feb Ruth Buffalo elected to serve on the CHYS governing board of directors in February 2019. CHYS is partnering with the Good Road Recovery Center by providing Nonviolent Crisis Intervention training to Good Road staff by CHYS nationally certified trainer; contracted to continue this training partnership in the future. CHYS board approved change to do business as Charles Hall Youth & Family Services in 2019. Charles Hall Youth Services is requesting \$60,000 to cover the costs of accreditation and implementing the whole-system change trauma-informed model of care. These are immediate needs as we diligently work to meet the deadline to become a QRTP. Becoming a QRTP will enable us to provide better and more effective care to the high risk youth we serve and their families.

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 19-138-FWF entitled “Authorizing \$60,000 Grant to Charles Hall Youth Services” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Not Voting

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

Discussion: Councilwoman Monica Mayer & Councilman Mervin Packineau want average MHA clients/year data. Most of their placement are from Burleigh County.



FTR: Chairman Mark N. Fox stepped out of the meeting and Councilman Randy Phelan assumed the chair of the meeting.

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J. Transportation Administration – Scott Satermo

Objectives: Develop infrastructure and unify departments that are under the directive of the Transportation Administration. Utilize Xtiri to build a data base that is sharable and accurate. Which will provide options for grants and additional funding from outside sources. Implementations; Google mapping 435 roads with the aid of TSRC staff, G.I.S Updating, Obtaining R.I.F.D.S certification, Resolution/ Policy for Fleet Management Policy & Procedures Manual. Submitted revised Organizational chart. Asked to return with the Org Chart in resolution form. Construction Management; Utilize Resolution and checklist for permitting, Ensure proper inspection, Communication for tribal departments (Public Works, Law Enforcement, Etc.). Fleet Management; New Department, Insuring vehicles T.A.T no longer has possession of, Accountability, 747 vehicles in Fleet; out of that 377 unaccounted when we started, 70% of departments have met deadline required for this update. Licensing & Regulatory; Change Title of department from DOT to Licensing & Regulatory, Emphasis on mobile scales, Adding Highway Patrol for crash data. Requesting to be a standing item at NRD Committee meetings. Seeking a check list with Construction Management.

- **Funding Source Change**

Motion: Councilman Cory Spotted Bear moved to place this Transportation Administration dept. to under the General Fund. 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: Councilwoman Monica Mayer recommended advertising the Director position and that that person be a Civil Engineer. Roger White Owl will follow up. Councilwoman V. Judy Brugh noted that all the jobs will need to be advertised to make permanent. 3 positions.

- **Checklist for Commercial Building Development**

Motion: Councilman Fred Fox moved to approve resolution no 19-120-FWF entitled “Establishment of the Construction Management Office Checklist for Commercial Building Development.” 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

XII. MEDICAL REQUESTS

A. Victor Deane (HIPPA SENSITIVE)

Requesting Life and Limb/Extended Stay Reimbursement for lodging costs Aspen Suites that occurred while his wife [D.D.W.] was re-hospitalized December 14, 2018 before she passed away on January 17, 2019 for the amount of \$7,591. Chairman Mark N. Fox recommended 75%. \$7,591 for an amount of \$5,600 will reimburse him.

Motion: Councilman Fred Fox moved to approve \$5,600. 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 – Aye
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Voting

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XIII. CULTURAL COMMITTEE – Chairman Randy Phelan, Chair

XIV. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer, Chair

A. Fort Berthold Housing Authority (FBHA) – Toni Parisian, Executive Director

Councilman Randy Phelan thanked the Director for tearing down some of the old houses in Mandaree. On schedule with projects. Councilman Cory Spotted Bear would like to see more local people working on their projects. By June 28th White Shield's foundations to be done. July 8-12 delivery of units. Mandaree 5 units coming in July. Two letters and request of remainder of funding. 19-058-FWF entitled "Fort Berthold Housing Authority (FBHA) year 1 of a 5 year Community Revitalization Project 2019 Approval for Request of Funds". 2020 Budget – Line item Community Revitalization.

B. MHA Interpretive Center – Delphine Baker, Tom Almond, Mike Lavendeur



Presented architectural designs and construction schedule.

Motion: Councilman Fred Fox moved to approve resolution no. 19-123-FWF entitled “*Approval of Further Construction and Costs for the MHA Nation Interpretive Center Project and Authorization for Appropriation for Additional Construction and Costs.*” Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 19-124-FWF entitled “*MHA Interpretive Center Construction: Refuse Disposal Tax Exemption and Waiver of Department of Transportation Fees.*” subject to Legal review and changing language to fee not tax. Councilwoman V. Judy Brugh seconded the motion.

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

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

Discussion: CEO to insure that it is not a tax but a disposal fee exemption.

FTR: Councilman Cory Spotted Bear left the meeting at 3:51PM.

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C. Loan Forgiveness – Clairesse White Horse

Request for loan forgiveness. Assumed her mother’s loan, the late Irene White Owl, when she passed away 3 years ago. She had a loan out on our 2007 Tahoe, which is in both of our names. Since her passing the Tahoe hasn't been working. My husband and I tried getting it fixed, and put over \$5,000 into it, only to find out it's always something else that needs to get fixed. Right now it's sitting in a friend 's yard still not working. Also has a loan on a 2012 Chevy Suburban but is only asking for forgiveness on the loan with her mother's loan. She was not sure how the loan department combined the two loans. She included an updated loan ledger with this request, her and her mother's up the month she passed away. Has taken in her brothers 4 young children, making the household into 11



members. She is trying to get another vehicle to accommodate all the family comfortably. Claïresse White Horse & her husband work full time for the tribe.

Motion: Councilwoman Monica Mayer moved to forgive the loan balance (Claïresse White Horse-Irene White Owl)foreword by turning over the assets (vehicle: 2007 Chevy Tahoe) to Small Loans. 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: Payments for the loan for the 2012 Chevy Suburban would continue. Councilman Randy Phelan asked Mary Ellen Sun to research loan insurance for vehicles and pass that insurance cost to the consumer.

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

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

May 21st-30th National Renewable Laboratories (NRL) Meetings & 2 day Energy Symposium at the Energy Building and thanked the Chairman for his green/renewable energy initiative. Meeting with Four Bears Segment and will be providing community reports at the segment community meetings in the future. Other topics included flaring issues and mid-stream development, golf tourney, Chairman's Beautification Project, oil field inspectors insuring trash is picked up, & the Energy Expo. The Chairman recommending the Governor as a courtesy.

B. ROW's* (See Energy Dept. binder) – *Paul Grady & Harriette LePage*

No Items

C. Drones Resolution – *Shannon Atcitty*

Chairman Mark N. Fox recommends perhaps on a 90-day interim with language that mirrors the State's regulations and a separate regulatory agency.

Motion: Councilman Fred Fox moved to approve resolution no. 19-125-FWF entitled "Approval of Guidelines for the Operation of Unmanned Aircraft Vehicles, also known as: Drones", on the Fort Berthold Indian Reservation" subject to language inserted concerning interim 90-day & Legal review. 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

D. BIA 10 Road Share Agreement – WPX

Item deferred.

TAT 190613-1401_1d521f08-0000-2.mp3

E. Flaring Issues - Mid-Stream Companies

TARGA presented a flaring report that included; Targa Plant & Compression Capacities, Well Connects, Crude Volumes, Historical Gas Volumes, Forecast Gas Volumes, & ROW Summary & Concerns. Councilwoman Monica Mayer commended TARGA for increasing their capacity by the end of the year.

FTR: Chairman Mark N. Fox resumed the chair of the meeting at 3:19PM.

XVI. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

- A. Karen Skye / legal issue
- B. Mandaree School
- C. Ethics Ordinance (2nd Reading)
- D. Akerman-Esvold Four Bears Projects
- E. Christian McCloud / Baseball Camps
- F. Summer Interns/Youth Workers
- G. Whirlwind Bull / Financial Request
- H. Indigenous Bowl (San Diego) Sponsorship Request
- I. Three Nation Boxing Club / Sponsorship Request
- J. Jason Morsette / AIANTA / Sponsorship Request
- K. COLT Contribution
- L. Contract Extension / Jon Connors
- M. Contract Extension / Anthony Folden
- N. Richard McGee / TERO Attorney Contract

Motion: Councilman Fred Fox moved to approve resolution no. 19-133-FWF entitled “Blanket Approval of Executive Committee Actions forwarded to the June 13th, 2019 Tribal Business Council meeting “subject to resolution & Legal review. Councilman Mervin Packineau seconded the motion.

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

O. Ethics Ordinance (2nd Reading)

Motion: Councilwoman Monica Mayer moved to approve the 2nd Reading of the Ethics Ordinance. Councilman Mervin Packineau seconded the motion.

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

P. 2018 Tribal Audit

Motion: Councilwoman Monica Mayer moved to approve engagement of Moss Adams for the 2018 Tribal Audit. Councilman Fred Fox seconded the motion.

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

XVII. HEALTH & HUMAN SERVICES

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

Submitted CEO Report June 2019. Have officially submitted for the SAT/I.H.S. Construction Grant for \$2 million for the expansion of the clinic. Submitted minutes and correction requested for a pay rate.

Motion: Councilwoman Monica Mayer pay-rate correction to \$36/hr. Managed Care Director from the May 9th meeting. 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

- **Request for CMS Letter requesting Tribal Liaison to take over determination of eligibility tribal Medicaid.**

Item deferred.

- **Native Connections SAMHSA-EMHC/COL - \$1.2 million grant returned to the Native Connections SAMHSA-EMHC/COL due to insufficient staff capacity to carryout deliverables. Requires Chairman Fox's signature. EMHC doesn't not have the staff capacity**

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B. Tribal Health* – Red Fox Sanchez, Director

Tribal Health Program Report for May 2019. Birth and Deaths: May Births 12 (3 Mandaree; 6 New Town; 1 Ward County; 1 Parshall; 1 White Shield) May Deaths 7 (3 Mountrail; 1 Dunn; 2 McLean; 1 McKenzie) Average Age of Death 51. Project Updates and action items: Requesting a stipend of a \$100 for each participant of the QSP Training. Requesting approval for Tribal Health to have our own website. Contract approval for Dr. Inna, Deanna Romero (Telehealth) and Monica Yellow Bird (HBSC NDSU sub award). Housing for COL Director. hosting Qualified Service Provider training on June 25-27 at the community college. It's a one day course for three sessions and the training roster is full. I am asking for financial assistance of \$1,500 so I can give each student a \$100.00 stipend for completing the course.

Motion: Councilwoman Monica Mayer moved to approve the THO Contractor's Contract- for Medical Staff Nephrology Physician [Inna Malostovker, MD, Nephrologist]. 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 approve Tribal Medicine to 9/30/2019. 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: Councilwoman Monica Mayer moved to approve Home Based Service Coordinator - *Money Follows the Person* contract qualified service providers. 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 approve each Health Committee member to give \$500 each for the Qualified Service Provider training stipend. 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

C. Life & Limb* – *Alva Irwin, Grants & Donations Director* [HIPAA SENSITIVE]

Motion: Councilwoman Monica Mayer moved to approve the (8) requests to authorize or reauthorize Life & Limb funding [A.V., K.G., J.D., V.M., D.B., I.D., B.C.,G.B.W.]. 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: Councilman Fred Fox added a name [J.E.]

- **Additional Request for Medical Assistance for \$5,470.**

Motion: Councilman Randy Phelan moved to approve 50% of request. 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

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

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

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F. Opportunity Foundation Financial Request for Van

Formally Tri-City. Jennifer Casey requested for a Handy-Cap van for Opportunity Foundation. \$60,800. Prairie Ford through Stanley. Have a couple residents who are in wheelchairs. There are 8 MHA members in our facilities spread throughout ND. Group home is Tri-City. The van would be used in the Stanley facility. Would eventually like a van at each facility. There are 2 tribal members in Stanley and 23 total in residence.

Motion: Councilwoman Monica Mayer moved to approve \$30,000. 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: Councilwoman Monica Mayer's office to process.

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

A. Justice Commission Report*

Item deferred.

TAT_20190613-1621_01d522042049d3a2.mp3

B. Tribal Court Report* – Elizabeth Yellowbird, Acting Court Administrator

Submitted report. The draft of FBDC survey was finalized with input from the Justice Commission; the survey will be distributed at the end of June (2) E. Wounded Face has agreed to act as Appellate Court Clerk with Lizz Yellow Bird as backup. Currently have eight (8) positions being advertised, Chief Judge, 2 Public Defender positions, Public Defender and Prosecutor Clerk, Court Recorder, and Adult Probation Officer; the Director of Juvenile Services is temporarily being filled by Robert Hunter with recommendation to hire permanently. Priorities for May include: Continue to keep updated on the finalizing of the Tribal Codes, have completed 3 reading of the Rules of Professional Conduct for attorneys/advocates. Continue to locate people/organizations to conduct training for clerks. Accomplishments: Continue updating and work with FullCourt data management system. CTS Manager has submitted a report on bonds, unapplied receipts, write-offs, etc.; the report is attached with the summary report.

Public Defender

Public Defender application received and asking for review. Tyra Wilkinson noted that she has been interviewed and is a licensed attorney. The person is still considering the pay and is requesting up to \$75,000/yr.

Motion: Councilwoman V. Judy Brugh authority for Tyra Wilkinson to negotiate a final offer with Chairman Mark N. Fox approval with and TBC 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

Fee Schedule

The Court would like the fee schedule approved; the only fee item changed was the cost for the audio copy of court hearing, from \$30 to \$150.



Motion: Councilwoman V. Judy Brugh moved to approve the change in the Fee Schedule for the cost of audio copies of court hearings from \$30 to \$150. Councilman Fred Fox seconded the motion.

Vote: 5- Ayes. 1 – Not Voting. 1 – Not Present. Motion carried.

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

Consultant Contract

Request hire of Valorie Brady as consultant to work on Cornerstone Bank account, a work session with Lenny will be set up by Judicial Committee.

Motion: Councilman Fred Fox moved to approve a 3-month contract for Cornerstone Consultant. 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

Norma Baker presented a request for an IT Support Engineer for a new software/database system to provide support for the Zercher system that would be shared by the various law enforcement branches and the court. It is also the intention that support could also provide support for the tribal court and their FullCourt software. Chairman Mark N. Fox questioned the skillset of the supervision if it is not the TAT MIS Dept. and expressed past issues with third party consultants without back ground clearance and integrity needs to be maintained.

Motion: Councilman Randy Phelan moved to approve new position titled MIS Computer Technician pending determination of supervision. 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

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

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D. Public Safety Division of Drug Enforcement – *Gerald White Jr., Chief of MHA Drug Enforcement*

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 19-122-FWF entitled “*Memorandum of Understanding between the U.S. Immigration and Customs Enforcement Homeland Security Investigations (HSI) and MHA Division of Drug Enforcement (MHA-DDE)*” 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

Discussion: Councilman Randy Phelan asked Chief Gerald White to insure that there is an assigned Federal Program Officer assigned for oversight.

Motion: Councilman Fred Fox moved to approve resolution no. 19-121-FWF entitled “*Memorandum of Understanding between the North Dakota Bureau of Investigation (ND-BCI) and MHA Division of Drug Enforcement (MHA-DDE)*” 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

E. Extradition [see Closed Session]

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F. Sponsorship Request - *Chelsey Snyder, Minnesota Indigenous Business Alliance, Engagement Coordinator*



1st Annual Indian Business Alliance at the Red River Indigenous Marketplace event Fargo Civic Center in Fargo ND on June 22nd. Buy Native Campaign. Requesting a supplemental sponsorship of \$5,000.00 from the MHA Nation to help make this event a success for the vendors and community alike. The supplemental funding will be used to connect with regional indigenous communities and entrepreneurs, recruit Native vendors, support volunteers assisting vendors and attendees throughout the day and to cover miscellaneous expenses associated with hosting the event. In exchange, we will reserve 3 vendor/informational booths for the express use of the Tribe or it's designated representatives. We will also include the MHA Nation logo on all promotional materials and provide a report detailing the event during the July 11th regularly scheduled TBC meeting, 2019. The Indigenous Marketplace is the first family friendly, all native vendor event in the FM area consisting of indigenous vendors, artisans, businesses, organizations, entrepreneurs and individuals. This is an opportunity for tribal entrepreneurs to showcase and sell their products and services, network with other organizations and enrolled members from other tribal nations and change the perspective of what indigenous business looks like. It is also an opportunity for our 400 plus MHA members living in the area to connect and enjoy time with family and friends at an event that represents and supports the urban indigenous community.

Motion: Councilwoman V. Judy Brugh moved to approve a \$5,000 sponsorship. 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

XIX. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chairman

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

Patrick Atkinson (Central Dakota Enterprises) acquired the Crying Hill property in Mandan and is wanting to donate the land to the tribe.

FTR: Chairman Mark N. Fox stepped out of the meeting.

Motion: Councilman Fred Fox moved to approve resolution no. 19-126–FWF entitled “Donation of Mandan Historical Site to the Three Affiliated Tribes” 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 – Not Voting
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: Abstract & deed to follow. John Fredericks recommended that the property tax is paid, and the property insurance.

Home Sites: Carleen E. Gillis, Twyla M. Jerome, Joyce Nolan, Good Earth Woman Perkins, Norma Baker-Flying Horse.

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 19-127-FWF entitled “Approval of Home Site Leases and Utility Corridors for Home Sites”. Councilwoman Monica Mayer seconded the motion.

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

Discussion: Councilman Fred Fox asked about a home site lease for Julius Poitra that the family has been waiting on for two years. NRD still needs to send it over but the tribe is a part owner at 19%. But it is in the BIA hands at this point.

FTR: Tabled - "Consent to Certain Rights-of-Way across Tribal land for McKenzie Electric Cooperative, Inc." for the Tribal Ranch Roping Arena Project.

Motion: Councilwoman Monica Mayer moved to approve resolution no. 19-128-FWF entitled “Consent to Certain Rights of Way Across Tribal land for FBRW Purposes.” subject to Legal review. Councilman Fred Fox seconded the motion.

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



FTR: Councilman Fred Fox expressed that will looking for hay acreage for the White Shield ranch it came up that some pasture leases haven't been paid for in 5 years. Councilman Randy Phelan recommends that every allotment and make sure it is attached to a lease. Short discussion on Range Riders and the lack of funding to keep the program running. Councilwoman Monica Mayer recommend it be under regulatory.

Motion: Councilman Fred Fox moved to approve resolution no. 19-129-FWF entitled "Easement on Allotment 301-1985 for an Access Road Easement" subject to Legal review. Councilwoman Monica Mayer seconded the motion.

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

Discussion: Public road access near Charging Eagle Bay and put on the tribal road maintenance. Also the Judy Fredericks would like to be compensated and it is built into the resolution.

Motion: Councilman Fred Fox moved to approve resolution no. 19-130-FWF entitled "Approval of Transfer of Range Units" 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 – Not Voting
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: Transfer RU 103 to Wilber Hunts Along– and half of RU 204 to Wilber Hunt Along. Also RU 913 share with Leo Cummings (North half) & Gary Danks (South half).

FTR: The resolution to include;

1. Range Unit 203 – Transfer to Wilbur Hunts Along, Permittee
2. Range Unit 204 – Transfer 50% of Range Unit to Wilbur Hunts Along, Permittee
3. Range Unit 913 – Designate the Northern Portion of the Range Unit to Leo Cummings, Permittee
4. Range Unit 913 – Designate the Southern Portion of said Range Unit to Gary Danks, Permittee.

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B. Farm/Pasture Leases* - Diana Americanhorse, Realty Specialist



Diana American Horse served as Acting NRD Director for 6 pay periods in 2018 and 1 in 2019. The total number of hours is 152 hours @ \$48.00 (Director's entry level) = \$7,296.00. Requesting to be paid out in one lump sum and expedited.

Motion: Councilwoman Monica Mayer moved to approve compensation for additional duties as Acting Director. Payout to Diane American Horse from NRD budget as one payment of \$7,296.00. Councilman Mervin Packineau seconded the motion.

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

Discussion: Will come out of the NRD budget.

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 19-131-FWF entitled “Agricultural Leases” on Tribal Land” Councilman Fred Fox seconded the motion.

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

C. Easements*

Item deferred.

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D. Fort Berthold Rural Water (FBRW) – Pem Hall, Director & Ryan Waters

• Subsequent Users and System Improvements Contract 2019-1

Two year contract for user connections and system improvements. Councilman Randy Phelan notes that the TBC has only allowing 1 year contracts in general. Mr. Hall noted that he has had two year contracts in the past.

Motion: Councilman Fred Fox moved to approve resolution no. 19-132-FWF entitled “Authorization for Awarding Fort Berthold Rural Water, Subsequent Users and System Improvements Project, Contract 2019-1”. Councilwoman V. Judy Brugh seconded the motion.



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

***Discussion:** Councilwoman Monica Mayer discussed North Segment water delivery should go back to Public works and more effort to get pipelines running to the homes & some that don't want pipelines running to their homes. Councilman Randy Phelan asked that the Councilwoman generstea list of families that need hookup. Councilwoman Monica Mayer & Councilwoman V. Judy Brugh will provide a list of those who have water delivered. Councilman Randy Phelan noted Mandaree has Chundee Chase, Chauncy Good Bird, Dennis Two Crow. Mr. Hall noted that as long as they the Federal requirements they can make every effort to get it done.*

XX. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

A. Girl Scout Matching Funds – Nancy Rakness

Item deferred.

B. Pipeline to Law Training Request – Robert Hunter Sr.

Seeking financial assistance in the amount of \$4,322 to attend the Pipeline to Law training for the weeklong training. June 25th – July 1st.

***Motion:** Councilman Cory Spotted Bear moved to approve financial assistance in the amount of \$4,322 to attend the Pipeline to Law training. 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Voting

XXI. LEGAL DEPARTMENT – Tyra Wilkinson, Interim MHA Supervising Attorney

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• **New Town Ambulance Services Contract & Resolution**

Provider will provide ambulatory care services at the scene of an accident or other incident for enrolled members of the Three Affiliated Tribes. This Contract contemplates those circumstances where the patients are not eventually transported to a medical facility because transport is not



necessary, or where patient refuses transport to a medical facility. This Contract begins June 1, 2019 and ends on May 31, 2020. Contract will not exceed \$100,000.

Motion: Councilwoman Monica Mayer moved to approve resolution no. 19-134-FWF entitled "Approval of the New Town Ambulance Service Contract". Councilwoman V. Judy Brugh seconded the motion.

Vote: 6- Ayes. 1 – Not Present – Aye 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

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- **Mike Lawson MLL Consulting**

Tim Pardon (Pyramid Communications) has hired Mike Lawson out of D.C. to do historical research (Author of Dammed Indians) comprised a deep and broad historical review of a three phase project to develop a historical report to support the tribes position in regard to the Dept. of Interiors suspension of the Solicitors Opinion of 2017 regarding ownership of the then Missouri River within the reservation. Project was in three phases. Phase I was the research portion with Phase II being added as needed through a Memorandum of Change"

Motion: Councilman Randy Phelan moved to approve the Memorandum of Change to include the Phase II of the contract. Councilwoman V. Judy Brugh seconded the motion. Motion carried.

Vote: 5- Ayes. 1 – Not Voting 1 – Not Present – Aye

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 – Not Present
Councilwoman Monica Mayer – Aye

XXII. NEW BUSINESS – Tribal Councilman Add Ons

- A. **Chairman Mark Fox- Reserved**
- B. **Chairman Mark Fox – Reserved**
- C. **Councilman Randy Phelan – McKenzie Electric**

Item deferred.

- D. **Councilman Randy Phelan – Reserved**



- E. Councilman Fred W. Fox – *Reserved*
- F. Councilman Fred W. Fox – *Reserved*
- G. Councilman Mervin Packineau – MJ Gunderson (see Closed Session)
- H. Councilman Mervin Packineau – *Reserved*

I. Councilman V. Judy Brugh – C-Store Resolution

Motion: Councilman Fred Fox moved to approve resolution no 19-135-FWF entitled “*Authorization of a Contract for Ackerman-Estvold Architect Services and a Contract Procedure for the Eagles Landing C Store Project*”. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6- Ayes. 1 – Not Present – Aye. 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: Councilwoman V. Judy Brugh moved to approve resolution no. 19-136-FWF entitled “*Authorization of contract for Ackerman Estvold Site Assessment and Remediation Strategy Contract*”. Councilman Fred Fox seconded the motion. [Johnny Bird Hall]

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

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Motion: Councilman Randy Phelan moved to approve resolution no. 19-139-FWF entitled “*Approving of Architect/Engineer Contract and Costs with Nelson Tremain Partnership for Female Transitional Housing in Bismarck, North Dakota*”. Councilwoman V. Judy Brugh seconded the motion.

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

- J. Councilman V. Judy Brugh – *Reserved***
- K. Councilman Cory Spotted Bear – Krissy Burr Education Request**

Item deferred.

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

XXIII. CLOSED SESSION

- A. T. Bussell**
- B. Colorado School of Mines (CSMT)**
- C. Tonya Degenstein Medical Request**
- D. GTFJC Comp. Time Issue.**
- E. Forensic Interview**
- G. Murphy EPA Withdrawal MOU/Goodnight Midstream MOU**
- H. Extradition**
- I. M.J. Gunderson**
- J. Shane Johnson Land Sale**
- K. Mark Fox Mortgage Policy Waiver Request**
- L. Executive Committee Items**

XXIV. ADJOURNMENT:

Motion: Councilman Randy Phelan moved to adjourn the meeting. Councilman Mervin Packineau seconded the motion. Meeting adjourned at 6:54PM.



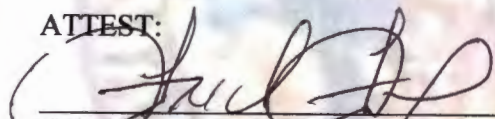
CERTIFICATION


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, 5 were present at the Regular Meeting thereof duly called, notice, convened and held on the 10th of July, 2019; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 5 members; 0 members opposed; 0 members abstained; 2 Members not voting.

Chairman (X) Voting () Not Voting

Dated this 10th day of July, 2019.

ATTEST:


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


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