



CALL TO ORDER:

Councilwoman V. Judy Brugh called the meeting to order at 1:45 PM.

ROLL CALL:

Present: Councilwoman Monica Mayer, Councilman Fred Fox, & Councilwoman V. Judy Brugh. *Quorum established.*

I. APPROVAL OF AGENDA:

Motion: Councilman Fred Fox moved to approve the agenda. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

II. APPROVAL OF MINUTES:

- **November 5th, 2019 Judicial Committee Minutes.**

Motion: Councilman Fred Fox moved to approve the November 5th, 2019 Judicial Committee minutes. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

III. NEW BUSINESS:

A. Enhanced Tribal Cards, WHTI MOA – *Sevant Taft, Enrollment Director*

Presented a working draft of the MOU entitled: “*Memorandum of Agreement Between the [Three Affiliated Tribes of the Fort Berthold Reservation in North Dakota] Tribe and the U.S. Department of Homeland Security, U.S. Customs and Border Protection Regarding an Enhanced Tribal Card Program*” Have had several meetings with the State on getting this put together. Legal will need to review along with John Fredericks. Councilwoman V. Judy Brugh asked why we need a MOU to have the State to come on Tribal lands. Real ID Act passed by Congress in 2005 to establish standards for ID Cards with a deadline October 1st, 2020. Used to access Federal Facilities, Board Federally Regulated Commercial Aircrafts, & TSA Airport Security Checkpoints. TOTAL (approx.) \$69,500.00. Privately owned businesses set own policy on accepting Tribal ID Cards (Many "OFF-Reservation" businesses do NOT accept Tribal ID Cards). MOA approval will begin the process between Enrollment Office and Dept. of Homeland Security to set up acceptable Enhanced Tribal Cards for our members. Since the equipment cost is considerably higher than current ID Cards the cost for E.T.C's will be higher. Would take several months to get this done. Should have a list of addresses and a picture for event purposes.

Motion: Councilman Fred Fox moved to forward to the next TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

B. NDHP – TAT-LE MOU Draft Reading – *Roger White Owl, CEO*



CEO explains that it has to do with going onto private property. Committee has a concern with calling 911 and being asked if the person making the call is Native or Non-native. Should almost invite State attend a Tribal Council Meeting.

Motion: Councilman Fred Fox moved to forward to the next TBC subject to Legal review. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: Should be ready for the February TBC.

IV. **PROGRAM UPDATES:**

A. Public Safety Division of Drug Enforcement – Gerald "Chip" White Jr., Chief of Drug Enforcement

Report submitted for the record. Report included summaries of recent investigations, arrests, & judicial remedies. Have excess K9 Unit, would like to donate the 2015 Chevy Crew Cab to the McClean County Sherriff Department.

Motion: Councilman Fred Fox moved to forward to the next TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: To check with Chief of Police Nelson Heart first.

Agents have received new laptops now and now have 5 extra that DEA would like to donate them to Segments Security.

Motion: Councilman Fred Fox moved to forward to the next TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

B. TAT Law Enforcement – Nelson Heart, Chief of Police

Item deferred.

C. Department of Transportation – Richard Hall, Director

Item deferred.

D. TAT Tribal Court – Marvel Heart, Court Administrator

Elizabeth Yellow Bird gave provided the report, Marvel Heart is on Medical leave. Continue to receive surveys and will publish a report by next month. Currently have Chief Judge and Lay Advocate position being advertised. FBDC now has 33 full



time staff and 2 positions open. Continue to locate people/organizations to conduct training for clerks. We are in the process of "cleanup of the Full Court files". Many of our FBDC files were incomplete and need updating because of the high turnover in clerk staff in previous years. The updating and cleanup of files have been our priority, therefore waiting until February or March for more training. The Court Manual has been completed, however, due to the holidays and vacations we have not distributed the manual. Evelyn will be on site as a consultant on Tuesdays and Thursday, and as time permits and we will get this done. The Court is working on acquiring a house for the Chief Judge because housing has been a concern when hiring new staff. This is a project in the planning stage. Continue working on the Tribal Codes; Justice Commission and Judicial Committee will be setting up meetings to discuss the Tribal Codes. FBDC requested and was approved by Full Court Systems for 3-day training on site at the FBDC, a date will be set this month. Completed and submitted the 638 contract to Pat Wilkinson. The Chief Judge and Lay Advocate positions are open and being advertised. There are still a number of maintenance issues with the Court Building, Heating in some offices, windows leak and other issues. The phone is another issue in that we have to make sure all the phones have the correct person listed with each phone; one of the clerks is still working on this issue. We now have large cracks in the walls in a few places on the walls. The new fines and fees schedule are being mailed out to all the attorneys. However, due to the official approval, the court will have to return the fees that were paid after the December 19th date. Councilwoman V. Judy Brugh asked if the Court IT system is working, with concerns that it was not complete. CEO will check with IT to make sure it gets done.

E. Homeland Security – Cliff Whitman, Director

Gave a report. Councilwoman V. Judy Brugh reminded Director about quotes for metal detectors for the schools, IHS, and the Tribal building.

F. Adult Detention (GTFJC)– Daniel Good Luck, Adult Administrator

Informed the committee that officers have been fitted with cameras, but unsure if a policy has been developed. Submitted a draft policy concerning Body-worn Cameras. Staff needs include needing a Records Clerk position and a Grant Writer. The Council did hire someone but they don't really have a position for this. The Administrator also informed the Committee that the facilities security camera system is requiring an update that would cost about \$200,000. Councilman Fred Fox suggested going with the recommendation of the Director. Four employees are currently under investigation by internal affairs. They are on Administrative until the investigation is done.

Motion: Councilman Fred Fox moved to approve for the use of body cameras to be utilized. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

G. Juvenile Detention (GTFJC)– Mike Hunter



Report submitted to the committee.

H. Child Support – Alison Johnson, Director

Report submitted to the committee. One opening for a case specialist, that ad ends January 17, 2020. Monthly collections: Total collected in December, 2019 was \$231,154.60. We came in at just over the \$2.1 million dollar mark for collections and distributions for the year 2019. The total was \$2,105,125.18 for FY2019. We have collected \$452,052.87 in our first quarter of FY2020. We are in the process of sending out our annual notice of collections that tell how much people owe. Tribal Court- Our next court dates are January 8th and 22nd, 2020. We are maintaining regular court sessions two times per month. KAT Marketing- KAT Marketing will be coming out next week to shoot our 1 minute video for Child Support. Salary Modifications- 5% per fiscal year or 5% per salary request. The funds budgeted for in FY2020 budget is higher than the 5% for a year. In order to utilize those funds we have in our approved budget, would need reclassification/salary modification and get approval. Would like to reclassify most of the Child Support positions wage rates. Right now we are advertising for an open position and haven't gotten any applications. I believe it's because our wages are not competitive enough with the other tribal entities wage rates. Can't hire at a higher rate until we can change existing wages to a higher amount first. I believe by doing this it would reduce overall turnover rates at our agency.

I. Victim Services – Sadie Young Bird, Director

Having MIS issues. Have a glitch in our data system. Have a mold issue in one of the shelters.

J. TAT Legal – Tara Wilkinson, Supervising Attorney

Are advertising for another a licensed attorney and an administrative assistant.

K. HR Departments –Melissa Brady, Acting HR Director

Item deferred.

V. CLOSED SESSION

A. Charli Jo Janis

VI. ADJOURNMENT

Motion: Councilwoman Monica Mayer moved to adjourn the meeting. Councilman Fred Fox seconded the motion. Meeting adjourned at 3:37 PM



CERTIFICATION

I, the undersigned, as Chairman for the Tribal Business Council's Judicial Committee of the of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council's Judicial Committee is composed of three [3] members of whom [2] constitute a quorum; 3 were present at the Judicial Meeting thereof duly called, noticed, convened and held on the 11th day of February, 2020; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 3 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Dated this 11th day of February, 2020.

ATTEST:

Handwritten signature of Judy Brugh in black ink.

Judicial Committee Chairman,
Councilwoman V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes

Handwritten signature of Fred W. Fox in black ink.

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