



**CALL TO ORDER:**

Chairman Mark N. Fox called the meeting to order at 3:49pm.

**ROLL CALL:**

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

**I. APPROVAL OF AGENDA:**

***Motion:*** Councilman Fred Fox moved to approve the agenda. 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 Fred Fox moved to amend the previous motion adding ratification of the Home & Business Loan Waiver to the agenda. 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

**II. NEW ITEM:**

**A. Executive Action:**

***Motion:*** Councilman Fred Fox moved to ratify Executive Action EA 2020-XX;

**NOW THEREFORE BE IT RESOLVED,** That the Tribal Business Committee clarifies the COVID Task Force authority as follows:



- (1) Pursuant to the grant of authority from the MHA Nation the COVID Task Force exists as a Public Health Authority,
- (2) As a Public Health Authority, the COVID Task Force can use and receive PHI, and
- (3) Receipt of PHI is necessary for the COVID Task Force to combat the COVID-19 Outbreak.

**BE IT FURTHER RESOLVED**, The Executive Committee authorizes all government agencies and public or private health providers, including the Elbowoods Memorial Health Center, to release all necessary COVID-19 related information, including PHI, to the COVID Task Force.

**BE IT FINALLY RESOLVED**, That the COVID Task Force shall comply with all requirements, regulations, and directives of HIPAA in receiving, using, storing, and, if necessary, distributing the PHI received.

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:* Resolution assigned no. 20-051-FWF entitled “*Clarifying Powers And Status Of The COVID Task Force Established By 20-049-FWF*” – John Fredericks to develop the resolution.

#### **B. Mitigation**

- 1) Curfew
- 2) Disband
- 3) Cooperative Agreements
- 4) Distribution

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-052-FWF entitled “*Authorizing COVID-19 Mitigation Measures*” subject to Legal 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:* John Fredericks read into the record lang of the draft resolution “BE IT RESOLVED, that the Tribal Business Council, hereby authorizes and approves the tribal mitigation policy and BE IT RESOLVED, The TBC directs all tribal entities to comply with and when necessary enforce the mitigation policy, FURTHER RESOLVED that the TBC direct all tribal Law Enforcement entities to comply with to enforce the mitigation policy and FURTHER RESOLVED authorizes to such action as is necessary to the intent of the policy.” Chairman Mark N. Fox expressed concern over the language limiting to only tribal entities, but also want the counties and other entities to enforce. Security can start disbanding school kids.

**C. Loan Waiver for Business & Mortgage**

*Motion:* Councilwoman Monica Mayer moved to ratify Executive Action.  
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. 20-053-FWF entitled “*Forgiving April 2020 Home Mortgage and Business Loan Payments*” “subject to Legal 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

*FTR:* EMHC controlled rentals should be have their rent waived. Councilwoman Monica Mayer noted that she helped out Little Shell Pow-Wow committee. Councilman Randy Phelan discussed helping some of the Tier I Indian companies by getting the big companies provide



*some relief. Chairman Mark N. Fox asked that all slow down the construction projects and payment schedules.*

Chairman Mark N. Fox recommends splitting the April distribution to keep people from breaking their isolation and going shopping in Minot. It was noted that Federal stimulus checks would be coming out about the same time.

**Motion:** Councilman Fred Fox moved to approve splitting the April distribution into two payments. Any Child Support payments deductions to be made from the second payment up to the \$500. Disbursements timeline is (mid)April /(mid)May. Councilwoman Monica Mayer seconded the motion.

Vote: 4 - Ayes. 3 - Oppositions. Motion carried.

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

### III. ADJOURNMENT

**Motion:** Councilman Fred Fox moved to adjourn the meeting. Councilman Randy Phelan seconded the motion. Meeting adjourned at 4:41PM 7-0



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING  
MARCH 30<sup>th</sup>, 2020 MINUTES  
[NO CLOSED SESSION CONTENT]

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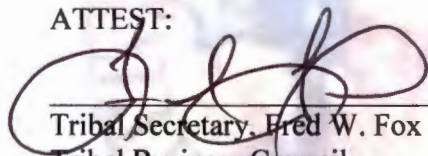
**CERTIFICATION**

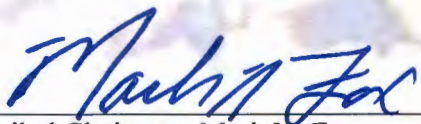
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 5 were present at the Regular Meeting thereof duly called, notice, convened and held on the 11<sup>th</sup> of June, 2020; 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 11<sup>th</sup> day of June, 2020

ATTEST:

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

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