



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
AUGUST 13<sup>th</sup>, 2020 MINUTES  
[CLOSED SESSION CONTENT EXCLUDED]

\* 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 12:07 pm.

**ROLL CALL:**

*Present:* Councilwoman Monica Mayer, Councilman Mervin Packineau, Chairman Mark N. Fox, Councilman Fred Fox, & Councilman Cory Spotted Bear (via Telephone), *Not Present:* Councilwoman V. Judy Brugh, Councilman Randy Phelan. *Quorum established.*

**OPENING PRAYER**

Joy Chapin

**I. APPROVAL OF AGENDA**

*Motion:* Councilman Fred Fox moved to approve the agenda. Councilman Mervin Packineau seconded the motion.

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

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

**II. APPROVAL OF MINUTES**

- **6/11/2020 Regular Meeting Minutes**
- **7/9/2020 Regular Meeting Minutes**

*Motion:* Councilman Fred Fox moved to approve the presented minutes subject to minor corrections. Councilwoman Monica Mayer seconded the motion.

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

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



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Councilwoman Monica Mayer – Aye

**III. SPECIAL GUESTS & ELDERS**

***EXECUTIVE COMMITTEE REPORTS***

**IV. CHAIRMAN’S REPORT - *Chairman Mark N. Fox***

Provided an update on COVID-19 mitigation & virus. Expressed the need to wear facemasks and possible non-compliance ramifications for in the public space. Provided additional information on efforts to seek further Federal funding to cover revenue short falls caused by the pandemic & price of oil. Informed the public as to the upcoming TAT Election and important dates. Reassured the public that in light of recent investigations that the tribe remains continues to run at a high level following accounting procedures have fully cooperated with the Federal government. Provided a short update on the riverbed ownership legal battle to resecure those rights through litigation.

**V. VICE CHAIRMAN’S REPORT – *Councilman Randy Phelan***

*Item deferred.*

**VI. EXECUTIVE SECRETARY’S REPORT – *Councilman Fred Fox***

Noted that it was the last day to register for candidacy. White Shield COVID-19 testing on Tuesday, White Shield Schools starting Aug. 19<sup>th</sup> by distance learning.

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

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

*Item deferred.*

**B. Mortgage Program – *Val Mayer, Credit Manager***

*Item deferred.*

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**C. Small Loans\* – *Mary Ellen Sun, Lead Loan Officer***

***Motion:*** Councilman Fred Fox moved to approve Group A: (17) small loan applications subject to policy and requirements. Councilman Mervin Packineau seconded the motion.

Vote: 4 - Ayes. 1 – Abstention. 2 – Not Present. Motion carried.  
Chairman Mark N. Fox – Aye



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

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**Motion:** Councilman Fred Fox moved to amend the previous motion to approve small loan applications with the addition of two more applications. Councilman Mervin Packineau seconded the motion.

Vote: 5 - Ayes. 2 – Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**D. Four Bears Casino Report\*** – *Scott Wilson, General Manager*[See Closed Session]

*Item deferred.*

**VIII. SEGMENT UPDATES:**

- A. North Segment** – *Councilwoman Monica Mayer*
- B. Twin Buttes** – *Councilman Cory Spotted Bear*
- C. Four Bears** – *Councilwoman V. Judy Brugh*

*Items deferred.*

**IX. OFFICER REPORTS:**

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- A. Chief Executive Officer Report\*** – *Scott Satermo, CEO*
  - 1) Executive Orders\***

**Motion:** Councilman Fred Fox moved to ratify Executive Action 2020-23:

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves a \$10,000.00 financial sponsorship to assist with expenses incurred to organize the Vietnam Veterans of American Conference to be held at Four July 29 through August 1, 2020.



Councilwoman Monica Mayer seconded the motion.

Vote: 5 - Ayes. 2 – Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Fred Fox moved to ratify Executive Action 2020-24;

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council authorizes the release of the information requested by the FBI and directs the Human Resources Department to comply with the information request.

Councilwoman Monica Mayer seconded the motion.

Vote: 5 - Ayes. 2 – Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Cory Spotted Bear moved to ratify Executive Action 2020-25:

**THEREFORE BE IT RESOLVED,** The Tribal Business Council of the Three Affiliated Tribes hereby formally approves the demolition of the Twin Buttes BIE 2-Story Building (Unit 323), and requests the BIE and or BIA to take such action as is necessary to allow for the demolition.

Councilman Fred Fox seconded the motion.

Vote: 5 - Ayes. 2 – Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Present



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Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Cory Spotted Bear moved to ratify Executive Action 2020-26;

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes approves a grant in the amount of \$23,000 for Chloe Fredericks.

BE IT FINALLY RESOLVED, That twenty-thousand dollars (\$20,000) for the grant shall come from the budget of Councilman Spotted Bear and the remaining councilmembers shall contribute five-hundred dollars (\$500) from their budgets.

Councilwoman Monica Mayer seconded the motion.

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

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

**Motion:** Councilman Cory Spotted Bear moved to ratify Executive Action 2020-27:

NOW, THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes hereby certifies:

1. That the citizen participation requirements identified in 24 CFR 1003 .604(a) and Notice PIH-2020-11 have been met for the ICDBG-CARES project(s) that is/are being proposed.
2. The proposed project(s) was/were disclosed to the public via May 2020 Tribal Council meeting, which was conducted in an open forum as well as streamed over broadcast radio as a precaution due to COVID-19.
3. Public notice has been posted in the Twin Buttes segment.
4. The executed version of the Tribal Resolution (Resolution #20-109-FWF) authorizing the grant application has been published online via the Tribal website.
5. Views and comments received from the general public regarding the proposed project(s) were considered.

Councilman Fred Fox seconded the motion.

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



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

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2) **Enrollment\*** – *Sevant S. Taft, Enrollment Director*

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-139-FWF entitled “*Approval of 31 (Thirty-One) Applicants for Enrollment into the Three Affiliated Tribes*” Councilman Mervin Packineau seconded the motion.

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

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

*Discussion: August 31<sup>st</sup> cut off for disbursement, 16,718.*

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-140-FWF entitled “*Correction to the Blood Degree of M.L.B Enrollment #: 301U-10079*”. Councilwoman Monica Mayer seconded the motion.

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

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

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

**Motion:** Councilman Fred Fox moved to approve Business Licenses (14):

- Globe Life Family Ins- Independent Agent
- Globe Life Family Ins- Independent Agent



- Standish Premier Cleaning
- Mandaree Enterprises, LLC
- Dae Sung, LLC
- Grose Construction
- MEC Development
- MEC Distribution, LLC
- MEC Energy Services
- MEC Technologies, LLC
- MEC Services, LLC
- Sinew Mng. Group, LLC
- R & J Towing
- My Little Mexico

Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman V. Judy Brugh – Not Present

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

**X. UNFINISHED BUSINESS**

***COMMITTEES OF THE TRIBAL BUSINESS COUNCIL***

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

**XII. ECONOMIC DEVELOPMENT COMMITTEE - *Councilwoman Monica Mayer*  
**A. Tourism – *Darian Morsette , Director*****

*Item deferred.*

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

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**A. Energy Dept. Update\* - *Kenny Lyson, Director***

Reported 4 rigs on the reservation that include WPX (2) & Marathon (1), & Slawson (1) that are drilling. \$42.50 price of oil per barrel. Chairman Mark N. Fox expressed the need for the producers to ramp up production after the shut down.



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**B. ROW's\* (See Energy Dept. binder) – Kenny Lyson & Paul Grady & Harriette Clah**

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-141-FWF entitled “*Approval of Setback Variance for the Lang USA Pipeline as Requested by ONEOK Rockies Midstream, LLC*” Councilwoman Monica Mayer seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-142-FWF entitled “*Consent to Amend BIA Row No. FBOG100363 (Modification No. 1) across Tribal land (Allotment 1075A) for the Charles Blackhawk 31-30H Pad Project Submitted by WPX Energy Williston, LLC*” Councilwoman Monica Mayer seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-143-FWF entitled “*Approval of Setback Variance for the Charles Blackhawk 31-30H Pad Requested by WPX Energy Williston, LLC*” Councilwoman Monica Mayer seconded the motion.

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

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





**Motion:** Councilman Fred Fox moved to approve resolution no. 20-144-FWF entitled “*Consent to Amend BIA Row No. FBOG101315 (Modification No. 1) across Tribal land (Allotment 537A) for the Bonita Well Pad Project Submitted by Bruin E&P Operating, LLC.*” Councilwoman Monica Mayer seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-145-FWF entitled “*Consent to Assignment of an Existing Right-of-Way across Tribal Land (Allotment 1968)*” [Sophia USA Projects] Councilwoman Monica Mayer seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-146-FWF entitled “*Consent to Approval of a Right-of-Way Across Tribal land (T531A-B and 607) for the Tahu Pipelines Project Submitted by Targa Badlands, LLC*” Councilwoman Monica Mayer seconded the motion.

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

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

**FTR:** Energy/NRC Committee meeting to be on 9/2/2020.



**XIV. HEALTH & HUMAN SERVICES - Councilwoman Monica Mayer**

**A. Elbowoods Memorial Health Center (EMHC) Update\* – Dr. Kathy Eagle, CEO & Anita Martin, CMO.**

*Addressed in Executive*

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**B. Tribal Health\* – Red Fox Sanchez, Director**

Participated in a recent CDC webinar concerning the pilot COVID-19 vaccination testing noted in a recent news article. Discussion of a point of contact to order vaccine when it comes available. Councilwoman Monica Mayer expressed the need to stockpile flu vaccines for the upcoming flu season. Councilwoman Monica Mayer recommended purchasing Trivaline. Requested Close Session for report.

**C. Good Road Recovery Center\* (GRRC) - Ty M. Thompson, BS, MA, LAC, Executive Director**

*Item deferred.*

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**D. Life & Limb\* – Alva Irwin, Grants & Donations Director [HIPAA SENSITIVE]**  
Legal reviewing policy resolution.

**Motion:** Councilman Fred Fox moved to approve Person A. [XXXXXX] for (50% according to policy verification for non-elder) requesting assistance a medical bill in the amount of \$20,588.40 to creditor, PSB for Mayo. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman V. Judy Brugh – Not Present

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

**Discussion:** Will check to see if the person is on Boon Group insurance .

**Motion:** Councilman Fred Fox moved to approve Person B. [XXXXXX] for a medical bill to Sanford Medical currently sent to creditor Rushmore Service Center for \$357.00. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye



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

**Motion:** Councilman Fred Fox moved to approve 50% of \$1,950.00 requested for Person C. [XXXXXX] for assistance related to eye surgery costs. Councilwoman Monica Mayer seconded the motion.

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

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

**Discussion:** Would need in advance of procedure.

**Motion:** Councilman Fred Fox moved to approve 50% of \$2,829.27 for hearing aid purchase for Person D. [XXXXXX]. Councilman Mervin Packineau seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to approve 50% of \$2,343.80 for Person E. [XXXXXX] for assistance with medical bills \$1,426.81 & \$498.80 along with financial request of \$500.00. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Present



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Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

*Discussion:* Chairman Mark N. Fox asked the Director to run the \$500 as a “Hardship Request” through his office and if the person has exceeded their assistance for the fiscal than try another segment office.

**Motion:** Councilman Fred Fox moved to approve for Person F. [XXXXXX] each segment office & the Chairman’s Office provides \$300 for the non-enrolled youth. Councilwoman Monica Mayer seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to designate a handicapped vehicle assignment for Person G. [XXXXXX] subject to lease & insurance verification. Councilman Mervin Packineau seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to approve Person H. [XXXXXX] for 50% of \$2,498.67. Councilman Mervin Packineau seconded the motion.

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

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



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**Motion:** Councilman Fred Fox moved to approve Person I. [XXXXXX] elder for a one time premium payment of \$798.72(calculated at 75% as according to policy) to the vender. Councilman Mervin Packineau seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to approve Person J. [XXXXXX] elder, for 100% of \$370.00 for cost of Partial Upper Impressions for dentures to the vender. Councilwoman Monica Mayer seconded the motion.

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

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

**FTR:** Person K. Addressed by executive action.

**Motion:** Councilman Mervin Packineau moved to approve for Person L. [XXXXXX] additional \$10,000 Life & Limb support. Councilman Fred Fox seconded the motion.

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

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

**FTR:** Person M. - No action till October[FY2021].



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**Motion:** Councilman Fred Fox moved to approve Person N. [XXXXXX] for 50% of \$4,000.00 for dental costs to the vender. Councilman Mervin Packineau seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to approve elder Person O. [XXXXXX] for Life & Limb. Councilman Mervin Packineau seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to approve minor Person P. [XXXXXX] for Life & Limb. Councilman Mervin Packineau seconded the motion.

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

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

Report : 2018 lower cost than other years was due to IT system change over. Medical assistance provider was at 33, 589 assistance for travel to appointments, 205 Life & Limb, with 19 minors, 120 between 18 & 54, 67 over 55. FY 2020 spent \$4,602,300. Currently 11 people in nursing homes with 10 being elders. 1 living in an apartment for proximity to medical treatments(receiving \$1,000/month), 1- assisting another member with hotel stay during medical stay, 1 in assisted living. Assisted with 33 medical instances in August, Total from October 2019 is \$196,057.16. Funeral Wake Services for the month of August: 11 grants, Total for



the FY2020 is \$534,560. Two elders have been able to transition back to their homes. The Director brought up that a number of elders have expressed the wish to come home and are waiting for KDU openings to move home.

**XV. JUDICIAL COMMITTEE – Councilwoman V. Judy Brugh, Chair**

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**A. Tribal Court Report\* – Marvel Heart, Court Administrator**

The Court submitted and was approved Wellness/Drug Court. The Court had been attending Recovery Service meetings and is working with others on the implementation of a Drug Court. EYB has a draft of a drug court and is in the process of developing a final plan and will work with entities that are involved with our drug/addiction crisis. Councilwomen Mayer and Brugh have both convened working sessions and made progress in that a case manager has been hired and assigned to the court through North Segment Office, Councilwoman Mayer. The Court continues to address COVID 19 epidemic by screening at the entry for all public and staff who work in the building, face covering for everyone and regular cleaning and sanitizing this facility and practicing social distancing. We continue the "clean up of the Full Court files" as well as finishing up filing the boxes of documents from the old court building. Many of our FBDC files were incomplete and needed updating because of the high turnover in Court staff in previous years. The Court Manual has been completed; however, due to the Covid-19 we have not completed the publishing of the final documents. Evelyn will be on site as a consultant a couple of days each week and work on various projects. Continue working on the Tribal Codes; Justice Commission and the Judicial Committee will consider when they will be able to meet, as we do have technology in place to have these techno meetings. We still have 4 staff members who are not permanent status and requesting that these staff members receive permanency status. Chad Moran, Ellenora Craig, Alvina Johnson and Jenean Jessen, They were approved to be made permanent last TBC but HR didn't get back to the court. The Court was working on acquiring a house for the Chief Judge because housing has been a concern when hiring new staff. The Court Administrator has an appraisal for a house that would be for the Chief Judge. Councilman Fred Fox asked the Director to have the Chief Judge Contract Legally reviewed. Councilman Cory Spotted Bear that he has a segment house available in the interim. Chairman Mark N. Fox provided an update on the Chief Judge Contract negotiations and will bring it back to TBC for final review.

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**1) Opioid State of Emergency Resolution & Wellness Drug Court**

It was noted that Kelly Fox has been hired as a Case Manager to assist at the Drug Court and Attorney Sharon Thompson who has been working on the Tribal Codes could possibly also be brought on. John Fredericks & Tyra Wilkinson has reviewed a resolution. Chairman Mark N. Fox expressed concerns expressed concerns on light bonding for drug offences that the court needs to look at or an Executive Action can address. Marvel Heart noted that



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currently it is at \$1000. Drug Court is addressed in the following agenda item. Councilwoman Monica Mayer also noted that there would be a Social Worker position.

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 20-147-FWF entitled “*Declaring State of Emergency due to Opioid Crisis*” Councilman Fred Fox seconded the motion.

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

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

**B. Public Safety Division of Drug Enforcement\*** – *Gerald White, Jr., Chief* [See **Closed Session**] –

*Item deferred.*

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- XVI. NATURAL RESOURCES COMMITTEE** – *Councilman Randy Phelan, Chairman*  
Texx Lone Bear brought Wilber Hunts Along before the TBC to ask for a change to Range Unit 204 seeking change back to amended resolution 20-078-FWF where he lost 25% of his 50% acreage. He is requesting that the split be left at 50/50. It was noted that Susan Fredericks didn’t want to run in common because she was part of a heifer program. Chairman Mark N. Fox would like both parties (Wilber Hunts Along & Susan Fredericks) to be present at the next TBC. Councilman Fred Fox noted that the resolution has already been submitted to Regional (B.I.A) for processing. What Mr. Hunts Along has paid for and not used would need to be refunded. Wilber Hunts Along noted that his unit (25% portion) has no water and would like to use the disputed area for winter grazing through an extended agreement.

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- A. Homesite(s)\*** - *Texx Lone Bear, Natural Resources Director*  
Chairman Mark N. Fox expressed the need for assurance that there are no oil leases on these home sites.

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-148-FWF entitled “*Approval of Home Site Leases and Utility Corridors for Home Sites- July, 2020*” subject to Legal review. Councilman Mervin Packineau seconded the motion.





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Vote: 4 - Ayes. 1 – Abstention. 2 – Not Present. Motion carried.

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-149-FWF entitled “*Approval of Home Site Leases and Utility Corridors for Home Sites*” [Thomas Jay Plenty Chief] & new standardized Section 184 lease form. Councilman Mervin Packineau seconded the motion.

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

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

**Discussion:** Utilizing a B.I.A. Lease agreement as a requirement of the the USDA Section 184 loan. Tyra Wilkinson has reviewed the lease and noted the main difference is the 25 year term/lease and would like to standarize the form.

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 20-150-FWF entitled “*Consent to Certain Rights of Way across Tribal Land for the Noreen Mossett Home Access Easement*” subject to Legal review. Councilman Fred Fox seconded the motion.

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

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

**Discussion:** Waiver ROW Fee/payment for elder to access her land and future home site. Councilman Cory Spotted Bear noted that he would help her with the cost of the road.



**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 20-151-FWF entitled “*Consent to Certain Rights of Way across Tribal land for the McKenzie Electric Cooperative – Dean Birdsbill New House*” subject to Legal review. Councilman Fred Fox seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to approve resolution no.20-152-FWF entitled “*Consent to Certain Rights(s) of Way across Tribal Land*” [McKenzie Electric - Poitra FBRW] Councilwoman Monica Mayer seconded the motion.

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

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

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-153-FWF entitled “*Agricultural Leases on Tribal land*”. Councilman Mervin Packineau seconded the motion.

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

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

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**C. Fort Berthold Rural Water (FBRW)\*** – *Pem Hall, Director*



**Motion:** Councilman Fred Fox moved to approve resolution no. 20-154-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*" [[Galvin Standish Connection 0858A](#)]. Councilman Mervin Packineau seconded the motion.

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

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-155-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*" [[Brock & Kelsey Jacobson - FBRW](#)]. Councilwoman Monica Mayer seconded the motion.

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

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

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**D. MHA COVID-19 Task Force – Marle Baker & Emily Sitting Bear**

**1) Resolution**

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-156-FWF entitled "*Powers and Status of the Emergency Operations Center and Emergency Management*" Councilwoman Monica Mayer seconded the motion.

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

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



*Discussion:* Chairman Mark N. Fox expressed concern with the uptick of cases and testing and asked that we not let our guard down. Also receives Public Health Agency status. Emily Sitting Bear noted the plan was written for the future. Chairman Mark N. Fox recommended an oversight committee to come together once month for reporting.

## 2) Temporary Appointment

*Motion:* Councilman Fred Fox moved to approve Emily Sitting Bear as Interim Director of the Emergency Operations Center. Councilwoman Monica Mayer seconded the motion.

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

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

## XVII. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

### A. Tribal Care – Stop Loss, Senior Choice Plan

### B. Referendum

- 1) Constitutional Revision
- 2) Medical Marijuana
- 3) Base Roll

*Item deferred.*

*FTR:* Chairman Mark N. Fox described the referendum process and expressed the need for a Special Executive meeting. A referendum would then determine if to proceed with a Secretarial Election (specifically for item #.).

### C. Home Sale - Lovette Bruer

*Motion:* Councilman Fred Fox moved to approve resolution no. 20-157-FWF entitled “Lovette Bruer home Sale to the Three Affiliated Tribes” subject to Legal review. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye



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

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**D. Maxline LLC - Richard Mayer**

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-158-FWF entitled “*Organization and Formation of MAXLINE LLC, a Tribal Owned Limited Liability Company.*” Councilman Mervin Packineau seconded the motion.

Vote: 4 - Ayes. 1 – Opposition. 2 – Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Opposed

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**E. Roping Sponsorships Annual Cap & NBIR Rodeo**

**Motion:** Councilman Fred Fox moved to approve the Northern Badlands Indian Rodeo (NBIR) Sponsorship of \$15,000 from the TAT-General Fund, \$15,000 from Northeast Segment funding, & \$15,000 from the 4Bears Casino. Councilman Mervin Packineau seconded the motion.

Vote: 5 - Ayes. 2 – Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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**F. Mask Mandate**

**Motion:** Councilman Fred Fox moved to approve the Mask Mandate in all reservation wide public indoor spaces. Councilwoman Monica Mayer seconded the motion.

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



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

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### **G. Honorariums Eligibility Criteria**

Rescinds resolution no. 03-109-RP replaces and supersedes all prior resolutions or actions on the same subject.

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-159-FWF entitled “*Authorizing Honorariums for Former Council Members*”  
Councilwoman Monica Mayer seconded the motion.

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

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

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### **H. RSD Proposal – United Quality**

Open contract to install remote monitors on propane tanks to allow Fort Berthold Housing Authority (FBHA) & United Prairie to monitor propane tanks. John Fredericks noted that FBHA would have their own procurement regulations. Discussion of propane pricing. Startup costs will be taken up by United Prairie.

**Motion:** Councilman Fred Fox moved to approve proposal with recommendation of the FBHA Director. Councilman Mervin Packineau seconded the motion.

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

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



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Councilwoman Monica Mayer – Aye

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**I. WAPA Allocation**

Seeking to grant the Chairman authority to negotiate a new agreement redefining how this allocation is distributed. Discussion on whether the electric utility allocation fulfills the needs of all tribal buildings. Chairman Mark N. Fox would like to see a broader scoop of benefit and a review of their method of calculation.

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-160-FWF entitled “*WAPA Allocation*” subject to Legal review. Councilman Mervin Packineau seconded the motion.

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

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

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**J. Resolution Amendment / 18-140-FWF**

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-161-FWF entitled “*Correcting Resolution No. 18-140-FWF Approving of Partition of Allotment 1794.*” Councilwoman Monica Mayer seconded the motion.

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

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

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**K. Election Board Stipend Amount & Appointments**

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-162-FWF entitled “*Approving the Appointees to the Election Board for the 2020 Tribal Election.*” Councilwoman Monica Mayer seconded the motion.



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

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

## L. Medical Requests

### i. Ken Hall Medical Bill

**Motion:** Councilman Fred Fox moved to direct Boone Group to pay 75% of the Lewis Kenneth Hall (daughter: minor) requested bill amount. Councilwoman Monica Mayer seconded the motion.

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

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

### ii. Al Nygard

**Motion:** Councilman Fred Fox moved to approve 75% of the requested amount. Councilwoman Monica Mayer seconded the motion.

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

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

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## M. 5g Spectrum Resolution

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-163-FWF entitled "Application for 5g Spectrum" approve subject to Legal review and





concurrence from Tax Dept. Councilman Mervin Packineau seconded the motion.

Vote: 5 - Ayes. 2 – Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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**N. TEK Phase 1a (Temp. Use Permit)**

Crossing tribal land for south pond in Mandaree.

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-164-FWF entitled “*Consent to Approval of a Temporary Use Permit across Tribal land(TEK Phase 1a Mandaree South Pond)*” Councilman Mervin Packineau seconded the motion.

Vote: 5 - Ayes. 2 – Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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**O. MLL Consulting Resolution**

Mike Lawson Historical research services to rebut the government’s report and specifics on 1825 treaty and Arickara war, trade importance. The contract has expired.

**Motion:** Councilman Mervin Packineau moved to approve resolution no. 20-165-FWF entitled “*MLL Consulting*” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 5 - Ayes. 2 – Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Present



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Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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**P. Ratification of the Executive Committee Items**

**Motion:** Councilman Fred Fox moved to approve blanket ratification of items C-P; Councilman Mervin Packineau seconded the motion.

**Discussion:** (Excluding H & L2) JF: D., R, J, O are resolutions and would need resolution numbers. C. should have a number.

*Motion pulled back and items addressed individually.*

**XVIII. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair**

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**A. MHA Education Department – Amy Mossett, Director**

Submitted an program update concerning: enrollment (1800 students, 1450 tribal members) distance learning until review for the first month with the exception of Twin Buttes who will be going face to face from the start. It was clarified that the program purchased the back packs for all students. The Director will be taking mitigation precautions for the preparation and distribution. Councilwoman Monica Mayer noted that since the student would be online and may not require the same supplies due to instruction being online. Councilwoman Monica Mayer asked that all students be included, even non-members. The Director noted that even those reservation residents going to off reservation schools.

**FTR:** Chairman Mark N. Fox rejoined the meeting.

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 20-166-FWF entitled “*Authorization for the Native American Language Program Grant Competition 2020 for the Tribal Education Department*” subject to Legal review. Councilman Mervin Packineau seconded the motion.

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

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

**Discussion:** Grant application is due August 28<sup>th</sup>.



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Authorization for the Native American Language Program Grant Competition 2020 for the Tribal Education Department with a Memorandum of Agreement with the New Town School District” subject to legal review and splitting the MOU from the resolution into its own resolution.

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 20-167-FWF entitled “*Memorandum of Agreement with the New Town School District to seek funding through the FY2020 Native American Language Program*” subject to Legal review. Councilman Mervin Packineau seconded the motion.

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

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

**B. Studying Abroad Coastal Carolina University – Isabella Kitzberger**

*Item deferred.*

**C. Educational Requests – Susie Hosie**

*Item deferred.*

**XIX. LEGAL DEPARTMENT – Tyra Wilkinson, MHA Supervising Attorney**

**XX. NEW BUSINESS – Tribal Councilman Add Ons**

- A. Chairman Mark Fox- *Reserved*
- B. Chairman Mark Fox- *Reserved*
- C. Councilman Randy Phelan –
- D. Councilman Randy Phelan –
- E. Councilman Fred W. Fox – *Reserved*
- F. Councilman Fred W. Fox – *Reserved*
- G. Councilman Mervin Packineau – *Reserved*
- H. Councilman Mervin Packineau – *Reserved*
- I. Councilwoman V. Judy Brugh –
- J. Councilwoman V. Judy Brugh –
- K. Councilman Cory Spotted Bear – *Reserved*
- L. Councilman Cory Spotted Bear – *Reserved*
- M. Councilwoman Monica Mayer – *Reserved*
- N. Councilwoman Monica Mayer – *Reserved*



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**FTR:** TAT Lead Attorney Tyra Wilkinson informed the TBC that the Tribal Election Certification Board needs to come from the TBC members and recommended those that are not running for re-election ; Councilman Cory Spotted Bear , Councilman Mervin Packineau & Councilwoman V. Judy Brugh. Councilman Mervin Packineau to serve as the Chairman of the Board.

**XXI. CLOSED SESSION:**

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- A. Human Resources (HR)\* – Melissa Brady, Director
- B. TAT Law Enforcement Report\*– Nelson W. Heart, Chief of Police
- C. Public Safety Division of Drug Enforcement\* – Gerald White, Jr., Chief
- D. Estate of Allen Pond – Years of Service Pay Out Request
- E. Legal Items
- F. Tribal Health – Red Fox Sanchez, Director
- G. Red Fox Sanchez.
- H. Tribal Care
  - 1) Lewis Kenneth Hall Medical Bill.
    - 1) Mandaree Senior Choice
  - I. FBRW Temporary Right-of-Way – John Fredericks
  - J. Temporary Hires:

**XXII. ADJOURNMENT:**

**Motion:** Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 5:17 pm.



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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, 6 were present at the Regular Meeting thereof duly called, notice, convened and held on the 9<sup>th</sup> of September, 2020; 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 9<sup>th</sup> day of September, 2020

ATTEST:

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

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