



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
SEPTEMBER 9th, 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 11:55AM.

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(Not Present), & Councilman Fred Fox. *Quorum established.*

FTR: Councilwoman Monica Mayer joined the meeting.

OPENING PRAYER

Harriet Goodiron

I. APPROVAL OF AGENDA

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

II. APPROVAL OF MINUTES

- **8/13/2020 Regular Meeting Minutes**
- **9/2/2020 Special Meeting Minutes**

Motion: Councilman Fred Fox moved to approve the presented minutes subject to minor edits. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye



Councilwoman Monica Mayer – Aye

III. SPECIAL GUESTS & ELDERS

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A. Kelly Hosie

Presented information concerning her recent termination of employment due to violations of the Social Media policy & requesting reinstatement of employment. Chairman Mark N. Fox noted that her case has already been appealed by an independent evaluator.

FTR: Councilwoman V. Judy Brugh & Councilman Cory Spotted Bear birthday honor song & gifts

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B. Jordon Kannianen, District 4 Senate Member & Candidate

Incumbent Republican candidate thanked the TBC for the working relationship with him the last 4 years. Chairman Mark N. Fox thanked for his efforts & advocacy in the ND Senate and the work on the State Oil & Gas Tax Agreement and approval in 2019. Thanked Representative Kannianen for his approachability and involvement in community affairs on the reservation.

EXECUTIVE COMMITTEE REPORTS

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

Provided update on recent activities and upcoming events. Noted that in spite of the economic down turn in revenue & pandemic the tribe is committed to providing the upcoming distribution. Provided an update on COVID testing and measures, vaccine planning, school delivery methods, mask wearing & social responsibility. Councilwoman Monica Mayer noted that MHA has tested about 5000 people with 156 active cases with a 2.8% Positivity Rate. Provided a summary of recent activities to return the riverbed mineral rights the MHA Nation, Tax issues such an implementation of the Tribal Alcohol Tax.

V. VICE CHAIRMAN'S REPORT – *Councilman Cory Spotted Bear*

Item deferred.

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

Provided a report of recent activities. Grand Opening of the White Shield/East Segment Administrative Center and Elders Center, Head Start & School Bus garage & tours of the White Shield Public Safety facility.

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

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



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Submitted the YTD November expense & budget report. 478 million expenses for FY 2020. Revenue is currently 35% of the expected revenue due to the pandemic and oil production down turn. Chairman Mark N. Fox expressed the importance to have increased budget meetings to make adjustments for the oil market & production changes. Provided update on former council honorarium and the need for an updated list from the Election Board.

Motion: Councilman Fred Fox moved to approve resolution no. 20-172-FWF entitled “*Directive to the Office of Trust Fund Management to Make Available Funds for Withdrawal from Three Affiliated Tribes MHA Nation Peoples Fund Account PL10017014 in the Amount of \$14,650,000*”. Councilwoman Monica Mayer seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 20-173-FWF entitled “*Authorization of OST to administer annual and biannual disbursements from Nuxbaaga lidaa Uuh Waa Zaah, Sahnis waalpsis, Aki numuk aki tawatesh*”. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 20-174FWF entitled “*Directive to the Office of Trust Fund Management to Make Available for Draws by the Three Affiliated Tribes Interest Earnings from the Three Affiliated Tribes Economic Recovery Fund in the Amount of \$7,087,000*”. Councilman Mervin Packineau seconded the motion.

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

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



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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. 20-175-FWF entitled “Directive to the Office of Trust Fund Management to Make Available Funds for Withdrawal from Three Affiliated Tribes Proceeds of Labor Account PL7228700 in the Amount of \$15,000,000.00.” subject to Legal & resolution. Councilman Mervin Packineau seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

B. Mortgage Program – Val Mayer, Credit Manager

Motion: Councilman Fred Fox moved to approve a home mortgage loan for [V.T.L.] in the amount of \$215,000 subject to Loans Policies & recommendations. Councilman Mervin Packineau seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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

Motion: Councilman Cory Spotted Bear moved to approve Small Loan applications Group A: (5) subject to Loans policies & recommendation. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Cory Spotted Bear moved to approve Small Loan Education applications Group B: (4) subject to Loans policies & recommendation.
Councilwoman V. Judy Brugh seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to approve Small Loan applications Group C: (4) subject to Applicant #4 requiring a cosigner & Loans policies & recommendation. Councilwoman V. Judy Brugh seconded the motion.

Discussion: Applicants 1-3 would not require a cosigner.

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

Item deferred.

IX. OFFICER REPORTS:

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

Motion: Councilman Fred Fox moved to ratify EA 2020-28;



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NOW, THEREFORE, BE IT RESOLVED, that the Three Affiliated Tribes hereby and authorizes approves Consultant Contracts for the 2020 Tribal Election Board members providing for a \$30.00 per hour compensation plus mileage; and

BE IT FINALLY RESOLVED, that the Chairman is authorized to execute such documents and take such further actions as are necessary to carry out the terms and intent of this Executive Action.

Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to ratify EA 2020-29;

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves a small loan in the amount of \$11,000.00 for Meranda Marcellais and \$30,000.00 for Vonnie Jo Alberts pursuant to the policies and procedures of the Three Affiliated Tribes Small Loan department.

Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 20-176-FWF entitled “*Approval of 14 (Fourteen) Applicants for Enrollment into the Three Affiliated Tribes*” subject to Legal review. Councilman Mervin Packineau seconded the motion.



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

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

Discussion: Councilman Fred Fox asked for an inclusion and the 6-7 others that meet the requirement for enrollment. 16,722 total tribal members.

- TAT_202009-1229_000086a4ed106cc0.m3
- 3) **Tax Department Report*** – *Cynthia Monteau, Tax Commission Director*
Submitted monthly tax report for the month that included: July Monthly Collections Report, COVID-19 Pandemic Impact Months Compared to FY2019 for the months of May-July (overall tax loss of \$57,427,474), Oil and Gas Tax Revenue (TAT and State of ND Revenue Sharing Agreement), Motor Vehicle Fuels (TAT and State of ND Revenue Sharing Agreement), Alcohol Tax Revenue (Gross Revenue), Hotel Use Tax Revenue, Business Licenses. Draft Business Licensing Code is currently un Legal review that will include back ground standards for review.

Motion: Councilman Fred Fox moved to approve the following Business Licenses;

- El Patron Ulises - Garcia Parshall, ND – Customer Service Food - 2020-B-39.
- Little River Construction LLC - Kenneth Fredericks Jr - Halliday, ND - Construction - 2020-B-40.
- Triple C Oilfield Services, LLC - Jeb Fredericks - Halliday, ND - Oilfield/ Construction - 2020-B-41.
- Olson Enterprises, Inc, DBA F.I.R.S.T - Lisa Olson Helena, MT - Customer Service - 2020-B-42.
- Chief Oilfield Services, LLC - Ramiro Tony Damian - South Heart, ND - Oilfield Services - 2020-B-43.
- Familia Delgado Taqueria & Grill - Estrella Suarez - New Town, ND - Food Service - 2020-B-44.
- Buffalo Rock LLC - Dorothy Deegan - Garrison, ND – Retail - 2020-B-45.
- BakerConsulting LLC - Jason Baker - Mandaree, ND - Oilfield Services - 2020-B-46.
- High Plains Transport Inc., High Plains Transport Inc. - Watford City, N D - Trucking - 2020-B-47.
- Industrial Builders, Inc. - Paul Diederich - West Fargo, ND - General Contractor - 2020-B-48.



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- Maxline LLC - Jason Two Crow - Parshall, ND - Micro-Lending 2020-B-49
D&L Construction Inc Lorin Johnson Parshall, ND Oil Field Services 2020-B-50.
- Running Horse Inc. - Tesha Fredericks - New Town, ND - Oil Field Services - 2020-B-51.
- OmaHon Contracting Services - Stephanie Hall-Thomas - Garrison, ND - Construction - 2020-B-52.
- Mann Enterprises LLC DBA - Mann Energy Services - Melaney Mann - Bismarck, ND - Oil Field Services - 2020-B-53.

Councilman Mervin Packineau seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Mervin Packineau moved to renew the Collective Strategies Contract subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Mervin Packineau moved to renew a Consultant contract for WIPFLI Certified Public Accountants and Consultant's LLP subject to Legal review. Councilman Fred Fox seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye



Councilwoman Monica Mayer – Aye

X. UNFINISHED BUSINESS

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A. Tourism (Website)¹ – Darian Morsette , Director

Received three bids according to policy development of the for Tourism web site development. Report on earth lodge reconstruction. Submitted three bids for the development of a Tourism web site.

Motion: Councilman Mervin Packineau moved to approve MABU bid for web site services. 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 – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Not Voting

Discussion: Chairman Mark N. Fox asked the Director look out for any exclusivity in contract language.

B. Studying Abroad Coastal Carolina University² – Isabella Kitzberger

Item deferred.

C. Educational Requests² – Susie Hosie

Item deferred.

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D. Educational Assistance – Shanaye Packineau-Williams

Master's Level program.

Motion: Councilman Fred Fox moved to approve Supplemental Education Grant(\$4,500/semester) for Shanaye Packineau-Williams. Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Abstained



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Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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E. Mandaree & White Shield Ambulance Services

CEO of Precession Paramedics Services noted that their company has been running the Mandaree EMS for two years and works with White Shield also. Contract covers salaries and are invoiced for payment.

FTR: Chairman Mark N. Fox returned to the meeting

Motion: Councilwoman Monica Mayer moved to approve the White Shield Ambulance Agreement Councilman Fred Fox seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

FTR: Chairman Mark N. Fox left the meeting.

Motion: Councilwoman Monica Mayer moved to approve the Mandaree Ambulance Service Agreements for Mandaree 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: To copy the White Shield contract for Mandaree. Further discussion of change of employee insurance.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL



XI. EDUCATION COMMITTEE – *Councilman Cory Spotted Bear, Chair*
A. Headstart - *Kelly Bradfield*

Addressed under HR.

XII. CULTURAL COMMITTEE – *Chairman Fred Fox, Chair*

XIII. ECONOMIC DEVELOPMENT COMMITTEE - *Councilwoman Monica Mayer*

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A. MHA Communications

FCC License is due in April and will need a resolution. Tyra Wilkinson will represent as contact for the grant. Paperwork due for Dec. 1st and need resolution and Legal contact for the application. Tyra Wilkinson will be that Legal contact.

Motion: Councilman Fred Fox moved to approve amendments to the by-laws subject to Legal review. Councilman Mervin Packineau seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

XIV. ENERGY COMMITTEE – *Chairman Fred Fox, Chair*

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

11 rigs in the State. 4 rigs on the reservation (2-Marathon, 1 Slawson). Oil prices currently at \$38/barrel. Jeff Hunt will retiring Oct. 2nd from the B.I.A. Emergency response exercises for spill training on the 16th.

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

Motion: Councilman Fred Fox moved to approve resolution no. 20-177-FWF entitled “Approval of Setback Variance for the Jasper USA Pipeline as Requested by ONEOK Rockies Midstream, LLC” Councilman Cory Spotted Bear seconded the motion.

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

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



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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. 20-178-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (871A) For the Enerplus Racing Pad Submitted by Enerplus Resources (USA) Corporation.*”

Councilwoman Monica Mayer seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 20-179-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (T2252-A) for the European Cities West Project Submitted by Enerplus Resources (USA) Corporation.*” Councilwoman V. Judy Brugh seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 20-180-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (1105A-C) for the European Cities East Project Submitted by Enerplus Resources (USA) Corporation.*” Councilman Fred Fox seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye



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Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 20-181-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (744A) for the Samuel Packineau 17H Pad Submitted by WPX Energy Williston, LLC.*”

Councilwoman V. Judy Brugh seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Not Voting

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 20-182-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (Allotments 592A and 589A-B) for the Antelope Inlets LP Southwest 16 Inch Lateral Pipeline Submitted by ONEOK Rockies Midstream, L.L.C.*”. Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Not Voting

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 20-183-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (Allotment 1069A) for the Lincoln Hopkins Pipelines Submitted by Targa Badlands LLC*”

Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Not Voting

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye



C. Pipeline Authority Update – Travis Hallam

Item deferred

XV. HEALTH & HUMAN SERVICES - Councilwoman Monica Mayer

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

Item deferred.

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B. Tribal Health* – Red Fox Sanchez, Director

1) Guy K. Stann, DPM Podiatry Contract

Motion: Councilwoman Monica Mayer moved to approve the Guy K. Stann, DPM podiatry contract. 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 – Not Present
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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**C. Good Road Recovery Center* (GRRC) - Ty M. Thompson, BS, MA, LAC,
Executive Director**

1) Dashell Thunder contract

Councilwoman Monica Mayer recommended extending Dashell Thunder contract extend existing. Councilman Cory Spotted Bear recommended that this position be a full time employee with advertising. Councilwoman Monica Mayer recommended extending until it expires at the end of FY2020. To b

Motion: Councilwoman Monica Mayer moved to approve the Joy Frowlich MD Contract 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye



Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

2) Joshia Seil, PA Contract

Motion: Councilwoman Monica Mayer moved to approve Joshia Seil, PA Contract 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 – Not Present
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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D. Life & Limb* – Alva Irwin, Grants & Donations Director [HIPAA SENSITIVE]

Motion: Councilwoman Monica Mayer moved to approve Applicant A [G.B.] assistance to pay medical bills. 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to approve Applicant B. [J.B.] for assistance to pay medical bills. 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye



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Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to approve Applicant C [C.C.] approved for Life & Limb. 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to approve Applicant D [D.H.] for Life & Limb. 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to approve Applicant E [F.A.W.] for Life & Limb. 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to approve Applicant F [B.L.S.]. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Not Voting
Councilman Randy Phelan – Not Present



Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Abstained
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

E. Fitness & Recreation – Russell Young Bird

Item deferred.

TAT_20200909-1335_01d686ae0b9a9b0c.mp3

F. LIHEAP – Charmaine Driver

Motion: Councilwoman Monica Mayer moved to approve resolution no. 20-184-FWF entitled “*Authorization to Adopt Policies and Procedures Manual for the Three Affiliated Tribes Low Income Home Energy Assistance Program (LIHEAP) for FY 2021.*” 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to approve resolution no. 20-185-FWF entitled “*Authorization of FY 2021 Community Services Block Grant Application Submission to the Office of Community Services, U.S. Department of Health and Human Services for Low Income Energy Assistance Program Grant*”. 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to approve resolution no. 20-186-FWF entitled “*Authorization for the Three Affiliated Tribes’ Low Income Home Energy Assistance Program to exclude income generated from royalty payments or*



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bonuses from minerals rights in the computation of gross income for purposes of qualifying for the LIHEAP Program for FY 2021.” 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

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

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

Item deferred.

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

XVII. NATURAL RESOURCES COMMITTEE – Councilman Cory Spotted Bear, Chairman

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

Item deferred.

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

Item deferred.

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

Provided a brief report of current projects. Resolution for easement, Thunder Butte area. #187.

Motion: Councilman Fred Fox moved to approve resolution no. 20-187-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*" 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye



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

Discussion: Chairman Mark N. Fox inquired about Section 17. John mentioned T5778, checking to make sure resolution is correct.

TAT_20200909-1420_01d686b45c898a7c.mp3

XVIII. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

Motion: Councilman Fred Fox moved to ratify Executive Committee action from 8/31/2020 for the authorization for John Fredericks to develop a Letter for the Chairman’s signature to the B.I.A. expressing concern over non-action with the transfer of land title back to James Johnson. 2) Interim lease of lands formerly of James Johnson for \$1. Councilwoman Monica Mayer seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Mervin Packineau moved to ratify Executive Committee action from 8/31/2020 for the approval of the Lanny Realbird contract. Councilwoman Monica Mayer seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to ratify Executive Committee action from 8/31/2020 for Randy Linderman Contract. Councilman Cory Spotted Bear seconded the motion.

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

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



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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 Executive Committee action from 8/31/2020 for the CDC Nomination of Councilwoman Monica Mayer. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to ratify Executive Committee action from 8/31/2020 concerning reaffirming the TAT Bidding Process. Councilwoman Monica Mayer seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Fred Fox moved to ratify Executive Committee action from 8/31/2020 for approval Brooklyn Maxon Home Mortgage subject to Loan policies & recommendations. Councilwoman Monica Mayer seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye



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Motion: Councilman Fred Fox moved to ratify Executive Committee action from 8/31/2020 for ICDBG Care Letter. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Outside funding for the Twin Buttes clinic. No matching funds requirement.

Motion: Councilman Cory Spotted Bear moved to ratify Executive Committee action from 8/31/2020 for UTTC Resolution “Resolution to Appoint Delegates for the United Tribes Technical College Board of Directors.” Councilwoman Monica Mayer seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: 20-190-FWF assigned.

Motion: Councilman Fred Fox moved to ratify Executive Committee action from 8/31/2020 for the Thunder Butte Operating Agreement. Councilman Mervin Packineau seconded the motion.

Vote: 4 - Ayes. 1- Opposition. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Opposed



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Discussion: Brief discussion of deferring loan for a couple of months to possibly October.

Motion: Councilman Mervin Packineau moved to ratify Executive Committee action from 8/31/2020 for the 4Bears Casino E-betting Consultant. Councilman Fred Fox seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

FTR: Discussion of allowing the Casino to defer loan payments through October.

Motion: Councilman Fred Fox moved to ratify Executive Committee action from 8/31/2020 concerning the EMHC Chief Pharmacist contract. Councilman Mervin Packineau seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to ratify Executive Committee action from 8/31/2020 for RPH on the Go contract. Councilman Fred Fox seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye



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Motion: Councilman Mervin Packineau moved to ratify Executive Committee action from 8/31/2020 for Mandaree Rodeo sponsorship. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Cory Spotted Bear moved to ratify Executive Committee action from 8/31/2020 for the Airstrip Lease & development costs. Councilman Mervin Packineau seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: 20-191-FWF assigned to Lease - “*Approval Of Lease With Ken Fredericks, Jr., For Airstrip*” Amount to be corrected to \$174,488.

From Executive Closed Session

Motion: Councilman Mervin Packineau moved to ratify 8/31/2020 Executive Committee action to approve Bond Financing with Goldman Sachs. Councilman Cory Spotted Bear seconded the motion.

Vote: 4 - Ayes. 2- Abstentions. 1 – 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 – Abstained
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Abstained



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Motion: Councilman Mervin Packineau moved to ratify 8/31/2020 Executive Committee action to approve EPA/CAP (Compliance Assistance Plan) to include Dennis Fox as contact with Edmund Baker. Councilman Cory Spotted Bear seconded the motion.

Vote: 5 - Ayes. 1- Abstention. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Abstained

Motion: Councilwoman Monica Mayer moved to ratify 8/31/2020 Executive Committee action to reaffirm approval of the Chief Judge Contract for David C. Christensen. 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Voting.

Motion: Councilman Cory Spotted Bear moved to ratify 8/31/2020 Executive Committee action to hire S.M. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Cory Spotted Bear moved to ratify 8/31/2020 Executive Committee action to accept (5) resignations. Councilwoman Monica Mayer seconded the motion.

Vote: 5 - Ayes. 1- Not Voting. 1 – 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 – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Cory Spotted Bear moved to ratify 8/31/2020 Executive Committee action to approve Four Bears Segment to hire security staff. 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 – Not Present
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 V. Judy Brugh moved to ratify 8/31/2020 Executive Committee action to approve Four Bears COLA's retroactive. Councilman Cory Spotted Bear seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to ratify 8/31/2020 Executive Committee action to terminate the employment of R.H. 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye



Motion: Councilman Cory Spotted Bear moved to ratify 8/31/2020 Executive Committee action to approve two small loans for V.A. & M.M. Councilwoman Monica Mayer seconded the motion.

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

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

XIX. LEGAL DEPARTMENT – Tyra Wilkinson, MHA Supervising Attorney

Item deferred.

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 –**

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E. Councilman Fred W. Fox – BIA 18

Motion: Councilman Fred Fox moved to approve resolution no. 20-188-FWF entitled “*Authorization for Construction Costs for BIA Road 18*” Councilwoman V. Judy Brugh seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: John Fredericks noted that a MOU with the BIA would be needed. \$1.2 million offsetting cost from the B.I.A.

- F. **Councilman Fred W. Fox – White Shield Home Construction Contract**
- G. **Councilman Mervin Packineau – Reserved**



H. Councilman Mervin Packineau – Reserved

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I. Councilwoman V. Judy Brugh – HR

Motion: Councilman Cory Spotted Bear moved to approve the hiring of C.M & F.T.B. hired with Four Bears Segment. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

J. Councilwoman V. Judy Brugh – Reserved

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K. Councilman Cory Spotted Bear – William R Firkus Contract

1 year contract for community landscaping & maintenance.

Motion: Councilman Cory Spotted Bear moved to approve the William R. Firkuis contract subject to Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

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L. Councilman Cory Spotted Bear – Cell Tower Proposal – Tracy Burr

Requesting Care Act funding to build a tower to lease to carriers to bring in 5G services.

Motion: Councilwoman Monica Mayer moved to approve the 5G Cell Tower Proposal. Councilman Fred Fox seconded the motion.

Vote: 6 - Ayes. 1 – 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 – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

M. Councilwoman Monica Mayer – Reserved

N. Councilwoman Monica Mayer – Reserved

XXI. CLOSED SESSION:

A. Human Resources (HR)* – Melissa Brady, Director

- i) **Boon Increase Request**_[from Health]
- ii) **MHA Personal Policy Manual Update**_[from Health]
- iii) **Legal Recruitment**_[from Health]
- iv) **Headstart Salary Increase Request**
- v) **Solid Waste**
- vi) **Finance**

B. Social Services - Nicole R Poitra, LBSW MSW Director

- 1) **Hazzard Pay Request**_[from Health]
- 2) **IV-E Agreement**
- 3) **Neo-Natal Drug Exposure Code**
- 4) **CPS Attorney Hire Request**

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

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

E. West Segment Vender Bills

F. PRC Outstanding Bill_[From Education] – Francis Old Rock

G. Legal Update

H. Willie Hunts Along Range Unit 204 Complaint – Willie Hunts Along & El Marie Conklin

I. Tribal Health – Red Fox Sanchez

- 1) **Kidney Dialysis Unit (KDU) Issue**
- 2) **Home Health**
- 3) **Physician Services**
- 4) **Dr. Kathy Anderson Pediatrician Contract**
- 5) **Dr. Diana Romero Contract.**

J. Legal Counsel Action

XXII. ADJOURNMENT:

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 8:38pm.



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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 8th of October, 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 8th day of October, 2020

ATTEST:


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


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