



**CALL TO ORDER:**

Councilwoman V. Judy Brugh called the meeting to order at 11:09 AM.

**I. ROLL CALL:**

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

**II. APPROVAL OF AGENDA:**

*Motion:* Councilman Fred Fox moved to approve the agenda. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

*FTR:* Councilwoman Sherry Turner Lone-Fight joined the meeting at 11:10 AM.

**III. APPROVAL OF MINUTES:**

- 2/11/2020 Judicial Committee Minutes.
- 11/10/2020 Judicial Committee Minutes.
- 11/20/2020 Judicial Committee Minutes.
- 12/15/2020 Judicial Committee Minutes.

*Item deferred.*

**IV. NEW BUSINESS:**

**A. North Dakota Bureau of Criminal Investigations**

*See Closed Session*

**B. North Dakota Highway Patrol Draft MOU – ND Highway Patrol - Officer Lt. C. Johnson, Lt. Michael Rohre, Sgt. Jenna Clawsen Huibregtse, Cultural Liaison Coordinator.**

Councilman Cory Spotted Bear asked when the MOU came about, it was Councilman Fred Fox who started a MOU with McLean County. Councilwoman V. Judy Brugh, stated that we need to work together and be responsible together. Councilman Fred Fox thinks this as a good agreement. Have had and MOU that has worked really well and helped out the community. The presence of State officers is helpful. This agreement is the same as ours, if someone is stopped, tribal law enforcement would need to make the arrest but they can stop and detain. Depends where the crime has taken place, the criminal stopped will receive a State ticket. The charge will be where the chase started and where it ended. Councilman Cory Spotted Bear asked about Indian owned fee land, Sgt. Jenna Clawsen Huibregtse states it is not where our boundaries are. Councilman Fred Fox asked Supervising Attorney Tyra Wilkinson who reviewed this. She states she did. MOU states the boundaries. How many officers or patrol units could you provide? Lt. Michael Rohre provided an update of all the officers they have on patrol, it differs from day to day. We have patrols on



hand at any time to send over. Councilman Fred Fox states Highway 23 is a dangerous road and would like more patrol there. Councilwoman Monica Mayer expressed that these issues for jurisdiction have been an issue for years, what has happened lately, it works. New Town is drug infested, overdoses, & deaths. Dealers coming from Detroit know the TAT Law Enforcement can't stop them. We are dual citizens and need to work together in this issue. She is excited to have the Highway Patrol here with us and come to the table and work together. Our oil production is picking up and the drug activity will also pick up. It has been decades and we need to work together. Councilwoman V. Judy Brugh noted that this agreement has been in the works for a year. Our Chairman is also in full support. Supervising Attorney Tyra Wilkinson reviewed this several times and noted that on page 4 there is a typo, should be Tribal Judge. Page 7 on I, and on J it states a party can withdraw on agreement, on I. The party is in agreement. Sgt. Jenna Clawsen Huibregtse will send Supervising Attorney Tyra Wilkinson the MOU in Word. Indian land is stated in the MOU and probably does not need to be there. The definition does not need to be in there. Tyra Wilkinson will have it ready for TBC. Councilman Fred Fox asked them if other reservations are moving forward with a MOU. Sgt. Jenna Clawsen Huibregtse will need to meet with them and work on it, on Fort Yates there is history and will need to meet more on previous issues. Turtle Mountain is similar to Spirit Lake. If this is passed, we need to make sure there is liability and the officers are covered. North Dakota Century Code

**Motion:** Councilman Fred Fox moved to forward to Executive Committee.  
Councilwoman Monica Mayer second the motion. Vote: 5-0-0-0. Motion carried.

**V. PROGRAM UPDATES:**

**A. Department of Transportation(DOT) – Blaine Flynn, Director**

Tony Yellow Wolf submitted handouts and update. Need to purchase from DOT funds 2 Motorola. Radios that cost \$5,620 for each unit. The surrounding areas are also now going with this system.

**Motion:** Councilman Fred Fox moved to approve the purchase from the DOT budget.  
Councilwoman Monica Mayer seconded the motion. Vote: 5-0-0-0. Motion carried.

The second, we absorbed a vehicle/unit from WSRC, needs to be outfitted with lights and is over 5,000 miles. Need so sole source this. The cost, if over \$5,000 will need three quotes. January 7<sup>th</sup>, 2020 the electronic ones (they use Motorola). Electronic communications is willing to work with us on the pricing. Currently working on the process of bringing on new staff, trying to get them in the system and paid. Have been out there patrolling.

**B. TAT Tribal Court – Chief Judge David Christenson & Dr. Elizabeth Yellow Bird,  
Interim Court Administrator**



Has 31 staff and one position open. New hires are really good. Court is still in the process of implementing the Wellness Court. The staff will get training before opening & will be online. Kelly Fox will set it up. February 1<sup>st</sup> will be the next Wellness meeting. Will need to hire someone who has experience with this. Continue to do COVID cleaning and testing and social distancing is practiced in the facility. Had Jury trials on the 15<sup>th</sup> and will hold off until the virus is under control. Still working on old files. Thanked Elizabeth Yellow Bird for working on policies. Put in place a requirement for all staff to use a time clock. Putting together priority for tribal codes, need a Harassment Code provision for electronic harassment. Rules of Judicial Conduct is good for the next 6 months that involves the judges and magistrates. Councilman Cory Spotted Bear states, this is a reality, electronics will increase over the years and there need laws on electronics. Councilwoman V. Judy Brugh mentioned, the Rules of Conduct will need to be passed by Tribal council. Supervising Attorney Tyra Wilkinson will need to read up on this. Judge did sign the order and not sure if that is ok. We don't have anything in place now. Have been meeting with the TAT Police Department to work out issues. Elizabeth Yellow Bird states the juvenile side is doing better. The website was put up Friday and will be updated regularly. The Judge states they work with a liaison to fill out forms and move in a good direction for those not represented by council. Facilities up keep continues with recent work on the HVAC. The building is warmer now, and the settings were changes and called an electrician to fix the temperature. The architect sent us info after a walk through, and gave a list of people to call. Randy Lindeman was the architect; the general contractor is maybe Capitol City. Councilman Fred Fox states, the general contractor generally handles everything in his community. Put them on a list if they do not help with upkeep. Have a window leak on a bulletproof window that is still under warranty by the installer. It was noted that there is no manual for the building. Chairman's office should be the contact person. Councilman Cory Spotted Bear suggested to work with Marita Abe or Dennis Fox for assistance on building issues. There is need for an electrical contractor for this. Councilwoman Monica Mayer asked if their budget assists for these fixes or not really. Don't even have a manual for any of this. Things have improved since Chief Judge Christenson came on board. Somebody is now in the front lobby all the time. Councilwoman V. Judy Brugh has one complaint, the Justice Center. It involves a signature, get them a schedule. Make sure there is someone to sign.

**C. Home Land Security – Cliff Whitman**

*Item deferred.*

**D. Gerald Tex Fox Justice Center (GTFJC) Adult Detention – Danielle Goodluck, Administrator**

Wanted to address, having trouble with a person on staff who was going to help with a grant, so we were going to take it out of our budget, Chairman's staff wanted minutes for body cams. Can she go through with the payment, have been using the





body cams for almost a year now. Allen Demaray states they are working on reaching out for this. \$38,000 total cost. Danielle took a contract into Legal for review. She did not realize this had to be done, there is one in legal now. The custodian for the building is Alonzo Jones and Alfred Smith on the other side. Councilwoman V. Judy Brugh expressed that she has received complaints on the building. One instance was the whole building was dark and the custodian was in another office visiting. A situation happened at the jail and she has documents on it. An inmate got possession of a key at the jail, officer was on the job 2 weeks and not notified until 2 days after they were missing, locked the building down, called Law Enforcement and searched everything and retrieved the keys. There is an issue with reporting.

**E. Gerald Tex Fox Justice Center (GTFJC) Juvenile Detention – Mike Young Bird, Administrator**

November/December 2020 Report submitted for the record. In November we had (7) youth and in December (6) youth who received services. We had (4) 960's filed and (0) forensic interviews completed. We are screening youth and taking daily temperatures for Covid precautions. We had (0) referrals to COL, (1) to Summit Counseling, (1) to North Central for court ordered evaluations. We had (3) youth who were placed in 3C at Trinity for emergency psychological needs. We did have one youth successfully complete treatment at Keystone Treatment Center and (1) youth accepted at DBGR. A concern expressed is the amount of drugs that the youth are coming in on. The drug we have seen an increase in is fentanyl. They report that it is very easily accessible. We had (7) youth test positive for marijuana, (2) for opioids, (1) alcohol, (1) spice, (1) ecstasy, (1) gabapentin, (1) amphetamines, (1) fentanyl, and (1) benzo's.

**F. Child Support – Alison Johnson, Director**

Report submitted for the record. Staffing- currently fully staffed. Monthly collections: Total collected in December 2020 was: \$144,723.37 Quarterly report for our 1<sup>st</sup> Quarter in 2021 was at \$284,696.14 in collections. TAT Child Support still continuing to operate efficiently with getting our Child Support payments processed twice weekly as well as receiving payments regularly from clients. We are still applying a rotating shift schedule to our staff so that we are all not working together all at the same time in case someone gets infected with COVID. It has been going well and the staff is managing to get their job duties complete. We are doing our best to stay safe and healthy.

**G. Victim Services – Sadie Young Bird, Director**

Consultant contract Heidi Danks she is the specialized trauma.

**Motion:** Councilman Fred Fox moved to forward to Executive Committee.  
Councilwoman Monica Mayer seconded the motion. Vote: 5-0-0-0. Motion carried.



Have a question with the vaccine, have had staff quarantined a couple of times, we transport all the time and should be on the list like Social Services. Councilwoman Monica Mayer agrees. Should we follow the state side of the tier system. Councilwoman Monica Mayer is waiting for the Council to get the vaccine too. Councilman Fred Fox states if we make a motion and forward to Executive.

**Motion:** Councilman Fred Fox moved to move Victim Services on the vaccine priority list. & forward to Executive Committee. Councilwoman Monica Mayer seconded the motion. Vote: 5-0-0-0. Motion carried.

**H. TAT Legal – Tyra Wilkinson, MHA Supervising Attorney**

The Legal department is very busy and there are plans to hire an attorney. Candidates are being interviewed. One candidate previously worked here a couple years ago at Tribal Court. Still needs to fill out the paper work in HR. Also, need to advertise for a Legal Advocate. Councilwoman Monica Mayer asked, how many FTE and contracts for Legal. There are a few and they make a lot more on the outside, housing is also an issue. How many FTE and cases, Supervising Attorney Tyra Wilkinson states if they have time but they are extremely busy and shorthanded.

**VI. CLOSED SESSION:**

**A. North Dakota Bureau of Criminal Investigations**

**B. TAT Law Enforcement**

**C. Public Safety Division of Drug Enforcement - Chief of Drug Enforcement Gerald "Chip" White Jr.**

**D. Sgt. Michael Roy**

**E. HR Department – Melissa Brady, Director**

**VII. ADJOURNMENT**

**Motion:** Councilwoman Monica Mayer moved to adjourn the meeting. Councilwoman Sherry Turner Lone-Fight seconded the motion. Meeting adjourned at 3:20 PM.




**CERTIFICATION**


I, the undersigned, as Chairman for the Tribal Business Council's Judicial Committee of the of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council's Judicial Committee is composed of three [3] members of whom [2] constitute a quorum; 3 were present at the Judicial Meeting thereof duly called, noticed, convened and held on the 5<sup>th</sup> day of February, 2021; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 3 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Dated this 5<sup>th</sup> day of February, 2021.

**ATTEST:**



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



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