



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
FEBRUARY 11<sup>th</sup>, 2021 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 11:18 AM.

**ROLL CALL:**

*Present:* Councilwoman Monica Mayer, Councilman Cory Spotted Bear (Not Present), Councilman Mervin Packineau, Chairman Mark N. Fox, Councilwoman V. Judy Brugh, Councilwoman Sherry Turner-Lone Fight (Not Present), & Councilman Fred Fox. *Quorum established.*

**OPENING PRAYER**

Carol Enno

**I. APPROVAL OF AGENDA**

*Motion:* Councilwoman Monica Mayer moved to approve the agenda. Councilwoman V. Judy Brugh seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Aye

Councilwoman V. Judy Brugh – Aye

Councilwoman Sherry Turner-Lone Fight – Not Present

**II. APPROVAL OF MINUTES**

- **1/14/2021 Regular Meeting minutes.**

*Motion:* Councilwoman V. Judy Brugh moved to approve the 1/14/2021 Regular Tribal Business Council minutes. Councilman Fred Fox seconded the motion.

Vote: 5- Ayes. 2- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Not Voting

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Not Voting

Councilwoman Monica Mayer – Aye

Councilwoman V. Judy Brugh – Aye

Councilwoman Sherry Turner-Lone Fight – Aye



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**III. SPECIAL GUESTS & ELDERS**

**A. McDonald Family (Closed Session)**

*FTR: Councilman Cory Spotted Bear & Councilwoman Sherry Turner-Lone Fight joined the meeting.*

***EXECUTIVE COMMITTEE REPORTS***

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

*Item deferred*

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

*Item deferred.*

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

*Item deferred.*

**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.*

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

**Motion:** Councilman Mervin Packineau moved to approve Group A(10): small loans applications subject to Loans Policies and requirements. Councilman Cory Spotted Bear seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Aye

Councilwoman V. Judy Brugh – Aye

Councilwoman Sherry Turner-Lone Fight – Aye



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**Motion:** Councilwoman V. Judy Brugh moved to approve Group B (1): small loans applications subject to Loans Policies and requirements. Councilman Cory Spotted Bear seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – 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. Four Bears** – *Councilwoman V. Judy Brugh*
- C. West Segment** - *Councilwoman Sherry Turner-Lone Fight*

*Item deferred.*

**IX. OFFICER REPORTS:**

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

**Motion:** Councilman Mervin Packineau moved to ratify Executive Action EA-2021-06: **NOW, THEREFORE, BE IT RESOLVED** that the Three Affiliated Tribes formally approves and authorizes payment by the Tribes to Fort Berthold Communication Enterprises of an amount not to exceed \$18,177.20 for replacing the furnace at the Fort Berthold Communications building in December 2020.

Councilwoman V. Judy Brugh seconded the motion.

Vote: 7- Ayes. Motion carried.

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



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Councilwoman Sherry Turner-Lone Fight – Aye

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 21-016-FWF entitled “*Approval of 22 (Twenty-Two) Applicants for Enrollment into the Three Affiliated Tribes*” Councilwoman V. Judy Brugh seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

*Discussion:* 16,773 total tribal members.

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

**Motion:** Councilman Mervin Packineau moved to approve the following Alcohol Licenses:

- **Average Joe's** - Darren Myrick - North East Segment – New - Alcohol Retail Liquor/Beer.

Councilwoman V. Judy Brugh seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Motion:** Councilman Mervin Packineau Business Licenses:

- **Moonlight Fireworks** - Lonnie B Wright - North Segment - Renewal 2021-22 - Retail Fireworks Sales.
- **Quale Ranch** -Joanne M Quale - North Segment – New - Farming & Ranching.
- **EOG Resources, Inc** -Tracy Opp - North Segment – New - Oil & Gas Development.





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- **Average Joe's** - Darren Myrick – Parshall – New - Business License.
- **D's Hydro Testing & Oilfield Services, LLC** – Parshall – Renewal - Oil & Gas Development.
- **Nisha Bay Kennels & Grooming** - East Segment – New - Animal Care.

Councilwoman V. Judy Brugh seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**FTR:** Chairman Mark N. Fox stepped out of the meeting & Councilman Cory Spotted Bear assumed Chair of the meeting.

**X. UNFINISHED BUSINESS**

**A. Feed Lot Proposal<sup>2</sup> [NRC] – Scott Simonson defer to NRC**

*Item deferred.*

**B. Land Sale – New Town, North Segment[NRC]**

*Item deferred.*

**C. Reservation-Wide MOU<sup>2</sup>[Judicial]**

*Item deferred.*

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

**XI. NATURAL RESOURCES COMMITTEE – Councilman Cory Spotted Bear,  
Chairman**

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

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 21-018-FWF entitled “*Approval of Home Site Leases and Utility Corridors for Home Sites – February, 2021*” [Crystal Taylor, Byron J. Brady, Kristin Chase, Lakota Chase, Sylvia Chase]. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Not Voting



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Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

*FTR: Energy & NRC moved to the 23<sup>rd</sup>.*

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

*Item deferred.*

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

*Item deferred.*

**D. Cell Towers** – *Tracy Burr*

Feasibility study completed for cell towers for 5G cell service. Project expanded project to encompass the reservation. Towers would be owned by the tribe and managed by CTS a firm with expertise and tower space leased to providers. CTS contract was reviewed by Legal. Segments would receive lease income for the towers in their segments. The tower would also provide the tribe with infrastructure for future tribal communication networks. Submitted 15 RFP's with only one completed response. Submitted AIA Document for the TBC review. Would need a waiver of the procurement policy to accept the contract.

**Motion:** Councilman Cory Spotted Bear moved to approve CTS contract with waiver of procurement bidding requirement of 3 bids. Councilwoman Monica Mayer seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

*Discussion:* Chairman Mark N. Fox asked that written documentation concerning the RFP process be included when submitted for payment to meet any auditing requirements.



**E. Land Use Resolutions (2)**

**Motion:** Councilwoman V. Judy Brugh moved to approve resolution no. 21-017-FWF entitled “*Reserving T716A for West Segment Economic Development*”.  
Councilwoman Sherry Turner-Lone Fight

Vote: 6- Ayes. 1- Not Voting. Motion carried.  
Chairman Mark N. Fox – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**XII. ENERGY COMMITTEE – Councilman Fred Fox, Chair**

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

*Item deferred*

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 21-019-FWF entitled “*Consent to Amend BIA ROW No. FBOG100228 across Tribal/and (Allotments 1700 and T2028) for the Boy Chief USA Project Submitted by Marathon Oil Company*” subject to THPO Concurrence & Legal review.  
Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.  
Chairman Mark N. Fox – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Motion:** Councilman Fred Fox moved to approve resolution no. 21-020-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal/and (T2028) for the Boy Chief USA Pipeline Corridor Submitted by Marathon Oil Company*” subject to THPO Concurrence & Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.





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Chairman Mark N. Fox – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Motion:** Councilman Fred Fox moved to approve resolution no. 21-021-FWF entitled *"Consent to Approval of a Right-of-Way across Tribal/and (T5461 and T5462) for the Collins USA Project Submitted by Marathon Oil Company"* subject to THPO Concurrence & Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- Not Voting. Motion carried.

Chairman Mark N. Fox – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Motion:** Councilman Fred Fox moved to approve resolution no. 21-022-FWF entitled *"Consent to Approval of a Right-of-Way across Tribal/and (T 5480) for the Banta USA Project Submitted by Marathon Oil Company"* subject to THPO Concurrence & Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Motion:** Councilman Fred Fox moved to approve resolution no. 21-023-FWF entitled *"Consent to Approval of a Right-Of-Way across Tribal/and (T1835, T1836 & T1976-A) for the Dakota Pad Temporary Water Line Submitted by WPX Energy Williston, LLC."* subject to THPO Concurrence & Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Not Voting





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Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Motion:** Councilman Fred Fox moved to approve resolution no. 21-024-FWF entitled "*Amending Resolution No. 18-182-FWF*" subject to THPO Concurrence & Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

*Discussion:* 18-182-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal land for the Mandaree 7 SWSW Pad Project Submitted by EOG Resources, Inc.*"

**XIII. EXECUTIVE COMMITTEE – Chairman Mark N. Fox**

**A. Ratification of Approved Items at the 2/9/2021 Executive Committee Meeting:**

**1) Brady Years of Service Correction**

**Motion:** Councilwoman Sherry Turner-Lone Fight moved to ratify Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Not Voting  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**2) United Tribes Gaming Association (UTGA) Membership Dues**

**Motion:** Councilman Mervin Packineau moved to ratify approval of the payment of dues in the amount of \$25,000. Councilman Cory Spotted Bear seconded the motion.



Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Not Voting  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

### 3) RES/NCAIED Sponsorship Request

**Motion:** Councilman Mervin Packineau moved to ratify approval for a \$10,000 sponsorship. Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Not Voting  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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### 4) Mascot Books- “Bears Braid” Purchase

**Motion:** Councilman Cory Spotted Bear moved to ratify approval of the purchase of 233 Mascot Books entitled “Bears Braid”. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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### 5) Ministry of Cru Donation

**Motion:** Councilman Cory Spotted Bear moved to ratify approval of a \$10,000 donation to the Ministry of Cru. Councilman Mervin Packineau seconded the motion.



Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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**6) Robert White Contract**

Project management contract for Four Bears Convenience Store.

**Motion:** Councilwoman V. Judy Brugh moved to ratify approval of the Robert White Contract subject to Legal review. Councilman Fred Fox seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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**7) DEM NPL Donation**

**Motion:** Councilman Cory Spotted Bear moved to ratify the approval of the DEM NPL donation in the amount of \$5,000. Councilwoman Monica Mayer seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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**8) National Indian Gaming Association (NIGA) Membership**



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**Motion:** Councilwoman Monica Mayer moved to ratify the approval of the payment of the National Indian Gaming Association (NIGA) Membership dues. Councilman Fred Fox seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Discussion:** \$3,500 level dues with the Vice Chairman to serve as Alternate, but in the event that the representative is unable to attend/serve, Any other Tribal Business Council member may serve as alternate.

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#### 9) Tracy Burr Contract

**Motion:** Councilman Mervin Packineau moved to ratify the approval of the Tracy Burr Contract subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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#### 10) Abbey Tuition Assistance

Donovan & Caspie Abbey daughter is attending Johnson's Corner Christian Academy Her yearly school bill is \$1,495.00

**Motion:** Councilman Fred Fox moved to ratify the approval of the Donovan Tessa Abbey tuition assistance for Johnson's Corner Christian Academy according to policy. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye





Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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### 11) Chase Sponsorship

**Motion:** Councilman Cory Spotted Bear moved to ratify the approval of the Jesse Chase Rodeo Sponsorship for \$1,500 according to policy. Councilwoman Monica Mayer seconded the motion.

Vote: 7- Ayes. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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### 12) Circle of Life Hire

**Motion:** Councilwoman Monica Mayer moved to ratify the approval of the Circle of Life Samantha Lindgren contract from tribal supplement subject to Legal review. Councilman Mervin Packineau seconded the motion.

Vote: 7- Ayes. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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### 13) Circling Eagle Law General Fund Line Item

**Motion:** Councilman Fred Fox moved to ratify the approval of the Circling Eagle Law Contract from the General Fund. Councilman Mervin Packineau seconded the motion.

Vote: 7- Ayes. Motion carried.



Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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**14) Randy Seiler Contract Amendment.**

**Motion:** Councilman Fred Fox moved to ratify the approval of the Randy Seiler Legal Contract Amendment. Councilman Mervin Packineau seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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**B. Billie Jo Parisien Contract Issue**

Recommend to offer \$8,500 in compensation from Executive Committee.

**Motion:** Councilman Fred Fox moved to approve compensation for Billie Jo Parisien in the amount of \$8,500. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6- Ayes. 1- Opposition. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Opposed  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Discussion:** Councilwoman Monica Mayer noted that she has not seen the contract but from what she has heard should have been null & void.

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**C. Four Bears Building Resolution**



**Motion:** Councilwoman V. Judy Brugh moved to approve 21-025-FWF entitled “Approval and Authorization of Four Bears Segment to Proceed in the Building Construction Project of the “New Four Bears Segment Community Building with Approved Budget Amount of \$25,000,000.00 for Construction, Architectural and Engineering” subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Not Voting  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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#### **D. Four Bears Mortgage Resolution**

**Motion:** Councilwoman V. Judy Brugh moved to approve 21-027-FWF entitled “Approval of Housing Development Budget Amount of \$3,600,000.00 for Four Bears Segment for FY 2021.” Councilman Cory Spotted Bear seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Not Voting  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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#### **E. April Wilkinson Contract**

**Motion:** Councilman Cory Spotted Bear moved to approve the April Wilkinson Contract subject to Legal review. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Not Voting





Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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#### **F. Arikara War Horse Pendleton Resolution**

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 21-026-FWF entitled "*Approval of Contract by White Shield/East Segment with Pendleton Woolen Mills, Inc., for 250 Custom Manufactured Blankets with depiction of the Arikara War Horse for a total cost of approximately \$39,300.00.*" subject to Legal review. Councilman Fred Fox seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Not Voting  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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#### **G. Indrek Park Contract Renewal**

**Motion:** Councilman Cory Spotted Bear moved to approve the Indrek Park Contract Renewal from General Fund subject to Legal review. Councilman Fred Fox seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Not Voting  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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#### **H. South Segment Demolition Exemption**

A project to remove asbestos from the 2-story BIA building next to the Twin Buttes tribal building. The Twin Buttes segment attempted to obtain three quotes for such work but were unable to obtain such quotes due to the complexity, scope, and special nature of the work. One company, Total Control, was able to provide a written quote for \$66,980.00.

**Motion:** Councilman Cory Spotted Bear moved to approve the waiver of the





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Fiscal Management and Internal Controls policy requiring three written quotes for any purchase of goods or services from a single vendor of more than \$25,000 but less than \$100,000 and due to the specialized nature of the asbestos abatement required. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Not Voting  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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**I. Sahnish Development Association (SDA) Resolution – Philip Gullickson & Uli Fox Fred Everette**

[Audio Breakup] Discussion of audit reporting requirement for entities receiving tribal funds. Requesting subsidiary LLC, investing apartment complex in Bismarck, Board members listed for the SBA Board: Subsidiary would be owed by the SBA. Chairman Mark N. Fox noted that the SDA has the power under their charter to create a subsidiary.

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**J. Northern Badlands Indian Rodeo Association (NBIRA) Financial Request - Chaundee Chase**

Budget request for the 2021 Season in the amount of \$196,300.00.

**Motion:** Councilman Fred Fox moved to approve the financial request subject to submission of budget submission. Councilman Cory Spotted Bear seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Not Voting  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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

**A. Internship Financial Assistance Grant – Carrie Kitzberger**  
*Kathy Johnson is working on resolution and addressed*



**B. Rescinding/Replacing 19-004-FWF "Community Schools Coordinator for the New Town Public School District # 1" – Amy Mossett, Education Director**

*Item deferred.*

**XV. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer**

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**A. First Nation Innovation (FNI)/Small Business Service Center – Ed Danks**

Seeking support to develop a service center to provide technical assistance. Enhance the business environment conducive to Innovation and Entrepreneurship through a collaboration of cross disciplinary professionals to elevate small business success. FN I will facilitate success providing services and guidance from a team of professionals: Business Expertise, CPA I Accounting, Attorneys Bankers I Financing, and Information Technology. The Motivation to survive and thrive during this health and economic crises causes us to pause. Collectively develop a synergistic approach and business model strategy to serve the benefit of new and existing businesses. Create a database of useful business information using statistical analysis. Revitalize the way we do business. FNI will navigate the resources and provide due diligence. Communicate with each other by creating the business environment that fosters innovation and success. FNI will be the hub of business activity, connecting resources and people. Springboard successful business development - plan, finance, manage, grow and exit. Research and write for grants applicable to non-profits. Build a database management center crucial to business development. Minimize risk and liability ensuring all elements of a contract are in place for startups. Would also like to develop a local tribal building exchange as a service. Payroll Protection Program 2<sup>nd</sup> round is out at this time. Chairman Mark N. Fox would like the topic be discussed further at a budget work session.

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**B. Small Business Grant Proposal/Tribal Economic Stabilization Fund Cares Act – Ryan Wilson**

Submitted a draft resolution/proposal providing economic relief from the impact of the pandemic on small business. Chairman Mark N. Fox recommended \$100,000 with \$1-5,000 grants with an administrative board. Informed & summarized the SBA Paycheck Protection Program (PPP). Perhaps those larger businesses eligible for PPP not able to apply. It could fall under the seconded Care Act funding.

**Motion:** Councilman Fred Fox moved to approve budget for reservation wide for Indian owned businesses subject to Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye



Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Not Voting

**XVI. HEALTH & HUMAN SERVICES COMMITTEE - Councilwoman Monica Mayer**  
**A. Elbowoods Memorial Health Center (EMHC) Update\*** – *Dr. Kathy Eagle, CEO*  
& *Anita Martin, CMO.*

*Item deferred.*

**B. Tribal Health\***

*Item deferred*

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**C. Life & Limb\*** – *Alva Irwin, Grants & Donations Director*

**Motion:** Councilwoman Monica Mayer moved to approve A-P according to policy:

- R.F.A.[XXXXXX] placed on Life & Limb.
- P.H.[XXXXXX] placed on Life & Limb.
- J.L.F.[XXXXXX] placed on Life & Limb.
- T.K.Y.B.[ XXXXXX] placed on Life & Limb.
- K.D.V.[ XXXXXX] placed on Life & Limb.
- J.K.H.[ XXXXXX] placed on Life & Limb.
- T.C.J.[ XXXXXX] placed on Life & Limb.
- E.B.F.[ XXXXXX] placed on Life & Limb.
- F.E.[ XXXXXX] placed on Life & Limb.
- J.B.[ XXXXXX] placed on Life & Limb.
- G.L.P.G.B.[ XXXXXX] placed on Life & Limb.
- D.R.W.[ XXXXXX] placed on Life & Limb.
- M.E.G.[ XXXXXX] request assistance for the cost to remodel her bathroom to make it handicap accessible. \$8,401.00.
- D.I.[ XXXXXX] assistance to pay for cataract surgery she had in both eyes. \$3,491.76.
- C.I.[ XXXXXX] assistance to pay for prescription glasses \$694.50.
- S.D.G.[ XXXXXX] assistance to pay for her dental work \$9,890.00

Councilman Cory Spotted Bear seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye



Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Not Voting

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**D. Good Road Recovery Center\* (GRRC) - Dashell Thunder, Acting Executive Director & Tracy Burr**

**1) Updated Policy Regarding Programs and Corresponding Staff Eligible for Paid Holidays.**

When an employee is scheduled to work during a holiday (listed below), he/she will be compensated at a rate of time and half of the employee's regular rate of pay. This policy is ONLY applicable when the employee is physically working during the holiday in question-this does not relate to paid days off due to a holiday.

The following list of staff are the only staff eligible for the increased hourly pay rate while working on holidays:

1. Residential Technicians (and Leads)
2. Nursing Staff
3. Security Officers
4. Food Service Assistant
5. Lead Cook
6. Clinical Staff

Below is a list of applicable holidays to be paid when worked at the above referenced compensatory rate:

- New Year's Day
- Martin Luther King Jr. Day
- All Chiefs Day
- Good Friday (observed at 12:00pm)
- Easter
- Memorial Day
- Independence Day
- Labor Day
- First Nation's Day
- Veteran's Day
- Thanksgiving
- Christmas Eve
- Christmas Day

On the way to becoming a ASAM Level 3.5 treatment unit. Still in need of additional staff & potentially additional funding. After performing a variance analysis, it was determining that due to the pandemic there may be some unused room in the budget. Will do a budget modification to bring on the additional staff.





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Chairman Mark N. Fox requested a report of the donated funds from 1 ½-2 years ago.

**Motion:** Councilman Cory Spotted Bear moved to approve the submitted GRRC Paid Holiday schedule for essential employees at time & a half as policy and to supersede any previous policy. Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Not Voting

## 2) Advisory Board

**Motion:** Councilman Fred Fox moved to grant authority to the Chairman to appoint a temporary Good Road Recovery Center Advisory Board. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Not Voting

**Discussion:** Chairman Mark N. Fox asked that the council to submit any recommendations. Also noted that one of the five members will be Ruth Knutson.

### E. Administration American Vocational Rehabilitation Services Resolution – *Jamie Hall*

*Item deferred.*

### F. Insurance RFP – *Charity Yessilth, Human Resources*

Councilwoman Monica Mayer noted that the tribe is taking proposals for membership insurance. Tribal-Care is the current insurance broker. Current transition deadline is set at March 29<sup>th</sup> may need to extend out to the 2<sup>nd</sup> quarter.



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Self-Funded Insurance for members schedule for approval with an approval deadline of June30/July 1<sup>st</sup> flip. Thinks that at this time there are 6 proposals for Third Party Administrator services and thinks that at some point a special TBC may need to be called to address. Councilwoman Monica Mayer recommended having the tribe develop an Insurance Management dept. within the org chart with segment liaisons. Chairman Mark N. Fox asked Charity Yessilth to begin developing the dept.

**G. T.B. Medical (Closed Session)**

**H. C.A. Medical (Closed Session)**

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

**A. Tribal Court Report\* - Elizabeth Yellow Bird & David Christenson**  
*(See Closed Session)*

**B. TAT Law Enforcement Report\***

*Item deferred.*

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**C. Public Safety Division of Drug Enforcement Report\* – Gerald “Chip” White Jr., Chief**

Submitted January report for the record that included recent activities.

**D. Merging of the Three Affiliated Tribes Law Enforcement Services and the Appointment of Acting Chief of Tribal Law Enforcement-Resolution**

*Item deferred.*

**XVIII. CULTURAL COMMITTEE – Councilwoman Sherry Turner-Lone Fight, Chair**

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

**A. Chairman Mark Fox- Reserved**

**B. Chairman Mark Fox – Reserved**

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**C. Councilman Cory Spotted Bear – ITBC Grant Resolution - Jessica White Plume**

Jessica White Plume submitted request for approval for South Segment to submit grant application for the 2020 Herd Development Grant through the Intertribal Bison Council.

**Motion:** Councilman Cory Spotted Bear moved to approve 21-028-FWF entitled “Approval for South Segment to Submit an Intertribal Bison Council Grant Proposal – 2020 Herd Development Grant” subject to Legal review. Councilman Fred Fox seconded the motion.

Vote: 7- Ayes. Motion carried.



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Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

- D. Councilman Cory Spotted Bear – *Reserved***  
**E. Councilman Fred W. Fox – Michael Yellow Bird Book**

*Item deferred.*

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- F. Councilman Fred W. Fox – Bryon Brady Sr. Years of Service - B.J. Brady**

***Motion:*** Councilman Cory Spotted Bear moved to approve amending previous action concerning the Bryon Brady Sr. Years of Service to the verified amount and per policy. Councilwoman Monica Mayer seconded the motion.

Vote: 7- Ayes. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

***Discussion:*** After approving a specific amount & years of service it was found that addition years of service were not accounted for and it was agreed to amend reaffirm approval to approve the amount that the research bore out and according to policy. It was noted by the CEO there no cap on the number of years.

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- G. Councilman Mervin Packineau – Minnie Two Shields Request**

***Motion:*** Councilman Fred Fox approve for to Boone to pay for the requested procedure. Councilwoman Monica Mayer seconded the motion.

Vote: 7- Ayes. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye





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Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

- H. Councilman Mervin Packineau – *Reserved*
- I. Councilwoman Monica Mayer – *Reserved*
- J. Councilwoman Monica Mayer – *Reserved*

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**K. Councilwoman V. Judy Brugh – Robert White Home Sale**

**Motion:** Councilman Fred Fox moved to approve resolution no. 21-029-FWF entitled “*Robert White Home purchase*” subject to Legal review and other requirements. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Discussion:** From Four Bears segment funding. To insure that the home is free & clear. Appraisal amount of \$310,000.

- L. Councilwoman V. Judy Brugh – *Reserved*
- M. Councilwoman Sherry Turner-Lone Fight – *Reserved*
- N. Councilwoman Sherry Turner-Lone Fight – *Reserved*

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

*Item deferred.*

**XXI. CLOSED SESSION:**

- A. Human Resources (HR)\* – *Melissa Brady, Director*
- B. Internal Transfer Satellite Office
- C. Legal\* – *John Fredericks*
- D. Chase Probate<sup>3</sup>
- E. T.B. Medical
- F. C.A. Medical
- G. Tribal Court Report\* - *David Christenson, Chief Judge & Elizabeth Yellow Bird, Administrator*
- G. Sahnish Development Association





- H. Cindy Packineau
- I. TERO Attorney Contract
- J. Medical Assistance Ratification

**XXII. ADJOURNMENT:**

*Motion:* Councilwoman Monica Mayer moved to adjourn the meeting. Councilman Cory Spotted Bear seconded the motion. Meeting adjourned the meeting at 3:57pm. 7-0






### 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, 7 were present at the Regular Meeting thereof duly called, notice, convened and held on the 10<sup>th</sup> of March, 2021; 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 10<sup>th</sup> day of March, 2021

ATTEST:

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

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