



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
APRIL 8th, 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 10:56AM in the Tribal Chambers.

ROLL CALL:

Present: Councilwoman Monica Mayer, Councilman Cory Spotted Bear, 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:

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 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 Present

II. APPROVAL OF MINUTES:

- **3/10/2021 Regular Meeting minutes.**

Motion: Councilwoman V. Judy Brugh moved to approve the 3/10/2021 minutes subject to minor corrections. Councilman Fred Fox seconded the motions.

Vote: 6- Ayes. 1- Not Present. 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 Present



III. SPECIAL GUESTS & ELDERS

TAT_20210408-1014_01d72c5ffe071152.mp3

A. **Jesse White Honoring** – *Jesse White, Delores White, & Sreech Mason*

2021 ND Mr. Basketball, 2021 Class B Senior Athlete of the Year, 2nd All Time Scorer in ND – 2,810 Points, 1st Team All-State. Jesse honored by the Tribal Business Council with words of encouragement & special gifts.

TAT_20210408-1004_01d72c5e97220b6e.mp3

B. **White Shield Schools** – *Stacey Blacksmith, Superintendent, Brenda White Bull & Students*

Moccasins Across The World. 11 students will be traveling overseas in June 2021 with the Summer Italy and Germany Adventure Tour. The is requesting requesting assistance to help with travel, food and hotel costs. Travel costs: \$53,900.00. The group has raised about \$10,000 and are seeking assistance with the remaining \$43,000. Councilman Fred Fox noted that the group attended all the recent State hearings to bring Native American History to school curriculum.

Motion: Councilwoman V. Judy Brugh moved to approve a contribution of \$5,000 from fund code 380 & authority for each segment office to contribute up to \$500 each & the casino authority to contribute. Councilman Fred Fox seconded the motion.

Vote: 6- Ayes. 1- Not Present. 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 Present

FTR: *Councilwoman Sherry Turner-Lone Fight joined the meeting. Birthday wishes for Chairman Mark N. Fox's son Ellijah Jiran Fox & Councilwoman Monica Mayer.*

TAT_20210408-1109_01d72c67b21bac82.mp3

C. **Alice Harwood**

Currently working P/T for Councilman Mervin Packineau as the North East Segment Community Development Specialist. Part of her assigned duties is to help people with their Fee to Trust issues, but due to the Privacy Act she is required to get permission to access their information. Recently while working with the Great Plains Regional Office she was asked to look into a transaction from October 2019 that went without action. After checking with Natural Resources it was found to be true. In the Fee to Trust process, if there is no response from the person presenting it, then within a year they closed it out. Currently working on bringing undivided fee lands into trust in the Parshall



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
APRIL 8th, 2021 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

area. Seeking permission to have access to these tribal records. It was agreed that a motion & letter from the Chairman to the BIA giving Alice Harwood permission to review the tribal records with the BIA. On a separate issue Alice Harwood noted she was informed that the probates have been completed at the Regional Office and was asked to notify families of their completion. Chairman Mark N. Fox related the need for local Technical Assistance to get tribal fee land into trust.

Motion: Councilman Fred Fox moved to approve delagation of authority for Alice Harwood to review BIA/Regional Office records to complete the Fee to Trust process for North East Segment. 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: Alice Harwood will return with a letter of authority for the Chairman's signature.

EXECUTIVE COMMITTEE REPORTS

TAT_20210408-1114_01d72c68654360a2.mp3
IV. CHAIRMAN'S REPORT - Chairman Mark N. Fox

Presented a report of recent activities and upcoming events. Much of the Chairman's time this month were spent on legislative activities at the State Capital. Key areas included e-tab effect on tribal casinos, Alcohol Tax & a duel tax, & straddled wells. Work continues to complete a new transitional living center in Bismarck with grand opening next month. Next week will be the Green House Ground Breaking. Agency Consultation efforts by the Biden Administration. Disbursements to be mailed out the last Monday in April. Recognized all the emergency service agencies that responded to the recent Hawk Apartment fire in New Town.

TAT_20210408-1119_01d72c69192848b2.mp3
V. VICE CHAIRMAN'S REPORT – Councilman Cory Spotted Bear

Twin Buttes Community report. Segment still following COVID mitigation policies at all events. Expressed the importance of a clean community.

TAT_20210408-1124_01d72c69cd2e091e.mp3
VI. EXECUTIVE SECRETARY'S REPORT – Councilman Fred Fox



Provided Record's Office update. Community report presented & noted recent School Prom and upcoming Community Easter Dinner.

TAT_20210408-1129_01d72c6a80348ae2.mp3

VII. TREASURER'S REPORT - Councilman Mervin Packineau

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

Presented expense report with updated budget results from the recent work sessions.

Motion: Councilman Fred Fox moved to approve resolution no. 21-067-FWF entitled “*Approval of Amended Fiscal Year 2021 General Fund Budget for the Three Affiliated Tribes*” 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

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 21-068-FWF entitled “*Authorization for a one-time Disbursement of Funds from Tribal Oil & Gas Royalty Revenues to All Enrolled Members of the Three Affiliated Tribes*” 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

Discussion: \$1000/with deductions with \$250 minimum.

Motion: Councilman Fred Fox moved to approve resolution no. 21-069-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 \$19,750,000.00*” subject to Legal Review. 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: Councilwoman V. Judy Brugh moved to approve resolution no. 21-070-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 \$16,600,000.00*” subject to Legal review. 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

B. Mortgage Program – Val Mayer, Credit Manager

Item deferred.

TAT_20210408-1144_01d72c6c9a4e98ee.mp3

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

Motion: Councilman Cory Spotted Bear moved to approve Group A: Small Loan Application: subject to Loans Policy & recommendations. 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: Kelly Foote, Shania White Bear, and Rose Davis included in the motion.



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

VIII. SEGMENT UPDATES:

TAT_20210408-1150_01d72c6d4e345eca.mp3

A. North Segment – *Councilwoman Monica Mayer*

Provided update on the recent fire at Hawk #2 Apartments. 34/36 units occupied with 84 adults & children. All tenants were accounted for with no fatalities. Commended all the Emergency Service agencies involved in the 16-hour ordeal. Will be 3-4 weeks for the Fire Marshall report. Cleanup to be contracted out as soon as the insurance come in. Working with Housing to find housing for the tenants who are currently staying at the Casino. Special thanks to the 4Bears Casino for all their assistance to provide housing & meals for the fire victims.

B. Four Bears Segment – *Councilwoman V. Judy Brugh*

Item deferred.

TAT_20210408-1124_01d72c69cd2e091e.mp3

C. West Segment - *Councilwoman Sherry Turner-Lone Fight*

Community update included a site established for Assisted Living, Community Board re-established, Care Sober Living Center opening, Mandaree Staff Training, Pow-wow Committee decided on celebration this year, Hidatsa Housing is breaking down on those that aren't paying their rent.

IX. OFFICER REPORTS:

TAT_20210408-1205_01d72c6f67414034.mp3

A. Chief Executive Officer Report* – *Scott Satermo, CEO*

1) Executive Orders*

Motion: Councilman Cory Spotted Bear moved to ratify Executive Action EA2021-10;

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and directs tribal employee Marty Young Bear, and other tribal employees assigned by Councilman Spotted Bear, to travel to the Fort Peck Indian Reservation, take possession of the buffalo, and transfer the buffalo via stock trailers or other safe and efficient means from the Fort Peck Reservation to the South Segment of the Fort Berthold Reservation.

Councilwoman V. Judy Brugh seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
APRIL 8th, 2021 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

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

TAT_20210408-1205_01d72c6f67414034.mp3

- 2) **Enrollment*** – *Sevant S. Taft, Enrollment Director*
Currently accepting member address updates.

Motion: Councilman Fred Fox moved to approve resolution no. 21-071-FWF entitled “Approval of 31 (Thirty-One) Applicants for Enrollment into the Three Affiliated Tribes” Councilman Cory Spotted Bear seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting

Discussion: Today’s Approvals to be part of the distribution. 16,808 Total tribal members. Tribal Employees will be receiving notice to come in and get their new ID according to a schedule by dept.

TAT_20210408-1210_01d72c701a418fe0.mp3

- 3) **Tax Department Report*** – *Cynthia Monteau, Tax Commission Director*
Submitted Monthly Collections Report for the record via phone. \$19.1 Million, down from \$7.8 million from March of last year. YTD FY20/21 is \$95 million with is down \$56 million for the 6 months of last fiscal year. COVID impact loss at 120 million. COVID impact to surrounding counties affected did not receive Oil Extraction Tax but received the Production Tax. Closet loss amount to the Three Affiliated Tribes is McKenzie County. 94% of TAT revenue received is from of oil and gas. State Oil & Gas Report submitted based on the State agreement. Motor Vehicle Fuels Tax at \$588,000 for 6 months compare to \$1.2 million in 6 months in 2020. Tribal member refunds processed report submitted. Alcohol Tax update: Legal is working on the next step of enforcement. Retailer & suppliers report. Hotel Tax Report submitted. Business License collections report submitted.

Motion: Councilwoman V. Judy Brugh moved to approve the following Business Licenses (6):

- **Bell Energy Services LLC** - Burton Bell – New – Trucking – New Town, ND.



- **Apple Construction LLC** - Yousef Abumayaleh – New – Construction - New Brighton, MN
- **S & D Services LLC** - Dale Little Soldier – New - Oilfield Services - New Town, ND.
- **Los Buenos Recuerdos Mexican Restaurant** - Paul Mendez Romero – New – Restaurant - Parshall, ND.
- **Ferguson Enterprises** - Greg Thompson – New - Oilfield Services - Fargo, ND.
- **Marathon Oil Company** - Marathon Oil Company – New - Oil & Gas - Dickinson, ND.

Councilman Mervin Packineau 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

Discussion: Chairman Mark N. Fox expressed concern with businesses utilizing names that present a connotation of governmental affiliation. Item #6 Fort Berthold Services LLC is approved subject to name change. Councilman Cory Spotted Bear asked that companies that did not support the stranded well legislation be looked at. Chairman Mark N. Fox noted only one of the 8 did not support the legislation. Background checks as part of the licensing process need to be improved and eventually part of a regulatory apparatus.

X. UNFINISHED BUSINESS

A. Land Sale – New Town, North Segment³[NRC]

Item deferred.

B. Merging of the Three Affiliated Tribes Law Enforcement Services and the Appointment of Acting Chief of Tribal Law Enforcement-Resolution²[Judicial]

Item deferred to Judicial Committee.

TAT_20210408-1230_01d72c72e85a2fac.mp3

C. EMHC Cosmetic Services Dental Policy²[Health] – Dr. Kathy Eagle, CEO & Dr. Anita Martin

Submitted purposed policy and requested further action in Execution Committee.
Submitted report on Dentistry expenditures by year. Misconception is that EMHC



does not cover dental services & procedures with the March 10th report refutes. One challenge is provided payment for cosmetic procedures such as crowns, bridges, & dentures. Purposed that the tribe set up a fund to cover the cost of cosmetic dentistry. Kathy Eagle noted that EMHC does charge a lab fee due to cosmetic services are not under their 638 contract. Yearly expenditure ranges from \$26,900 - \$34,790 with half being self-pay or from segment assistance. Requesting fund for payment so that members don't have to go to the segments. Policy needs further review. The EMHC dental budget is just under \$1 million. Councilwoman Monica Mayer noted that we have always had issues dental services and we need a report on how much the tribe is paying for these services. Kathy Eagle noted that a federal fund doesn't cover these services. Councilwoman Monica Mayer disagreed with the statement and expressed the need to step up preventative services for youth. Kathy Eagle noted that with the new facility and their long term plan they do want to offer pediatric dentistry and orthodontics for the members. Chairman Mark N. Fox expressed that preventative is key and tied to overall health and life expectancy. Kathy Eagle noted the new building will have 12 bays and allow for the hiring of more staff and breaking ground soon.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

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

TAT_20210408-1245-01d72c7504233d76.mp3

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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 21-072-FWF entitled “*Approval of Home Site Leases and Utility Corridors for Home Sites – April, 2021*” [Elizabeth Tikanye, Clairesse and Nathan White Horse, Leigh Arlis Brown Eyes, Michaela Ann Bacon]. subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting

Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 21-073-FWF entitled “*McKenzie Electric Easement*” [Four Bears Utility Corridor]. subject to Legal review. Councilman Cory Spotted Bear seconded the motion.



Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilwoman Monica Mayer moved to approve resolution no. 21-074-FWF entitled “*RTC/FBRW Easment*” subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 21-075-FWF entitled “*Consent to Certain Rights of Way across Tribal land for the Edward Danks' Easement*”. Subject to Legal Review. Councilman Cory Spotted Bear seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 21-076-FWF entitled “*Request to the Secretary of Interior to Acquire Certain Tribal Fee Lands in Trust for the Benefit of the Mandan Hidatsa & Arikara Nation*”. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
APRIL 8th, 2021 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 21-077-FWF entitled “*Request to the Secretary of Interior to Acquire Certain Tribal Fee Lands in Trust for the Benefit of the Mandan Hidatsa & Arikara Nation*”
Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

Short discussion of including added lands outside the reservation boundaries that is defined in the Constitution.

TAT_20210408-1255-01d72e766a2669bc.mp3

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

Final year of the grazing season ending in May. El Marie Conklin noted that there is legal action pending with the lease percentage but acting on a resolution changing the Wilber Hunts Along/Fredericks range unit allocation back to 50% could move the case along. Chairman Mark N. Fox recommended that there be no action until the case is resolved. El Marie Conklin noted that the case is against the Tribe by Wilber Hunts Along. Chairman Mark N. Fox recommended the item be discussed in Closed Session with Legal present.

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 21-079-FWF entitled “*Ag Leases resolution*” (West, Four Bears, North Segment) Except South Segment subject to Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye



Motion: Councilman Cory Spotted Bear moved to approve resolution no. 21-080-FWF entitled “*Shared Ag Lease*” [East Segment] subject Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

Texx Lone Bear asked to reaffirm NRD handing of Ag lease approvals with owners share greater than 50%. Chairman Mark N. Fox asked that they continue to come before the TBC for approval.

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

Item deferred.

TAT_20210408-1310_01d72c788443f344.mp3

D. Burn Ban Resolution – Marle Baker, Fire Management Officer

Motion: Councilman Fred Fox moved to approve resolution no. 21-081-FWF entitled “*Approval of the 2021 Fort Berthold Reservation Burn Ban.*” & Fine Schedule (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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

Discussion: Councilwoman Monica Mayer recommended fines. Fine Schedule Matrix & can be utilized on an interim basis until Legal review is completed.

TAT_20210408-1315_01d72c79374cae2c.mp3

E. Benjamin Good Bird Request – Benjamin Good Bird & Wendi Wells

Requesting letter of support for a turning lane to his home off of Hwy. 23 due to the high traffic. DOT has reviewed and agreed. Wendi Wells expressed that the family



is asking for support to address safety concerns on Hwy. 23. Scott Satermo noted that this stretch of highway is the busiest in ND. CEO will develop a task force to gather information and submit to ND.

F. Range Unit 204 – Wilber Hunts Along (moved to Closed Session)

TAT_20210408-1330_01d72c7b514c1d24.mp3

G. Buffalo Ranch Fence Line

Chaundee Chase request for funding for buffalo fence repair that abuts his land. Councilman Cory Spotted Bear will work with the West Segment Representative on this for a line item increase. Chairman Mark N. Fox noted that we have general approval & mentioned the beautification crew that could help.

Motion: Councilman Cory Spotted Bear moved to approve fence repair with bids. Councilman Mervin Packineau 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

H. Game & Fish Proclamations

Item deferred.

I. Fee to Trust – Mercer

TAT_20210408-1330_01d72c7b514c1d24.mp3

J. Emergency Declarations Reservation Wide – Councilwoman Sherry Turner-Lone Fight

Motion: Councilman Mervin Packineau moved to approve Reservation Emergency Declaration subject to Legal review & program matrix/schedule & eligibility requirements establishment.

Councilwoman Sherry Turner-Lone Fight 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

Discussion: Livestock Hay Relief. Each segment will need determine their need.

XII. ENERGY COMMITTEE – Councilman Fred Fox, Chair

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

Submitted report. With next Energy Committee meeting on the 28th. Price of oil is around \$68/barrel. Provided a summary of operator drilling plans.

1) Amending Fee Structure Resolution 18-212-FWF

Motion: Councilman Fred Fox moved to approve resolution no. 21-082-FWF entitled “Amending Right Of Way Fee Schedule” Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

B. ROW’s*–Paul Grady & Harriette Clah

Motion: Councilman Fred Fox moved to approve resolution no. 21-083-FWF entitled "Consent to Approval of a Right-of-Way across Tribal land (1083A, 1082A) for WPX Bird Bear 35-28 submitted by McKenzie Electric Cooperative Inc." subject to THPO concurrence. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye



Motion: Councilman Fred Fox moved to approve resolution no. 21-084-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal land (1083A) submitted by McKenzie Electric Cooperative Inc.*" [McKenzie Electric - WPX Gerald Hale & Young Bird Pad Project.] Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 21-085-FWF entitled "*Consent to Approval of a Right-of-Way for Enerplus Strings North pad across Tribal land (1083A, 709A, T71 OA) submitted by McKenzie Electric Cooperative Inc.*" [McKenzie Electric – Enerplus Strings North Pad]. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 21-086-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal land (607A) submitted by McKenzie Electric Cooperative Inc.*" [Petroshale TAHU Pad Project]. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
APRIL 8th, 2021 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

Motion: Councilman Fred Fox moved to approve resolution no. 21-087-FWF entitled "Consent to Approval of a Right-of-Way for the WPX Good Voice 34-27H across Tribal land (1083A) submitted by McKenzie Electric Cooperative Inc." Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 21-088-FWF entitled "Consent to Assignment of BIA ROW No. FBOG101252 across Tribal Land (371A) Submitted by Marathon Oil Company" [Marathon - Joba USA]. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 21-089-FWF entitled "Consent Nunc pro Tunc to BIA ROW No. FBOG090023 across Tribal land (T437A-A and 371A) for the Fisher USA 21 Project Submitted by Marathon Oil Company" Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 21-090-FWF entitled "Consent to Amend BIA Row No. FBOGJ 00582 (Modification No. 1) across Tribal land (Allotment 1007A) submitted by RimRock Oil & Gas



Williston, LLC". [Moccasin Creek 14-11 Pad]. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 21-091-FWF entitled "*Consent to Amend BIA Row No. FBOGJ 01117 (Modification No. 3) across Tribal land (Allotment 643A) submitted by RimRock Oil & Gas Williston, LLC*". [Two Shields Butte 13-21] Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

XIII. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

A. Ratification of 4/7/2021 Executive Committee items:

1) Charles Hall Youth Home Purchase Agreement.

Motion: Councilman Fred Fox moved to ratify approval of the Charles Hall Youth Home Purchase Agreement subject to appraisal & negotiation. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye



2) NAFFA Proposal Development

Motion: Councilman Fred Fox moved to ratify approval of the proposal development by the Native American Fatherhood & Families & Association (NAFFA) for services. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting

Councilwoman Sherry Turner-Lone Fight – Aye

TAT_20210408-1350_01d72c7e20474746.mp3

3) Sandy Thompson Contract

The purpose of this contract is to further the mission, purpose, and objectives of the Good Road Recovery Center by providing consultative services including but not limited to; case staffing, addiction evaluations, evaluation review and updates, records review, group and individual therapy, and other services as necessary, to fulfill the need to increase addiction services for Good Road Recovery clients.

Motion: Councilwoman Monica Mayer moved to ratify approval of the Sandy Thompson Contract. Councilman Cory Spotted Bear seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting

Councilwoman Sherry Turner-Lone Fight – Aye

TAT_20210408-1350_01d72c7e20474746.mp3

4) Sommeral Turner, LAC Contract

The purpose of this contract is to further the mission, purpose, and objectives of the Good Road Recovery Center by providing consultative services including but not limited to; case staffing, addiction evaluations, evaluation review and updates, records review, group and individual therapy, and other services as necessary, to fulfill the need to increase addiction services for Good Road Recovery clients.



Motion: Councilwoman Monica Mayer moved to ratify approval of the Sommeral Turner, LAC Contract. Councilman Cory Spotted Bear seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

TAT_20210408-1350_01d72c7e20474746.mp3

5) UND/Rain Agreement

Motion: Councilwoman Monica Mayer to ratify approval of the UND/Rain agreement. Councilman Cory Spotted Bear seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

TAT_20210408-1350_01d72c7e20474746.mp3

6) Walleye Tag Contest

Motion: Councilman Cory Spotted Bear moved to ratify approval of the funding for the Walleye Tag Contest at \$20,000. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye



Discussion: Councilman Cory Spotted Bear would like a study. Chairman Mark N. Fox thought Game & Fish can do something.

TAT_20210408-1240_01d72c74504bf6ee.mp3

7) Dr. Anita Martin CMO Contract Renewal

Motion: Councilman Mervin Packineau moved to ratify approval of the Dr. Anita Martin EMHC contract renewal. 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

TAT_20210408-1240_01d72c74504bf6ee.mp3

8) Dr. Michael Jones Contract (Internal Medicine)

Motion: Councilwoman Monica Mayer moved to ratify approval of the EMHC Dr. Michael Jones Contract. 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

TAT_20210408-1350_01d72c7e20474746.mp3

9) Robert Werlinger Contract

Justice Center Consultant services.

Motion: Councilwoman Monica Mayer moved to ratify approval of the Robert Werlinger Contract. Councilman Cory Spotted Bear seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

TAT_20210408-1350_01d72c7e20474746.mp3

10) Patty Marks Invoice Payment

Motion: Councilwoman Monica Mayer moved to approve resolution no. 21-092-FWF entitled “*Approval Of Payment For Peebles, Kidder, Bergin & Robinson Invoice*” Councilman Cory Spotted Bear seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

TAT_20210408-1355_01d72c7ed4209790.mp3

B. Director of Thunder Butte Petroleum Services Resolution

Appointment of Kenny Lyson to the Board.

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 21-093-FWF entitled “*Replacement of Director of Thunder Butte Petroleum Services, Inc. via Appointment Of New Director*” Councilwoman Sherry Turner-Lone Fight 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

TAT_20210408-1355_01d72c7ed4209790.mp3

C. ET Tours Donation Request

Motion: Councilman Cory Spotted Bear moved to ratify approval of the ET Tours Donation Request. Councilwoman V. Judy Brugh seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting

TAT_20210408-1355_01d72c7ed4209790.mp3

D. EMHC – Direct Medical Care To Certain Non-Beneficiaries Resolution

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 21-094-FWF entitled “Authorizing Provision of Direct Medical Care To Certain Non-Beneficiaries Pursuant to § 813 Of the Indian Health Care Improvement Act as Amended”. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting

TAT_20210408-1355_01d72c7ed4209790.mp3

E. New Town Fire Department Fire Protection Contract- John DeGroot

Motion: Councilwoman Monica Mayer moved to approve payment of invoices submitted 2017-2020 for \$102,388.70. 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: Funding part of the budget resolution. Chairman Mark N. Fox recommend completing a resolution for the contract.

TAT_20210408-1355_01d72c7ed4209790.mp3



F. Memorandum of Agreement with FEMA for the Implementation of IPAWS – EOC

Motion: Councilwoman Monica Mayer moved to approve the “*Memorandum of Agreement with FEMA for the Implementation of IPAWS*”. 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

XIV. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer, Chair

TAT_20210408-1400_01d72c7f873f0ffa.mp3

A. Home Mortgage – Twila Jerome

Home appraised at \$150,000 and requesting \$100,000 mortgage to build an addition to her exiting home.

Motion: Councilwoman Monica Mayer moved to approve a \$100,000 mortgage loan subject to Loan Policy & requirements. Councilman Mervin Packineau 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

XV. HEALTH & HUMAN SERVICES COMITTEE - Councilwoman Monica Mayer, Chair

TAT_20210408-1240_01d72c74504bf6ee.mp3

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

1) Dr. Anita Martin Contract

(See Executive) addressed in Executive Section

2) DocStar Contract



Item deferred.

TAT_20210408-1240_01d72c74504bf6ee.mp3

3) EAPC Contractual Amendment

Estimated 6.5% cost of GMP for Dental/Optomety building and estimated at \$6,531,804. Cannot get the official GMP due to Contract Agreement with Legal & contractor cannot bid out so the cost is going up for the A&E. Chairman Mark N. Fox noted we need to eventually on the regional level to let them know of the problems getting the project moving. Chairman Mark N. Fox expressed that the rate should never go up even with the building getting larger.

Motion: Councilman Fred Fox moved to approve contractual amendment at a 6.5% GMP rate. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye

B. Tribal Health*

Item deferred.

TAT_20210408-1405_01d72c803a5cd004.mp3

C. Life & Limb* – Alva Irwin, Grants & Donations Director [HIPAA SESITIVE]

Motion: Councilwoman Monica Mayer moved to approve the following applications for Life & Limb assistance:

- **C.E.L.[Credence Eagle Lindley]**
- **M.P.C.[Minnie Plenty Chief]**
- **C.J.W.[Charlene J. Williams]**
- **M.D.[Mia Deschamp]**

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 – Aye



Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Not Voting

Motion: Councilman Cory Spotted Bear moved to approve the following assistance requests for assistance according to policy:

- G.B.[XXXXXXX], dental assistance. \$2,968.00
- C.J. [XXXXXXX], dental assistance. \$1,990.00
- I.D.M.[XXXXXXX], medical bills. \$2,104.21
- A.K.M.[XXXXXXX], dental bill. \$3,657.52
- G.J.M.[XXXXXXX], eye glasses. \$1,010.00
- A.I.S.[XXXXXXX], dental costs. \$4,334.00
- K.B.[XXXXXXX], dental costs \$28,170.00
- J.A.F.[James A Frye Sr.], CAT Scan. \$689.71
- H.B.[XXXXXXX], dental costs. \$2,518.93
- E.M.B.[XXXXXXX], eye glasses. \$666.00
- E.R.C.[XXXXXXX], walker. \$245.00
- M.P.G.[XXXXXXX], medical bills \$174.47 & \$303.00.

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

Motion: Councilman Cory Spotted Bear moved to approve reimbursement at 50% for [XXXXXXXXXX] a dental bill. 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

D. Good Road Recovery Center* (GRRC) –



Item deferred.

1) Sandy Thompson Consultant Contract –

Addressed in Executive

E. Tribal-Care – Pam Lewis

1) Sober Living 90-day Cap.

Total Paid in 2020- \$93,544.24, Total Paid in 2021 to Date- \$32,271.23 Total- \$125,825.47. Sober living was approved to be paid by the plan in 2020 due to COVID. There was no end date put into place for this approval and there were also no restrictions placed. All of those who are in Sober Living do go through the MHA Recovery Team (Meranda Marcellais and Brooklyn Maxon). Sober living is not something that is covered by insurance. These facilities are not set up to actually bill/submit claim forms to insurance for these expenses. Currently, the insurance company process these expenses by receiving invoices from the facility and then just sending them a check. These payments are made OUTSIDE of the plan document. We can continue doing this as is, but we wanted to make sure council was aware of what was going on. Our recommendation, if council chooses to continue providing members access to Sober Living to be paid for by the claims fund, is to put a time restriction on how long it is paid for. We believe a good time frame for this would be 90 days. Bring it to Chairman Mark N. Fox's office or North Segment office to do an Executive Action. Resolution should cover today's date.

Motion: Councilwoman Monica Mayer moved to approve a 90-day time restriction for payment. 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

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

TAT_20210408-1415_01d72e81a235e21e.mp3

- A. Tribal Court Report* - Elizabeth Yellow Bird & David Christenson, Chief Judge**
Submitted Monthly Court Report for the record. The Court plans on having the first Wellness Court docket on April 12th. Two Wellness Court staffings will have been held before April 12th. Virtual training for the Wellness staff and elders board has been arranged. The job description for the Wellness Court coordinator



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
APRIL 8th, 2021 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

has finally been posted. Sharon Thompson has volunteered her staff to work with the Court until the coordinator is hired. The Court continues to address COVID 19 epidemic by screening at the entry for all public and staff who work in the building, face covering for everyone and regular cleaning and sanitizing this facility and practicing social distancing. The Court is scheduling as many hearings as possible using Zoom or by telephone. We continue the "clean-up of the Full Court files" as well as finishing up filing the boxes of documents from the old court building. Many of our FBDC files were incomplete and needed updating because of the high turnover in Court staff in previous years. The Court is undertaking the task of preparing our own Policies and Procedures Manual. A draft has been completed and will be reviewed again for any updates. The Court continues to address the Tribal Codes by working with the Justice Commission and the TBC legal department. The Justice Commission met via Zoom March 26th _ Sharon and Tyra continue to find resolutions since 1995 to assure codes are updated and accurate. The Justice Commission will work with Sharon and Tyra to determine a date to work on the tribal code. The Court has utilized the Native American Fathers and Families Association (NAFFA) for sessions with the Juveniles. This is an excellent program and has benefitted the students thus far. The Court will consider mandatory sessions in 2 months after reviewing its success. The Court Magistrate Judge, 2 bailiffs and the 2 Adult Probation Officers positions closed, we have completed the interviews and documentation for the adult probation officers and the bailiffs and are waiting on TBC for final approval to start. The Chief Judge has completed an updated Organizational chart for your review, however, we have been told that the Chief Finance officer will work on getting all departments on the same organizational format/template. The Court continues to meet with the Justice Center, PD and the Court to review any issues. These have been very good meetings and lets all departments know any issues or concerns and updates. The Court requests to pay Mr. Terry Pechota for services to the court last year, in the amount of \$2,257.63. Mr. Pechota provided judicial services when there was a conflict. Mr. Pechota only recently signed his contract which is the reason for the delay.

Motion: Councilman Cory Spotted Bear moved to approve payment to Terry Pechota for services to the court last year, in the amount of \$2,257.63. 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



TAT_20210408-1430_01d72c83bc56b46e.mp3

- B. TAT Law Enforcement Report* - Marty Foote, Acting Chief of Police**
Provided report & March Report for the record. Overdose & NARCAN Report. Today we have 29 officers on the road up from 14 this time last year. Calls for Service: 1235. Incident/ Case Report: 228. Councilwoman Monica Mayer noted the drug of choice is fentanyl & New Town being the center of drug activity on the reservation.

TAT_20210408-1435_01d72c8470328170.mp3

- C. Public Safety Division of Drug Enforcement Report* – Gerald White, Jr., Chief**
1) **Banishment of Jumero James**

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 21-095-FWF entitled “*Exclusion of 16 Individuals from the Fort Berthold Indian Reservation*” 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

TAT_20210408-1500_01d72c87f0424370.mp3

- D. Amending Weight Limit Provisions Resolution – Blaine Flynn, DOT Director**

Motion: Councilman Mervin Packineau moved to approve resolution no. 21-099-FWF entitled “*Amending Resolution Nos. 12-120-VJB and 18-211-FWF as to Cited Weight Limit Provisions Adopted and Applicable on All Roads Within the Jurisdiction of MHA Nation.*” Subject to Legal review. 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

TAT_20210408-1505_01d72c88a352cac0.mp3

- E. Child Support Guidelines - Alison Johnson, Child Support Director & Bill**



Federal requirement to review Child Support Guidelines every 4 years to determine if still appropriate. Committee was formulated to review the proposed guidelines. Main consideration is the outdated calculating system put in place in 2009. The Committee believes it does not properly reflect new income and have not found a replacement system. The Committee believes it is fair to utilize Gross Income instead of Net Income and considering self-employment. Bill Woods noted that the State uses Net Income that cannot be found. The new system was adapted to use Gross Income. Public reading & comment period to follow approval.

Motion: Councilman Cory Spotted Bear moved to approve the 2nd Reading of the Child Support Guidelines. 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

TAT_20210408-1515_01d72c8a0a47173a.mp3

F. Attorney Contract & Resolution

Motion: Councilwoman Monica Mayer moved to approve resolution no. 21-096-FWF entitled *"Approving the Employment Contract with Christina Kissinger for the Position of Staff Attorney for the Three Affiliated Tribes"* 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

TAT_20210408-1520_01d72c8abd46e13a.mp3

G. Heidi Danks Contract

Consultant shall render the following services to the Tribe: She shall provide counseling for clients of TAT Victim Services and other services as needed (i.e., crisis intervention for domestic violence and sexual violence victims, training of TAT Victim Services staff, etc.)



Motion: Councilman Fred Fox moved to approve the Heidi Danks Contract.
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

XVII. CULTURAL COMMITTEE – Councilwoman Sherry Turner-Lone Fight, Chair
XVIII. EDUCATION COMMITTEE – Councilwoman Monica Mayer, Chair

XIX. NEW BUSINESS – Tribal Councilman Add Ons

- A. Chairman Mark N. Fox- Reserved**
- B. Chairman Mark N. Fox – Reserved**
- C. Councilman Cory Spotted Bear – Reserved**
- D. Councilman Cory Spotted Bear – Reserved**

TAT_20210408-1515_01d72c8a0a47173a.mp3

E. Councilman Fred W. Fox – Pendleton Contract

Motion: Councilman Fred Fox moved to approve resolution no. 21-097-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, and Dispute Resolution and Limited Waiver of Sovereign Immunity Contained therein.”
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

TAT_20210408-1515_01d72c8a0a47173a.mp3

F. Councilman Fred W. Fox – Tony Gonzalez Contract

Motion: Councilman Cory Spotted Bear moved to approve the Tony Gonzalez contract from East Segment funding. 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

TAT_20210408-1515_01d72c8a0a47173a.mp3

G. Councilman Mervin Packineau – Parshall/Lucky Mound Pow Wow Contract

Pow-wow grounds recently damaged by to high winds.

Motion: Councilman Cory Spotted Bear moved to approve expenditure of Northeast Segment funds up to \$300,000 for repairs. 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

H. Councilman Mervin Packineau – Reserved

TAT_20210408-1515_01d72c8a0a47173a.mp3

I. Councilwoman Monica Mayer – Rodeo Sponsorship – Blaine Foote & Jeff Fox
Adrian Foote Sr. Memorial Rodeo Committee, requesting sponsorship for the 2021 Adrian Foote Sr. Memorial Rodeo. The rodeo is being held June 18th, 19th and 20th. This year is the 10th annual rodeo. We would also like to request that the 4 Bears Casino match the tribe's sponsorship for this year's rodeo, as they have in the past years.

Motion: Councilwoman Monica Mayer moved to approve a \$27,000 sponsorship for the Adrian Foote Sr. Memorial Rodeo. 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: Casino match to be discussed with Casino.

- J. Councilwoman Monica Mayer – *Reserved*
- K. Councilwoman V. Judy Brugh – *Reserved*
- L. Councilwoman V. Judy Brugh – *Reserved*
- M. Councilwoman Sherry Turner-Lone Fight – Mandaree School(**Closed Session**)
- N. Councilwoman Sherry Turner-Lone Fight – *Reserved*

XX. LEGAL DEPARTMENT – Tyra Wilkinson, MHA Supervising Attorney

XXI. CLOSED SESSION:

- A. Human Resources (HR)* – Melissa Brady, Director
- B. Legal* – John Fredericks
- C. Range Unit 204 – Wilber Hunts Along
- D. TERO Regulatory Concerns^[Executive]
- E. Four Bears Casino
- F. Appointment of Acting Chief of Tribal Law Enforcement – Resolution
- G. Mandaree School – Kelly Bradfield, Mandaree School Board
- H. THPO - Mary Baker
- I. East Segment MIS Contract

XXII. ADJOURNMENT:

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 6:43PM.



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 13th of May, 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 13th day of May, 2021

ATTEST:

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

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