



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
NOVEMBER 16<sup>th</sup>, 2022 MINUTES  
[CLOSED SESSION CONTENT EXCLUDED]

\* Standing Agenda Item

Superscript indicates times deferred (After 3-times returned to Committee)

**I. CALL TO ORDER:**

Chairman Mark N. Fox called the meeting to order at 11:15AM.

**II. ROLL CALL:**

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

**III. OPENING PRAYER:**

Keith Bear

**IV. APPROVAL OF AGENDA:**

*Motion:* Councilwoman Monica Mayer moved to approve the agenda. Councilman Cory Spotted Bear 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 – Not Present

Councilwoman Monica Mayer – Aye

Councilwoman Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

**V. APPROVAL OF MINUTES:**

- **October 12<sup>th</sup>, 2022 Regular Meeting Minutes.**
- **November 11<sup>th</sup> 2022 Special Meeting Minutes.**

*Motion:* Councilman Fred Fox moved to approve the presented minutes subject to minor corrections. Councilwoman Sherry Turner-Lone Fight 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 – Not Present

Councilwoman Monica Mayer – Aye



Councilwoman Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**VI. SPECIAL GUESTS & ELDERS**

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**A. Check Presentations To Area Schools**

Each Superintendent provided a brief update on recent activities at their respective school districts. Marc Bluestone updated the TBC concerning new State rules pertaining to feeding & gift giving for events that do not include the whole community and asked for the TBC support with a resolution support a cultural component to gifting & feed during school events. This would apply to all the reservation schools. Annual check presentation for \$100K to each school from the Three Affiliated Tribes.

***EXECUTIVE COMMITTEE REPORTS***

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

Provided report of recent activities and upcoming events. Energy, INFR, Chairman’s Bowl (White Shield new field showcase) Chairman’s Bowl - Oct 26<sup>th</sup> with White Shield wining over Parshall., Governors Meeting, Sage Coulee, Councilwoman V. Judy Brugh Recognition, General Election & Swearing In, Marine Corps Birthday, Veterans Day. Upcoming White Shield Thanksgiving Diner, Indian Affairs meeting, Gaming Compact signing, Thanks giving Break, White House Tribal Nations Summit, Congratulated the Council members reelected and new Council member Robert White. Thanksgiving break will be November 24<sup>th</sup>-26<sup>th</sup>, 2022.

*FTR: Councilman Mervin Packineau joined the meeting via phone.*

**VIII. VICE CHAIRMAN’S REPORT – *Councilman Cory Spotted Bear***

*Item deferred.*

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

*Item deferred.*

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

*Item deferred.*

**A. CFO Report – *Whitney Bell***



*Item deferred.*

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

*Item deferred.*

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

**Motion:** Councilman Cory Spotted Bear moved to approve Group A (25): subject to Loans policy & recommendations. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**D. Four Bears Casino Report\* (See Closed Session)– Spencer Wilkinson, Scott Wilson, General Manager**

*Item deferred.*

**XI. SEGMENT UPDATES:**

**A. North Segment – Councilwoman Monica Mayer**

*Item deferred.*

**B. Four Bears Segment – Councilman Robert White**

Councilman Robert White expressed his sympathy to the mourners. Robert White provides introduction and summary of his future goals. Community Dinner (Dec. 11<sup>th</sup>). He looks forward to working with all the council representatives. Nov. 22<sup>nd</sup> they will be having the community Thanksgiving. He expressed support of making Four Bears Peninsula a N.D. tourism destination resort. Councilman Robert White invited the Council to his upcoming welcome dinner.

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



*Item deferred.*

**XII. OFFICER REPORTS:**

**A. Chief Executive Officer Report\*** – *Stella Berquist, CEO*

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**1) Executive Orders\***

**Motion:** Councilman Fred Fox moved to ratify Executive Action EA 2022-53:

**NOW, THEREFORE, BE IT RESOLVED** that through Executive Action, the Tribal Business Council of the Three Affiliated Tribes approves and authorizes the \$10,000.00 funds to be released to INFR; and  
**BE IT FINALLY RESOLVED** that the Tribal Chairman is authorized to take such action as is necessary to carry out the terms and intent of this Executive Action.

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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

**Motion:** Councilman Cory Spotted Bear moved to ratify Executive Action EA 2022-54:

**WHEREAS,** The grant funds will come from the Department of Treasury's Capital Projects Fund; and

**WHEREAS,** The Tribe is currently developing high quality broadband and additional grant funds will allow for greater connectivity throughout the Reservation; and

**WHEREAS,** The Tribe wishes to submit a grant application requesting \$167,000.

**NOW THEREFORE BE IT RESOLVED,** The Tribal Business Council approves the grant application and designates the Tribal Chairman as the authorized representative of the Tribe.



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**BE IT FURTHER RESOLVED**, That the Tribe will accept grant funds beyond the \$167,000 if Treasury determines that it has the funds to approve grant amounts beyond the applied for amount.

**BE IT FINALLY RESOLVED**, That the Tribal Chairman is authorized to take such action as is necessary to carry out the terms and intent of this Executive Action.

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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

**Motion:** Councilwoman Sherry Turner-Lone Fight moved to ratify Executive Action EA 2022-55:

**WHEREAS**, The Tribal Business Council has determined that it is in the best interest of the Tribes to support community academic endeavors and to approve funds to the Parshall, North Dakota Future Farmers of America (or "FFA") School Chapter for a trip to a Convention in Indianapolis, Indiana from October 23, 2022 to October 29, 2022, for winning the National Superior Chapter Award, and also to approve funds that would allow certain students to attend a funeral and fly to the convention, which is an unexpected expense; and

**WHEREAS**, Emergency approval and authorization through EA is necessary for the release of funds, as the next Tribal Business Council meeting is not until November 2022; and

**WHEREAS**, The amount requested by the Parshall FFA School Chapter for the trip is \$10,000. NOW,

**THEREFORE, BE IT RESOLVED** that through Executive Action, the Tribal Business Council of the Three Affiliated Tribes approves and authorizes the release of funds in the total amount of \$10,000 to the Parshall FFA School Chapter as stated above for travel costs to and from the National FFA Convention in Indianapolis, Indiana; and

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



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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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**Motion:** Councilman Fred Fox moved to ratify Executive Action EA 2022-56:

**WHEREAS**, One of the Election Board members has submitted their resignation, and as a result, there is currently a vacancy on the Tribal Election Board, of one member; and

**WHEREAS**, V. Judy Brugh is the Four Bears Segment Tribal Business Council Representative and requests the Tribal Business Council to approve the appointment of Kevin Finley, to serve on the Election Board, as the appointed individual from the Four Bears Segment on the Tribal Election Board; and

**NOW, THEREFORE, BE IT RESOLVED** that, through Executive Action, the Tribal Business Council of the Three Affiliated Tribes accepts the resignation of the previous Election Board member, and approves and authorizes Kevin Finley to be appointed to fill the vacancy on the Tribal Election Board.

Councilman Robert White 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**Motion:** Councilman Cory Spotted Bear moved to ratify Executive Action EA 2022-57:

**NOW, THEREFORE, BE IT RESOLVED**, that the Tribal Business Council of the Three Affiliated Tribes, through the Executive Action procedure and



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based upon the information presented above, authorizes and approves a release of funds in the amount of \$12,240.00 to JG Builders LLC, from the Tribal Chairman's Budget, for roof repair work done to Kasey Hall's home; and **BE IT FINALLY RESOLVED**, that Kasey Hall will make the arrangements to add the amount of \$12,240 to her Tribal Small Loan amount to be repaid by Kasey Hall.

Councilman Robert White 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**Motion:** Councilwoman Monica Mayer moved to ratify Executive Action EA 2022-58:

**WHEREAS**, Construction Management wants to renew the Lease for a term of up to 1-year (November 11, 2022 - October 31, 2023) for Suites (1) & (2) with an address of 359 Main St, New Town North Dakota, 58763 within the Fort Berthold Indian Reservation with rent due first of each month in the amount of \$1,500 where Suite (1) is \$700, and Suite (2) is \$800 and either party may cancel the Lease Agreement by providing ninety (90) days written notice; and **WHEREAS**, The current Lease Agreement expires today and it is in the best interests of the Tribes to approve said Agreement since Construction Management has indicated that it continues to need the office space.

**NOW, THEREFORE, BE IT RESOLVED** that through Executive Action, the Tribal Business Council of the Three Affiliated Tribes approves and authorizes the aforementioned Lease Agreement for Suites (1) and (2) located at 359 Main Street, New Town, North Dakota 58763, to be used for the Construction Management Offices; and

**BE IT FINALLY RESOLVED** that the Tribal Chairman is authorized to take such action as is necessary to carry out the terms and intent of this Executive Action.

Councilman Cory Spotted Bear 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**Executive Action** EA22-59

*Tabled*

**Motion:** Councilman Robert White moved to ratify Executive Action EA 2022-60:

**NOW THEREFORE BE IT RESOLVED,** The Three Affiliated Tribes authorizes and approves the Four Bears Segment to purchase homes for the following three families: Antoinette Joy Brugh (\$568,025.00); Nathan & Claresse Whitehorse (\$532,900.00); Nelson Heart (\$525,000.00) & Jay James (\$500,000.00).

**BE IT FINALLY RESOLVED,** The homes will be purchased by Four Bears Segment funds in the total sum of \$2,125,925.00 and will be subject to the policies and procedures of the Four Bears Segment Home Mortgage Program.

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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**Motion:** Councilman Robert White moved to ratify Executive Action EA 2022-61:

**NOW THEREFORE BE IT RESOLVED,** The Three Affiliated Tribes authorizes and approves the Four Bears Segment to pay for advisement services for Office of Four Bears Segment from Mr. Lane Vocu as the Oilfield Energy Services expert.





**BE IT FINALLY RESOLVED**, Four Bears Segment Office will pay from Four Bears Segment funds in the total sum of \$8,400 to Mr. Lane Vocu for his consultant services in the area of Energy related issues.

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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 22-252-FWF entitled "*Approval of 38 (Thirty-Eight) Applicants/or Enrollment into the Three Affiliated Tribes.*" 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

*Discussion:* 17,135 total tribal members.

**Motion:** Councilwoman Monica Mayer moved to approve 2<sup>nd</sup> Reading of the Amendment to the Enrollment Ordinance of the Three Affiliated Tribes – Chapter 7, Section 11-7-2; Gender. 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

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3) **Tax Department Report\*** – *Cynthia Monteau, Tax Commission Director*  
Report submitted for the record.

**Motion:** Councilman Fred Fox moved to approve the following business licenses;

- **Massive Services, LLC** - Dee Alvarez - FBIR - NEW - Hydrovac, water hauling, mechanic.
- **Edgewater Country Club** - Ray Helphrey – New Town, ND - RENEWAL - Golf course, restaurant and bar.

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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

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**Motion:** Councilman Cory Spotted Bear moved to approve the following Tribal Retail Alcoholic Beverage Licenses:

- **Edgewater Country Club** - Ray Helphrey – New Town, ND - RENEWAL - Golf course, restaurant and bar.

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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Not Voting

### **XIII. UNFINISHED BUSINESS**

#### **A. Frank Felix Land Exchange Proposal<sup>2</sup>[NRC]**

*Item deferred.*

#### **B. Emergency Operation Center (EOC)<sup>2</sup> – Emily Sitting Bear, Director - Deferred**

##### **1) Proposal Approval for SAR Wilderness/Disaster Response FBIR Canine Program<sup>2</sup>**

*Item deferred.*

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#### **F. Drone Operation and Maintenance Training – Range Rider Program Request (See NRC)**

Salary increase for Range riders will be December 6<sup>th</sup> NRC meeting.

Project Information: Unmanned Operator was asked to submit a bid to Three Affiliated Tribes GIS and Natural Resources Departments to mark and geo locate (GPS coordinates) fence posts on 95 range units. In the below sections we will discuss all the details of the proposed project.

We will also be taking time to train any TAT GIS and Natural Resource department employees with an FAA Part 107 Waiver the basics of flying and using drones effectively. Costs Each range unit will be charged a flat rate of \$525.00. This rate includes the assumption of spending at least 4-man hours per unit, and for expenses such as fuel and equipment maintenance. If during the project, we are asked to expand our services we reserve the right to submit a secondary quote for extra services. The total expected billing for this project is \$49,875. Proposed Budget Request \$65,000.00 for FY2023, \$15,000.00 Administrative costs and \$50,000.00 Consultant Costs

**Motion:** Councilwoman Monica Mayer moved to approve. 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**G. Juan Carlos Peinado Land Sale– West Segment**

*Item deferred.*

**H. Theodore Lone Fight III Land Exchange – West Segment**

*Item deferred.*

**COMMITTEES OF THE TRIBAL BUSINESS COUNCIL**

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

**A. Ratification of 10/28/2022 Executive Committee Actions**

- Parshall Ambulance
- NE Segment Tractor Purchase
- Indigenized Energy / Veterans Homes (East Segment Solar Pilot)
- White Shield Elder Generators  
Added additional 10K for \$156,555, from Semshenko
- Amending Contractor Pay EA 22-012(South Segment Paving)
- Funding for Veterans Posts & Auxiliary
- Honorarium for Veterans
- Four Bears Home Purchase
- Reusable Water Bottle Merchandising
- Van Purchase Agreement for Sober Living (3)
- Sober Living House Lease
- NorthEast Segment Community Building Construction Draw-Down
- Double Arrow Contract

**Motion:** Councilman Fred Fox moved to ratify the 10/28/2022 Executive Committee Actions. 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 Sherry Turner-Lone Fight – Aye



Councilman Robert White – Aye

**B. Ratification of 11/1/2022 Executive Committee Actions**

- **M.B. Small Loan**
- **Tribal Housing Insurance Repair Contract (Excluded to discuss in Closed Session)**
- **Tribal Health – Dr. JoAnn Lee Contract**
- **Tribal Health – David Emmons Contract**
- **Tribal Health – Dr. Guy Slann Contract**
- **Tribal Health – Twin Buttes Clinic Furniture Purchase**
- **MHA Drone Grant Approval**
- **HR- Fit For Duty Policy**

**Motion:** Councilman Fred Fox moved to ratify the 11/1/2022 Executive Committee Actions. 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

**C. EOC – Resolution “Amending 20-156-FWF”**

22-253-FWF assigned.

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

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

**Motion:** Councilwoman Monica Mayer moved to approve the MOU with Great Plains Tribal Chairman’s Health Board (Tribal Prep Program) -Renewal. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye



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Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**Motion:** Councilman Fred Fox moved to approve a 1-year Project Manager Contract for Sarah Jane Eagle-Pieper 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

Kathy Eagle reported that their two X-ray Tech's resigned so they are not able to do x-ray's at this time and are looking for techs to run the equipment. EMHC currently has no qualified staff to conduct x-rays. This has been going on for a month. Currently sending patients out to Trinity. CT scans are on Tuesdays and ultrasounds are on Wednesdays. Councilwoman Monica Mayer noted that x-rays are needed every day for patients, White Shield is waiting on a contract currently. Dr. Martin advised that they are training staff to take care of this. R.J. Rabbithead will be receiving a national Indian Health Service Director's award on Friday.

**Motion:** Councilman Fred Fox moved to approve signature authority for LOCUM contracts for Locums, maintenance agreements, contract renewals from the 11/1/2022 Executive. 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye



*Discussion:* All must receive TAT Legal review.

**B. Tribal Health Update\*** - *Jared Eagle, Health Administrator*

*Item deferred.*

**C. Life & Limb\*** - *Felicia Lone Bear Jimenez, Director*

*Item deferred.*

**D. Good Road Recovery Center (GRRC) Update\***- *Dr. Joy Froelich, Director*

*Item deferred.*

**XVI. JUDICIAL COMMITTEE** – *Councilwoman Monica Mayer, Chair*

**A. Tribal Court Report\*** - *Elizabeth Yellow Bird & David Christenson, Chief Judge*

*Item deferred.*

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**B. TAT Law Enforcement Report\*** *Chief Nelson Heart & Acting Captain C.J. Whitman Jr.*

Report submitted for the record. Provided gave an update of the Law Enforcement staff positions and arrest numbers and noted recent activities included work on evidence inventory & fixed assets. Weekly meeting with Tribal Access Program conducted to meet compliance. Thursday meeting with GRRC and resolving sober living transport issues. Data collection meeting at the end of the month to verify numbers. Training on handcuffing & Search & Seizure. Vehicle maintenance. Currently looking at purchasing track systems for pick-ups to meet the needs during extreme snow conditions along with snowmobiles. Continued search for staff housing. Chairman Mark N. Fox reminded the presenters to be aggressive in enforcement. Councilwoman Monica Mayer noted that sometimes our Overdose data from Law Enforcement & Public Safety is not in sync and the need to look at that. Also, Jane Morely is close to completing the tribal code. Organizational Chart is currently being updated and will be coming before the TBC. Chairman Mark N. Fox stated that scheduling needs to meet the need for patrols at night.

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**C. Public Safety Division of Drug Enforcement Report\*** – *Gerald White, Jr., Chief*  
Report submitted for the record. Chief Gerald White went through his report with the TBC. Councilman Cory Spotted Bear asked them to provide a report of overdoses for the last five years. Councilwoman Monica Mayer stated that the



overdoses and arrests are going down each year but they still need to be aggressive in their duties. It was noted that in October there were no overdoses which is a first. Special Investigator Dawn White noted that their overdose data tracks illicit drug overdoses for all on the reservation. Councilwoman Sherry Turner-Lone Fight would like to where the person committing the crimes live. Special Investigator Dawn White noted that the “hot spots” in the State have moved from the reservation to the cities. Councilwoman Monica Mayer expressed the need for mental health services.

**D. Child Support** – Allison Johnson, Director

*Item deferred.*

**XVII. CULTURAL COMMITTEE** – Councilwoman Sherry Turner-Lone Fight, Chair  
*No Items*

**XVIII. EDUCATION COMMITTEE** – Councilwoman Monica Mayer, Chair

**A. Support For Research Concerning Energy Transition in Native Communities -**  
Dr. Andrew Curley

*Item deferred.*

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

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

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 22-256-FWF entitled “*Home Site Lease Resolution -November 2022*” [ Sheldon C Standish, Lyle LaRocque, Jr., Quinn LaRocque, Sasha LaRocque, Amber Finley & Merlin Krueger, Nicole Mura Beston, Sharyden Poitra, & Karissa Diaz Corral] 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye





- **Hidatsa Hills Project**

Was approved did not get the funding for it. Project Information: Hidatsa Hills Project is requesting funding to complete a design for future residential housing in the North Segment Community. Established access from three directions. The Tribe is utilizing Brosz Engineering, which currently has a contract with the Tribe. Project total: \$151,150.00.

**Motion:** Councilwoman Monica Mayer moved to approve Hidatsa Hills project funding. 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**Discussion:** Jason to work with CEO on road development.

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 22-254-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land for a Utility Corridor, Tribal Green House Project.*” [MWEC]  
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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 22-255-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal Fee in Mountrail County.*” [Sadie White]. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

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

*Item deferred*

**C. Fort Berthold Rural Water (FBRW) Update\*** – *Joseph Salviria.*

Request to Coordinate a Meeting with Camille Touton Commissioner to Bureau of Reclamation In DC regarding Aging Infrastructure Funding through the Bipartisan Infrastructure Legislation (BTL), Drought assistance through the Inflation Reduction Act. Additional O&M Funding for the FBRWS. Commissioner expressed a willingness to meet again with the TAT and the FBRW Program this time in Washington DC. Bipartisan Infrastructure Legislation (BIL) FY2023 Aging Infrastructure funding applications for twelve (12) projects totaling \$51,850,000.00 for the Fort Berthold Rural Water System will be submitted in December. Inflation Reduction Act- 4.6 billion Drought Relief of which 4 billion is allocated for the Colorado Basin. Remaining \$600 Million is available for funding. Water Smart Grants through the Bureau of Reclamation for metering, back now prevention of the FBRWS. Current Master Plan Identifies a \$227,151,595.00 need to complete the FBRWS to the year 2050. Currently working with all entities who are authorized under the Dakota Water Resources Act to have a meeting with Three Affiliated Tribes Chairman. (Turtle Mountain, Spirit Lake, Standing Rock, Garrison Diversion Conservancy District, State Of North Dakota). For the new KDU building, FBRW is requesting that the tribe allow them to hook into the New Town Water System for a year until they can get them hooked up to the FBRW System.

**Motion:** Councilwoman Monica Mayer moved to approve KDU for 1 year OEM agreement with the City of New Town. 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



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
NOVEMBER 16<sup>th</sup>, 2022 MINUTES  
[CLOSED SESSION CONTENT EXCLUDED]

Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

Councilwoman Monica Mayer advised that the City of New Town has increased their tax by half a percent. FBRW requested permission to allow New Town to provide water to the new EOC building until they can get them hooked into FBRW.

**Motion:** Councilwoman Monica Mayer moved to approve a transfer agreement with the City of New Town to provide the new EOC facility water. Councilman Robert White seconded the motion. Vote:

*Motion withdrawn.*

**Motion** Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 22-257-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land.*" [FBRW-Clayton Danks, Dora Gwin and Curtis Hall]. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**Motion:** Councilman Robert White moved to approve resolution no. 22-258-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*" [FBRW - Bobbie Biglake]. 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye



**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 22-259-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land.*" [FBRW-Philomena Fox]. 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**D. Range Unit Modification – Bureau of Indian Affairs – Jesse Baker**

Jesse Baker informed the TBC that 4 Range Units that were missed or not included in 21-259-FWF entitled "*Approval of 2021 Grazing Resolution -Allocations*" to be presented add people that were left off the original resolution. Councilman Fred Fox recommended a separate amending resolution be developed. RU94 McCray Danks, RU 903-Edward Danks, RU 907- Llyod Viegen, RU 204 A/B - Susan Fredericks & Wilber Hunt Along. They want to change from splitting it East and West to North and South.

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 22-260-FWF entitled "*Range Unit Allocations for Units 94, 207, 903, 204A and 204B*" subject to Legal review. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**E. Resolution 22-121-FWF Modification**

*Item deferred*

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

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

Next Energy Committee meeting is December 8<sup>th</sup>, 2022. Meeting with the Roads Department will be on November 28<sup>th</sup>, 2022. Currently there are 41 Rigs in N.D. and 6 of those are on FBIR.

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**B. ROW's\*** - *Paul Grady & Harriette Clah*

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 22-261-FWF entitled “*Approval of a Temporary Surface-Use Permit Agreement across Tribal Land (T5480) for the Collins USA Project Submitted by Marathon Oil Company.*” 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

**XXI. ECONOMIC DEVELOPMENT COMMITTEE** – *Councilman Robert White, Chair*

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**A. MHA Interpretive Center - Kelsey Jacobson Consultant Contract Renewal**

Chairman Mark N. Fox stated that we need to have a work session in regards to artifacts. The CEO will help get that set up.

**Motion:** Councilman Cory Spotted Bear moved to approve Kelsey Jacobson contract subject to Legal review. 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

**XXII. 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*

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E. Councilman Fred W. Fox – Resolutions

**Motion:** Councilman Fred Fox moved to approve resolution no. 22-264-FWF entitled “*Approving Change Order For White Shield Medical Clinic*”. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**Motion:** Councilman Robert White moved to approve resolution no. 22-265-FWF entitled “*Approval of Purchase of Ambulance by White Shield Segment from North Central Ambulance Sales and Service, at a cost of \$331,416.00.*” 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 22-266-FWF entitled “*Approval of Contract for Services between the White Shield Segment of the Three Affiliated Tribes/MHA Nation, and Oak & Wise Barbershop, for providing barber/haircut services for White Shield Segment Elders, and Authorization of Payment of Fees.*” 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**F. Councilman Fred W. Fox – *Reserved***

**G. Councilman Mervin Packineau – Pest Control Contract – *Bandy Poitra***

Bandy Poitra presented proposal for pest control services. Chairman Mark N. Fox stated that he has issues with how they charge. Investigations that were held in the past discovered discrepancies. Councilman Mervin Packineau states this is the only company that will come back. Councilwoman Monica Mayer stated that this Bendickson Company has tried working for every segment and noted that their prices are high. She recommended that the tribe develop their own Pest Control. Councilman Robert White stated that they use a guy from Tioga that sprayed in the summer time three times throughout the 4Bears peninsula for \$3,000. That may be an option. Chairman Mark N. Fox recommended this be tabled for a while. TBC agreed. Councilman Fred Fox they also have to go through TERO. Councilman Mervin Packineau will look at getting more bids.

*Tabled*

**H. Councilman Mervin Packineau – *Reserved***

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**I. Councilwoman Monica Mayer – M.A.L. [XXXXXX]**

Off reservation elder not on tribal insurance seeking assistance for cataract surgery. Has BC/BS that covered some cost. Total is \$11,964.

***Motion:*** Councilwoman Monica Mayer moved to approve \$9K financial assistance. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

- J. Councilwoman Monica Mayer – *Reserved*
- K. Councilwoman Sherry Turner-Lone Fight – *Reserved*
- L. Councilwoman Sherry Turner-Lone Fight – *Reserved*

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**M. Councilman Robert White – Artesian Contract**

Reconstruction of a building to make the building into a home. This will be from Segment Funds.

**Motion:** Councilwoman Monica Mayer moved to approve the Artesian Construction LLC Contract for Four Bears segment subject to Legal review. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**Discussion:** Contractor agrees to provide the following Work: Residential renovation provided at the old Three Affiliated Tribes DOT office in the following areas. Labor only.

**N. Councilman Robert White - *Reserved***

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

*Item deferred.*

**XXIV. CLOSED SESSION:**

- A. Human Resources (HR)\* – Melissa Brady, Director
- B. Legal\* – John Fredericks
  - 1) TERO Ordinance Appeals
  - 2) Majel Russell Contract.
  - 3) Gaming Compact





- 4) Mortgage Interest Rate
- C. MMIW& Relatives License Plate
- D. Four Bears Casino Report\* – *Spencer Wilkinson, Scott Wilson, General Manager*
  - 1) Report
  - 2) Apartment Planning
- E. White Horse Construction -Van Hook Subdivision Road Improvements – *Joe Bear*
- F. NE Segment Pest Control – *Bandy Poitra*
  - 1) Tribal Housing Insurance Repair Contract
- G. BTD Invoices - *Stella Berquist*

**XXV. ADJOURNMENT:**

**Motion:** Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 3:35PM.




**CERTIFICATION**

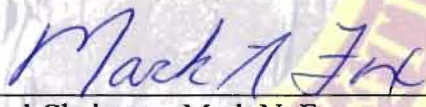
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 7 were present at the Regular Meeting thereof duly called, notice, convened and held on the 15<sup>th</sup> of December, 2022; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 7 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Chairman ( X ) Voting ( ) Not Voting

Dated this 15<sup>th</sup> day of December, 2022

ATTEST:

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

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