



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
FEBRUARY 9<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 11:22AM.

**II. ROLL CALL:**

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

**III. OPENING PRAYER:**

Geralyn Yellow Bird

**IV. APPROVAL OF AGENDA:**

*Motion:* Councilwoman V. Judy Brugh moved to approve the agenda. Councilman Fred Fox seconded the motion.

Vote: 5- Ayes. 2- Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye.  
Councilwoman Monica Mayer – Not Present  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**V. APPROVAL OF MINUTES:**

- **January 13/20 2022 Regular Meeting Minutes.**

*Motion:* Councilman Mervin Packineau moved to approve the January 13/20 2022 Regular meeting minutes subject to minor corrections. Councilman Fred Fox seconded the motion.

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



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

**VI. SPECIAL GUESTS & ELDERS**

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**A. Lyndon Fredericks**

Lyndon Fredericks retirement. A biography was read aloud to those present in the meeting. He worked with the FBRW Department for 24 years. Mr. Fredericks shared a few grateful words and was presented with gifts of appreciation from TBC.

***EXECUTIVE COMMITTEE REPORTS***

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

Chairman Mark N. Fox expressed his condolences to those in mourning. Also, for those that are sickly. Positive cases are going down locally but we still need to be proactive because we still currently have our highest positive numbers. He will continue to stress the importance of vaccination. The experts say that it is better to be vaccinated if you contract Covid because it is not as harsh on a person. Chairman Mark N. Fox went on to mention that they had meetings with Sanford Health. Virtual meetings with Doctors are a possibility in the near future. ND Indian Affairs Commission recently held a meeting, Federal Partner's and Industry meeting was held recently as well. Redistricting of Fort Berthold under one district. The tribe received good news in regards to the riverbed minerals being official ours as a tribe and to some tribal members. However, this fight is not over. There will be a battle with the State about the royalties that have been collected while this case was going on. The State of the State Address was postponed due to Covid. It will be held on February 16<sup>th</sup>, 2022 in Fargo. Chairman Mark N. Fox has reserved a few seats for our tribe. All Chiefs Day is coming up on February 21<sup>st</sup>, 2022. (Admin Leave) Chairman Mark N. Fox attended Wayne Stenjhem funeral services. The Ira Hayes Memorial is canceled again due to Covid. February 28<sup>th</sup>, 2022 is the Ice Warrior Plunge. The goal is to have 50 jumpers and to raise \$50,000.

***FTR:*** *Councilwoman Monica Mayer joined the meeting.*

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

*Item deferred.*

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

District 15 Girls Basketball Tournament will be held in White Shield at the High School.





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

Expressed his condolences to the mourners. He said a new Steak House has opened in Parshall. Councilman Mervin Packineau wished all the team's good luck in the upcoming tournaments.

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

Submitted expense report to the TBC. Mr. Bell shared his college degree history. Several were mentioned with most of them being in the financial area. He also presented the expense report. The revenue has been steady. The tribe as a whole is well within their spending limits. Chairman Fox noted that the tribe is investing wisely and are making money for the tribe. Revenue is steady and expenditures are tracking just a little behind which is normal for this time of the cycle. There is \$615 million in the People's Fund. The next budget meeting will be at the end of this fiscal year. A specific date has not been set yet.

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

**Motion:** Councilwoman Monica Mayer moved to approve the presented mortgage applications (1) subject to Loans Policies & recommendations. Councilwoman V. Judy Brugh seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye.

Councilwoman Monica Mayer – Aye

Councilwoman V. Judy Brugh – Aye

Councilwoman Sherry Turner-Lone Fight – Aye

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

**FTR:** Chairman Mark N. Fox returned to the meeting.

**Motion:** Councilwoman V. Judy Brugh moved to approve small loans Group A applications (8): subject to Loans Policies & recommendations. 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 – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye.  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

*Discussion:* Added L.H. [XXXXXX], B.J.B. [XXXXXX] (requesting the employee maximum available).

**Motion:** Councilwoman V. Judy Brugh moved to approve small loans Group B applications (3): subject to Loans Policies & recommendations. 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 – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye.  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

*Discussion:* Request per policy to decrease amount applied for and increase collateral as needed.

**FTR:** Chairman Mark N. Fox resumed the Chair of the meeting.

**D. Four Bears Casino Report\*** – Spencer Wilkinson, Scott Wilson, General Manager

See Closed Session

**XI. SEGMENT UPDATES:**

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

*Item deferred.*

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





Elder's Valentine's Day event will be held. Another meeting with local and surrounding Law Enforcement Agencies will be held. Covid testing is being held within the Four Bears Segment. The Gym will be sanitized bi-weekly. Encouraged everyone to safe and practice social distancing.

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

Expressed condolences to the mourners. Community marque is up and running. The segment is working with authorities to try to eliminate the drug problems in West Segment and will be working on excluding those that are guilty of using or selling drugs. Encouraged all to report any drug activity. The new school and Headstart will be opening this next school year. Emergency pantry being developed.

**XII. OFFICER REPORTS:**

**B. Chief Executive Officer Report\* – Scott Satermo, CEO**

**1) Executive Orders\***

*Item deferred*

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

**Motion:** Councilwoman V. Judy Brugh moved to approve resolution no. 22-019-FWF entitled “Approval of 11 (Eleven) Applicants for Enrollment into the Three Affiliated Tribes” subject to Legal review. 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 – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye.  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

*Discussion:* 16,943 total enrolled members.

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

January monthly collections came in at \$31.9 million dollars from all revenue sources. This is up 17.4% from January in 2020. Comparative Tax Revenue- All



Sources: Extraction Tax \$59,304,57(48%), Straddle Wells \$1,124,691(1%), Motor Fuels Tax \$471,84(0%), Other \$61,127(0%), Production Tax \$60,878,75(50%). 2022 Projected Tax Revenue at \$329.9 million. Total Oil & Gas Revenue 4 Year Comparison 2022 Projected \$328 million. State of ND Office of State Tax Commissioner Oil & Gas Certification Report - Oil Extraction Tax for Revenue Period: January 31-2022. 5 Year Annual Comparison Motor Vehicle Fuels Tax Revenue projected at \$ 1,629,563 for 2022. Hotel Tax Revenue 2022 projected income at \$68,643. In September 2021 we received the first payment from the straddle well. With the change of legislation in July of 2021, we have collected about 1.4 million more dollars in revenue.

**Motion:** Councilwoman V. Judy Brugh moved to approve the presented Business License:

- **Kountry Boyz Kitchen** -Cedric Dawson -New Town, ND -Mobile Food Truck/Catering – New.

Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye.

Councilwoman Monica Mayer – Aye

Councilwoman V. Judy Brugh – Aye

Councilwoman Sherry Turner-Lone Fight – Not Voting

**FTR:** Chairman Mark N. Fox stepped out of the meeting and left the Councilman Fred Fox assumed the Chair.

### **XIII. UNFINISHED BUSINESS**

#### **A. Brianna Jo Foote – Land Purchase, North Segment<sup>3[NRC]</sup>**

*Item deferred to NRC.*

#### **B. Amending 21-174-FWF - I.H.S Building Transfers<sup>1[EXECUTIVE]</sup>**

*Item deferred.*

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**C. Luke Spotted Bear, Ag Lease<sup>1</sup>[NRC]**

**Motion:** Councilman Fred Fox moved to approve forgiveness of leasing fee paid. Councilman Mervin Packineau seconded the motion.

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

**Discussion:** Luke Spotted Bear was unable to use the land during the lease term.

**D. Youth Rodeo Funding<sup>1</sup>[Councilman Fred Fox Add-On]**

*Addressed*

**COMMITTEES OF THE TRIBAL BUSINESS COUNCIL**

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

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 22-020-FWF entitled “Home Site Leases and Utility Corridors for January 2022” [Tanya Fimbres & Dr. Monica Mayer] subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 1- Abstention. 1- Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye.  
Councilwoman Monica Mayer – Abstained  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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



*Item deferred.*

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

*Item deferred.*

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**D. Twin Buttes Hay Program Budget Increase(150K)**

Will need further review and if need be address at Executive Committee.

*Tabled*

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**E. Hwy 23 Turning Lanes Resolution – Bradley J. Faiman, NDDOT**

There are two facets to this project. Introduce a left lane at Four Bears Village and realignment of approaches west on 95<sup>th</sup> Ave. Need a temporary construction easement for this project. This will be \$300 payment to the tribe since it is on tribal land. Chairman Mark N. Fox notified Mr. Faiman of a number of problem highway areas and an easement issue in North Segment.

**Motion:** Councilwoman Sherry Turner-Lone moved to approve resolution no. 22-022-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal Fee Land: Application Submitted by North Dakota Department of Transportation.*” subject to Legal review. Councilwoman V. Judy Brugh seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye.

Councilwoman Monica Mayer – Not Voting

Councilwoman V. Judy Brugh – Aye

Councilwoman Sherry Turner-Lone Fight – Aye

**F. RFP for Rural Development Projects (KLJ)**

*Item deferred*

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**G. Range Rider 2023 Budget Request**

Chairman Mark N. Fox recommended riders to be contracted. Requesting approval for \$284,520 for Ranger Riders for FY22. This will cover three positions and they





will need their own vehicle. It will be approved pending the budget. These 3 positions are already in the budget.

**Motion:** Councilwoman Monica Mayer moved to approve budget \$284,520. Councilwoman V. Judy Brugh seconded the motion.

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

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#### **H. 2022 Agricultural Leasing Rates**

**Motion:** Councilwoman Sherry Turner-Lone moved to approve resolution no. 22-021-FWF entitled “2022 Agricultural Lands Leasing Policy” subject to Legal review. Councilman Mervin Packineau second the motion.

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

*Discussion:* Indian preference rate stays the same.

#### **I. New Town City Lot Lease Request**

*Item deferred.*

#### **XV. ENERGY COMMITTEE – Councilman Fred Fox, Chair**

TAT\_20220209-1312\_01d81db6b88420cc

**A. Energy Dept. Update\* - Kenny Lyson, Director**  
4 rigs on the reservation.



**FTR:** Chairman Mark N. Fox stepped out of the Chambers & Councilman Fred Fox assumed the Chair of the meeting.

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

**Motion:** Councilman Mervin Packineau moved to approve resolution no 22-026-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (Allotments 1104A) submitted by Arrow Pipeline, LLC*” [Arrow Metal South Crestwood]. Councilwoman V. Judy Brugh seconded the motion.

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

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

**Motion:** Councilman Mervin Packineau moved to approve resolution no 22-027-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (Allotments 1007A) submitted by Arrow Pipeline, LLC*” [Fox Good Bear Crestwood]. Councilwoman V. Judy Brugh seconded the motion.

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

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

**Motion:** Councilwoman V. Judy Brugh moved to approve resolution no 22-028-FWF entitled” Modification to Existing Tribal Resolution Number 18-126-FWF (Allotments T3057) submitted by Arrow Pipeline, LLC” [Station 4-7 Ghost Well]. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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





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

**Motion:** Councilwoman V. Judy Brugh moved to approve resolution no 22-029-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (Allotments 1069A) submitted by Arrow Pipeline, LLC*” [Arrow Bears Ghost Well]. Councilwoman Monica Mayer seconded the motion.

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

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

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

FAT\_20220209-1357\_01d81dbd0784fbaa

**A. Ratification of 2/7/2022 Executive Committee Actions.**

- **Segment Budget for Rodeo Association**
- **Assisted Living Project Contract – Connie Azure**
- **Circling Eagle Law Contract Renewal**
- **East Segment Home Health Care Contract**
- **East Segment Jackie White Calfe Contract**
- **S.H. Medical Request (Segment Assistance & Small Loan)**
- **Approval Phase 2 of Scotts House Remodel(40K)**
- **MHA Recovery Services Billing Contracts (2)**
- **Alcohol Tax - Collective Strategies Contract Renewal**
- **Greenhouse Project – Bartlett and West Addendum**
- **RML Architects AIA B133 Contract 11.2M**
- **Water Audit**
- **Yasmin Blackman Contract Amendment – EMHC**
- **Connie Ebach Contract Renewal - EMHC**
- **Ruth Heinert Contract to Assist with Diabetes Audit – EMHC**



**Motion:** Councilman Fred Fox moved to ratify 2/7/2022 Executive Committee Actions. Councilwoman V. Judy Brugh seconded the motion.

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

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**B. Resolution - NDDOH Initiative to Address Covid-19 Disparities Grant Program – EOC**

**Motion:** Councilman Fred Fox moved to approve resolution no. 22-030-FWF entitled “*Authorizing the MHA Emergency Operations Center to Apply for and Accept A North Dakota Department of Health (NDDOH) Initiative to Address Covid-19 Disparities Grant Program.*” Councilwoman V. Judy Brugh seconded the motion.

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

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**C. Resolution - Consent to ROWs Across Tribal Lands for South Segment Fill Station – FBRW**

**Motion:** Councilman Mervin Packineau moved to approve resolution no. 22-024-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*” [FBRW-Twin Buttes Fill Station] subject to Legal review. Councilwoman V. Judy Brugh seconded the motion.

Vote: 5- Ayes. 1- Not Voting. 1- Not Present. Motion carried.  
Chairman Mark N. Fox – Aye





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

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**D. Resolution - Consent to ROWs Across Tribal Lands for Mandaree Day Care Center – FBRW**

**Motion:** Councilwoman V. Judy Brugh moved to approve resolution no. 22-023-FWF entitled “*Consent to ROWs Across Tribal Lands for Mandaree Day Care Center – FBRW*” subject to Legal review. Councilman Mervin Packineau seconded the motion.

Vote: 5- Ayes. 1- Not Voting. 1- Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting.  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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**E. Resolution - Pinnacle Launch Package & Budget**

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 22-031-FWF entitled “*Pinnacle Launch*” subject to Legal review. Councilwoman V. Judy Brugh seconded the motion.

Vote: 5- Ayes. 1- Not Voting. 1- Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Not Present  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting.  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye



**XVII. ECONOMIC DEVELOPMENT COMMITTEE** - Councilwoman Monica Mayer,  
Chair

*No Items*

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

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

*Item deferred.*

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

*Item deferred.*

**C. Life & Limb\*** – Trudy Old Crane, Interim Director [HIPAA SENSITIVE]

**Motion:** Councilwoman Monica Mayer moved to approve the following Life & Limb (7):

- G.M [XXXXXX]
- K.F. [XXXXXX]
- D.H.W. [XXXXXX]
- L.A. [XXXXXX]
- C.J. [XXXXXX]
- T.R.W. [XXXXXX]
- S.L.B. [XXXXXX]

. Councilwoman V. Judy Brugh second the motion.

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

Chairman Mark N. Fox – Not Voting.

Councilman Cory Spotted Bear – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Aye

Councilwoman V. Judy Brugh – Aye

Councilwoman Sherry Turner-Lone Fight – Aye





*Discussion:* Councilwoman Monica Mayer directed the program to ensure that acceptance of this grant would not jeopardize applicant [L.A.]’s South Dakota Medicare/Medicare or interfere with those services.

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

*Item deferred.*

**E. CHR Transportation Policy & Procedure — Jodi Simpson, Director**

Verbal report & Policy presentation. Councilman Mervin Packineau recommended shortening the prior notice period to request transportation. Times of Transport are M-F 8-5 for clinic visits. The program requires 34 hours in advance but can be changed to 24 hours. Councilman Fred Fox recommended adding \$4/hr. incentive from tribal funding to increase applicants. Councilwoman Monica Mayer recommended a budget review to look at staff need. The Director noted that drivers receive CNA training and leave for other employment. Councilwoman Monica Mayer recommended building in an agreement for staying after receiving training along with a salary matrix. Item deferred until the discussed recommendations are looked at. Councilwoman Monica Mayer strongly suggest to hammer it out to bring staff back up and figure out ways to adjust budget. Work with contract officer, CEO, Jared Baker. Defer until CHR has a meeting.

**F. Circle of Life Project – Nelly Boyd, Director**

**Motion:** Councilwoman V. Judy Brugh moved to approve the Circle of Life Remodel Project bid and Charging Project Management Consulting. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

Chairman Mark N. Fox – Not Voting.

Councilman Cory Spotted Bear – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Aye

Councilwoman V. Judy Brugh – Aye

Councilwoman Sherry Turner-Lone Fight – Aye

*Discussion:* Completed the bidding process for the amount of \$63,651.

**G. D.S. Medical Bill**



*Item deferred to Health Committee*

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**H. Tribal Health Insurance – Charity Yessilth, Director**

**Motion:** Councilwoman Monica Mayer moved to approve Administrative Service Agreement subject to Legal review. Councilwoman Sherry Turner-Lone seconded the motion:

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

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

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

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

The Wellness Court continues as a priority, the Wellness Steering Committee has been rescheduled for February 16. The Wellness Court meets every Thursday, and the Wellness Court Steering Committee meets once per month. Verdell has submitted a report that lets you know of the updates in the Wellness Court. The Court continues to address COVID 19 epidemic and will continue enforcing the mask mandate and washing hands. The Court will be screening all public and staff who work in the building, face covering for everyone, and regular cleaning and sanitizing this facility and practicing social distancing. We continue working with our court clerks and their duties and responsibilities. The Chief Clerk of Court will be setting up weekly meetings with the clerks to discuss any issues. We will be having a staff meeting and separate clerks meeting to get caught up on all the new applications that we can perform on FullCourt. The Court plans on utilizing "imaging" application through FullCourt and should have all the files digitized within the next year. This will be a separate training that the Justice Systems has not scheduled yet. We also are finalizing a telephone messaging, alert system and intercom call systems. The Court continues to work on our own Policies and Procedures Manual. A draft has been completed and was sent to the Justice Commission for review and approval, however they did not meet in July and they are working on scheduling a meeting. The Court sent the CEO the manual for review and is waiting on approval. We continue to work on updating forms the





court uses in the manual and on our website. The Court is working on adding an educational component (maybe a newsletter) to our website with more specific information about the Court and its processes. The Court continues to work on holding court in some of the segments. One of our Judges is working on setting them up and doing brochures and educational materials to hand out. We will need to make sure that the Court areas are safe and secure for the court sessions. At the request of the Judicial Committee, the Court continues to research more training for Court staff. A Training Schedule is submitted in this monthly report.

Accomplishments: The Court continues to meet once per month with the Justice Center, PO, now Social Services and the Court (Public Safety Meeting) to review any issues. These have been very good meetings and lets all departments

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**B. TAT Law Enforcement Report\* - Marty Foote, Acting Chief of Police**

**1) Report**

Report submitted for the record.

**2) Resolution – Highway Safety Grant Renewal**

**Motion:** Councilman Fred Fox moved to approve resolution no. 22-032-FWF entitled “*Highway Safety Grant*” subject to Legal review. Councilwoman V. Judy Brugh seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Not Present

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Not Voting.

Councilwoman Monica Mayer – Aye

Councilwoman V. Judy Brugh – Aye

Councilwoman Sherry Turner-Lone Fight – Aye

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

*Item deferred.*

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**D. Department of Transportation – Blaine Flynn**

Requesting sole source waiver of the procurement policy for the purchase of radios on the State bid price. Purchase is directly from Motorola.



**Motion:** Councilwoman Sherry Turner-Lone Fight moved to approve sole source waiver of the procurement policy to purchase of radios from Motorola Solutions. Councilwoman V. Judy Brugh seconded the motion.

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

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

*Discussion:* Contract Name: 20476 -State of North Dakota, for \$11,860.34

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

*No Items*

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

*No Items*

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

**A. Chairman Mark N. Fox- School Vaccination Program – Amy Mossett**

Provided a summary report on area school covid remediation activities. Chairman Mark N. Fox expressed concern with area schools acting outside of the Tribal mandate. Ms. Mossett thanked all the school's staff and the Task Force for taking care of the students. Report on in-school vaccinations. Seeking assistance with providing \$25 gift cards (1000) to students who get their vaccinations and a grand prize drawing. \$1,000 vaccination incentive approval. Total proposed budget of \$29,875.

**Motion:** Councilwoman Sherry Turner-Lone Fight moved to approve 1000 gift card purchase. Councilman Mervin Packineau seconded the motion.

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

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





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

- B. Chairman Mark N. Fox - Reserved**
- C. Councilman Cory Spotted Bear – Reserved**
- D. Councilman Cory Spotted Bear - Reserved**
- E. Councilman Fred W. Fox – Reserved**
- F. Councilman Fred W. Fox – Reserved**

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- G. Councilman Mervin Packineau – Consultant Contract**  
Cody Steele

**Motion:** Councilwoman V. Judy Brugh moved to approve Dive & Rescue Contract subject to Legal review. Councilman Mervin Packineau seconded the motion.

Vote: 5- Ayes. 1- Not Voting. 1- Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Not Present  
Councilman Fred Fox – Not Voting  
Councilman Mervin Packineau – Aye.  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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

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- K. Councilwoman V. Judy Brugh – C&J Payment**  
Old Commodity Warehouse / Utilities Building Demolition. Change Order -  
Contaminated Soil Removal Final Payment Application.

**Motion:** Councilwoman V. Judy Brugh moved to approve for payment of submitted invoices. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: - Ayes. 1- Not Voting 1- Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Not Present  
Councilman Fred Fox – Not Voting  
Councilman Mervin Packineau – Aye.



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

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

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

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 22-033-FWF entitled “*Authorizing Budget and Construction Contract for the Shopko Remodel Project*” subject to Legal review. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6- Ayes. 1- Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Not Present  
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:** 10 million toward the current fiscal budget with additional to come from the next fiscal (1.2 million).

**XXIV. CLOSED SESSION:**

- A. Human Resources (HR)\* – *Melissa Brady, Director*
- B. Legal\* – *John Fredericks*
  - 1) Resolution - **IMDA Proposal** <sup>[Executive]</sup>
  - C. A. R. Civil Exclusion <sup>[Judicial]</sup>
- D. Nicole Poitra
- E. Four Bears Casino Report\* – *Spencer Wilkinson, Scott Wilson, General Manager*
- F. CEO- *Scott Satermo*
  - Pale Horse Incident

**XXV. ADJOURNMENT:**

**Motion:** Councilwoman Monica Mayer moved to adjourn the meeting. Councilman Mervin Packineau Seconded the motion. Meeting adjourned at 4:14pm.





### 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 9<sup>th</sup> of March, 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 9<sup>th</sup> day of March, 2022

ATTEST:

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

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