



**CALL TO ORDER:**

Councilwoman V. Judy Brugh called the meeting to order at 11:20 AM.

**I. ROLL CALL:**

*Present:* Councilwoman Sherry Turner-Lone Fight (via conference call), Councilman Fred Fox, & Councilwoman V. Judy Brugh. *Quorum established.*

**II. APPROVAL OF AGENDA:**

*Motion:* Councilman Fred Fox moved to approve the agenda with additions. Councilwoman Sherry Turner-Lone Fight seconded the motion. Vote: 3-0-0. Motion carried.

**III. APPROVAL OF MINUTES:**

• **June 2<sup>nd</sup>, 2022 Judicial Committee Minutes**

*Motion:* Councilman Fred Fox moved to approve June 2<sup>nd</sup>, 2022 Judicial Committee Minutes subject to minor corrections. Councilwoman Sherry Turner-Lone Fight seconded the motion. Vote: 3-0-0. Motion carried.

**IV. PROGRAM UPDATES:**

**A. Public Safety Administrator– Marty Foote**

Submitted report for the record. Marty Foote provided a report on recent activities such attending an Active Shooter Training and Government to Government meeting. There will be an Amber Alert Training coming up in the near future. Short discussion on the need to reapply for the SORNA grant, reporting, and the need to hire a new Director because the Interim Director will be leaving the area soon. That grant needs to be approved. Working on a job description for SORNA.

**B. Public Safety Division of Drug Enforcement- Gerald "Chip" White Jr., Chief of Drug Enforcement & Supervisory Special Agent Dawn White**

Report provided for the record. Recent overdoses in Mandaree. have 2 Officers in Mandaree with K-9's along with SSA Dawn White who is also K-9 Officer. Councilwoman V. Judy Brugh asked what is going on in Mandaree with the overdoses. Chief Gerald White explained that they are handling the recent numerous overdoses. Chief Gerald White laid out the process of what happens when an overdose occurs. In regards to the recent overdose, Officer Dawn White advised that they are waiting on the autopsy results to see if overdosing really is the cause of the recent death. Officer White expressed the need to have prevention efforts in all the communities. SSA Dawn White states overdoses usually happen after they get out of treatment, they go back to using the same amount they took, tolerance to the amount of drugs taken. Chief Gerald White provided statistics on the ages of overdose victims. SSA Dawn White states prevention will help. They will be doing saturation



paroles during the local pow-wows. Councilwoman V. Judy Brugh asked what times of the month/week the drugs are going out into the community, Disbursements and royalty days.

*FTR: Councilwoman Monica Mayer joined the meeting at 11:31 AM.*

Provide Suboxone clinic to people. Try to get people services. Orlando Black Hawk is who it all comes back to according to Councilwoman Sherry Turner-Lone Fight, he is still selling and she knows it. Councilman Fred Fox the little ones are still in our communities, the bigger ones are starting to get arrested. Councilwoman Monica Mayer noted that North Segment is the worst by far. There have been several deaths in Mandaree, we need to be forceful with Law Enforcement. Wished there was a law if a person overdoses the drug dealer should be prosecuted with the overdose. The code would need to be updated, Jan Morely is working on it and it should be added to the code. Councilwoman V. Judy Brugh when we meet with Jan on the (Monday) 11 we need to bring this to her attention. It's a Justice Commission meeting, we will attach this to the agenda. There will also be an Executive Committee meeting. SSA Dawn White read monthly report to the committee. How Many pending cases are open, SSA Dawn White has 2 that are pending. Councilwoman Monica Mayer and Dr. Joy Freolich visited the Betty Ford facility in Minnesota. Councilwoman Monica Mayer stated she recently traveled to Minnesota to the Hazeldon facility with Jared Eagle and Dr. Froelich. It is a nice place to be sending juveniles that need treatment. Good Road is always full now, need to start sending people out to other places for sober living facilities. Suboxone comes in at the tail end of recovery. SSA Dawn White mentioned that Narcan should be available to everyone, and teach people how to use it. Councilwoman Monica Mayer thanked the presenting officers for having the *Culture is Cool* event. The event went well and they are planning to have another one in the fall.

**C. TAT Law Enforcement – Nelson Heart Jr., Chief of Police**

Report submitted for the record. Currently there are 2 open vacancies, and another 2 more. Chief Nelson Heart advised the committee of Officers Ayers and Officer Martinez resigning. Waiting to see if there has been anyone working on this yet. Supposed to be done by the end of August. Putting in facial recognitions on the reservation. Requesting the blessing to continue on. Need to start staffing for powwows and events coming up, putting together a schedule. Chief Nelson Heart spoke on the issue of broadband towers. Need a communications tower in White Shield and Mandaree, there is some tribal land that could be utilized. Safety and liability issue. Out by McKenzie County there is no signal on that stretch of road. The big towers are 6 months out. Chief Nelson Heart not sure of how many towers are needed to cover the whole FBIR. Public Safety Administrator Marty Foote mentioned that three towers would be good to cover FBIR.



Councilman Fred Fox advised Chief Nelson Heart to put a budget together that would provide enough towers to cover the whole Fort Berthold Indian Reservation & get some bids. Councilwoman Monica Mayer advised Chief Nelson Heart to have a budget together by the next TBC by July 14<sup>th</sup>. Councilwoman V. Judy Brugh had an issue with an officer that went from full time to temporary after being hired by Tribal Council. He is losing out of accumulating leave or benefits. HR will need to answer this concern. Chief Nelson Heart will see where they are with their budget.

Councilwoman Monica Mayer asked how much federal funding do you get and Chief Nelson Heart replied \$1.6 or 1.7 million, there is good carry over from that.

Councilwoman Monica Mayer noted that Tribal supplement is at \$5.2 million and stressed the need to spend down the federal side. Can they proceed with overtime pay if they are over 20 hours per week? Councilwoman Monica Mayer will work with HR to assist getting more police officers. Also need to staff more officers for the segments. Chief of Police and Marty Foote need to meet with HR to work it.

Councilwoman Monica Mayer requested a coverage plan for officers, as a recruitment packet. Councilwoman Monica Mayer stressed planning forward and to recruit.

Councilwoman Monica Mayer put a plan together and bring it to TBC. Chief Nelson Heart stated that there are currently 16 officers on the road. Councilwoman Monica Mayer asked that HR, Mr. Foote and Chief Nelson Heart meet and help decide how many officers are needed to fully staff Law Enforcement. Chief Nelson Heart expressed his appreciation for the TBC approving their Salary Matrix. He said it will help entice potential officers to come work for the MHA Nation. HR Director Melissa Brady stated that they need the minutes stating the approval of Insurance Coverage for Officers and their families. It was only approved in Judicial Committee so far.

Councilwoman Monica Mayer stated that that issue will be presented for approval at the next TBC. Chief Nelson Heart expressed the need for Cultural Sensitivity training for his officers. Councilwoman V. Judy Brugh asked Chief Nelson Heart why enrolled members are not being promoted first before other Officers. Chief Nelson Heart explained some situations where and why enrolled members were overlooked.

Councilwoman V. Judy Brugh stated that previously in Judicial Committee, it was approved to hire somebody specifically to do Adjudications for Tribal Court and Law Enforcement. Ms. Demaray from Tribal Court and the HR Director Melissa Brady stated that they were confused in the exact duties of the new position of Background Investigator. They were not aware that this new position was only for Adjudications. Also, Melissa Brady stated asked who the position would be under. Councilwoman Monica Mayer suggested that HR and PSA work with the CEO to get this background position worked out. Councilwoman V. Judy Brugh, Young Bird and C.J. Whitman, why were they not put into one of those positions. Chief Nelson Heart explained. CIBD CIDP, C.J. Whitman just got that position. Councilwoman V. Judy Brugh recommended appointing C.J. Whitman in there. Can be done and doesn't have to go through TBC. Council wanted to put an adjudicator together for our tribe.

Councilwoman V. Judy Brugh would like one person to work directly with Law Enforcement and HR to get our officers adjudicated in a timely manner. PSC is doing the adjudication right now, HR wants to hire an Adjudicator, but no one is applying.



Councilwoman Monica Mayer vet it out and bring it back. Councilwoman Monica Mayer, yesterday she met with transferring the towing truck under DOT. Chief Nelson Heart will work on getting White Shield a SRO. Robert will send all the incarcerated list to the Judicial Committee members. Councilwoman Monica Mayer would like to start getting repeat offenders out of housing that could go to other people that really need it. National Night Out event on August 2<sup>nd</sup> with Police in the community.

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

*Item deferred.*

**E. TAT Tribal Court – Dr. Elizabeth Yellow Bird, Court Administrator**

Provided a brief report and updated the committee of upcoming contracts that will up in September. Working on background checks. Would like to go to the communities to inform public what FBDC is doing. Councilwoman Monica Mayer, after school starts there will be a community event, can come to that to inform the public, around September. Chief Judge Christenson advised that there are no Action Items.

**F. Homeland Security – Cliff Whitman, Director**

*Item deferred.*

**G. Adult Detention – Danielle Goodluck, Administrator**

Robert Werlinger presented because Ms. Goodluck had to leave. The first Psychotherapy session was held within Adult Detention. Robert shared some accomplishments while Dr. Donald was there. Connect Life is a new program. Will be sending a pregnant lady to Stanton. There is already one pregnant person in Ward County. Gave the one Suboxone. This will be the 6-7 this past month that are leaving treatment centers, even before they get there. Can't hold for 90 days right now, don't have the capacity. Inmate capacity is still an issue. During transports, inmates are literally jumping out of the vehicle or escaping during transport. The committee discussed with Robert Werlinger how they could develop more space/cells for inmates. Councilwoman Monica Mayer will bring up again at the next TBC for Juvenile Center to hold juveniles. Councilman Fred Fox would like a budget for a satellite place in the White Shield segment for overflow. Councilwoman V. Judy Brugh we want to change the law her change so we can keep those people here. Councilwoman Monica Mayer stated that Officer Jay Brugh should be reinstated. She feels the MHA Nation has violated his rights. She stated Mr. Brugh has been on Suspension with Pay for three weeks now. She doesn't want this case to be like Officer Martinez and be on Suspension with Pay for over a year. Councilwoman V. Judy Brugh agreed. Councilwoman V. Judy Brugh stated that they will bring up the issue at the next TBC.



**H. Juvenile Detention – Mike Young Bird, Administrator**

*Item deferred.*

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

*Item deferred.*

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

*Item deferred.*

**K. TAT Game & Fish – Toni Smith, Director**

*Item deferred.*

**L. TAT Legal – Tyra Wilkinson, Lead Attorney**

*Item deferred.*

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

*Item deferred.*

**V. CLOSED SESSION:**

**VI. ADJOURNMENT:**

**Motion:** Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Adjourned at 1:45 PM.




### CERTIFICATION

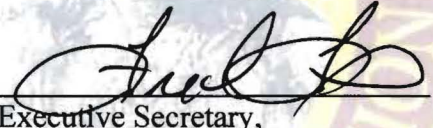
I, the undersigned, as Chairman for the Tribal Business Council's Judicial Committee of the of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council's Judicial Committee is composed of three [3] members of whom [2] constitute a quorum; 3 were present at the Judicial Meeting thereof duly called, noticed, convened and held on the 12<sup>th</sup> day of September, 2022; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of \_\_\_ 3 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Dated this 12<sup>th</sup> day of September, 2022.

ATTEST:



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



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