



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
OCTOBER 19<sup>th</sup>, 2023 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 12:02 PM.

**II. ROLL CALL:**

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

**III. OPENING PRAYER:**

Carol Enno

**IV. APPROVAL OF AGENDA:**

*Motion:* Councilman Mervin Packineau moved to approve the agenda. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

*FTR:* Councilman Cory Spotted Bear joined the meeting at 12:08 pm.

**V. APPROVAL OF MINUTES:**

- **September 13<sup>th</sup>, 2023 Regular Meeting Minutes.**

*Motion:* Councilman Fred Fox moved to approve the September 13<sup>th</sup>, 2023 Regular TBC Minutes subject to minor corrections. Councilman Robert White 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 – Not Present  
Councilwoman Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**VI. SPECIAL GUESTS & ELDERS:**

**A. Fort Berthold Reservation School Presentation**

Whitney Bell, CFO presented monetary donations of \$100,000.00 to each of the reservation schools.

**B. Dental – Myron Foote**

*Item deferred.*

***EXECUTIVE COMMITTEE REPORTS***

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

Recent activities and upcoming events included: Hydrogen & Green Projects, United Tribes, Received Recovery Reinvented Awards at MSU, Regenerative Clinic. Upcoming events include Halloween events, INFR & Participants, (Councilman Mervin Packineau & Kassen Johnson & possibly more qualifying), New became the 2023 Chairman's Bowl Youth Champion, Veterans Day/Marine Corps Birthday. Expressed condolences & prayers for all that are hurting or in need. Riverboat update provided and completing final steps for completion and winter readiness.

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

Recent activities and upcoming events included: History of the Horse Culture, Elders Trip to Deadwood, Pumpkin Patch Vender Show, Orange Shirt Day, Bison Round-up at the Theodore Roosevelt Park-Inter-Tribal Buffalo Council (130 buffalo received). Will donate 2 animals to each segment. Upcoming events include: Covid-19 booster shots & testing today, Halloween Pow-wow Masquerade-Oct 28<sup>th</sup>, Josh Ryan Horse Clinic Nov 3<sup>rd</sup>-10<sup>th</sup>, Thanksgiving Distribution Nov 8<sup>th</sup>, & Community Christmas - Dec.

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



Provided an update recent activities & upcoming event: Halloween Masquerade Oct 28<sup>th</sup>, Annual Veterans Day Celebration & Feed/Pow wow Nov. 11<sup>th</sup>, & November 26<sup>th</sup>, 2023, will be the Thanksgiving meal for the community.

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

Northeast Segment update of recent events and upcoming activities that include the recent successful T4 Job Fair at the Parshall High School (around 1000 participants for the two-day event), Toured the Greenhouse, Visted the Regenerative Clinic in Irving, Calif., upcoming INFR Rodeo, North East Segment Fall Festival, & reminded all the hunters to be safe.

**A. CFO Report – Whitney Bell**

*See Close Session.*

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

**Motion:** Councilman Mervin Packineau moved to approve for the presented Home Mortgage Loan subject to Loans policies & 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

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

**FTR:** Councilwoman Monica Mayer joined the meeting at 12:42 pm.

**Motion:** Councilman Fred Fox moved to approve Group A Small Loans (17) subject to Loans policies & recommendations. 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

- **Loan Addition**

**Motion:** Councilman Cory Spotted Bear moved to approve a S.W.B. [XXXXX] Small Loan for \$7K. 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

**Discussion:** Chairman Mark N. Fox noted that the segments can all chip in to help also.

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

*See Closed Session.*

**XI. SEGMENT UPDATES:**

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

Presented a brief summary of recent activities & upcoming events.

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

Expressed his condolences & prayers to those who have lost loved ones. Recent activities included: Pumpkin Patch Trip, Community Medicare/Medicaid Update Initiative, Elders Bingo every Weds, Chiropractic Care once a month-Oct 23<sup>rd</sup>, Halloween Carnival/Glow Run, Masquerade -Oct 28<sup>th</sup>, Minot Bowling Night Oct 29<sup>th</sup>, Oct 31, Bismarck Trunk or Treat, Nov 26 Community Thanksgiving, Oct 25 – Economic Meeting.

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

Expressed her condolences & prayers to those who have lost loved ones. Recent events include Berry Acres Pumpkin Patch Trip, Jump House Re-Opening, Carnival, School Carnival, Truck or Treat, Haunted House Oct 23<sup>rd</sup>-30<sup>th</sup>, Veterans Appreciation Dinner & Powwow, Talent Show Oct 21<sup>st</sup>, Thanksgiving Diner & talent show. Construction project moving along very well,

**XII. OFFICER REPORTS:**

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

**1) Executive Orders\***

**Motion:** Councilman Fred Fox moved to approve Executive Action EA 2023-51:

**WHEREAS**, White Shield Segment is in need of a treatment and recovery facility for its enrolled members who suffer from chemical addiction, and desires to construct a recovery center for White Shield, and to that end, the Segment solicited bids and received the lowest and best bid from Lexmark Homes, LLC, to construct the White Shield Recovery Center for a cost of \$300,000.00; and

**WHEREAS**, White Shield Segment has negotiated and approved a Contractor Construction Agreement with Lexmark, in form as attached, for construction of the White Shield Recovery Center for \$300,000.00 and seeks approval of the Tribal Business Council of the Three Affiliated Tribes.

**NOW THEREFORE, BE IT RESOLVED**, That, through Executive Action procedure, the Tribal Business Council of the Three Affiliated Tribes hereby approves the attached Contractor Construction Agreement between the Three Affiliated Tribes, for Benefit of White Shield (East) Segment and Ree Lodge Management Program, and Lexmark Homes, LLC, in form as attached hereto; and

**BE IT FURTHER RESOLVED**, That, through Executive Action procedure, the Tribal Business Council of the Three Affiliated Tribes hereby approves the expenditure of \$300,000 for the project, with 50% of funding to be from the White Shield (East) Segment FY2023/2024 segment budgets, and 50% from the Good Road Recovery Center FY2024 budget and approves the payments therefore in accordance with the terms of the aforementioned Contract; and

**BE IT FINALLY RESOLVED**, That the Tribal Chairman and White Shield Segment Representative are hereby authorized to execute the aforementioned Contract and take such further action as necessary to carry out the terms and intent of this Executive Action.



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

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 23-333-FWF entitled “*Approval of 24 (Twenty-Four) Applicants for 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:* 17,310 living MHA Nation enrolled members.

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3) **Tax Department Report\*** - *Stephanie Hall-Thomas, Interim Tax Director*

Report submitted for the record.

1) **Business Licenses:**

**Motion:** Councilman Robert White moved to approve the presented business licenses:

- **Standish Premier Cleaning Inc.** - Jay W. Standish - New Town, ND - New - Linen Cleaning Services.



- **Wold Engineering, P.C.** - Kent D. Indvik & Thomas R. Leshovsky - Bottineau, ND - New - Land Surveying.
- **DC Energy Services LLC** - Derek M. Dowhaniuk & Cole W. Dowhaniuk - Dickinson, ND - Renewal - Oilfield Services.
- **Nuxbaaga daa** - Patricia Poitra - White Shield, ND - New - Food Stand.
- **Edgewater Country Club** - Ray Helphrey - New Town, ND - Renewal Golf Course, Golf Equipment, Apparel, Restaurant & Bar.

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

**4) Emergency Operations Center Report – Emily Sitting Bear, Director**

*Item deferred.*

**XIII. UNFINISHED BUSINESS:**

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**A. I.H.S Staff Quarters Resolution - Sarah Eagle-Pieper, Projects Manager**

Received a 5 million grant from HHS for the project for 10 homes with infrastructure within the masterplan & utility extensions. The total cost will be \$2.6 million dollars and not to exceed 3 million.

**Motion:** Councilman Robert White moved to approve resolution entitled 23-334-FWF entitled "*EMHC Staff Quarters Housing Civil Engineering and Infrastructure Extension Project.*" 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 Sherry Turner-Lone Fight – Aye



Councilman Robert White – Aye

*Discussion:* Not to exceed \$3 million.

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

#### **XIV. EXECUTIVE COMMITTEE:** – *Chairman Mark N. Fox, Chair*

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##### **A. Ratification of 10/18/2023 Executive Committee Actions:**

- **TERO Waiver – Daylon Spotted Bear**
- **NAFSA Sponsorship**
- **Life and Dignity Week/Mid-Winter Pow Wow Financial Request**
- **Blue Water Design**
- **Tony Gonzalas Contract**
- **Kelsey Kraft – Elder Contract**
- **Oakwise Barbershop**
- **Laundromat – North Segment**
- **McKenzie Electric Line Extension – West Segment**
- **J. Vetter Contract - Four Bears Segment**
- **W. Steward Contract - Four Bears Segment**
- **Brenda Bell – Financial Assistance**
- **Infant & Toddler Request 9K**

**Motion:** Councilman Fred Fox moved to ratify the 10/18/2023 Executive Committee actions. 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

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##### **B. Parshall Elementary School TERO Fees – *Mark Sweet/McGough***

Councilman Mervin Packineau will find out if this is ready, Chairman Mark N. Fox requested to hold on this for the plans. Subject to scrutiny of Councilman Mervin Packineau and Chairman Mark N. Fox. John Fredericks noted that these generally require a resolution.





**Motion:** Councilman Robert White moved to approve resolution no. 23-366-FWF entitled “*Parshall Elementary School TERO Fees*” subject to Legal review. Councilman Fred Fox seconded the motion.

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

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**C. Lake Region Dock for Riverboat**  
Submitted invoice for \$42,693.00.

**Motion:** Councilman Fred Fox moved to approve Lake Region payment. 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

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**D. Demolition of White Shield School 638 Contract**

**Motion:** Councilman Fred Fox moved to approve resolution no. 23-335-FWF entitled “*Accepting 638 Funds for the Demolition of the Old White Shield School.*” 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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**E. Expansion Health Resource Center PHN Building**

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 23-336-FWF entitled “*Expansion Health Resource Center PHN Building*” 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

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**F. GMP for Wellness Campus – West Segment**

**Motion:** Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 23-337-FWF entitled “*GMP for Wellness Campus – West 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

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**G. Vasquez Contract – West Segment**

**Motion:** Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 23-338-FWF entitled “*Approval of Amendment of Contract by and between the Three Affiliated Tribes for the Benefit of the West Segment, and Vazquez Contracting LLP, for Concrete Work in the West Segment of the MHA Nation, with increase of funding to \$400,000.*” 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

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#### **H. Fairgrounds – West Segment**

John Fredericks states there was a resolution with Woodstone, with the maximum being \$30 million. The contract was sent to Mr. Fredericks. Mr. Fredericks will need the cost estimate.

**Motion:** Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 23-339-FWF entitled “*Approval of Mandaree Fairgrounds Construction 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

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#### **I. Infrastructure Contract for Bakersfield – Four Bears Segment**

**Motion:** Councilman Robert White moved to approve resolution no. 23-340-FWF entitled, “*Infrastructure Contract for Bakersfield – Four Bears Segment*” subject to Legal review. Councilman Fred Fox seconded the motion.

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



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

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#### **J. Reindel Enterprises**

**Motion:** Councilman Robert White moved to approve resolution no. 23-341-FWF entitled “*Approval of Amendment of Contract by and between the Three Affiliated Tribes for the Benefit of the West Segment, and Reindel Enterprise Inc., for Installation of Generators and General Electrician Services in the West Segment of the MHA Nation, with increase of funding to \$300,000.*” 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**Discussion:** Payment from West Segment funds.

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#### **K. Northern Integrity Contract**

Requesting payment to B&G Electric, a subcontractor of Northern Integrity (contract approved 2023) for \$54,153.51 to come out of West Segment funds. Invoice for subcontractors submitted for work done in Mandaree.

**Motion:** Councilman Fred Fox moved to approve payment of \$54,153.51 for subcontractors from West Segment funds. 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



**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*  
Report submitted for the record.

**1) Indian Health Service Small Ambulatory Program (SAP)**

**Motion:** Councilman Fred Fox moved to approve resolution no. 23-342-FWF entitled, "*Authorization for the Elbowoods Memorial Health Center to Apply for the Indian Health Service Small Ambulatory Program (SAP).*" 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

**2) Management Professional Development Proposal - Colour Works International Ltd.**

As part of the Strategic Planning Process for Elbowoods, this Training will allow each Director/Manager to learn not only their own personal communication style but of each other's communication styles that will assist on learning how best to communicate as an effective functioning team for Elbowoods. Proposed Date: December 12, 2023. All Elbowoods Executive, Directors, and Managers (25). \$12,228.00 (\$11,378 Training/\$850 Travel).

**Motion:** Councilman Fred Fox moved to approve Management Professional Development Proposal with Colour Works International Ltd. 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

### 3) Renewal for McKenzie Health Center Contract

**Motion:** Councilwoman Sherry Turner-Lone Fight moved to approve renewal of McKenzie Health Center Contract 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

### 4) DocStar Contract Renewal

**Motion:** Councilman Robert White moved to approve DocStar Contract renewal 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

### 5) Skid Steer Purchases (4) - Field Clinics

**Motion:** Councilwoman Sherry Turner-Lone Fight moved to approve purchase of 4 skid steers. 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

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

**1) I.H.S. Clinic Demolition and or Remediation/Costs**

Provided 3 options for the transfer and remediation of 3 old I.H.S. clinic building. Councilman Cory Spotted Bear asked to it do the fastest way. Reimbursement by I.H.S. for the remediation. Chairman Mark N. Fox asked the Administrator to seek a confirmation from them that they will reimburse.

**Motion:** Councilman Cory Spotted Bear moved to authorize Chairman Mark N. Fox to concur to extra process to tear the buildings down and possibly get reimbursement for IHS (Federal). 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

**2) A&E Contract Extension**

RML A&E on punch list at a rate of 5.9%. for the completion of the current KDU that adds a cost of \$97K for services that was not in the original contract.

**Motion:** Councilman Robert White moved to approve the RML A&E Contract Extension 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**3) Contract**

Mary LeBeau is a full-time nursing student and wants to work, needs hours. Seeking approve of a contract for 1,000 hours under supervision over the next 12 months, Contract CHR person doing the same duties that the CHR cover.

**Motion:** Councilman Robert White moved to approve Contract for Mary LeBeau 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

**4) Diabetes Case Review/Author Study Fee**

**Motion:** Councilman Robert White moved to approve payment of a one-time \$1,500 Diabetes Case Review/Author Study fee by the Chairman's Office. 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

**5) Placement of Circle of Life Under Good Road Recovery Center**

Seeking to transfer COL out of the Master Contract to under to GGRC Organizational Chart and under GRRC as a sub-clinic. Currently There are 4 staff for a total \$584,000. The numbers will be adjusted. The reimbursement rate will cover as well if done correctly. The Administrator recommended the action.





**Motion:** Councilman Robert White moved to approve moving the Circle of Life under the Good Road Revery Center. 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

**6) CHR Transportation & Release of Responsibility of Form**

**Motion:** Councilman Fred Fox moved to approve the use of the CHR Transportation & Release of Responsibility of Form. Councilwoman Monica Mayer 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

**7) Qualified Service Provider**

Completion of the application process for the CHR program to apply for the Qualified Service Provider

**Motion:** Councilman Fred Fox moved to approve completion of the application process for the CHR program to apply for the Qualified Service Provider Councilwoman Monica Mayer 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

## 8) Circle of Life Behavioral Health Contract for RML

**Motion:** Councilman Fred Fox moved to approve Circle of Life Behavioral Health Contract with RML 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

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

*Item deferred.*

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

Report submitted for the record.

#### 1) Temporary Appointees

Jared Eagle noted that the ratification of the EMHC & ICC Recovery Services was missed under the Executive Committee ratifications. John Fredericks noted that if it were within the budget, it would not require a resolution to appoint by resolution 5 employees/Segment be hired in as political appointees and paid out of his budget. Chairman Mark N. Fox noted that the Directors don't have political appointments just the TBC so they would have to be permanently hired. Councilwoman Monica Mayer recommended that the Administrator submit his recommendation for appointees to each Council person and the Segment would detail them to the Department. Chairman Mark N. Fox was unsure we would need to do it this way and recommended just hiring as temporary employees. [Dr. Froelich speaking but intelligible]. Also, a short discussion Background Check issues. TBC directed the presenter to submit the names to HR and that the position would need to be from Tribal funding. Councilman Mervin Packineau asked Dr. Froelich to step up to the microphone



and repeat her request for the recording. Request to hire appointees through the Segments and TBC recommended taking to HR as Temporary hires.

*No Action*

## 2) Sober Living Purchases

**Motion:** Councilman Robert White moved to approve the bids and purchase of a pickup for snow removal, & lawn equipment & construction equipment for Four Bears Segment Sober Living from Four Bears Segment funds. 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

## 3) Nurse Practitioner Contract

**Motion:** Councilman Robert White moved to approve Nurse Practitioner Contract – with Sheri Forschen, NP (for After Hours & Weekend Coverage) 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

## 4) Circle of Life Construction Contract

Construction contract for \$13,860.

**Motion:** Councilman Mervin Packineau moved to approve Circle of Life Construction Contract not to exceed \$14K & 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

#### 5) **Healing & Hope**

Lisa Redford presented Four Bear Drug Awareness Administrator who is working with GRRC request to move the Community Opioid Pilot Project (with staff) called *Healing & Hope* under the Recovery Team. They have 4 staff that provide services that are reimbursable under 1915i but can't at this time. If under Recovery Services, it would be possible. Another problem is that they have about 1 million dollars that the frozen due to the audits. Councilman Robert White clarified what his segment has been doing with the program but would be more effective under Recovery Services. Councilwoman Monica Mayer noted that we are all doing our own thing and should work more closely with Planning & Grants. They are in the third year of the three-year grant. Kathy Eagle-Williams (EMHC) noted that there are several opioid grants such as SAMSA that can be drawn down without audits.

**Motion:** Councilman Robert White moved to approve transfer of the Healing & Hope Grant & employees under Recovery Services. 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – Aye

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**E. HVAC Contract – TAT Maintenance – Joseph Everett, Director**  
Approved in Executive.



**Motion:** Councilman Fred Fox moved to ratify the Mobray and Son's HVAC Contract 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 – Not Voting

Councilwoman Monica Mayer – Aye

Councilwoman Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

**F. NDSU Project – Rose Davis, North Segment Home Services**

The main goal of this project is to understand how menstruation experiences at school impact educational experiences and health for American Indian girls in reservation communities from the perspective of students and teachers. Although menstruation is a universal experience for nearly half the world's population, barriers to adequate menstrual hygiene, including lack of access to menstrual supplies, and inadequate time or place to change supplies, can negatively impact the lives of women and girls in many ways. Specifically, menstrual hygiene challenges for adolescent girls may impact educational achievement and attendance, promote exclusion from social and physical activities, and lead to poor sexual and reproductive health outcomes. A team of public health and nursing researchers from NDSU and Montana State University are leading this project. The team includes Andrea Huseth-Zosel, Ryan Eagle, and Vanessa Tibbitts from the Department of Public Health and the American Indian Public Health Resource Center at NDSU and Molly Secor from the Mark and Robyn Jones College of Nursing at Montana State University. The project is funded through a grant to NDSU from the National Institutes of Health (NIH). In addition to the university team members, the project will be hiring one community liaison in each participating reservation community, including MHA Nation and Turtle Mountain in North Dakota, and Sisseton Wahpeton Oyate in South Dakota. These team members will assist with project design, community outreach, data collection, interpretation of the data, and presentation of the findings to the community at the end of the project. It is expected this will require approximately 40 hours of work over 12 months and liaisons will be paid \$2,000 in recognition of their time and expertise.

**Motion:** Councilman Fred Fox moved to approve the NDSU Menstruation & Health Project. 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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#### **G. Russ Pederson Contract**

**Motion:** Councilwoman Monica Mayer moved to approve the Russ Pederson EMHC Contract 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

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#### **H. McKenzie County Joshi/Tomjack**

**Motion:** Councilwoman Monica Mayer moved to approve the McKenzie County Joshi/Tomjack EMHC Contract 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

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### I. Docstar Medical Partners

DocStar locum Company to find Dentist to staff dental offices at EMHC, White Shield and Twin Buttes. Candidate interviewed and background check pending.

**Motion:** Councilman Cory Spotted Bear moved to approve Docstar 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

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### J. Capital Equipment Purchases

**Motion:** Councilwoman Monica Mayer moved to approve EMHC Capital Equipment Purchases. 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 rescind the previous motion. 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



**K. KDU Policy & Procedure Manual**

Jared Eagle informed the TBC that the Manual has been reviewed by TAT Legal.

**L. Tribal Insurance – Boon Audit**

Councilwoman Monica Mayer suggested to Table and have Tribal Insurance discussed in the Health & Human Resource Committee.

*Item deferred.*

**M. Data Collection – Xtiri Contract**

**Motion:** Councilman Cory Spotted Bear moved to approve Xtiri Contract 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 – Aye

Councilwoman Monica Mayer – Aye

Councilwoman Sherry Turner-Lone Fight – Not Voting

Councilman Robert White – Not Voting

**N. V. WC PRC Issue [HIPAA Sensitive]**

Elder Mayo bill for \$1,216. Recommended according to policy a payment of 75% of the bill for the amount of \$912.00.

**Motion:** Councilman Fred Fox moved to approve WC PRC payment. 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 – Aye

Councilwoman Sherry Turner-Lone Fight – Not Voting

Councilman Robert White – Not Voting

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**O. K.K. Medical Bill**





**P. L.K. Medical Bill**  
**Q. D.L. Medical Bill**

**Motion:** Councilman Fred Fox moved to ratify items O-Q by blanket motion [K.K. medical bill, L.K. medical bill and the D.L. medical bill]. Councilman Cory Spotted Bear seconded the motion.

Vote: 5- Ayes. 1- Abstained. 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 – Not Voting  
Councilman Robert White – Abstained

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**XVI. NATURAL RESOURCE COMMITTEE** – *Councilman Cory Spotted Bear, Chair*

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

Jessie Baker updated the TBC concerning a life estate previously presented and the person trying to sell their life estate and tribe already purchased the land and would only be the financial. Only receiving the farm pasture income for an 80-acre track and a 200-acre track with a 6% share at about \$213/year. Recommended no action at this time. Could counteroffer of \$8K. Councilman Cory Spotted Bear recommended following-up and making the offer. It was noted that the Tribe was a 66% owner in both tracks.

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

*Item deferred.*

**B. Agriculture Leases\***

*Item deferred.*

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**C. Fort Berthold Rural Water (FBRW) Update\*** - *Joe Silveria, Director*  
**1) Four Bears Apartment Complex Master Meter Project ROW**



**Motion:** Councilman Robert White moved to approve resolution no. 23-343-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land.*" [Four Bears Apartment Complex Master Meter Project]. Councilman Mervin Packineau seconded the motion.

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

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

**2) Sons of Star Casino ROW**

*Item deferred.*

**3) Amending Resolution 23-153-FWF – Mandaree 2<sup>nd</sup> Elevated Tank.**

**Motion:** Councilman Robert White moved to approve resolution no. 23-344-FWF entitled "*Amending Resolution 23-153-FWF – Mandaree 2nd Elevated Tank*". Councilwoman Monica Mayer seconded the motion.

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

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

**4) West Segment for 6” Water Line Extension ROW**

**Motion:** Councilman Robert White moved to approve resolution no. 23-345-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land.*" [ROW in the West Segment for 6” Water Line Extension]. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Not Voting



Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman Sherry Turner-Lone Fight – Not Voting  
Councilman Robert White – Aye

**5) Amending Resolution 23-156-FWF – Dragswolf Tank Access Road ROW**

**Motion:** Councilman Robert White moved to approve resolution no. 23-346-FWF entitled “*Amending Resolution 23-156-FWF – Dragswolf Tank Access Road.*” Councilwoman Monica Mayer seconded the motion.

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

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

**6) Elbowoods Tank Site and Access Road Project ROW**

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 23-347-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land.*” [Elbowoods Tank Site and Access Road Project]. Councilman Fred Fox seconded the motion.

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

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

**7) Antoine Fettig-Smith & Gabriel W. Fettig ROW**

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 23-347-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land.*”



[Antoine Fettig-Smith & Gabriel W. Fettig ROW]. Councilman Fred Fox seconded the motion.

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

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

#### 8) FBRW Organizational Chart

**Motion:** Councilwoman Monica Mayer moved to FBRW Organizational Chart. Councilman Mervin Packineau seconded the motion.

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

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

**Discussion:** Councilman Cory Spotted Bear requested Mr. Silveria to make that it is sent to James Baker to add to the Overall TAT Organizational chart. Make sure Natural Resource Committee/Chair is included.

#### 9) Subsequent Users Contract Extension

Tier contract with Storms was solicited. Adding \$944K and other items.

**Motion:** Councilman Fred Fox to authorize the Chairman to sign the Subsequent Users Contract Extension. Councilman Robert White seconded the motion.

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

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



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

#### 10) White Shield Intake Grant

FBRW received \$2,304,600 in grant funding to restructure and rebuild the White Shield intake. Tribal contribution of \$240K that will be covered by the FBRW RAX Program.

**Motion:** Councilman Robert White to authorize the Chairman to sign.  
Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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#### D. Fort Berthold Land & Livestock - Jessie Baker & Susan Fredericks

##### 1) Native American Agriculture Fund Grant

Received a grant from the Native American Agriculture Fund which is part of the Keepseagle Settlement. MHA Nation must be the fiscal sponsor for the Land & Livestock to receive the grant. Legal has reviewed the grant. Would like to provide mini grants worth \$200K for fencing to members of the association. Need a waiver of sovereign immunity. Susan Fredericks noted they will be coming in later to seek a match.

**Motion:** Councilman Fred Fox moved to approve resolution no. 23-349-FWF entitled “*Approval of a Limited Waiver of Sovereign Immunity to the Native American Agriculture Fund (NAAF) as a Fiscal Sponsor to the Fort Berthold Land and Livestock Association (FBLA).*” subject to Legal review.  
Councilman Robert White seconded the motion.

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



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

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**E. Sanitary Sewer** – *Marus Levings, Public Works*

GP20D76 Sanitary Sewer Project. Originally forwarded to budget committee but not funded. Funds are in holding at I.H.S. Chairmans signature required to accept the grant.

**Motion:** Councilman Mervin Packineau moved to approve resolution no. 23-353-FWF entitled “*Approval of Public Works Department and Indian Health Service Project Number GP20-D76-FB2023-CC1 FBCCTB of Sanitary Sewer, A tribal General Fund Project in the amount of \$367,530*” subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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

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

Reported 37 rigs in the State with 3 on FBIR. Oil is about \$89.

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 23-350-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (871A) for the Enerplus Racer Pad Project Submitted by McKenzie Electric Cooperative Inc.*” Councilman Mervin Packineau seconded the motion.

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



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

**Motion:** Councilman Mervin Packineau moved to approve resolution no. 23-351-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (1755) for the Crosby Chase 2-1H Project Submitted by WPX Energy Williston, LLC.*” subject to Legal review. Councilwoman Monica seconded the motion.

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 23-352-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (706A-A) for the Mandaree Pipelines Reroute Project Submitted by Targa Badlands LLC.*” Councilwoman Monica Mayer seconded the motion.

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

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### C. Tallsalt Contract

Contract in the same amount as last year.

**Motion:** Councilwoman Monica Mayer moved to approve the Tallsalt Contract renewal subject to Legal review. Councilman Mervin Packineau seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.  
Chairman Mark N. Fox – Not Voting  
Councilman Cory Spotted Bear – Aye



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

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

**A. Tribal Housing** – Florence Brady, Acting Director

**1) FY2014 Housing Improvement Program (HIP)**  
\$140K.

**Motion:** Councilman Robert White moved to approve resolution no. 23-354-FWF entitled, “Authorization for Housing Services Program to change the use of FY2014 Housing Improvement Program (HIP) Category D - Down Payment Assistance funds to Category B - Repair/Renovation funds.” Councilwoman Monica Mayer seconded the motion.

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

**2) ARP Funded Projects Procurement Process Waiver**

**Motion:** Councilman Fred Fox moved to approve resolution no. 23-367-FWF entitled “Authorization for Housing Services Program to Procure Services for ARP Funded Projects Individually up to \$47,042.00 each Without Going Through Formal Written Quote/Bid Process.” Councilman Robert White seconded the motion.

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





Councilman Robert White – Aye

*Discussion:* Councilman Cory Spotted Bear suggested the guidelines to come from under Executive Committee minutes.

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

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

**B. TAT Law Enforcement Report** – Nelson Heart Jr., Chief of Police  
Report Submitted for the Record.

**C. Public Safety** – Phil Packineau, Administrator

**1) GTFJC Salary Matrix**

Originally approved for the Officers and requesting for the rest of the staff.

**Motion:** Councilwoman Monica Mayer moved to approve GTFJC Salary Matrix. Councilman Robert White seconded the motion.

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

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

**2) TAT LE Voice Logger**

Equipment for the 911 Center to bring in is compatible with the State. Part of the budget. Recent Supervisor training in Public Safety. Good training with a day for upper-level managers that had good results. Trying to bring up the younger generation to take over some day. Mr. Packineau clarified areas of supervision as requested by Councilman Robert White such as Adult/Juvenile Corrections, LE, Drug Enforcement, & Animal Control (Game Wardens due to Arrest Authority) & seeking to have probations also under his supervision. Councilwoman Monica Mayer made the Administrator aware of an upcoming Training and moving forward with development of the Brianna Foote Land purchase. Also requested an update on the Gun Range project.



**Motion:** Councilman Robert White moved to approve TAT LE Voice Logger purchase. Councilwoman Monica Mayer seconded the motion.

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

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

**D. Public Safety Division of Drug Enforcement Report\*** - *Gerald White, Jr., Chief & Special Agent Dawn White*

Report submitted for the Record. Statistically reporting a downward trend for overdoses. North Segment reported the highest activity with (12). The 21-30 age group had the highest number of all age ranges. Councilman Robert White would like to see Public Safety step it up and see more results. Special Agent Dawn provided a report of arrests, investigations, inter-agency collaborations, community relations. Councilman Robert White wants names of people that are arrested in the community and that live in in the community some he can evict them. Chairman Mark N. Fox noted there is a difference between arrest & conviction. Councilman Robert White that in there housing lease document they can evict based on arrests to meet their “No Tolerance” policy. Administrator Phil Packineau agreed that they need to do better. John Fredericks noted that it is fine to share arrest information it is just that there can be no interference in on-going investigations. Councilwoman Monica noted that we need Police Report to execute our “No Tolerance Lease” requirements. Councilman Robert White stated “zero tolerance” means just that, zero. Councilwoman Monica Mayer express concern over the activity at the Casino and to keep pushing hard.

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

**E. Criminal Code**

*Item deferred to Closed Session.*

**XX. CULTURAL COMMITTEE** – *Chairman Mark N. Fox*

**A. MHA Interpretive Center Positions for Advertisement** – *Delphine Baker, Director*  
*Addressed in Executive Committee*



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

*No Items forwarded.*

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

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**A. Chairman Mark N. Fox – Range Unit Complaint L.C.**

Received a complaint from an elder about a range unit and more about the B.I.A. that he tried to apply basically to him to hold off and then the range unit was forwarded to the TBC as a single application for someone else. Chairman N. Fox believes at a minimum we can investigate before the renewal. Jessie Baker noted that the bills were sent out Oct. 15<sup>th</sup> for this coming year and further noted that permittee is unwilling to split the range unit with the elder. Jessie Baker explained the elder just wants the 160 up in the corner of RU 913 and that it was split in the past. It would take Council action to relocate. Jessie Baker is also looking for more grass as another option.

**Motion:** Councilman Cory Spotted Bear moved to put the range unit on hold. 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

Jessie Baker added to and will need minutes for the BIA to issue.

Recommendation is to issue permits. NRC there was no permit issued.

Start fresh, issue a permit, and let them put their cattle on it. It was split 3 ways because all of them, they all applied for the unit and only one person got the unit through the mail by letter, the other 2 applicants that applied did not get a letter from B.I.A. Council suggests starting fresh and issue permits for 2023 for the remainder of the range unit 904.

**Motion:** Councilman Cory Spotted Bear moved to issue the permits (3) for RU 904/904A that it was allocated for the 2024 grazing season. 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 Sherry Turner-Lone Fight – Aye  
Councilman Robert White – 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 – INFR Sponsorship/Fees**

Chairman Mark N. Fox suggested creating a list of names of tribal members who intend to go, hotel & travel budget, not to exceed \$45K. Asking them to coordinate with us on breakout meeting space on energy and economic development for meetings with Gov. Doug Bergum.

**Motion:** Councilwoman Monica Mayer moved to approve \$45K INFR sponsorship donation. Councilman Cory Spotted Bear seconded the motion.

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

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

**Discussion:** Chairman Mark N. Fox noted that MHA has three tribal members that already qualified.

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

Housing remediation to come out of Segment funds.

**Motion:** Councilman Coy Spotted Bear moved for housing remediation contracts to come out of Four Bear Segment funds subject to Legal review. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

**Discussion:** Ben Scott and James Koenig awarded.

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**N. Councilman Robert White – Timberwolf Ticket Purchase**

Purchase of 40 Timberwolf NBA Basketball Tickets.

**Motion:** Councilwoman Sherry Turner-Lone Fight moved to purchase ticket out of Four Bears Segment funds not to exceed \$10K on ticket pricing & \$10K on hotel & travel expenditures. Councilman Robert White seconded the motion.

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

Chairman Mark N. Fox – Not Voting

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Not Voting

Councilwoman Monica Mayer – Aye

Councilwoman Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

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

*Item deferred.*

**XXIV. CLOSED SESSION:**

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**A. Human Resources (HR)\* – Melissa Brady, Director**

- 1) Law Enforcement Issues
- 2) Single Hires:
- 3) Multiple Hires:
- 4) Transfers:
- 5) Tribal Salary Modifications.
- 6) Federal Salary Modifications.
- 7) Resignations.
- 8) Terminations
- 9) Years of Service
- 10) Salary Corrections

**B. Met Life Dental and Vision Insurance – Deb Wells**

**C. 401K Pay Off**

**D. Legal\* – John Fredericks**

- 1) Fort Berthold Minerals Restoration Act Return of Lands
- 2) Twin Buttes High School
- 3) Settlement Agreement in Manago Litigation
- 4) Regenerative Medicine Clinic Resolution
- 5) White Sands Parking Lease Resolution
- 6) Demolition and Abatement of the White Sands Motel

**E. TERO - Lisa Lone Fight**

- Morgan Berquist Contract with TERO
- Richard McGee Contract with TERO

**F. Science & Technology Dept. – Lisa Lone Fight, Director**

**G. RW Property Acquisition**

**H. Enrollment Issue**

**I. Make Cents**

**J. Parks & Recreation – Mary Fredericks**

- 1) Kristy Baker Contract
- 2) Living Habitats Contract

**K. Court Contract Approvals – September**

**L. Legal Salary Matrix – Tyra Wilkinson, Lead Attorney**

- 1) Leah Beah
- 2) Tyra Wilkinson

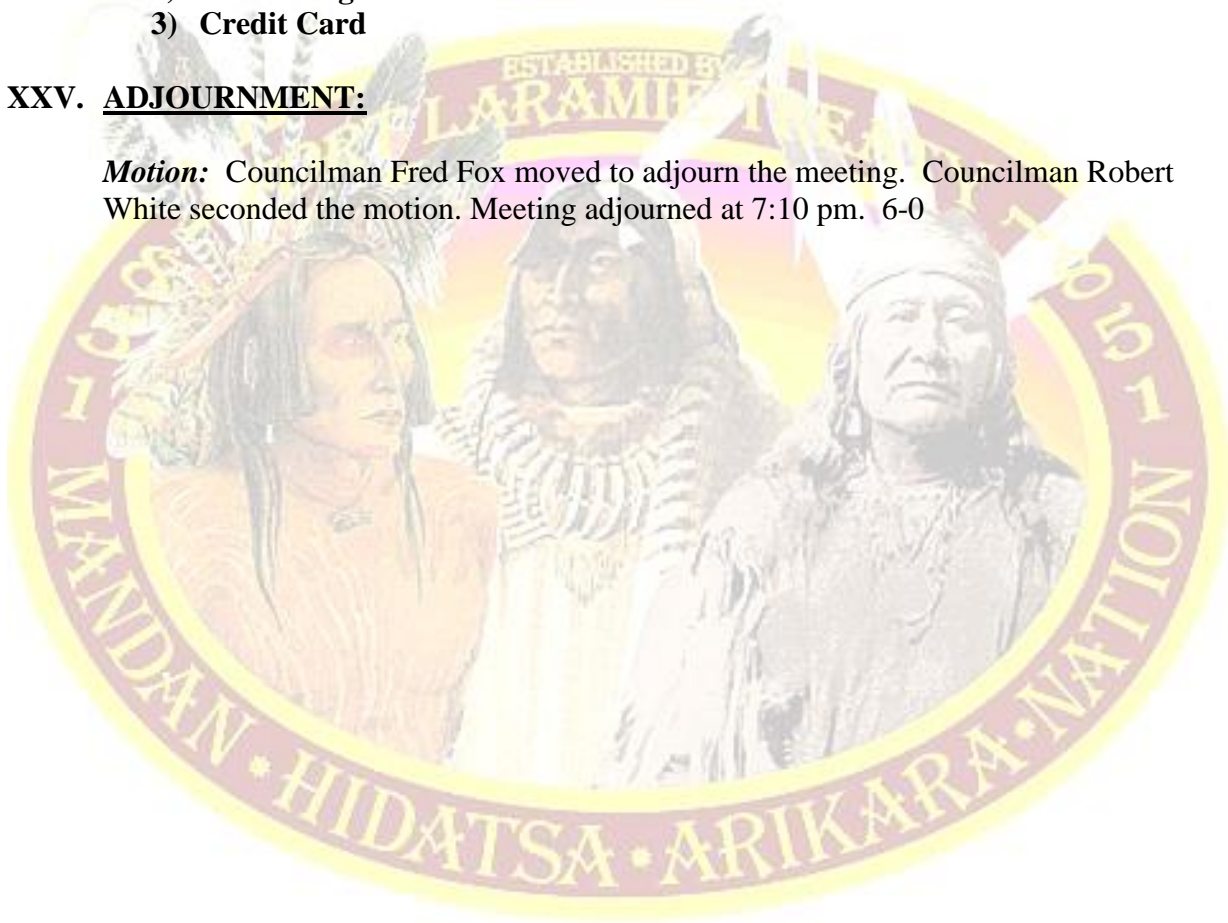
**M. Jan Morley Contract – Tyra Wilkinson, Lead Attorney**



- N. **Criminal Code Update** – *Jan Morely*
- O. **PSA – Rescind Termination** – *Captain Nelson Heart*
- P. **Organization Chart** – *Stella Berquist. CEO*
- Q. **Four Bears Casino Report\*** - *Spencer Wilkinson, Scott Wilson, General Manager*
- R. **CFO Report** – *Whitney Bell*
  - 1) **Report**
  - 2) **Continuing Resolution**
  - 3) **Credit Card**

**XXV. ADJOURNMENT:**

**Motion:** Councilman Fred Fox moved to adjourn the meeting. Councilman Robert White seconded the motion. Meeting adjourned at 7:10 pm. 6-0





### CERTIFICATION

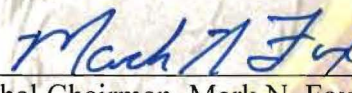
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 7 were present at the Regular Meeting thereof duly called, notice, convened and held on the 9<sup>th</sup> of November, 2023; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 6 members; 0 members opposed; 0 members abstained; 1 Members not voting.

Chairman ( ) Voting (X) Not Voting

Dated this 9<sup>th</sup> day of November, 2023

ATTEST:

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

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