



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
DECEMBER 7th, 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 Fox called the meeting to order at 12:15 PM.

II. ROLL CALL:

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

III. OPENING PRAYER:

Harriet Goodiron

IV. APPROVAL OF AGENDA:

Motion: Councilman Fred Fox moved to approve the agenda. 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 – Not Present
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

V. APPROVAL OF MINUTES:

- **November 9th, 2023 Regular Meeting Minutes.**

Motion: Councilman Fred Fox moved to approve the November 9th, 2023 Regular Meeting Minutes subject to minor corrections. Councilman Robert White seconded the motion. *Motion carried.*

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



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

VI. SPECIAL GUESTS & ELDERS:

A. Dental – Myron Foote³

Deferred back to Health & Human Resource Committee.

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B. Marilyn Young Bird Report

Report submitted for the record. Informed the TBC that the Safe Haven Home built in Four Bears Segment is completed. Initial delays stemmed from electrical hook up, and no sewer due to misunderstanding. The project is completed now and on November 2023 Four Bears Segment received the keys. Ms. Young Bird thanked the Council for the support. Residents are in the safe home already. Councilman Robert White noted that the building has been transferred to GRRC and additionally the Segment has purchased a vehicle to transport their clients around. She also thanked Councilman Robert White for his assistance. There are Safe Haven Homes in each segment now.

EXECUTIVE COMMITTEE REPORTS

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

Chairman Mark N. Fox provided a report on recent events & upcoming meetings that included: All Segments are having their holiday events. For those living off the reservation in Bismarck, Tribal Employees and Elders Christmas event Dec. 19th. Elders will receive \$3,000 on the 19th, for those who cannot attend, their checks will be mailed on the 19th. KDU grand opening meeting Jan. 10-11th. Greenhouse construction continues with expected growing season until May or June. Bismarck will be celebrating expansion of its building on December 20th. Two N.D. tribes filed a lawsuit regarding redistricting. (votes). FBIR is now a separate voting District. FBIR will be split and will have two representatives at the State level. Possible meeting tomorrow with State leaders. Working on budgets, 2021 audit will be finishing up. The goal is to have 2021 and 2022 audits completed by the end of the year. The Federal Partners meeting was held. Chief Drag's Wolf war shirt was returned to the tribe and is at the Interpretive Center.

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

Councilman Cory Spotted Bear expressed his condolences to the mourners. He also spoke about recent events that occurred in the Twin Buttes Segment. Informed the public that Dr. Edwin Benson Day is coming up on Dec. 13th. Project updates included:



Renovations are going on in the community & a lot of development is still going on. Assisted Living facility is up, the new high school walls will be going up soon, and the Fair grounds have been completed. Currently we are planning to build 12 new homes soon.

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

Councilman Fred Fox gave condolences to those who lost loved ones. Dec 20 is the Community Christmas event in White Shield. Immanuel Treatment Center in Phoenix will meet on the 17th and tour their establishment. Have a new wrestling program in the school. Veterans building is complete and just waiting on the furniture. Youth traveling to Billings Montana tournament. Veterans building will be complete. Thanked his Records Office Staff for all that they do.

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

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A. CFO Report – *Whitney Bell*

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-443-FWF entitled “Directive to the Office of Trust Fund Management to Make Available Funds for Withdrawal from Three Affiliated Tribes Proceeds of Labor Account PL7228700 in the amount of 18,000,000.00” Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Not Present

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Aye

Councilwoman Sherry Turner-Lone Fight – Not Present

Councilman Robert White – Aye

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

Presented 6 home mortgage loan applicants.

Motion: Councilman Fred Fox moved to approve the presented mortgage application (6) subject to Loans policies & recommendations. 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 – Aye
Councilwoman Sherry Turner-Lone Fight – Not Present
Councilman Robert White – Aye

- **Home Mortgage Insurance Rates**

Have seen a significant increase in the annual premiums for the mortgage program. On average they have. They are recommending that the homeowners seek their own insurance.

Motion: Councilman Cory Spotted Bear moved to authorize the department to seek quotes for homeowner’s insurance as a group. Councilman Mervin Packineau 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

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

- **Group A – 13 applicants**

Motion: Councilman Mervin Packineau moved to approve Group A (13) small loans subject to Loans policies & recommendations. 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 – Aye
Councilwoman Sherry Turner-Lone Fight – Not Present
Councilman Robert White – Aye



- **Group B – Education Loans**

Motion: Councilman Robert White moved to approve Group B (1) small loans subject to Loans policies & recommendations. Councilman Fred Fox seconded the motion.

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

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

- **Add on: Whirlwind Bull Yellow Bear**

Motion: Councilman Fred Fox moved to approve small loan for Whirlwind Bull Yellow Bear subject to Loans policies and recommendations. 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

D. Four Bears Casino Report* – - *Spencer Wilkinson & Pat Packineau*

See Closed Session

XI. SEGMENT UPDATES:

A. North Segment – *Councilwoman Monica Mayer*

December 13th Community Xmas party. 973 gift cards to students on December 18th. They are expecting over 1,000 people in attendance. Wished everyone a Merry Christmas.



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B. Four Bears Segment – Councilman Robert White

Councilman Robert White expressed his condolences to those who have lost loved ones. Community Christmas Dinner Dec. 15th at the 4Bears Casino Event Center & School Awards Banquet & Highwaymen Tribute Band Concert that evening. Admin leave will be given to employees who attend.

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C. West Segment - Councilwoman Sherry Turner-Lone Fight

Councilwoman Sherry Turner-Lone Fight expressed her condolences for those who have lost loved ones. Provided an update on recent & upcoming community events. November, they held a talent show and had a good turnout. They also recently held a high school/ alumni basketball game. Community Xmas party on December 7th with a Parade of Lights, high school concert will be December 11th will have decorating contest. Mineral/land/owners meeting on Dec. 13th at 2pm, Also on December 13th the BIA will be providing community education for landowners.

XII. OFFICER REPORTS:

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

1) Executive Orders*

Motion: Councilman Robert White moved to ratify Executive Action EA 2023-55:

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes, through the Executive Action procedure, authorizes and approves the Four Bears Segment to provide a \$50,000.00 reimbursement grant to assist in home repair renovations for Morgan Berquist. The grant will be taken out of the Four Bears Community Development Fund.

Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Not Present

Councilwoman Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

Motion: Councilman Fred Fox moved to ratify Executive Action EA 2023-56:



WHEREAS, The TAT Mortgage Program has approved the borrower, Mark Fox, for the purchase of the residential home and he has provided a substantial deposit and down payment towards the purchase of the home to the Program; and

WHEREAS, Should the purchase of the residential home be put in the Tribes' name as is currently the usual process through the TAT Mortgage Program, the closing company is requiring a limited waiver of sovereign immunity from the Tribes in order to complete the purchase of the residential home; and

WHEREAS, In lieu of granting the limited waiver of sovereign immunity, the purchase of the residential home (purchase agreement, etc.) will be placed completely in the borrower's name; and

WHEREAS, After the completion of the purchase, the borrower, Mark Fox, will convey a warranty deed to the Three Affiliated Tribes as required under the TAT Mortgage Program policies and procedures.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes, through the Executive Action procedure, authorizes and approves the exception to the TAT Mortgage Program policies and procedures in granting the purchase of the residential home in Las Vegas, Nevada in the name of Mark Fox, the borrower; and

BE IT FINALLY RESOLVED, that upon completion of the purchase, Mark Fox shall convey a warranty deed for the residential home to the Three Affiliated Tribes.

Councilman Robert White seconded the motion.

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

Chairman Mark N. Fox – Abstained

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

Motion: Councilman Fred Fox moved to ratify Executive Action EA 2023-57:

WHEREAS, Time is of the essence as the services provided by Preston DeMaree under this contract are critical to the health and wellbeing of the enrolled members and other residents of White Shield Segment and the Tribal Business Council meeting is weeks away, therefore the White Shield Segment respectfully requests approval of the (renewal) Contract for Services between



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Three Affiliated Tribes, MHA Nation, for Services Provided to its White Shield Segment and Preston DeMarce. Jr. DBA Make it Rain, in form as attached hereto with authorization of its funding through Executive Action procedure.

NOW, THEREFORE, BE IT RESOLVED, That, through Executive Action procedure, the Tribal Business Council of the Three Affiliated Tribes hereby approves the (renewal) Contract for Services between Three Affiliated Tribes, MHA Nation, for Services Provided to its White Shield Segment and Preston De Marce, Jr., DBA Make it Rain, in from as attached hereto; and

BE IT FURTHER RESOLVED, That, through Executive Action Procedure, the Tribal Business Council of the Three Affiliated Tribes hereby authorizes appropriation and expenditure of \$22,500 of Tribal funds from the FY 2023 and FY 2024 White Shield (East) Segment budgets for payment of the obligations under the terms of the aforementioned Contract for Service; and

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

Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Not Present

Councilwoman Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

Motion: Councilman Fred Fox moved to ratify Executive Action EA 2023-58:

WHEREAS, The Four Bears Segment Representative has brought forth a Contract for renovation services for a home within the Four Bears Segment, the work to be completed as soon as possible since the winter months are coming.

NOW, THEREFORE, BE IT RESOLVED, that the Three Affiliated Tribes, through the Executive Action procedure, authorizes and approves the Four Bears Segment to award the Pete Young Bird Residential unit flooring restoration bid to Black Diamond Productions, LLC, in the amount of Fifteen Thousand Three Hundred Dollars (\$15,300.00) and a Contract for that amount. Project funds will be drawn from the Four Bears Segment Budget.

Councilwoman Sherry Turner-Lone Fight seconded the motion.



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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

Motion: Councilman Robert White moved to ratify Executive Action EA 2023-59:

WHEREAS, The Twin Buttes Segment wishes to purchase a street sweeper;
and

WHEREAS, Such a purchase will be paid out of Twin Buttes Segment funds;
and

WHEREAS, The winning quote for the street sweeper is from Elgin Sweeper Company, in the amount of \$261,095; and

WHEREAS, The Twin Buttes Segment has complied with the procurement policies of the Tribe; and

WHEREAS, Approval of the purchase is necessary.

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council authorizes the purchase of the equipment.

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

Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

Motion: Councilman Cory Spotted Bear moved to ratify Executive Action EA 2023-60:



WHEREAS, The Twin Buttes is undertaking the project known as the Twin Buttes Fairgrounds Project; and

WHEREAS, The Twin Buttes Segment operates the South Shores Do It Best store; and

WHEREAS, Furniture Fixtures and Equipment (FFE) must be supplied for the Twin Buttes Fairground Project; and

WHEREAS, The Twin Buttes Segment wishes to procure all of the FFE from its Do It Best Store; and

WHEREAS, The total cost of the FFE is \$245,000; and

WHEREAS, An exception to the Tribe's Procurement Policy is necessary to allow such purchases.

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council authorizes an exception to the Tribal Procurement Policy for the Twin Buttes Fairgrounds Project.

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

Councilman 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

Motion: Councilman Cory Spotted Bear moved to ratify Executive Action EA 2023-61:

WHEREAS, The Four Bears Segment Representative has requested authorization to provide a one-time incentive in reasonable amounts to the Four Bears Segment employees.

NOW, THEREFORE, BE IT RESOLVED, that the Three Affiliated Tribes, through its

Executive Action procedure, authorizes and approves the Four Bears Segment to provide a one-time gross net incentive to its employees to be distributed in the amounts \$150.00 and \$300.00 based on length of employment. An itemized list of employees and their respective incentive amount is presented hereto. The



total amount authorized for this one-time incentive shall be Twenty-Seven Thousand One Hundred Fifty Dollars (\$27,150.00), which will be drawn from the FY2024 Four Bears Segment Budget.

Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Not Present

Councilwoman Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

Motion: Councilman Robert White moved to ratify Executive Action EA 2023-62:

WHEREAS, The Tribal Business Council in 2016 approved the purchase of property located in Bismarck for the construction of Good Road Recovery Center by way of Resolutions No. 16-J80-LKH and 16-274-FWF; and

WHEREAS, The Tribal Business Council in August 2023 approved the authorization of Bid Pack 1 and Guaranteed Maximum Price Amendment for Good Road Recovery

Center Expansion by way of Resolution No. 23-257-FWF; and

WHEREAS, The Tribal Business Council has previously approved GRRC Expansion Projects which are currently under construction, and the intent of this Executive Action is to authorize the overall budget which will include the Guaranteed Maximum Price for the project, Architect Fee, and Owner Costs for the GRRC Expansion with regard to two additional Cottages, which would increase bed capacity for GRRC to 64 clients. Capital City Construction, Inc of Bismarck, ND is the Construction Manager; and

WHEREAS, The cost for the GRRC Expansion Cottages Project has been determined to be \$12,900,000 based on Bid Pack 1 and Bid Pack 2, which have been bid out, and includes other costs such as FF&E; and

WHEREAS, A regular Resolution for this was approved at the October 2023 Executive Meeting, however, it appears that the Resolution was not forwarded to the October 19, 2023 Tribal Business Council meeting for ratification.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes, through the Executive Action procedure, hereby approves and authorizes the appropriation of Thirteen Million Dollars (\$13



,000,000) from the Tribes' FY2024 Special Projects Budget for the completion of the GRRC Expansion Cottages Project; and

BE IT FINALLY RESOLVED, that the Tribal Chairman is authorized, subject to legal review, to execute construction, Guaranteed Maximum Price Amendments, and other contracts necessary to complete the GRRC Expansion Cottages Project within the authorized budget, together with such other documents as are necessary to carry out the terms and intent of this Executive Action.

Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Not Present

Councilwoman Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

Motion: Councilman Robert White moved to ratify Executive Action EA 2023-63:

WHEREAS, The Tribe has entered discussions with Bakken Energy, LLC regarding unique energy related projects; and

WHEREAS, To facilitate discussions, and to protect confidential information, the attached Non-Disclosure Agreement (NDA), which has been reviewed and approved by MHA legal counsel, is required; and

NOW THEREFORE BE IT RESOLVED, That the attached NDA is approved and the Tribal Chairman is authorized to execute the NDA.

Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Not Present

Councilwoman Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

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- 2) **Enrollment*** – *Sevant S. Taft, Enrollment Director*
Resolution for 28 applicants.

Motion: Councilman Fred Fox moved to approve resolution no. 23-399-FWF entitled “*Approval of 28 (Twenty-Eight) Applicants for Enrollment into the Three Affiliated Tribes.*” Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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

Discussion: Currently there are 17,363 living enrolled members.

Motion: Councilman Fred Fox moved to approve resolution no. 23-400-FWF entitled “*Approval of Voluntary Relinquishment of Michelle Ann LeBeau from Membership of the Three Affiliated Tribes.*” Councilman Cory Spotted Bear seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 23-401-FWF entitled “*Approval of Voluntary Relinquishment of Landon Michael LeBeau from Membership of the Three Affiliated Tribes.*” Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Abstained
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye



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

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- 3) **Tax Department Report*** - *Stephanie Hall-Thomas, Interim Tax Director*
Submitted report for the record. Stephanie presented October and November reports.

a) **Alcohol Licenses**

Motion: Councilman Fred Fox moved to approve the following Alcohol licenses:

- **Edgewater Country Club** - Ray D. Helphrey, New Town ND - Renewal - Tribal Retail License – Beer, Tribal Retail License – Liquor.
- **Rum Dums Liquor LLC** - Darrick Bell, New Town ND Renewal Tribal Retail License - Beer - Tribal Retail License – Liquor.
- **The Rooster LLC** - Kenneth J. Danks, Mandaree ND - Renewal - Tribal Retail License - Beer Tribal Retail License – Liquor.
- **4 Bears Casino & Lodge - Pocket Aces** - Wesley S. Wilson, New Town ND -Renewal Tribal Retail License - Beer Tribal Retail License – Liquor.
- **4 Bears Casino & Lodge - Eagles Landing** - Wesley S. Wilson, New Town ND - Renewal - Tribal Retail License - Beer Tribal Retail License – Liquor.
- **4 Bears Casino & Lodge - Marina** - Wesley S. Wilson, New Town ND - Renewal Tribal Retail License - Beer Tribal Retail License – Liquor.
- **4 Bears Casino & Lodge - River Willow** - Wesley S. Wilson, New Town ND - Renewal - Tribal Retail License - Beer - Tribal Retail License - Liquor

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

b) Business Licenses

Motion: Councilman Fred Fox moved to approve the following Business Licenses:

- **Marathon Oil Company** - Lee Tillman, Houston TX - Renewal Oil, Gas Exploration & Production.
- **XTO Energy Incorporated** Mark Warren, Houston TX - Renewal Oil & Gas Leasing, Operating, Development and Production.
- **Daisy's Cleaning Service's** - Lizette Alvarez, New Town ND - New - Commercial, Residential, Post Construction Cleaning, Janitorial Services and Carpet and Floor Cleaning.
- **J+ J Coffee+Concessions** - Jessica Whiteowl, New Town ND - Renewal Mobile Coffee Shop.
- **D&L Construction Inc.** - Devin Johnson & Lorin Johnson, Parshall ND - Renewal Hydrovac Services, Trucking, Gravel Sales.
- **Enerplus Resources (USA) Corp.** - Jayme Baker, Denver CO - Renewal - Oil & Gas Exploration and Production.
- **Safe Dig Services, LLC** - Greb Oberhofer, Watford City ND - Renewal Hydro Excavation Services, Remediation, Teresa Esper Tank Cleaning.
- **Rum Dums Liquor LLC** - Darrick Bell, New Town ND - Renewal Drive Through Retail Liquor, Wine, Beer.
- **Uetsa Tsakits Inc. DBA: Maxlend** - Richard Mayer, Parshall ND - New - Short-Term Installment Loans.
- **MHA Systems Inc.** - Richard Mayer, Parshall ND - New Short-Term Installment Loans.
- **Maxline LLC** - Richard Mayer, Parshall ND - New Short-Term Installment Loans.
- **Makes Cents Inc. DBA: Sovereign Advance** - Richard Mayer, Parshall ND - New Short-Term Installment Loans.
- **Makes Cents Inc. DBA: Maxlend** - Richard Mayer, Parshall ND - New - Short-Term Installment Loans.
- **Makes Cents Inc. DBA: Advance Cash** - Richard Mayer, Parshall ND - New - Short-Term Installment Loans.
- **First Cents Inc. DBA: Cover Me Cash** - Richard Mayer, Parshall ND - New - Short-Term Installment Loans.

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 – Aye
Councilwoman Sherry Turner-Lone Fight – Not Present
Councilman Robert White – Aye

c) Consultant Agreement for CPA

Requesting approval of a Contract for CPA services ([James Loran](#)) reviewing Oil & Gas and other Tax Dept. areas. Chairman Mark N. Fox recommended contacting WIPFLI and see if they would continue to provide services.

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

Report submitted for the record. EOC assisted with the search of 125-mile radius for a man missing since Nov 16th. There is a terrorist threat out currently. Missing minor alert was put out for a minor and search. The child was found and returned safely. EOC will be distributing vehicle emergency kits. Steer training. Emergency response training and meetings. Would like to thank the Police officers who attended the trainings and meetings held on emergency threats. Skid steer training is open to anyone on December 28th. Next week will be conducting active shooter drills. 627 mass shootings reported this year. The new EOC Building will be ready to open in February 2024. Chairman Fox commended the EOC for all they do.

XIII. UNFINISHED BUSINESS:

A. Sons of Star Casino ROW³

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-402-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*". [Son of Star Casino ROW]. Councilman Fred Fox seconded the motion.

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



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B. Lease Compliance Office Staffing Request [NRC]

Item deferred.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

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

A. Ratification of 12/6/2023 Executive Committee Actions:

- RES Sponsorship (\$10K)
- NCAI Sponsorship (\$6,500)
- NAFOA Membership (\$5K)
- Wild Horse Stampede Rodeo Sponsorship Request(\$1K)
- MHA Rodeo Association Budget
- World Class Invitational Sponsorship
- East Segment: Marilyn Young Bird Homeless Shelter Contract
- East Segment: Joy Bezpaletz Contract
- West Segment: Hidatsa Hills
- West Segment: Employee Incentives
- Four Bears Segment: Damon Williams Contract
- Gun Range A&E Contract
- NHSC Tribal Support Funding
- EMHC - Minnesota Medical Services Agreement
- EMHC - Newman Signs Contract (18K)
- CHR/MOU Cribs for Kids
- Precision Paramedics – White Shield and Mandaree
- Approval for Jared Eagle/ND American Heart Association Statewide Advocacy Committee Appointment
- EMHC Campus Street Names
- Naming of Circle of Life/Behavioral Health Building
- Monte Fox Contracts
- New Town Sewer to Serve I.H.S. Housing, COL, and Regen Clinic
- GRRC - Josh Seil Updated Contract
- BCBS Group Participating Agreement
- GRRC Salary Matrix
- GRRC Org Chart
- Immanuel Campus of Care – Addendum
- Immanuel Campus of Care – Past Due Bill
- Pay Rate Increase for Sober Living House Managers



- **Recovery Services - Becoming One with the Spirit of the Horse Equine Assisted Wraparound/Wellness Cultural Workshop**
- **Recovery Services - ND Opioid Settlement Fund Grant**
- **Recovery Services - State Opioid Response Grant**
- **LIHEAP Payment**
- **Solid Waste Garbage Truck Purchase**
- **Solid Waste Billing Software Purchase**
- **Landfill Compactor/Garbage Truck Trade Negotiation**
- **EOC Facility Mural Budget**
- **Dental Requests – Tribal Insurance**
- **Public Works Org Chart**

Motion: Councilman Fred Fox moved to ratify the 11/6/2023 Executive Committee actions. 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 – Not Present

Councilwoman Monica Mayer – Aye

Councilwoman Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

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B. Resolutions:

1) Twin Buttes Community Center Change Order

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-403-FWF entitled “*Twin Buttes Community Center Change Order*” subject to Legal review. Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Not Present

Councilwoman Monica Mayer – Aye

Councilwoman Sherry Turner-Lone Fight – Not Present

Councilman Robert White – Aye

2) Twin Buttes Infrastructure Change Order



Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-404-FWF entitled “*TB Infrastructure Change Order*” subject to Legal review. Councilman Robert White seconded the motion.

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

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

3) Twin Buttes High School Disposal Fee Waiver

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-417-FWF entitled “*Twin Buttes High School Disposal Fee Waiver*” subject to Legal review. Councilman Fred Fox seconded the motion.

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

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

4) Twin Buttes Assisted Living Disposal Fee Waiver

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-406-FWF entitled “*Twin Buttes Assisted Living Disposal Fee Waiver*” subject to Legal review. Councilman Fred Fox seconded the motion.

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

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



Councilman Robert White – Aye

5) White Shield Restaurant GMP Resolution

Motion: Councilman Fred Fox moved to approve resolution no. 23-407-FWF entitled “*White Shield Restaurant GMP*” subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

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

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

6) White Shield Twin Homes GMP Resolution

Motion: Councilman Fred Fox moved to approve resolution no. 23-408-FWF entitled “*White Shield Twin Homes GMP Resolution*” subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

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

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

7) White Shield Boys and Girls/Daycare Remodel GMP

Motion: Councilman Fred Fox moved to approve resolution no. 23-409-FWF entitled “*White Shield Boys and Girls/Daycare Remodel GMP*” subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye



Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Present
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Not Present
Councilman Robert White – Aye

8) White Shield Complex Remodel GMP Resolution

Motion: Councilman Fred Fox moved to approve resolution no. 23-410-FWF entitled “*White Shield Complex Remodel GMP Resolution*” subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

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

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

9) Son of Star Casino MHA Disposal Fee Waiver

Motion: Councilman Fred Fox moved to approve resolution no. 23-411-FWF entitled “*Son of Star Casino MHA Disposal Fee Waiver*” subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

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

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

10) Four Bears Community Park Change Order

Motion: Councilman Fred Fox moved to approve resolution no. 23-412-FWF entitled “*Four Bears Community Park Change Order*” subject to Legal review. Councilman Robert White seconded the motion.



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

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

11) V. Judy Brugh Community Center Disposal Fee Waiver

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-413-FWF entitled “*Four Bears Community Park Change Order*” subject to Legal review. Councilman Robert White seconded the motion.

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

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

12) EMHC - Adoption of Facility Standards for Gaming Facilities

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-414-FWF entitled “*Adoption of Facility Standards for Tribal Gaming Facilities.*” Councilman Fred Fox seconded the motion.

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

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

Discussion: Chairman Mark N. Fox asked that the this reflect the Federal regulations also.



13) EHMC - Adopting 2022 Food Service Regulations 09-099-VJB

Adoption of the Food & Drug Administration

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-415-FWF entitled “*Adopting 2022 Food Service Regulations 09-099-VJB*”
Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Not Present

Councilwoman Monica Mayer – Aye

Councilwoman Sherry Turner-Lone Fight – Not Present

Councilman Robert White – Aye

14) Center for Disease Control Model Aquatic Health Code

Motion: Councilman Fred Fox moved to approve resolution no. 23-416-FWF entitled “*Center for Disease Control Model Aquatic Health Code for the Fort Berthold Reservation*” subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Not Present

Councilwoman Monica Mayer – Aye

Councilwoman Sherry Turner-Lone Fight – Not Present

Councilman Robert White – Aye

15) Range Survey/Study Project Resolution

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-417-FWF entitled “*Request for PL 93-638 Contract to Perform an Assessment and Monitoring Plan for the Three Affiliated Tribe’s Range Survey/Study Project Commencing on and Extending for an Indefinite Period.*” Councilman Fred Fox seconded the motion.

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



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

16) EOC Facility Change Order Resolution

Motion: Councilman Fred Fox moved to approve resolution no. 23-418-FWF entitled “*Approval of Change Order regarding the Emergency Operations Center and Fire Management construction project in AIA G701-2017 Change Order Number: 004.*” subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

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

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

17) Credit Card Limit

Item deferred to Legal under Closed Session.

18) Proof of Rehabilitation Policy

GRRC Director Joy Froelich provided additional information that the position discussed would be under Federal background regulations. Chairman Mark N. Fox would still like to discuss developing a policy.

Item deferred to HR in Closed Session.

FTR: Chairman Mark Fox stepped out of the meeting and Councilman Cory Spotted Bear assumed Chair of the meeting at 2:03 PM (moved to Tax dept.)

XV. 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.

FTR: *Councilwoman Monica Mayer & Councilman Mervin Packineau joined the meeting.*

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

Project group would like a tribal group to come up with names. Councilwoman Monica Mayer would like the Administrator to bring to Health Committee meeting. EMHC, GRRC, teams have a list of names with potential names for the building. Councilman Fred Fox suggested to name them after previous Doctors. Councilwoman Monica Mayer suggests letting the Committee decide. Mr. Eagle also talked about names for the new building.

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

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C. Kidney Dialysis Unit (KDU) – *Elizabeth Lone Bear, Director*

The Director provided an update on the new building and informed the TBC about issues with fire safety inspections by AVI Systems that are holding up moving into the new building. Ms. Bluestone also mentioned some old invoices that need to be paid. They are from May 2023 for Sage Coulee Outreach Center. The invoices are from AVI Systems Inc. out of Bismarck. Due to them not being paid, they will not do any future business with the tribe unless they are prepaid in full by check. Chairman Mark N. Fox suggest having Legal develop a work around such as a tribal Fire Marshall. Grand Opening will be moved to the 1st with move in on the January 9th, 2024. Councilwoman Monica Mayer asked what the total monies are needed to move in? Ms. Lone Bear states AVI Systems Inc. out of Bismarck is who is working on it.

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

Item deferred.

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

Item deferred.

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

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) FBRW Director Approval of Engineering Consultant Specific Authorizations

Recommended that the resolution titled & language be amended by Legal to be more specific.

Item deferred.

2) Travis Jensen ROW

Motion Councilman Fred Fox moved to approve resolution no. 23-421-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*” [Travis Jensen Connection]. 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 – Aye

Councilwoman Sherry Turner-Lone Fight – Not Present

Councilman Robert White – Aye

3) Four Bears Water Treatment Plant Funding

Motion: Councilman Robert White moved to approve resolution no. 23-422-FWF entitled “*Authorizing Funding to Fort Berthold Rural Water for the Construction of Necessary Improvements to Supply Water to Tribal Facilities in the New Town Area.*” [Four Bears Water Treatment Plant 50m Cost Share]. Councilman Cory Spotted Bear seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Present
Councilman Robert White – Aye

4) Dennis Howling Wolf and Ernest Stone ROW

Motion: Councilman Cory Spotted Bear moved to approve resolution 23-423-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*" [Dennis Howling Wolf and Ernest Stone]. Councilman Robert White seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Present
Councilman Robert White – Aye

5) Preston DeMarce ROW

Motion: Councilman Fred Fox moved to approve resolution 23-424-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*" [Preston DeMarce]. Councilman Robert White seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Present
Councilman Robert White – Aye

6) Tyra Wilkinson ROW



Motion: Councilman Fred Fox moved to approve resolution no. 23-425-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*” [Tyra Wilkinson]. Councilman Robert White seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Present
Councilman Robert White – Aye

- **Fee Easment for Tyra Wilkinson**

Motion: Councilman Fred Fox moved to approve resolution no. 23-426-FWF entitled “*Fee Easment for Tyra Wilkinson*” subject to Legal review. Councilman Robert White seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Present
Councilman Robert White – Aye

- **Metering Technologies Solutions**

Automatic metering infrastructure adding \$3,800 to the contract is from Federal funding and within the budget through the Native Affairs Grant in 2019.

Motion: Councilman Robert White moved to approve Contract Amendment subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Present
Councilman Robert White – Aye

FTR: Councilwoman Sherry Turner-Lone Fight joined the meeting.

7) White Shield Renovation Project ROW

Motion: Councilman Fred Fox moved to approve resolution no. 23-428-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*" [White Shield Renovation Project]. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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

8) West Segment to the FBRWSS for a Fiber Optic line Connection for the New Mandaree Water Treatment Plant ROW

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 23-429 -FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*" [ROW in the West Segment to the FBRWSS for a Fiber Optic line connection for the new Mandaree Water Treatment Plant] 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

D. Tribal Parks – Mary Fredericks



Item deferred.

E. Trailer Demolition – Victoria Mandan

A trailer on 5th Street that was placed on the Housing Authority lot 5 years ago and never completely set up. The trailer has been broken into and is a health hazard. The trailer belongs to an individual enrolled member, and we are requesting it to be demolished.

Motion: Councilman Fred Fox moved to approve the trailer demolition subject to further Legal review. 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 – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Not Present
Councilman Robert White – Aye

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F. Easements:

- 1) **Four Bears Equestrian Center**
- 2) **Four Bears Community Center**

Motion: Councilman Fred Fox moved to approve resolution no. 23-420-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal land submitted by McKenzie Electric Cooperative Inc.*" 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 – Aye
Councilwoman Sherry Turner-Lone Fight – Not Present
Councilman Robert White – Aye

Discussion: Equestrian Center & Four Bears Community Center in one resolution.



G. Land Sales:

- 1) **Betty Hueser – South Segment**
- 2) **Truvid Tikanye – West Segment**
- 3) **Highway 1804 – North Segment**

Tabled

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H. Building Purchase - Robert Gorder Estate – North Segment

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-419-FWF entitled “R G Gorder Estate Commercial Building and City Lot Purchase – North Segment.” Councilman Cory Spotted Bear seconded the motion.

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

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

I. Property Management - Tribal Real Estate Inventory Resolution

Item deferred.

J. GIS/Water Resource Division - Tanya Sand, Director

Item deferred.

K. Fire Management Org Chart Amendment – Marle Baker, Director

Item deferred.

XVII. ENERGY COMMITTEE: – Councilman Fred Fox, Chair

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

40 rigs in the State and 3 on FBIR. Winter months the Field Inspectors will be getting up to date on training. Reality Team is currently in B.I.A. training.

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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-430-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal land (301-706A-A) for the Mandaree 4 SESW Project Submitted by EOG Resources, Inc.*" Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-431-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal Fee Land for the MRO Murray USA Pad Project Submitted by McKenzie Electric Cooperative Inc.*" Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-432-FWF entitled "*Approval of Setback Variance Requested by Targa Badlands LLC for the Murray Pipelines.*" 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



Motion: Councilman Fred Fox moved to approve resolution no. 23-433-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal Fee Land For the Murray Pipelines Project Submitted by Targa Badlands LLC.*" 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

Motion: Councilman Robert White moved to approve resolution no. 23-434-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal Fee land For the Murray USA 13-20H CDP Pipeline Submitted by ONEOK Rockies Midstream, LLC.*" subject to Legal Review. Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 23-435-FWF entitled "*Enerplus Unglulates and Brad Gem Projects*" subject to Legal Review. 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



Motion: Councilman Fred Fox moved to approve resolution no. 23-436-FWF entitled "Authorizing and Approving Communitization Agreements" subject to Legal Review. Councilman Cory Spotted Bear seconded the motion.

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

FTR: Councilwoman Sherry Turner-Lone Fight left the meeting around 3PM. Councilwoman Monica Mayer joined the meeting.

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

No Items

XIX. JUDICIAL COMMITTEE: – Councilwoman Monica Mayer, Chair

A. Tribal Court Report* - Elizabeth Yellow Bird & David Christenson, Chief Judge
Salary Matrix for Court Clerks. Clerk 1 and Clerk 2. The Court Organizational Chart will include the Clerk I and Clerk II positions. There is a process in place to move clerks to positions within the new organizational chart that includes, a performance review, a clerk test, and review by staff including Judges.

Motion: Councilman Robert White moved to approve the presented Salary Matrix for Court Clerks. Councilwoman Monica Mayer seconded the motion.

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

B. TAT Law Enforcement Report – Nelson Heart Jr., Chief of Police



FTR: Councilman Mervin Packineau joined the meeting at 3:23 PM.

Report submitted for the record. Chief Nelson Heart discussed Ongoing trainings; certifications are offered to TAT Police Officers. Chairman Mark N. Fox inquired whether our Sargeant. Go out on patrol and Chief Heart noted that they do patrol when they can. Chief Nelson Heart would like to increase his budget for the trainers. Currently have 23 active Officers. Sgt. Michael Roy presented an update on the Explorers Program and noted that there are currently 10 signed up for the Explorers Program. Administrator Packineau expressed that the program will need \$40-50K additional funding. Chairman Mark N. Fox suggests having the CFO to work it into enhance the budget. Sgt. Roy states the charter will be completed next week and will start at the White Shield school with elective classes with dual credit opportunities. If they go into the armed service, they will go in as an E3 across all branches. TBC advised that they need to figure the cost of getting new officers hired because the budget meeting is coming up. Administrator Packineau advised the amount they put into the budget will be good, but they also must figure in equipment cost for the new officers.

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

Report submitted for the record. Chief Gerald White provided statistics on overdoses. Noted that as of today there have been 30 overdoses this year compared to 40 last year. South Segment had zero overdoses. Special Agent Dawn White provided a report on current investigations and collaborations. Administrator Phil Packineau submitted an updated organization chart.

Motion: Councilman Mervin Packineau moved to approve the presented amended organizational chart. Councilman Fred Fox seconded the motion.

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

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

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

E. Councilman Fred W. Fox – Native Inc. - Tony Phelan, Khristofor & Jennifer Warren

First Annual Native Inc. Pow-wow in Bismarck, ND January 26th and 27th • The objective of Native Inc. in collaboration with different Pow-wow relatives and friends from relationships made in the pow-wow arena is to help provide a way to seek opportunity and also provide help to those who are less fortunate or help with those hard to overcome obstacles for our Bismarck community. Our objective at Native Inc. is to be a resource for our people and community of the Bismarck area, to provide access to daily resources and simple necessities as needed that some do not have day-to-day. Our programs help to better aid not just only our Indigenous people but to be a resource to many other ethnicity groups as well. Our youth and family programs we hold weekly give them the opportunity to create and make their own regalia leading up to these dates for the pow wow. Our vision is to give them a way to help themselves and better understand how to not only make these outfits but to provide a gift or want to share love for the pow-wow arena to their relatives, themselves or others that enjoy their artistry, but to have a opportunity to take part in and or dance. We are a nonprofit organization all materials and equipment we provide. We the staff of Native Inc. along with the help of the MHA tribal members in collaboration humbly ask for the help requested to make this vision a reality for all that contributed their time and effort to create such artwork for themselves, to not only want to dance and show their creativity. Native Inc. out of Bismarck is seeking funding. Try to have culture added into our programs for youth.

Motion: Councilman Fred Fox moved to approve Native Inc. sponsorship for \$15,000. Councilwoman Monica Mayer seconded the motion.

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



Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Not Present
Councilman Robert White – Aye

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F. Councilman Fred W. Fox – White Elk Woman

White Elk Woman is requesting a business loan. She has her Master cosmetology license; she wants to open a business on Main Street in New Town. Wanting to start an eyelash business. Seeking amount on page 8 of hand out. Chairman Mark N. Fox noted the max is \$100,000 minimum is \$10-15 thousand. Councilwoman Monica Mayer is in 100% in support will be in in the North Segment area. Requesting \$30K

Motion: Councilman Fred Fox moved to approve White Elk Woman for a business loan for \$30K. subject to policy of loan policies and recommendations.
Councilwoman Monica Mayer seconded the motion.

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

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

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• **East Segment Emergency Services Contacts**

Motion: Councilman Fred Fox moved to approve the following East Segment Emergency Services Contracts (3) subject to Legal review:

- **Extrication Contract**
- **Fire Protection for the White Shield Area**
- **Boat Rescue**

Councilman Robert White seconded the motion.

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

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

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- J. Councilwoman Monica Mayer – **HA Thompson Contract**
Contract renewal HA Thompson for 1 year term.

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-437-FWF entitled “*HA Thompson Contract*” subject to Legal review. Councilman Fred Fox seconded the motion.

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

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

- K. Councilwoman Sherry Turner-Lone Fight – *Reserved*
- L. Councilwoman Sherry Turner-Lone Fight – *Reserved*
- M. Councilman Robert White – *Reserved*
- N. Councilman Robert White – *Reserved*

XXIII. LEGAL DEPARTMENT – Tyra Wilkinson, MHA Supervising Attorney

Item deferred.

XXIV. CLOSED SESSION:

- A. Human Resources (HR)* – Melissa P. Brady, Director
- B. Legal* – John Fredericks
 - 1) Hillary Tompkin Contract Amendment² [Executive]
 - 2) Resolution for GRRC Cottage Budget
 - 3) Resolution LIHEAP
 - 4) Resolution - Tribal Credit Card Policy
 - 5) Resolution – Distribution of Net Revenue from the Section 17 Corporations Water Sales



- C. Make Cents³ - *Richard Mayer*
- D. Four Bears Casino Report* - *Spencer Wilkinson & Donald Chapin*
- E. Construction Contract Discussion
- F. CFO Report – *Whitney Bell*
 - Parking Fines

XXV. ADJOURNMENT:

Motion: Councilman Robert White moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 6:30 PM. 5-0






CERTIFICATION

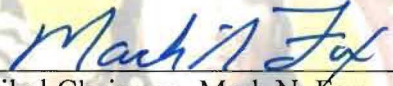
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 6 were present at the Regular Meeting thereof duly called, notice, convened and held on the 10th of January, 2024; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 5 members; 0 members opposed; 0 members abstained; 1 Members not voting.

Chairman (X) Voting (X) Not Voting

Dated this 10th day of January, 2024

ATTEST:


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


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