



* 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 12:13 pm.

II. ROLL CALL:

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

III. OPENING PRAYER:

Keith Bear

IV. APPROVAL OF AGENDA:

Motion: Councilman Robert White moved to approve the agenda. Councilman Mervin Packineau seconded the motion.

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

V. APPROVAL OF MINUTES:

- **February 8th, 2023 Regular Meeting Minutes.**

Motion: Councilman Fred Fox moved to approve the February 8th, 2023 Regular Meeting 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye



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

VI. SPECIAL GUESTS & ELDERS:

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A. Parshall SafeHaven Report - Marilyn Young Bird

Submitted final project report for the record. The construction of the Safe Haven/Transition Home has taken approximately 1 ~years to complete. We were caught in the midst of the Covid-19 Coronavirus disease crisis and the majority of time it took 5 to 7 months for us to receive some of our supplies. As we waited for our backordered supplies, the costs of our supplies tripled and quadrupled in price. However, even though it was time consuming and frustrating, we were able to complete the most beautiful, efficient and livable home for our tribal members. Project completed. Next project will be in the Four Bears Segment. Councilman Mervin Packineau recommended that in the future she request a little more to anticipated overruns. Currently ordering supplies for the Four Bears project. Her estimated budget is around \$600K. Councilman Robert White requested that Marilyn submit numbers of budget over runs as soon as possible to his community board so they be ready for the segment share. Some furniture for the Four Bears project is being stored currently at the Parshall Safe Haven home garages.

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B. New Town Seniors Trip Request

Students presented request. Xeria Bell spoke on behalf of New Town Senior High School Class. The New Town Senior Class of 2023 have been working diligently all year to save for an exciting, yet educational trip to Los Angeles, California, for our senior trip after graduation. We are excited to partake in this fun opportunity and have been working hard for 4 years to achieve this goal. An important part of our trip will be the visiting Catalina Island where the students can snorkel and check out the ocean wildlife. Then the students will get to tour the Grauman's Chinese Theater and the Warner Brothers Studio. They have raised \$67,000 so far and that is the most in the history of NTHS. There will be 30 students going and 3 chaperons. Our total trip cost is \$90,528.00 dollars. Each student that is attending also contributed \$300 of their own money and have had to volunteer 25 hours to be eligible for the trip. TBC commended them for the amount they raised.

Motion: Councilman Robert White moved to approve the New Town Seniors Trip sponsorship for an amount of \$23K. 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

FTR: Councilman Cory Spotted Bear joined the meeting at 12:40 PM.

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C. Hidatsa Clanship Project – Bernie Young Bird & Bonita Lone Bear – Anthony Lone Fight

Chairman Mark N. Fox presented plaques and read commendation for their work on putting together and updating the listing of clan members database and working on saving our languages as critical to our identity. Honor Song for the their dedication. Ms. Young Bird then spoke about actions in the past that the TBC has taken in regards to saving our languages.

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D. Keith Bear

Makoche project for Densmore music/song recordings remake from the old wax clyders. Also includes society songs that will require special care and to be discussed with the appropriate memers on correct action. Grant from the Bush foundation could be used and possible future request for additional funding. Chairman Mark N. Fox would like to support but to be kept updated. Would like to meet with some of the local singers and have a feed and ask them about the society songs. There is technology that allows for higher quality playback without playing with a needle. Would like to get digital copies and eventually develop an e-book and put it in the Interpretive Center. Requesting permission from the Tribe to work further on it. There is no financial request at this time.

Motion: Councilman Robert White moved to support the project. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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

Discussion: Chairman Mark N. Fox expressed the need to be very guarded about permissions from the families because some are just not meant to sung in public.



Councilman Fred Fox wanted assurance that there is no copyright so we don't have to pay for our own songs.

EXECUTIVE COMMITTEE REPORTS

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

Presented report of recent activities and upcoming events. Chairman Mark N. Fox spoke about the good productive Law Enforcement meeting that was held in White Shield. The Ice Warrior Plunge went well with about 92 jumpers and hope the segments will contribute. They raised the most to date with \$100,000.00 and thanks all the staff for their hard work to make the event a success. 1st time District Tournaments in Mandaree and the chance to show case the new school. Commended the Casino on hosting the Regional Tournament. Legislative Luncheon event to present what MHA Nation is doing. Expressed high expectations on the passing of Alcohol Tax Agreement. First time in 80 years they will get money from the State to assist with treatment and other alcohol issues. They also attended a meeting with the US Attorney. One of the discussions was the Savannah Act. On March 2nd, 2023, they had a meeting down in Bismarck, it went well and was a lot of people in attendance. Chairman Mark N. Fox will be at the capital tomorrow to discuss water issues. He will speak on irrigation funding. IGA Conference is coming up at the end of this month in San Diego. Also, the RES Conference will be coming in the first part of April. Chairman Mark N. Fox expressed his condolences to the mourners.

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

Councilman Cory Spotted Bear expressed his condolences. He appreciated the presentation to Bernadine and Benita Young Bird. The buffalo hunt for Councilman Cory Spotted Bear's guest went well. Harry Sitting Bear went with him on the hunt. Councilman Cory Spotted Bear spoke about the success of the MHA Nation athletes. Easter distribution date is April 4th, 2023. The Twin Buttes is rescheduled. May 7th is the Twin Buttes War Bonnet Dance. Recognized Pete Fredericks induction to Rodeo Hall of Fame from the 1958 Dickinson State Rodeo Team: Pete Fredericks, Angus Fix, Esley Thorton, Dale Little Soldier, Dale Jorgenson, & Franklin Applethorn. Upcoming Dr. Tammi Dakota will be providing Mental Health training, Easter Distribution, Big Item Pick-up day, Twin Buttes War Bonnet dance.

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

Councilman Fred Fox expressed his condolences. Councilman Fred Fox mentioned that elder Austin Gillette asked that they get the information in regards to the of the NHS College in 1973. Councilman Fred Fox spoke about White Shield athlete Love Hopkins. She is having a lot of success although she is just 12 years old and a 7th grader in wrestling and Heavyweight and took third in the State in Combined Class A. & B.



Councilman Fred Fox congratulated Mandaree on the success of hosting the District Basketball Tourney. USMC Felix Young Bird will be home on leave this coming Wednesday. The White Shield Community will be honoring him at the 50th Anniversary of the FBCC and Austin Gillette requesting to look at the Area Office in Aberdeen. to present the minutes & resolutions at the BIA from 1973 establishment.

Motion: Councilman Fred Fox moved to authorize Austin Gillette to search on the tribe's behalf to search the BIA archives for the founding minutes & resolutions of the MHA Nation that have been lost to time. 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 – Aye
Councilwoman Monica Mayer – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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

Upcoming events: Meat Distribution at the Healing Horse, Jackpot Roping, 50+ Basketball Tournament,. Councilman Mervin Packineau will be meeting with the City of Parshall in regards to water issues. Elders Org Meeting today.

A. **CFO Report** – *Whitney Bell*

Item deferred.

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

Item deferred.

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

Motion: Councilman Cory Spotted Bear moved to approve Small Loans Group A (13): subject to policy and recommendations. 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 – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Not Voting
Councilman Robert White – Aye

Motion: Councilman Fred Fox moved to approve Small Loans Group B (2): subject to policy and recommendations. 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 – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Not Voting
Councilman Robert White – Aye

Motion: Councilman Cory Spotted Bear moved to approve Small Loans Group C (1): subject to policy and recommendations with waiver of co-sign requirement. 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 – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Not Voting
Councilman Robert White – Aye

Discussion: Chairman Mark N. Fox asked to add a name of an elder K.C.B. for \$25K with probate as collateral with the motion makers concurring.

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

XI. SEGMENT UPDATES:

A. North Segment – *Councilwoman Monica Mayer*

Item deferred.



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B. Four Bears Segment – Councilman Robert White

Councilman Robert White expressed his condolences to those that lost loved ones and who are struggling with addiction and other hardship. Recent activities included: Valentines Dinner, Elders Trip. Attended NCAI Winter Session, Tilt Games Trip for the Youth, Elders Bingo Bash. Upcoming: Classes in Arts Crafts, Singing, Moccasin making, Community Board meeting, Basketball fundamentals, fundraising Pow-wow Bingo, Round Dance, Community Easter Diner. Noted this might be the last time we host Class B Boys Region 8 Tournament and it was the 1st time it was hosted a Casino and hopes the Casino will continue to seek the Tournaments here.

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C. West Segment - Councilwoman Sherry Turner-Lone Fight

Councilwoman Sherry Turner-Lone Fight expressed her condolences those that have lost loved ones & prayers for those in the hospital. Successful District Tournament and commended all those involved. Upcoming Basketball Tournaments, Mandaree High School Basketball teams attending the All-West Tournament in Denver, Commended the Young Bucks team, Planning meeting for the All-West Parents, Commended Aaron Abby as new Mandaree Veterans Liaison, and with the monthly meetings & activities, Gold Star Mother honoring, Elton Spotted Horse Chili Cookout. Deadwood Elder Trip-March 10th. Community Easter Dinner March 10th. April 28th James Johnson Ground Breaking Wellness Complex, Warbonnet Dance-April 29th.

XII. OFFICER REPORTS:

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

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1) Executive Orders*

Motion: Councilman Fred Fox moved to ratify Executive Action 2023-003:

'WHEREAS, The Tribe's East Segment/White Shield Community has brought forth for consideration one (1) Contract for Services with Ulrich Zietsman, for services performed at the Ree Ranch; and

WHEREAS, The term for both of the aforementioned Contract is for a little over six months, beginning on December 12,2022 and ending June 30, 2023; and

WHEREAS, The Compensation for Services provided are Twenty-One Dollars (\$21.00) per hour during the term of the Contract; and

WHEREAS, It is beneficial for the White Shield Community to enter into the aforementioned Contract at this time.

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



authorizes the aforementioned Contract for Services with Ulrich Zietsman for services to the East Segment/White Shield Community, to be budgeted from the FY2023 White Shield Segment Budget; and

BE IT FINALLY RESOLVED that the Chairman and the East Segment Council Representative are authorized to execute the aforementioned Contract, and take such further actions as are 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

Motion: Councilman Robert White moved to ratify Executive Action 2023-004:

WHEREAS, The Tribe enacted Liquor Control Ordinance and related regulations which imposed certain licensing and regulatory requirements on wholesale suppliers engaged in the transportation and sale of alcohol into and within the Reservation; and

WHEREAS, There is an ongoing dispute with off-Reservation wholesalers regarding the application of the Liquor Control Ordinance; and

WHEREAS, The Tribe is engaged in negotiations with the off-Reservation wholesalers and the State of North Dakota regarding alcohol regulation, taxation; and licensing; and

WHEREAS, Suspension of wholesaler licensing and regulatory requirements and an allowance for delivery onto the Reservation is appropriate in light of the continuing negotiations.

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council suspends the wholesaler licensing and regulatory requirements of the Tribal Liquor Control Ordinance pending further discussions with the Reservation wholesalers and the State of North Dakota.

BE IT FURTHER RESOLVED, That off-Reservation wholesalers shall be allowed to deliver alcohol onto the Reservation with a state issued license during the suspension of the aforementioned requirements, and shall be all owed to do so until this action is formally rescinded by the Tribal Business Council, provided that the wholesale suppliers are given 30 days prior notice of the rescission.



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

Motion: Councilman Cory Spotted Bear moved to ratify Executive Action 2023-005:

WHEREAS, The Tribes have been a member of the Native American Finance Officers Association (NAFOA) since 2013 and annual dues in the amount of \$5,000.00 are due before the next regularly scheduled Tribal Business Council meeting; and

WHEREAS, The Tribal Business Council believes that maintaining membership in NAFOA IS beneficial to the Tribes and its membership.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes, through the Executive Action procedure, approves payment from the Tribes' 2023 General Fund of the aforementioned dues in the amount of \$5,000.00 to NAFOA.

Councilman Robert White seconded the motion.

Vote: 7- Ayes. Motion carried.

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

Motion: Councilman Robert White moved to ratify Executive Action 2023-006:

WHEREAS, The Tribal Business Council has an Executive Action procedure to address emergency concerns until matters may be addressed and ratified by the Tribal Business Council in quorum.



NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves of Jax & Rob's Taxi Service, located 510 9th St., New Town, ND. Jacqueline White Thunder (Owner) completed the Business License Application to provide a taxi service, having paid the \$200.00 annual license fee. A preliminary background review was conducted and has met the requirements for recommendation of approval

Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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

Motion: Councilman Robert White moved to approved resolution no. 23-062-FWF entitled “*Approval of 20 (Twenty) 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: 17,178 total members.

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3) **Tax Department Report*** – *Cynthia Monteau, Tax Commission Director*
Report submitted Feb. 2023 Collections Report for the record. Ms. Monteau presented via is on the phone. Stephanie Hall handed out reports to the TBC. Collections at \$18.8 million for February down about 8 million from a year ago. 143.6 Oil Revenue.



There are three applications for Business Licenses.

Motion: Councilman Robert White moved to approve the presented Business Licenses (3):

- **Jax N Rob Taxi Service** - Jacqueline White Thunder Earth – New Town - New - Taxi Service
- **Nishu Bay Kennels & Grooming** - Britnee White - White Shield - Renewal Pet Services - Kenneling & Grooming.
- **4-Bears Quick Cash** - Kobe Chavez – New Town – New - ATM Business

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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4) **Baker Property Lease Extension**

The tribe is buying this but the paperwork is not ready so an extension is needed.

Motion: Councilman Mervin Packineau moved to approve 3-month lease extension for the Baker Property. 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

XIII. UNFINISHED BUSINESS



A. Juvenile Detention – Mike Young Bird, Administrator³[JUDICIAL]

Item deferred back to Judicial

B. T310A-B, T1529 Resolution³[NRC]

Item deferred back to NRC

C. Land Sale - Karen Walks (East Segment)

Item deferred back to NRC

D. Veterans Affairs - Robert Hunter, Director^[CSB-Add On]

Item deferred.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XIV. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

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A. Ratification of 3/6/2023 Executive Committee Actions:

- Power & Loved – Brandy Canyon
- Contract Renewals – Mary Fredericks
- Education Grant
- Casino Pool Tournament
- Maagarishda Nest Funding
- All-West Classic Request
- DEA Vehicles Purchase Request
- DEA Equipment Purchases
- V.M. Dental Request
- A.H.D. Leave Action
- N.H. Home School Request
- Lori Pemberton Fredericks Contract Approval
- National Native American Law Students Assn Sponsorship
- Game & Fish Supervision
- Kathy Froelich Contact Approval
- Grant & Donations Approvals
- Sanford Health Plan Payer Portal Approval
- PHN / Community Health Pre-Con Approval
- SAMSA Grant (Resolution Assigned 23-074-FWF)
- Toby J Delorme Construction Contract
- EMHC Salary Matrix
- NP – Medical Reimbursement Request



- **Edwards Home Purchase**
- **Mobile Life**

Motion: Councilman Robert White moved to ratify the presented 3/6/2023 Executive Committee Actions. Councilman Cory Spotted Bear seconded the motion.

Vote: 7- Ayes. Motion carried.

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

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B. South Segment - Fairgrounds Change Order

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-063-FWF entitled “*Approving Change Order For Twin Buttes Fairgrounds.*” 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

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C. South Segment - Round Homes Resolution

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-064-FWF entitled “*Approving Change Order For Twin Buttes Round Homes.*” subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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



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

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D. South Segment - Road Garage Change Order

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-065-FWF entitled “*Approving Change Order For Twin Buttes Roads Garage*” 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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E. CTAS Grant Resolution
Opioid Funding.

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-066-FWF entitled “*Authorization for the US Department of Justice Coordinated Tribal Assistance Grant for Fiscal Year 2023*”. 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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F. Thunder Butte Refinery

Motion: Councilman Fred Fox moved to approve resolution no. 23-069-FWF entitled “*Authorizing Execution of Letter of Credit for the Plaza Pipeline Purchase*” 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. ARPA Home Improvement Funding Resolution

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-067-FWF entitled “*American Rescue Plan Home Improvement Funding.*”
Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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H. Resolution - “Approval of Request for Proposals for South Segment Emergency Response Station

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-068-FWF entitled “*Approval of Request for Proposals for South Segment Emergency Response Station*” 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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I. I.H.S. Grant Application
(Behavioral Health/Opioid)

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-070-FWF entitled "*I.H.S. Drug Grant*" 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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J. FBRW – Twin Buttes Tank Funding Request Resolution

Motion: Councilman Robert White moved to approve resolution no. 23-071-FWF entitled "*Approval and Authorization of Fort Berthold Rural Water to Proceed with South Segment Water storage capacity upgrade, Not to Exceed \$5,000,000.00 for the Immediate Needs of the South Segment and The Three Affiliated Tribes.*" 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

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K. FBRW - Office / Shop Land Acquisition Resolution and Easement Resolution

Motion: Councilman Robert White moved to approve resolution no. 23-072-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*" 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

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L. FBRW- Charging Letter

The letter serves as notification that Fort Berthold Rural Water (FBRW) plans to begin charging for water usage. Until now, water has been provided without charge. Unfortunately, that option is no longer financially viable for the system. To ensure that the users of the water network continue to enjoy a reliable water source, it has become necessary for FBRW to begin charging its recreational and commercial users. Moving forward and beginning on July 1st 2023, a charge at a rate of \$6.00 per 1,000 gallons of water used. The amount of water used will be measured utilizing the metering infrastructure in place at the FBRW point of delivery to the facility or recreation area. In addition, recreational users will receive a monthly charge of \$10.00 per unit connected to the water system and, for individual commercial connections, there will be a monthly connection fee of \$50.00. Users of the FBRWS have the ability to address a variance per our Policies and Procedures to the Natural Resources Committee.

Motion: Councilman Fred Fox moved to approve Letter of Notification.
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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M. Pipeline Issues in White Shield

Motion: Councilman Fred Fox moved to approve resolution no. 23-075-FWF entitled “*Authorizing Funding to Replace Existing Water Pipelines in White Shield.*” 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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N. Acquisition of Treatment Plant

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve negotiation for the acquisition of Parshall Treatment Plant. 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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O. North East Segment – Resolution “Approval Waiver of the Disposal Tax and DOT Fees for the Multi-Purpose Building in Parshall”

Motion: Councilman Mervin Packineau moved to approve resolution no. 23-073-FWF entitled “*Approval Waiver of the Disposal Tax and DOT Fees for the Multi-Purpose Building in Parshall*” 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

FTR: The following three resolutions 23-073-FWF through 23-075-FWF were combined into one resolution and the 23-074-FWF & 23-075-FWF numbers were reassigned.



Motion: Councilman Mervin Packineau moved to approve resolution no. 23-073-FWF entitled “*Approval of Waiver of the Tribes’ Disposal Tax and MHA DOT Fees for the North East Segment’s Community Center, Maintenance Shop, and Multi-Purpose Building Construction Projects in Parshall, ND.*” 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

P. North East Segment – Resolution “Approval Waiver of the Disposal Tax and DOT Fees for the Community Center Project

Motion: Councilman Mervin Packineau moved to approve resolution no. 23-074-FWF entitled “*Approval Waiver of the Disposal Tax and DOT Fees for the Community Center Project*” Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 7- Ayes. Motion carried.

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

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Q. Maintenance Building

Motion: Councilman Mervin Packineau moved to approve resolution no. 23-075-FWF entitled “*NE Segment Maintenance Building*” 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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R. Emergency Operations Center (EOC) – Emily Sitting Bear, Director
Fort Berthold Dive Program to be moved under EOC

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve for the Fort Berthold Dive Program to be moved under the supervision of the Emergency Operations Center (EOC). 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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S. Assisted Living Master Plan

Motion: Councilman Fred Fox moved to approve resolution no. 23-076-FWF entitled “Twin Buttes Infrastructure Master Plan” 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

XV. ENERGY COMMITTEE – Councilman Fred Fox, Chair

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

Report submitted for the record. 44 rigs in the State of North Dakota. 4 rigs on the reservation. Nearly 3% of the US Oil Production and 20% of North Dakota's Oil



Production is produced on the Fort Berthold Indian Reservation. FBIR Rig Locations & Yearly Average. Well Count Statistics FBIR Total & Tribal Focused Data: Well Count by Segment & Status-2,626 Active Wells.

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B. ROW's*—Paul Grady & Harriette Clah

Motion: Councilman Robert White moved to approve resolution no. 23-079-FWF “Consent to Approval of a Right-of-Way across Tribal land (T2224) for the Fish South Flowlines, Fiber Optics, and Associated Appurtenances Project Submitted by Enerplus Resources (USA) Corporation.” 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

XVI. ECONOMIC DEVELOPMENT COMMITTEE – Councilman Robert White, Chair

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A. James Phelan Contract

Provider shall provide cultural expertise for the Four Bears Segment Cultural Department's Hand Games Weekly Events for the month of March.

Motion: Councilman Robert White moved to approve James Phelan contract 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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B. Justin Deegan Final Payment



Justin Deegan, Thunder Revolution Studio, LLC produced a 35-minute video that is paid for through grant money. Project name: Three Affiliated Tribes Healing and Hope Community Opioid Intervention Pilot Project (COIPP) Grant.

Motion: Councilman Robert White moved to approve Thunder Revolution Studio, LLC, Justin Deegan final payment. 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

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

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

They are winding down on the Federal Emergency Covid Response expiring on May 18th. Asked all community members that are on Medicaid to remain on Medicaid and update your information. Dr. Martin advised they are able to continue receiving covid supplies up until late spring/early summer. Chairman Mark N. Fox asked that the CEO look into what happened to the Federal position that used to take care of Medicaid enrollment. Ms. Eagle stated they do have a Closed Session item so they will be back.

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

One item for approval in regards to the PHN Building. Continue services for the PHN Project. Preliminary Budget Estimate for the EMHC Maintenance Facility for the Public Health Nursing Project. Submitted Amendment to the Professional Services Agreement MBA PHN / Community Health Project with RML Architects, LLC. Also included the EMHC Campus Masterplan.

Motion: Councilman Fred Fox moved to approve the AIA RML Contract for continues services 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

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

Councilman Fred Fox spoke on a funeral service issue for a family. They weren't given the normal amount. They did not get the additional \$4,000. Councilman Cory Spotted Bear stated that employees at Life & Limb need to be more patient with those grieving. Councilman Mervin Packineau recommended increasing the amount given from the Wake Fund to \$10,000 due to raising costs. Complaints about this issue and others in the same regards will be discussed in Closed Session. Chairman Mark N. Fox stated that customer service issues will be discussed.

Item deferred.

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

Item deferred.

XVIII. JUDICIAL COMMITTEE – Councilwoman Monica Mayer, Chair

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

Chief Judge Christiansen reported the FBDC is fully staffed there are about 40 positions. They are currently at 33 positions filled. There are currently 6 participants in Wellness Court. There are warrants for 7 more. The Prosecutor is on leave, they will be returning next week. Those that filled in while gone have done a good job. The Juvenile Code is being worked on Chief Judge Christenson spoke on lack of Daycare issues. Chairman Mark N. Fox and Councilwoman Monica Mayer stated that there are some opportunities for some opening soon in North Segment. Chief Judge Christiansen would like to start recruiting for a full time Associate Judge because he is getting overwhelmed. Consultant Contract for James Giralhalva needs approval.

Motion: Councilman Fred Fox moved to approve James Giralhalva Contract 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

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B. TAT Law Enforcement Report* - *Phil Packineau, Public Safety Administrator*
Report submitted for the record. Chief of Police Nelson Heart & Captain of Police C.J. Whitman presented reports. Capt. Officer Nelson Heart stated that they currently have 20 Officers. He continued on with an update about the department. Fort Berthold Overdose Report. Law Enforcement is looking into getting SRO's back in all the schools. They are trying to get body cameras on all the officers. They are currently looking into the cost. Capt. C.J. Whitman read through the arrest report with the TBC. Law Enforcement was awarded the B.I.A. Indian Highway Safety Grant. They will be using it to make themselves seen in the community. No Action Items. Councilwoman Monica Mayer stated that they have been requesting work charts. Approval to accept the work charts.

Motion: Councilwoman Monica Mayer moved to approve presented Law Enforcement Organizational Chart. 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

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

Item deferred.

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

No Items

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

No Items



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

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

Councilman Mervin Packineau stated that Chairman Mark N. Fox wants to negotiate with them. Tabled.

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 23-080-FWF entitled “*March 2023 Home Site leases and Utility Corridor.*” [Kathy Lone Fight, Adriana Young Bird]. Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Not Voting

Councilwoman Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

Discussion: North East Segment item excluded for further negotiation.

- **Fee to Trust Application**

Motion: Councilman Robert White moved to approve resolution no. 23-082-FWF entitled, “*Authorization to Complete and Submit a Fee to Trust Application/or Allotment 301-568A-Tribal Share.*” 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

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

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



Item deferred.

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C. Agriculture Leases:

1) Tom Breuer – East Segment

Motion: Councilman Fred Fox moved to approve resolution no. 23-083-FWF entitled “2023 Agricultural Leases for Tom Breuer.” 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

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2) Richard White Bear – East Segment

Motion: Councilman Fred Fox moved to approve resolution no. 23-084-FWF “2023 Agricultural Leases for Richard White Bear.” 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

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D. Fort Berthold Rural Water (FBRW) Update* – Joseph Silveria, Director.

Update: received I.H.S. funding for the Twin Buttes Intake Protection Project from the Infrastructure Bill. Design to be submitted to the C.O.E. Tribal contribution of \$38,500 but work with B.O.R. to reprogram some funding toward that. After approval we will advertise the project. Discussion of the Master Plan for the Elbowoods & the City of New Town water connection. FBRW won’t object to the contract but will not give up any jurisdiction. FBRW will send them a Letter as requested. Councilwoman Monica Mayer noted a meeting March 17th with the City



and believes we can negotiate. There is an issue with using FBRW as a secondary source of water. Councilwoman Monica Mayer that this is time sensitive. Update provided on ND HB-85.

1) Resolution: South Segment Water Storage Capacity Upgrade

See Executive Committee Items

2) Resolution: West Segment FBRW Water Operations Facility Project

See Executive Committee Items

3) Resolution: Operations Facility Project Funding

Item deferred.

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4) Resolution: Four Bears BIA 2

Motion: Councilman Robert White moved to approve resolution no. 23-086-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*" [FBRW - Four Bears Area BIA 2 Subdivision]. 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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5) Resolution: West Segment Mandaree Tank Site Access Road ROW

Councilwoman Monica Mayer asked Mr. Silveria to provide a list of enrolled members throughout the reservation that are still hauling water.

Motion: Councilman Robert White moved to approve resolution no. 23-085-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land.*" 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Motion: Councilman Robert White moved to approve resolution no. 23-087-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*” subject to Legal review. 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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E. NDDOT Easement

Correction to resolution to “permanent easement” for ND 73 Near RP 6 to Jct. ND 22. This project has been here before and was approved, need another resolution. There was a correction to resolution. Requested that it be expedited when processed.

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 23-081-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land submitted for the ND Highway 73 Project by ND Department of Transportation.*” 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 – Not Voting
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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F. Four Bears Community Center (New Site)

New Community building site for Four Bears. It is all on tribal land. Approval to move forward with Legal review. Close to 10 acres.



Motion: Councilman Robert White moved to approve authority to move forward with the process. 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 – Not Voting
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Discussion: 3-4 year for approval from Corps of Engineers. Moving the Community Center.

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G. Game & Fish - Antoine Smith, Director

1) Cooperative Service Agreement (TAT/USDA)

Presented a Cooperative Service Agreement between the TAT Fish & Wildlife and the US Dept. of Agriculture – Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS). The purpose of this agreement is to cooperate in a wildlife damage management project as described in the attached Work Plan for Predator control in/around livestock, especially during calving season. Will include aerial assistance to address livestock predation. Budget included \$7,500 for Aerial Support/Assistance.

Motion: Councilwoman Monica Mayer moved to approve Cooperative Service Agreement (USDA) subject to Legal review. 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

2) Eagle Retention Permit

Seeking approval to submit application to the U.S. Fish & Wildlife Services through the Native American Tribal Eagle Retention program. A *Federal Eagle*



Remains Tribal Use permit authorizes a federally recognized tribe to acquire, possess, and distribute to tribal members whole _eagle remains found by a tribal member or employee on the tribe's tribal land for Indian religious use. The applicant must be a federally recognized tribal entity under the Federally Recognized Tribal List Act of 1994, 25 U.S.C. 479a-1, 108 Stat. 4791 (1994). The Tribal Leader's signature on the application affirms that the tribe is requesting eagle(s) for tribal religious purposes. Any eagles will be allowed to stay on the FBIR for disbursement to those that apply.

Motion: Councilwoman Sherry Turner-Lone Fight moved to grant authority to the Chairman to sign Application and the Tribe to participate in the program. 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

3) **Big Horn Sheep Initiative**

Analysis of demographics, movement patterns, and selection of resources by Rocky Mountain bighorn sheep translocated to North Dakota Kelley M. Stewart, Brett P. Wiedmann, and Vernon C. Bleich

Motion: Councilwoman Monica Mayer moved to approve Big Horn Sheep Initiative. 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

4) **Proclamations**

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-078-FWF entitled "Approval of the 2023-24 Tribal Small Game & Furbearer



Hunting and Fishing Proclamations." subject to Legal review. 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

H. Carey Dreher/Pete Fredericks/Pipeline ROW

Item deferred.

I. Allotment 301-568A-Return to Trust Request

Addressed (by 23-082-FWF)

XXII. NEW BUSINESS – Tribal Councilman Add Ons

- A. Chairman Mark N. Fox- K. Crowsbreast Request**
- B. Chairman Mark N. Fox – Drug Awareness Request (See Closed Session)**

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- C. Councilman Cory Spotted Bear – Earth Lodge Contract – *Thomas Plenty Chief***
Nishu Consulting LLC will provide all services, labor for the construction of a Earth Lodge described in the attached Scope of Work at the property of Buffalo Project located at Twin Buttes. This will be conducted this spring. Donated 2 earth lodge kits by the Chase family and this would

Motion: Councilman Robert White moved to approve Nishu Consulting LLC Contract subject to Legal review from Twin Buttes segment funds. 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye



D. Councilman Cory Spotted Bear – Reserved

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E. Councilman Fred W. Fox – Contracts

Fire Dept. Contract for Anthony Gonzalez. The purpose of this Agreement is to retain Consultant to provide the Segment Office and TBC Representative (Fred W. Fox) with professional services as a consultant and other duties as assigned. Consultant shall provide the White Shield Emergency Management Services, in White Shield, MHA Nation, with technical assistance.

Motion: Councilwoman Monica Mayer moved to approve Anthony Gonzalez contract (6-month) subject to Legal review. 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 – Not Voting
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Brenden Dockter Consultant Contract. The purpose of this Agreement is to retain Consultant to provide personnel of the White Shield Fire District with professional training and related duties as assigned. Consultant shall provide fire fighter technical training for members of the White Shield Fire District, in White Shield.

Motion: Councilman Robert White moved to approve Brenden Dockter Consultant Contract (14-day class for fire certification(12K) subject to Legal review. 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



This Consulting Agreement is between MBA Nation -East Segment having its principal place of business at White Shield, ND and Rusty Gillette, Owner/President, iFive Graphics (the Contractor) having its principal place of business in Bismarck, ND for providing Graphic Artist services.

Motion: Councilman Robert White moved to approve iFive Graphics Contract Rusty Gillette contract for East Segment subject to Legal review. 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

Discussion: \$1K/month

F. Councilman Fred W. Fox – Reserved

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G. Councilman Mervin Packineau – Congregational Church Repair Bid

Renovate from NE Segment budget. Has three bids for roof repair.

Motion: Councilman Robert White moved to approve Congregational Church Repair Bid. 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

H. Councilman Mervin Packineau – Reserved

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I. Councilwoman Monica Mayer – Ken Hall Request (Kingdom Business)



Requesting \$45K for prayer event after a Phoenix Suns game on Mach 29th Faith & Family Night. 300 Game tickets, food, t-shirts. Councilwoman Monica Mayer was not sure if this falls under the standing resolution. Partnering with the Outreach Office and the Phoenix Suns. Councilman Robert White noted that we have support this organization in the past.

Motion: Councilwoman Monica Mayer moved to approve 50% of request for an amount of \$22,500. 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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J. Councilwoman Monica Mayer – EMHC Campus Water Connect – Jared Eagle, Health Administrator

Jared Eagle provided a map in his packet of Elbowoods (removal – Dirt pile). Seeking for approval to put 20 cubic yards of excess top soil for the PHN site on the west side of College Drive. Cost included in project costs or GMP. Councilwoman Monica Mayer was ok with the action.

Motion: Councilman Robert White moved to approve EMHC top soil move. 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

K. Councilwoman Sherry Turner-Lone Fight – AP Contracts

Councilwoman Sherry Turner-Lone Fight needs clarification on the clinic and community center and assisted living. Tyra reviewed the contracts. \$25 million for site work for 3 projects. Center only for FY23.

L. Councilwoman Sherry Turner-Lone Fight – Reserved



- M. Councilman Robert White – Medical Insurance Request & Bill (See Closed Session)**
N. Councilman Robert White – *Reserved*

XXIII. LEGAL DEPARTMENT – *Tyra Wilkinson, MHA Supervising Attorney*
A. TAT HIP CRRSAA Resolution

Motion: Councilman Fred Fox moved to approve resolution no. 23-088-FWF entitled “*Acceptance of CRRSAA funds to be used for Road Maintenance purposes*” 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 – Not Voting
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

XXIV. CLOSED SESSION:

- A. Human Resources (HR)*** – *Melissa Brady, Director*
- Lived Experience Policy (Good Road & Healing Hearts)
 - Leave of Absence
- B. Legal*** – *John Fredericks*
- C. Four Bears Casino Report*** – *Spencer Wilkinson, Scott Wilson, General Manager*
- 1) Report
 - 2) Retainer²
- D. FMLA Issue**^[Executive]
- E. Grants & Donation Discussion**
- F. MHA Nation Rough Stock** – *Blaine Foote, Charlie Vigen, Jackie White Calfe*
- G. Medical Insurance Request & Bill**
- H. K.B.**
- I. Transfer**
- J. Elbowoods Memorial Health Center (EMHC)** - *Dr. Kathy Eagle, CEO*
- K. AP Contracts** - *Councilwoman Sherry Turner-Lone Fight*
- L. Rural Road Maintenance Draw-Down of CRRSAA funds** – *Tyra Wilkinson*
- M. Engagement Letter** – *John Fredericks*

XXV. ADJOURNMENT:

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilwoman Sherry Turner-Lone Fight seconded the motion. Meeting adjourned at 6:36 PM.



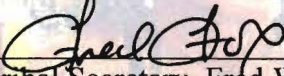
CERTIFICATION


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 13th of April, 2023; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 7 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Chairman (X) Voting () Not Voting

Dated this 13th day of April, 2023

ATTEST:


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


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