

Accountability

Transparency

Responsibility

Vision

## Message from Tribal Councilman Ken Hall



*Greetings & Happy New Year,*

*It is an honor to come to you again and share with you the actions we are taking in our administration & the challenges of implementing change. We are continuing to put processes into place to structure our development.*

*I am grateful for this opportunity to share some of my thoughts on the new and exciting possibilities for advancing our people. You are the reason we are here and the work is just beginning. Our examination of our current status confirms there is a need for change in the current state of affairs—"we must Change the way we do Business" if we are to create any sort of self sustainability. Or, more specifically, our housing and business development, mineral development and extraction, management of our financial resources, must be done in a clear, well thought and strategic manner so that our children, our grandchildren for*

*generations to come will be able to benefit positively from our work today.*

*As an Energy Producing Tribe we will continue to dedicate significant attention to the business of our minerals production, protection and monitoring of our environment, oil royalties, revenues, and, ensuring our rights as the owners of the minerals are protected. We will continue to work closely with our Tribal Owned Oil & Gas Company, the Missouri River Resources, the Natural Resources Department. To support this effort, I have appointed the uniquely skilled and highly qualified, Elmarie Conklin, an enrolled member, & an attorney, to represent our segment on the TERO Board of Directors.*

*On Business and Economic Development, and on Housing in particular, we have carried out a series of meetings with representatives of businesses, investors, developers, in order to listen and draw from their views and expertise to support our agenda and community needs. Housing will be based on need under criteria and we'll utilize our lands and resources maximizing on both.*

*We would like to acknowledge those first responders who are the unsung hero's of our community. They have been fearless in their duty to serve and protect our people. We are increasing funding to support them and to have an Emergency Preparedness Plan being developed.*

*"Health is the best gift you can give your people." A statement shared with us recently and something we take very serious. Our Health Care System must be strong and protected.*

*As Chairman of the Health Committee, along with Councilwoman Brugh & Councilman Phelan, we recommended a structural change to the Tribal Business Council in the Tribal Organizational Chart to give a clear line of authority to the MHA Health Authority Board of Directors. They will operate under their Charter and in accordance with the Tribal Council Resolution which mandates them. I have appointed Phyllis Howard as an ex officio Board Director to represent the North Segment on the Board. I am working closely with Madonna Azure, and with Scott Davis of the N.D. Indian Affairs Commission, to draft a Bill for Home Health Care which will be presented during the upcoming N.D. legislative session. Mr. Davis is also coordinating the formal dialogue we are having with Sanford Health on partnering with our MHA Nation Health Authority.*

*A first step toward change was keeping my word to the young girl who asked, "if you're elected, would you agree to a drug test," to which I said, "in a heart beat." Well, as your elected Tribal Council Representative, I have taken & passed the drug test. My staff have followed suit and this has become the new standard. Other Council representatives and their staff are doing the same in their segments.*

*The Northern Lights will be operated as a Business, and policies and leases will be applied to all occupants. The current annual expense to operate the building is \$181,400.00 and will increase due to additional security measures that will be taken in the coming year. Additional Surveillance and Security will be added. The Lease Contract will clarify the terms of occupancy & use and will be signed immediately.*

*In the coming weeks we will host events that will invite your input & consultation on all issues affecting our segment, and what our shared vision is for our people. We will identify our priorities for development together through the Town Hall process and we are continuing to circulate our survey so be sure to take the time to share your opinions and ideas.*

*2013 will start with a community prayer breakfast on January 4th so please be sure to mark your calendar. We will also host a Train the Trainers, Town Hall, host the visiting international indigenous guests who will be examining the MHA Nation business models of our mineral development company, and, we will continue moving forward to strengthening our Tribal Programs of Law Enforcement, Health, Education and others. Our newsletters are available online as a link to the MHA Nation Tribal website and can be viewed at your leisure.*

*I close by expressing my gratitude to you for your support and participation, and I look forward to our discussions in 2013. Thank you.*

**Notes and News:**

**CONGRATULATIONS TO DR. TWYLA BAKER DEMARAY**

Our own enrolled member has earned her Ph. D. and we celebrate her success and achievement. Dr. Baker Demaray is the Director of the National Resource Center on Native American Aging, Principal Investigator of the National Indigenous Elder Justice Initiative, and Evaluator of the Seven Generations Center of Excellence on Native Behavioral Health at the University of North Dakota and her area of study is Teaching & Learning: Research Methodology.



**Dr. Twyla Baker Demaray**

Treatment, Community Outreach, Budget/ Training.

**COBELL**

We also acknowledge the tenacity of the late Eloise Cobell – this historical lawsuit was a long, hard, victorious battle. Many Individual Indians Money account holders began receiving their first payments of the historic trust mismanagement case.

**CALL TO ACTION INITIATIVE MOVING FORWARD:**

Our Community was faced with two very critical incidents that sparked us to have to create an Emergency Preparedness Plan. The Command Center is the Northern Lights Building that is equipped with designated phone/fax lines, and assigned personnel to lead.

The safety of our people is our highest priority and with the most recent incident in one of our Tribal residences, the Tribal Business Council made an immediate decision to allocate additional funding into each Segment for Security & or Law Enforcement. Rather than accept a Tribal Vehicle as the Tribal Council Representative, I have assigned it to the Segment Security for a patrol vehicle. This will enable them to increase their presence and ability to patrol throughout the segment.

In response to the incidents, the Tribal Council created a Drug Task Force and Committees have been established. Anyone wishing to participate is welcome they will meet in the Tribal Chambers again on the 23rd of January 2013. Committee's are established and open for anyone to be involved, they are: Data, Law Enforcement, Court & Prosecution, Justice Center,



**NORTH SEGMENT COMMUNITY ECONOMIC DEVELOPMENT CORPORATION:**

The Corporation was created in 2002 and will be the vehicle of the North Segment for Economic, Housing and Business Development. Two meetings have been held and Elgin Crowsbreast and Orion Gillette have been directed to take the lead to update the Corporation by collecting all documents: Incorporation, Tribal Business Council Resolutions, Bylaws, Board Members, and Board Terms. They will meet with Elmarie Conklin on the Tribal Zoning Codes. Our office will work closely with this entity to create enterprise and opportunities in the North Segment.

**TRIBAL COUNCILMAN APPOINTMENTS TO BOARDS OF DIRECTORS:**

The process included references and recommendations from peers, an in person meeting, and agreement. These individuals have agreed to serve as my appointment with the understanding they will make periodic reports to myself and to the community; all in keeping with our foundation of Accountability, Transparency, Responsibility and Vision. By Tribal Council Resolution, on 12-18-12 the following people were appointed: KMHA/MHA Times Publishing &

- Printing Enterprise Board of Directors: **Judy Yessilth**
- Fort Berthold Community College Board of Directors: **Arthur T. Mandan**
- Fort Berthold Housing Board of Directors: **Gerald "Jerry" Nagel**
- Four Bears Casino Advisory Board of Directors: **Tony Foote**

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MHA Nation TERO Board of Directors: **EIMarie Conklin**  
MHA Health Authority Board of Directors, Ex Officio: **Phyllis Howard**

**RESOLUTIONS:**

Resolutions and minutes can be viewed on the MHA Nation official website.

**MHA HEALTH AUTHORITY BOARD:**

**Mr. Jim Foote, Chairman of the Board**, presented to the Tribal Council Health Committee on the Elbowoods Phase 2 Housing Development Project, Approval of the Project, and, on Establishing Clear Lines of Authority. Following this, the Tribal Business Council approved a revision to the MHA Organizational Chart to give autonomy to the MHA Health Authority. They were established by TBC Resolution as an entity and will be governed by their Charter.

Discussions are ongoing with **Sanford Health** to investigate a partnership that will enhance our current health care services.

**PROPOSED HEALTH BILL:**

Working with the NDIC, Scott Davis, Madonna Azure, on Draft Bill – Home and Community Health Based Services; Councilman Randy Phelan and I will testify during Legislative Session. Madonna Azure guiding the discussions from her previous work, study, and expertise.



**Hall and Baker pass the drug test on Dec. 5, 2012**

**STATE TRIBAL TAX AGREEMENT SUMMARY  
Provided by MHA Nation Tax Director, Mark Fox**

The first Agreement with the State was approved and signed by Chairman Levings and then Governor Hoeven in June of 2008. Tax revenues were assumed in July of 2008. The most positive thing about the Agreement established one applicable tax rate of 11.5%, eliminating the possibility of a separate and duo tax system by the State and Tribal Nation. Mineral Development on the Reservation would have eventually occurred without the Agreement. The 11.5% is further divided into two parts: an Extraction Tax of 6.5% and a Production Tax of 5%. The 5% Production tax remains constant as applied to either Trust or Non-Trust Wells on Fort Berthold, where the Tribe receives 50% of the tax on the Trust, but only 20% of the Non-trust. Under the Agreement, the Extraction Tax has a 5 year exemption to Non-Trust Wells, in which after the exemption expires, the State receives 100% of the Extraction Tax for those Non-Trust Wells. Yet, for Trust Wells under the Agreement, there is NO 5-year exemption applied, and the State and Tribe split the Extraction Tax of 6.5% evenly (50/50) beginning on day one of well production. This, along with the Tribe only receiving 20% of Non-Trust Production Tax, is a major cause of the inequitable distribution of tax revenue under the Agreement!

In January of 2010, the Tribal Business Council approved, and the Chairman signed, a new amended Agreement with Governor Hoeven. The primary differences from the June 2008 version was that it 1) changed the Term of the Agreement from two years to perpetual; and 2) if the Agreement was terminated by either or both parties, the tax agreement provisions and application of the tax split follows for the lifetime of each particular well developed while in the Agreement. Both amendments do not favor the MHA Nation, as we lost negotiation power and inequitable tax payments would continue despite the Tribe electing to discontinue. Since the inception of the Agreement the following has occurred:

**Total Tax Revenue Since July of 2008 to October of 2012:**

State has received \$243 Million (62%) and the Tribe has received \$147 Million (38%).

**Total Revenue That Comes from Non-Trust Wells:** \$158 Million (40%) Total Tax Revenue from Trust Wells: \$232 Million (60%)

The majority of tax revenue comes from Tribal Trust Wells, the State receives the "Lions share" (majority) of the total tax revenue historically collected under and pursuant to the Agreement!! It remains the formal position of the tribal government that the Agreement should and must be changed, in order to achieve a more EQUITABLE share of the Tax Revenue under the Agreement! (see Resolution #11-116-VJB) During the ND Legislative Session of 2011, a Bill was introduced by our tribal nation to change the 50/50 Split of tax revenue on Trust Land under the Agreement to 80/20 in favor of the Tribe, but

this was soundly defeated in a Senate action of 2 for and 43 against!

Under the Agreement, there is a provision for what we refer to as "Drilling Fees" (see Section D(9)). This applies to wells in which the majority of the spacing unit is comprised of Trust Lands. Since July of 2008 to October of 2012, total Drilling Fees collected \$45 Million, which equates to about 450 applicable wells drilled. A little more than 300 of those wells remain "active" as subject to taxation under the Agreement.

**Projected FY 2013 Oil and Gas Tax Agreement Revenue and Sect D(9) Drill Fees: \$115 Million\***

The **combination of taxes and drilling fees** collected by the tribal government under the Agreement from July of 2008 to October of 2012 total \$192 Million!

(Note: None of these tax figures include Royalties or Leasing Fees and/or Revenues!)

\*Under Assumption of no change to the Agreement and based on developmental industry trends.

**TRIBAL BUDGET DETAILS FOR THE YEAR  
FISCAL YEAR 2013**

**Public information provided by Tribal Chief  
Financial Officer, Whitney Bell.**

- The Peoples Fund was established in 2010 to create a Fund where all Tribal Enrolled Members would receive a dividend payment in perpetuity, or, on an ongoing basis.
  - The Tribal Business Council approved to increase the Fund by \$75 Million and bring the total to \$100 Million dollars. The first dividend payment will be made at the end of 2013. Criteria of payments has not been confirmed but will be handled by a Board who will investigate best options.
  - The Home Mortgage Program will receive \$18 Million Dollars FY13
  - Tribal Debt will be reduced by an additional \$25 Million Dollars FY13
  - 5 School Districts will receive an additional \$100,000.00 FY 13
  - Elbow Woods Clinic Housing Division will receive \$9.2 Million Dollars FY 13
  - BIA Roads Improvement on Roads: 12-14-17, will receive \$9 Million Dollars FY13
  - Community Building Renovations in 5 Segments receive \$250,000.00 Dollars FY13
  - Construction of Police Officers Housing will receive \$1,650,000.00 Dollars FY13
  - The Wake Fund has been increased from \$4,000.00 to \$5,000.00 Dollars FY13
  - The Elders Disbursements have been increased from \$500.00 to \$600.00 per person, twice a year.
  - Increased Funding for: Parshall Resource Center, Higher Education Grants, Community Boards, Community Powwows, the MHA Elders Org., and Circle of Life. FY13
  - Increased Funding for the Boys & Girls Club from \$800,000.00 to \$1,500,000.00 FY13
  - Drug Task Force \$1,000,000.00 FY13
- Overall Tribal Budget for Year 2013 is \$49 Million Dollars approved by the Tribal Business Council.

**ASSISTANCE AND FINANCIAL  
REQUESTS FROM THE NORTH SEGMENT  
PROCEDURE:**

Business will be conducted on Monday to Friday from 8am to 430pm at both the North Segment and Tribal Administration Offices. Requests received on the weekend will be processed on the next business day. Requests received, does not guarantee approval and are pending budget availability and every person seeking assistance will be asked to follow procedures of seeking assistance from other sources.

The FY13 Segment Budget for Grants & Donations Annual Budget is \$100,000.00. On November 7th there was \$61,000.00 spent and today, we are at \$84,141.76. For the purposes of providing fair and equitable services to all members, we kindly ask you to examine and exhaust all other avenues of assistance prior to submitting a request to the Segment Office.

1. Seek Assistance from Family First.
2. Seek Assistance from Social Services at 701.627.4781
3. Seek Assistance from Mountrail County Assistance at 701.628.2925
4. Seek Assistance from 4 Bears Food Pantry.
5. Seek Assistance from Child Program at 701.627.2458
6. Seek Assistance from Fuel Assistance/ Utilities at 701.627.8159
7. Seek Assistance from Bethel Lutheran Church at 701.627.4434
8. Seek Assistance from the MHA Elders Organization at 701.627.3506
9. Seek Assistance from 477 Program at 701.627.4752
10. Seek Assistance from the North Segment Community Board at 701.627.3456
11. Seek Assistance from the North Segment Business Office at 701.627.3456

**HOUSING:**

This has been a critical area of need for our reservation for a long time, but with the oil boom and the influx of people into our community, housing needs is at an all time high. We are continuing to gather documentation on all properties owned by North Segment; whether its houses, trailers, R.V's, land; and, we are reviewing all the Current Housing Programs. My staff are continuing to work with the Tribal Administration Staff to oversee the Riverview Trailer Park to provide adequate water, and other services to the residents. We continue to host Teleconference Calls with Developers and Investors, finding solutions to address the housing need with available monies, ability to increase/convert into larger development projects. Maximize the property use on buildable land & create a conceptual design to avoid peace-mealing the limited land available.

**QEP:**

QEP is one of the oil companies producing tribal minerals. We appreciate their commitment and support to the youth. They have sponsored \$16,000.00 liner for North Segment outdoor ice surface. Special Thank you for the partnership and generosity.

**COMMUNITY SURVEY:**

Tom Mandan and Staff are circulating a Survey and seeking your input – you are invited to fill one out and then come to Town Hall Meetings. All Community Members have been invited to participate to identify what our Segment Priorities are and outline timelines to accomplish them. We will begin the process with a Train the Trainers for people interested in Facilitating on Monday January 7th, 2013 at the Northern Lights Building.

◆ **UPCOMING EVENTS**

- Dec 31- Jan 01** | **New Year's Eve Mid-Winter Celebration**

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- Jan 04** | **Community Prayer Breakfast 8:00am - Northern Lights Bldg Hosted by Councilman Hall Guest Speaker Dr. Bob Edwards**

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- Jan 07** | **Train the Trainers with Dr. Clayton Small For the Town Hall 8:30am-5:00pm**

- Jan 21** | **Presidential Inauguration**

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- Jan 23-24** | **North Segment Town Hall 5-8:00pm Northern Lights Bldg**

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- Jan 23** | **Drug Task Force Meeting 10:00am Tribal Chambers**

**North Segment Administration**

Northern Lights Community Building  
710 9th Ave. N.  
New Town, ND USA 58763  
Phone: 701.627.3456  
Fax: 701.627.3220

T.A.T. Tribal Administration Building  
404 Frontage Road  
New Town, ND USA 58763  
Phone: 701.627.4781  
Fax: 701.627.3220

◆ **TRIBAL HEADQUARTERS**

L. Kenneth Hall, Tribal Councilman  
Marle Baker, Chief of Staff  
N. Scott Baker, Deputy Chief of Staff  
Kelly McGrady, Office Manager  
Cylee Johnson, Administrative Assistant

◆ **NORTH SEGMENT/NORTHERN LIGHTS**

Enos Baker, Northern Lights Facilities Mgr  
Arthur T. Mandan, Tribal Liaison  
Janice Smith, Administrative Assistant  
Doris Fox, Administrative Assistant  
Dennis Nash, Security Officer  
Tom Nash, Security/EMT  
Marlin Mason, Security Officer  
Dana M. Chase, Maintenance Technician  
Justin Grinnell, Maintenance Technician  
Dallas McGrady, Maintenance Technician  
Melvin Heavy Gun, Water Hauler

◆ **ADVISORS**

Arne Sorenson  
Mary Fredericks  
Bernadine Young Bird  
Cara Currie Hall

◆ **STAFF SPOTLIGHT**



**Arthur T. Mandan**

Tribal Liaison  
Arthur “Tommy” Mandan, is a member of the Prairie Chicken clan and is a child of the Low Cap Clan. He is currently the Tribal Liaison for the North

Segment office at Northern Lights. Tommy is a life member of Post 9061 VFW Legion, as he is a former Army Medic, and served in Vietnam (a member of the 101st Airborne Division \*Screaming Eagles.

During his younger years, he worked as the timekeeper/book keeper (the only worker in that department) for the A&S Industries in Poplar, Montana before moving home. When he moved home, he opened the bead supply store “The Prairie Chicken Coop” for a few years, before he began driving trucks for Power Fuels. He then went back to school and completed his Teaching degree (he has attended FBCC and UND). He is also a retired Elementary Teacher and Hidatsa Teacher. Tommy has previously worked as the Director of the TAT CHR Program. He was previously the intake person at the MHA Circle of Life, prior to his current job.

Tommy is married to Bernadine Mandan, and they have celebrated their 43rd Wedding Anniversary this year. They had 7 children (6 girls and one boy) but unfortunately they lost one child a few years ago. They had 19 grandchildren (6 girls and 13 boys) and sadly they buried one grandson a few years ago. Tommy has 4 great grand children, 3 girls and a boy. His loves his grandchildren and there are always grandkids at his house.

We’re honored to have this Veteran, Elder and skilled man working on our team and guiding us with his wisdom and experience.

Newsletter Design by Fawn Fettig

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