



CALL TO ORDER:

Councilwoman V. Judy Brugh called the meeting to order at 11:00AM.

I. ROLL CALL:

Present: Councilman Mervin Packineau, Councilman Fred Fox, & Councilwoman V. Judy Brugh. *Quorum established.*

II. APPROVAL OF AGENDA:

Motion: Councilman Fred Fox moved to approve the agenda. Councilman Mervin Packineau seconded the motion. Vote: 3-0-0. Motion carried.

III. APPROVAL OF MINUTES:

- **August 22nd, 2019 Judicial Committee meeting minutes.**

Motion: Councilman Fred Fox moved to approve the August 22nd, 2019 Judicial Committee minutes. Councilman Mervin Packineau seconded the motion. Vote: 3-0-0. Motion carried.

IV. NEW BUSINESS:

A. Resolution Nueta Hidatsa Sahnish College (NHSC) Board of Directors

Resolution entitled "*Approval of the Tribal Business Council's Appointment for the Nueta Hidatsa Sahnish College Board of Directors by the Four Bears Segment Representative*" reviewed by the committee to appoint Cesareo Alvarez Jr.

Motion: Councilman Fred Fox moved to forward resolution to TBC. Councilman Mervin Packineau seconded the motion. Vote: 3-0-0. Motion carried.

B. Supreme Court Order

Attorney Jennifer Cross is still waiting for appeals on the Animal Control case and noted that it has been 7 months since it's been filed. Elizabeth Yellow Bird discussed issues with TeleCourt that delayed completion.

C. SRO Officer

Resolution. Request of the School Board and superintendent to bring it forward.

Motion: Councilman Fred Fox moved to forward to TBC. Councilman Mervin Packineau seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: It was noted that SRO in Twin Buttes & Mandaree have resigned.

V. PROGRAM UPDATES:



A. Public Safety Division of Drug Enforcement – Gerald "Chip" White Jr., Chief of Drug Enforcement

Submitted written report for the record. Nine arrests for September with Cash Seized at \$38,240, Vehicles/Value seized: \$5,000, 10 Search Warrants issued, 12 Federal Indictments, 3 grams Marijuana seized with a street value of \$75, 35.2 grams of Heroin seized with a street value \$10,560, 879.9 grams of Methamphetamine seized with a street value \$131,985, 535 Prescription Pills (Opioids) with a street value \$42,720. Total Value of All Drugs Seized: \$185,340 & Total Value of All Assets Seized: \$43,240. Presented images of the new Zero Drug Tolerance campaign signs that will be going up in each community. The committee expressed concern over the number of overdoses and the wish for inter-agency collaboration.

FTR: Councilwoman Monica Mayer joined the meeting at 11:18AM.

FTR: Councilman Mervin Packineau left the meeting at 11:26AM.

B. TAT Law Enforcement – Captain Nelson Heart

Item deferred.

C. MHA DOT - Richard Hall, Director

Item deferred.

D. TAT Tribal Court – Marvel Heart, Court Administrator

Written report submitted for the record. Elizabeth Yellow Bird provided the oral report for Court Administrator. Employees: 25 (FTE) active employees-8 vacancies(8 (1 Chief Judge, 1 Public Defender, 1 bailiff, 1 Adult Probation officer, 1 court recorder, 1 receptionist, 1 PD clerk). Finances/Revenue - August 2019 Dollar Amount Processed - Cash Receipts/Fees & Fees \$170,792.94. YTD: \$351,599.25. Cash Receipts/Fines & Fees from bonds: August 2019 (\$10,4497.49) YTD (\$211,847.70). Bank Deposits- Totals (\$19,749.95), YTD (\$245,523.70). Background checks completed in the month of June 2019(\$7,960 (\$10 per check) (some= fees waived). Fines/Fees Assessed (criminal): August (\$65,401.48), YTD(\$196,097.32). Additional reports included; Project- Fines & Accounts Receivable- Dollars owed to FBDC, Project - Fines & Accounts Receivable Debt Collection - 1/1/18 - 7/31/19, Project- Open Cash Bonds, Project-Personal Recognizance Bonds(PR). Write-off of Deceased Accounts complete (\$49,156.94) Pending write-off- \$20,558. Traffic Tickets 2010 and prior ore pending write-off - \$16,.179. Still waiting for TBC approval. Other department reports included: Juvenile Court Report, Juvenile Offenders Detained report, Appellate Court Report, Adult Probation, Civil, & Criminal. Draft of the FBDC survey was finalized with input from the Justice Commission; the survey is being distributed in September. (2) Amanda De Ville is now working with the Appellate Court. (3) Currently have eight (8) positions being advertised, Chief Judge, 2 Public Defender positions, Public



defender and Prosecutor clerks, Court recorder, and Adult Probation officer; the Director of Juvenile Services is temporarily being filled by Robert Hunter with recommendation to hire permanently. Judge Seaworth has been working the court-recording system and finally been able to contact company who installed the system and is now completing contract to get system issues resolved. This has been an ongoing issue since the move to this building. Attorney Sharon Thompson's is reviewing the tribal code to update and finalize. Councilwoman V. Judy Brugh will send Norma Baker-Flying Horse to attend to help work on code. Will need to advertise for another Magistrate Judge. Tyra Wilkinson has completed review of the consultant contracts.

1) B. J. Jones Contract

The purpose of this Contract is for the Consultant to provide Judicial services to the MHA Nation and serve as an Associate Judge or Alternate Judge of the Fort Berthold District Court. The term of this contract shall begin October 1, 2019 until September 30, 2020.

Motion: Councilman Fred Fox moved to forward the B.J. Jones contract to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

2) Justice Commissioner Contract

(All the Justice Commission names) Donovan Foughty, John Mahoney, Michelle Rivard-Parks, and cultural consultant Dorreen Yellow Bird with Tyra Wilkinson as acting Legal Department member.

Motion: Councilman Fred Fox moved to forward the Justice Commissioner contracts to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

3) North Dakota Supreme Court Justices Contract

The question arose whether John Mahoney contract will put him in conflict. Will have Legal review. 4 year contracts, they are up this year. The purpose of this Contract is for the Consultant to provide: Judicial appellate services to the MHA Nation and serve as an MHA Nation Supreme Court Justice.

Motion: Councilman Fred Fox moved to forward the contract with Legal review. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

Motion: Councilman Fred Fox moved to forward to TBC for an in-house transfer of 2 employees (Cynthia Micalla to Prosecutors Clerk & Veronica Freeman to Accounts Receivable). Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.



E. Homeland Security – Cliff Whitman

Item deferred.

F. GTFJC-Juvenile Detention – Robert Hunter

Item deferred.

G. Child Support – Alison Johnson

Report submitted for the record. Tribal court is going well. Have a leak in the ceiling and the hole is getting bigger, maintenance came and put a pail under the leak. Councilman Fred Fox states that the CEO needs to work on this. Program was approved for a vehicle, need to figure out how to navigate to get it done. Councilman Fred Fox suggested to get a modular and once a new place is built for Child Support, it could go to a segment for a home for member.

Motion: Councilman Fred Fox moved to purchase a modular home for Child Support, Forward to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: Need someone to check on.

H. Victim Services – Sadie Young Bird

Report submitted for the record. Had 10 assaults in the past month. Waiting for Dusty Johnson to be hired for the Minot shelter. We weren't approved for a grant, we weren't funded, They took the funding away. Need to work on the budget with the CFO. Having issues with grants because finance isn't doing what they need to do. Councilwoman Monica Mayer asked if the Chairman is aware of the CFO not taking care of these issues. Yes, Sadie included him on the emails. Sadie states she is trying hard to look for outside funding sources, we don't want to be dependent on the tribe. Councilwoman Monica Mayer recommends to have a closed session meeting on this or working session to help Victim Services.

Motion: Councilwoman Monica Mayer moved to forward to TBC in Closed Session/CFO Grants. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: CEO needs to look at the building and inspect what the needs are. Child advocacy makes 7 dollars more than Victim Services employees. Councilwoman V. Judy Brugh states there was a pay scale done by James Grinnell before, why aren't we using that. Need space for Child Care services and Child Support and Victims Services should all be housed together. Councilwoman Monica states perhaps the CEO is looking at office space for these programs. Councilwoman V. Judy Brugh



states Barlow Wells needs to have working sessions on getting a pay scale and Policy and Procedure done. Connie Azure set the pay for Child Care Services.

Motion: Councilwoman Monica Mayer moved to forward discussion on child care center and services to TBC. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: Tyra states Chairman stated the entities might change as to what services will be housed there. Its important theses services aren't duplicated. Cheryl with CEOs office states that Vincent R. didn't want to duplicate services with the position he applied for. He would like to do a wraparound services for the position. This discussion will take place tomorrow at the meeting. Councilwoman Monica Mayer will add the Child Service center to the Health Committee standing agenda.

I. TAT Legal – Tara Wilkinson

The Legal department is 90% working for the programs.

J. HR Departments – Barlow Wells, Director

VI. CLOSED SESSION

A. Lori Little Swallow

B. GTFJC-Adult Detention

VII. ADJOURNMENT

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. 1:48PM

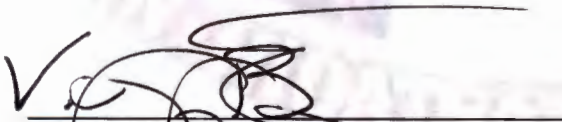


CERTIFICATION

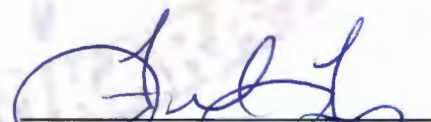
I, the undersigned, as Chairman for the Tribal Business Council's Judicial Committee of the of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council's Judicial Committee is composed of three [3] members of whom [2] constitute a quorum; 3 were present at the Judicial Meeting thereof duly called, noticed, convened and held on the 5th day of November, 2019; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 3 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Dated this 5th day of November, 2019.

ATTEST:



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



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