



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
CONTINUATION HEARING 15-08-MF MINUTES
March 27, 2015, 11:45 AM**

CALL TO ORDER:

Chairman Mark N. Fox called the meeting to order at 11:35 am.

PRAYER: Darlene Perkins gave the invocation.

ROLL CALL:

Present: Chairman Mark N. Fox, Councilman Fred Fox, Councilman Cory Spotted Bear, Councilman Frank Grady, Councilman Randy Phelan, and Councilman L. Kenneth Hall, and Councilman Mervin Packineau. A quorum was established with seven members present.

I. APPROVAL OF AGENDA

FTR: Councilman Mervin Packineau left the meeting at 12:35 p.m.

Motion: Councilman Randy Phelan moved to approve the revised agenda. Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox- Aye

Councilman Cory Spotted Bear- Aye

Councilman Fred Fox- Aye

Councilman Randy Phelan- Aye

Councilman Frank Grady- Aye

Councilman Mervin Packineau- Not Voting/Not Present

Councilman L. Kenneth Hall- Aye

FTR: Councilman Mervin Packineau returned to the meeting at 12:45 pm.

II. APPROVAL OF TRIBAL BUSINESS COUNCIL MINUTES

EXECUTIVE COMMITTEE REPORTS

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

(Moment of Silence for Nathan Paul Good Iron)

i) Consultant Agreement: T. Hodge (Closed Session)

-Addressed

ii) National Indian Gaming Association (NIGA)

Motion: Councilman Fred Fox moved to approve the Resolution #15-053-LKH entitled "Appointing the Delegates from the Three Affiliated Tribes to the National Indian Gaming Association and Authorizing the Payment of the National Indian

Gaming Association's Annual Dues." Councilman Randy Phelan seconded the motion.

Discussion: Councilman Mervin Packineau, Councilman Cory Spotted Bear, and Councilman Randy Phelan to serve as alternates.

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

Chairman Mark N. Fox- Aye

Councilman Cory Spotted Bear- Aye

Councilman Fred Fox- Aye

Councilman Randy Phelan- Aye

Councilman Frank Grady- Aye

Councilman Mervin Packineau- Not Voting/ Not Present

Councilman L. Kenneth Hall- Aye

Discussion: Councilman Randy Phelan to be the alternate delegate.

IV. VICE CHAIRMAN'S REPORT- Councilman Randy Phelan

Update provided on the current events with the proposed oil and gas bills and lobbying efforts for the irrigation bill.

V. TREASURERS REPORT – Councilman Mervin Packineau

1) Chief Financial Officer- Whitney Bell

Chief Financial Officer, Whitney Bell provided an update on the efforts of providing information to the public about the Tribal budget such as utilizing the MHA web page.

Mid-year budget reviews will start to be conducted with each program for the mid-year budget approvals.

FTR: Councilman Mervin Packineau returned to the meeting.

2) Safe Haven Homes- Marilyn Young Bird

Motion: Councilman Randy Phelan moved to approve the paying account to be the 380 account for the total of \$412,000.00 and to be reviewed at the mid-year budget 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 Randy Phelan- Aye

Councilman Frank Grady- Aye
Councilman Mervin Packineau- Aye
Councilman L. Kenneth Hall- Aye

VI. SECRETARY REPORT- Councilman L. Kenneth Hall

FTR: Councilman Frank Grady left the meeting at 1:00 p.m.

i) Double Ditch – Amy Mossett

Motion: Councilman Randy Phelan moved to compose a letter of support for North Dakota Bill 2018 to fund river bank erosion prevention near the historic Double Ditch site. Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Not Voting/Not Present
Councilman Mervin Packineau- Aye
Councilman L. Kenneth Hall- Aye

ii) Sponsorship- Chandee Chase

Chairman Mark N. Fox directed Prairie Rose to assist Chandee Chase to write a letter of request to be reviewed at the next meeting.

FTR: Councilman Frank Grady entered the meeting at 1:10 p.m.

VII. OFFICER REPORTS

CHIEF EXECUTIVE OFFICER REPORT

i) Indian Health Service Sanitation Contract - Mandaree

VIII. UNFINISHED BUSINESS

i) White Horse Woman Outreach- Wendi Wells

Motion: Councilman Frank Grady moved to approve the request of the White Horse Woman Outreach program in the amount of \$381,000.00. Councilman Mervin Packineau seconded the motion.

Motion amended: Councilman Mervin Packineau moved to amend the motion to approve half of the request for the amount of \$190,000.00 and to have the item brought back to the Tribal Council during the June meeting for further review of the requested amount. Councilman Frank Grady seconded the motion.

Vote: 7 Ayes. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Aye
Councilman L. Kenneth Hall- Aye

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

IX. ECONOMIC DEVELOPMENT COMMITTEE- *Councilman L. Kenneth Hall*

i) Royalty Reconciliation- *Michael Grandbois*

Mary Fredericks presented for her nephew Mr. Michael Grandbois.

Motion: Councilman L. Kenneth Hall moved to approve the Resolution #15-043- LKH entitled “*Approving the Contract of Income Planning Group, LLC.*” Councilman Frank Grady seconded the motion.

Discussion: Councilman Cory Spotted Bear would like to see collaboration between Michael Grandbois and the Energy Department. Carson Hood, Energy Department Director stated that if the services provided are taken from the Energy Department budget then the services need to be overseen by himself. Chairman Mark N. Fox stressed that he didn’t want to see a duplication of services. Councilman Randy Phelan stated the services will be overseen by the Energy Department.

Vote: 7 Ayes. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Aye
Councilman L. Kenneth Hall- Aye

ii) Flameless Heaters- *Lane Vocu*

Mr. Lane Vocu and Mr. Steve Gunderson consultant for the MHA Nation presented information regarding Flameless Heaters licensing as an investment and Mr. Vocu's proposal to seek a partnership with the tribe in this venture.

Motion: Councilman Mervin Packineau moved to approve the development of the proposal of Lane Vocu for the Flameless Heaters pending additional information and analysis such as cost detail and a resume of Mr. Lane Vocu. 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 Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Aye
Councilman L. Kenneth Hall- Aye

Discussion: Mr. Steve Gunderson believes the proposal has preliminary promise. Mr. Vocu stated the he has a deadline of the 8th, and would have to move forward at that time. If the MHA Nation doesn't wish to partner with him in this project he will have to move ahead with his own investment and other partners at that time.

iii) **Tribal Utilities-** *Steve Kelly*

Motion: Councilman Mervin Packineau moved to approve the draft letter of Steve Kelly pending edits. Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear-Not Voting/Not Present
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau-Aye
Councilman L. Kenneth Hall- Aye

Discussion: Councilman Mark N. Fox would prefer that Frank Lee be the authorized contact person and Mr. Steve Kelly assist in the project because Mr. Lee is an employee of the Tribe. Tribal Attorney, Caleb Dog Eagle will also review the letter.

FTR: Councilman Randy Phelan left the meeting at 3:13pm.

iv) Tribal Business Loans- Toni Star

a) Independence Loan Resolution

Motion: Councilman Mervin Packineau moved to approve Resolution #15-044-KLH entitled “*Independent Loan Program Interest Rate Reduction/Refinance.*” Councilman Frank Grady seconded the motion subject to corrections.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Not Voting/Not Present
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Aye
Councilman L. Kenneth Hall- Aye

Discussion: Councilman Cory Spotted Bear asked Ms. Star about the dollars that are in default, and Ms. Star stated the amount is at about 1.7 million dollars, from 72 default loans. Motion would make the option available to move to a 4.5% interest rate if 10% of the principle paid.

b) Event Sponsorship- Darleen Perkins

Motion: Councilman Frank Grady moved to approve the business loan of Darleen Perkins to be now considered a sponsorship grant, and the amount that was paid in as a loan to be reimbursed to Darleen Perkins. Councilman Fred Fox seconded the motion.

Vote: 5 ayes. 2 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Not Voting/Not Present
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

Ms. Perkins brought to the attention of the Tribal Business Council that she was under the impression and that it was originally a grant.

- c) **24th Annual 8-Ball Kids Pool Tournament-** *Councilman Fred Fox*
Motion: Councilman Cory Spotted Bear moved to approve a \$4,000.00 sponsorship out of the Tribal 380 account. Councilman Fred Fox seconded the motion. Sponsorship is subject to working with the youth and memorializing Kelly Demaray.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Not Voting/Note Present
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Aye
Councilman L. Kenneth Hall- Aye

- d) **Tiger Grant**

Ron Hall presented information about the transportation study and the resolution details previously approved pending further detail of the amount of commitment by the Three Affiliated Tribes and his contract. Resolution was numbered #15-023-LKH. The total budget for the 3-yr project was for 2 million dollars. Chairman Mark N. Fox stated that the Three Affiliated Tribes will be committed to the million dollars but will provide 1/3 of the amount per year, minus 100K already in the budget for this year. Chairman Mark N. Fox stated no motion is needed as the resolution is already approved; all that needs to be done is for the Chairman to sign off on the contract.

- e) **Crow Fair Arbor**

Deferred to the April 9th, 2015 Tribal Business Council Meeting. Mr. George Real Bird III, Sylvan Covers Up, and Corrine Small approached the Tribal Business Council to seek a possible grant or loan to assist the Crow Tribe in their effort to rebuild the Crow Fair Arbor after it collapsed over the winter. The group presented plans and budget for the project. The projected budget of Phase I of the project comes in at \$768,028.00, working to secure 50-100K through the Tribes Economic Development Loan Fund. They are also seeking an additional grant from the State Coal Board that comes up next winter. Through fundraising effort \$250,000.00 has been raised. The Tribal Business Council was receptive to a loan and asked that Mr. Real Bird return to them with a letter from the Crow Chairman

supporting that offer before possible approval moving ahead with the details.

f) Sponsorship Request-

The Tribal Business Council had a number of sponsorship requests and had a lengthy discussion the need for a policy to standardize the way these requests are handled.

Motion: Councilman Randy Phelan moved to approve the student activities sponsorship policy for high school age students, amount no to exceed \$2000.00 or 75% of the cost / student. 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 Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Aye
Councilman L. Kenneth Hall- Aye

Discussion: Councilman Mervin Packineau asked for clarification as to who is included, and Chairman Mark N. Fox stated that any request can be processed, under this policy and to approve the request of Cheyenne Packineau, Kiara Packineau, and the White Shield School Camp.

X. NATURAL RESOURCES COMMITTEE

i) Natural Resources Department

a. Right-of-Way (ROW) Resolution- Energy Department

Motion: Councilman Fred Fox moved to approve Resolution #15-045-LKH entitled “*Establishing a Procedure for the Approval of Leases, Rights of Way, Setback Variances and Permissions to Survey on Tribal Land.*” Councilman Randy Phelan seconded the motion.

FTR: Councilman Mervin Packineau left at 3:22 p.m.

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

Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

b. Water Depot- Pete Fredericks

Mr. Fredericks is seeking support from the Tribal Business Council to sell ground water. Chairman Mark N. Fox reminded the Council that they are still waiting of a Bureau of Indian Affairs Field Solicitor opinion for this request concerning the legal liabilities for the unlimited use of water by allottees. Mr. Frankie Lee of Natural Resources is still reviewing the application for permit.

c. IHS Lagoon Resolution

Motion: Councilman Randy Phelan moved to approve Resolution #15-46-LKH entitled “*Authorization for the Additional funding for the Mandaree Lagoon Reclamation REP and Approval of Contractor White Horse Construction, LLC; IHS Project AB-02-R05*” Councilman Cory Spotted Bear seconded the motion.

Vote: 5 Ayes. 2 Not Voting/Not Present.

Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Not Voting/Not Present
Councilman Mervin Packineau- Not Voting/Not Present.
Councilman L. Kenneth Hall- Aye

d. IHS Lagoon Waste Water Project

Motion: Councilman Randy Phelan moved to approve Resolution #15-047-LKH entitled “*IHS Lagoon Waste Water Project*”. Councilman Cory Spotted Bear seconded the motion.

Vote: 5 Ayes. 2 Not Voting. Motion Carried.

Chairman Mark N. Fox- Not Voting/Not Present
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

Discussion: Mr. Tex Lone Bear mentioned that there is no payment schedule and the tribe is paying its own fee for the project. Discussion on setting a precedent of waiving the fee.

e. Consent to Certain Rights of Way across Tribal land for the South Segment Waste Water Relocation Project

Motion: Councilman Cory Spotted Bear moved to approve Resolution #15-048-LKH entitled "*Consent to Certain Rights of Way across Tribal land for the South Segment Waste Water Relocation Project*". Councilman Frank Grady seconded the motion. The resolution is subject to legal review.

Vote: 5 Ayes. 2 Not Voting/ Not Present. Motion carried.

Chairman Mark N. Fox- Not Voting/Not Present

Councilman Cory Spotted Bear- Aye

Councilman Fred Fox- Aye

Councilman Randy Phelan- Aye

Councilman Frank Grady- Aye

Councilman Mervin Packineau- Not Voting/Not Present

Councilman L. Kenneth Hall- Aye

f. FB Rural Water Resolution

1. Consent to Certain Rights of Way across Tribal land for the South Segment's Fort Berthold Rural Water Project

Motion: Councilman Cory Spotted Bear moved to approve Resolution #15-049-LKH entitled "*Consent to Certain Rights of Way across Tribal land for the South Segment's Fort Berthold Rural Water Project*". Councilman Frank Grady seconded the motion. Subject to legal review

Vote: 5 Ayes. 2 Not Voting/Not Present. Motion Carried.

Chairman Mark N. Fox- Aye

Councilman Cory Spotted Bear- Aye

Councilman Fred Fox- Aye

Councilman Randy Phelan- Not Voting/Not Present

Councilman Frank Grady- Aye

Councilman Mervin Packineau- Not Voting/Not Present

Councilman L. Kenneth Hall- Aye

2. William McCabe Consultant Contract

Motion: Councilman Fred Fox moved to approve Resolution #15-049-LKH entitled “*William McCabe Consultant Contract*”. Councilman Frank Grady seconded the motion.

Vote: 5 Ayes. 2 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye.
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye.
Councilman Randy Phelan- - Not Voting/Not Present
Councilman Frank Grady- Aye.
Councilman Mervin Packineau- Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

Discussion: William McCabe will provide a feasibility study for utility development on the reservation and evaluation of ROW in regard to Basin Electric and other electrical cooperatives.

g. Capital Management - Leslie Morsette

Motion: Councilman Fred Fox moved to approve Resolution #15-050-LKH entitled “*Consultant Contract with Prairie Resources Capital Management/Leslie Morsette, PO Box 1258, New Town, ND 58763 For USDA Rural Development Projects, Internal accounting services and ARRA Reporting Requirements.*” Councilman Frank Grady seconded the motion.

Vote: 5 Ayes. 2 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Not Voting/Not Present
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

Discussion: Caleb Dog Eagle, Legal Attorney for the three Affiliated Tribes encourage everyone to not let consultants start working until they are under contract and back logging contracts in this manner. Chairman Mark N. Fox commented that only if they have executive approval by the Chair and the Treasurer.

h. SOSIS Lease Extension

Motion: Councilman Fred Fox moved to approve a motion to accept the thirty-day contract extension for SOSIS. Councilman Cory Spotted Bear seconded the motion.

Vote: 5 Ayes. 2 Not Voting/Not Present.

Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Not Voting/Not Present
Councilman L. Kenneth Hall - Not Voting/Not Present

Discussion: Chairman Mark N. Fox stated that this was a thirty day extension on a current lease; Councilman Fred Fox stated that they were going to assess further and return with a better agreement.

i. Steve Gunderson/Tall Salt

Motion: Councilman Fred Fox moved to approve the contract of Steve Gunderson pending resolution being presented to the Tribal Business Council at the April 9th, 2015 Tribal Business Council Meeting. Councilman Randy Phelan seconded the motion.

Vote: 5 Ayes. 1 Opposed. 1 Not Voting/Not Present.

Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Not Voting/Not Present
Councilman L. Kenneth Hall- Opposed

Discussion: Mr. Dog Eagle asked for clarification of the start dates for the Michal Granbois and finish date of Mr. Gunderson's contract. Chairman Mark N. Fox thought April 1st as a good date. Councilman L. Kenneth Hall noted that Mr. Gunderson by contract was to train and transition a tribal member as his replacement which was not happened. Councilman felt the need to move on this today with the tax agreement legislation.

j. BIA Range

Motion: Councilman Fred Fox moved to approve Resolution #15-051-LKH entitled "Approval of a Grant to do a Range Study on the Fort Berthold Indian

Reservation". Councilman Cory Spotted Bear seconded the motion subject to legal review.

Vote: 5 Ayes. 2 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Not Voting/Not Present
Councilman L. Kenneth Hall- Not Voting/Not Present

Discussion: Caleb Dog Eagle noted that legal has not reviewed this resolution.

XIII HEALTH COMMITTEE

i) Medical Request- Alyssa Weber

Motion: Councilman Randy Phelan moved to approve the medical financial request for Alyssa Weber in the amount of \$3,500.00. This amount will be split \$500.00 from each segment and the TAT Chairman's office. Councilman L. Kenneth Hall seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

ii) Medical Bill - Mayda Logg

Motion: Councilman Randy Phelan moved to approve a financial request for Mayda Logg in the amount of \$2016.00. This amount to be split between each segment and the TAT Chairman's office. The individual share for each Segment and the Chairman's Office will be \$288.00. Councilman Frank Grady seconded the motion.

Vote: 5 Ayes, 1 Abstaining, 1 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Abstained
Councilman Cory Spotted Bear- Aye

Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau-Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

iii) Consultant Contract – Phyllis Howard – State of ND

Motion: Councilman Fred Fox moved to approve the contract of Phyllis Howard not to exceed \$2,000.00 and subject to legal review. Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

iv) Affordable Care Act Proclamation Agreement – Tika Duran

Motion: Councilman Randy Phelan moved to complete a proclamation of support for the Affordable Care Act. Councilman Frank Grady seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau-Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

XIV. JUDICIAL COMMITTEE

i) Fort Berthold District Court

a. Restructuring of Tribal Court Proposal/Resolution

Motion: Councilman Fred Fox moved to approve the Resolution #15-054-LKH entitled “*Restructuring the Judicial System of the MHA Nation To Handle Present and Future Challenges and Opportunities in order to*”

give Our Members the Services they Deserve". Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

Discussion: Prairie Rose Chapin, Federal Programs Manager informed the Tribal Business Council that she hasn't seen the Restructuring Plan presented. Caleb Dogeagle, Lead Attorney also commented that he has not seen the document.

b. Supreme Court Resolution

Motion: Councilman Fred Fox moved to approve the Resolution #15-055-LKH entitled "*Appointment of the Panel of Judges for the MHA Nation Supreme Court*". Councilman Randy Phelan seconded the motion.

Vote: 4 Ayes. 1 Opposed. 1 Abstaining. 1 Not Voting/Not Present.
Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Opposed
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

XV. EDUCATION COMMITTEE

FTR: Bernadine Yong Bird presented on Language State of Emergency and was joined by Will Maya of the Language Conservancy to discuss seeking a continuation of funding for the next phase of their language project. Chairman Mark N. Fox asked them to return with the resolutions needed to proceed through the Education Committee.

i) Fort Berthold Community College-

a. Name Change Resolution – Dr. Twyla Baker-Demaray

Motion: Councilman Randy Phelan moved to approve Resolution #15-052-LKH entitled “*Changing the Name of Fort Berthold Community College to Nueta Hidatsa Sahnish College*”. Councilman Frank Grady seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau-Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

FTR: Chairman Mark N. Fox left the meeting

b. Education Hours – Tom Abe

Motion: Councilman Cory Spotted Bear moved to approve the increase in education hours to 6 hours a week for TAT employees. Councilman Frank Grady seconded the motion.

Vote: 5 Ayes. 2 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Not Voting/Not Present
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

FTR: Chairman Mark N. Fox entered the meeting.

ii) Riley Blankenship Sponsorship

Motion: Councilman Cory Spotted Bear moved to approve the sponsorship request of \$5,000.00 for Rodeo World Ranking Rider, Riley Blankenship. Councilman L. Kenneth Hall seconded the motion.

Vote: 5 Ayes. 1 Not Voting/Not Present. 1 Abstained. Motion Carried.
Chairman Mark N. Fox- Abstained
Councilman Cory Spotted Bear- Aye

Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau-Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

iii) Holistic Health Practitioner Proposal – Karilee (Fox) Lieberman

Motion: Councilman Fred Fox moved to approve Kathy Eagle to work with Karilee Lieberman on a possible education/work contract with the Elbowoods Clinic. Councilman L. Kenneth Hall seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau-Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

iv) Sharon White Bear Educational Financial Request

Motion: Councilman Fred Fox Moved to approve a \$500.00 grant from each segment and the Chairman's office also approval of the Higher Education Hardship Grant of \$2,500.00. Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau-Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

Discussion: \$2500.00 Hardship grant to the school, and \$500 from each segment.

v) Forth Berthold Spring Fitness Challenge

Motion: Councilman Fred Fox moved to approve a sponsorship amount of \$285.00 from each TAT segment and the Chairman's office for the ReeFit

event “*Fort Berthold Spring Fitness Challenge.*” Councilman Cory Spotted Bear seconded the motion.

Vote: 6 ayes. 1 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau-Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

vi) William White

Motion: Councilman Randy Phelan moved to approve an Education Grant of \$500.00 from each segment and a \$2,500.00 Grant from the Chairman’s office. Councilman Fred Fox seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau-Not Voting/Not Present
Councilman L. Kenneth Hall- Aye

XIV. TAT LEGAL DEPARTMENT

i) Adoption Code- *Tyra Wilkinson.*

Motion: Councilman Cory Spotted Bear moved to approve the second reading of the proposed TAT Adoption Code. Councilman Frank Grady seconded the motion.

FTR: Councilman Fred Fox left the meeting at 7:10 p.m.

Vote: 5 Ayes. 2 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Not Voting/Not Present
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- Not Voting/Not Present

Councilman L. Kenneth Hall- Aye

FTR: Councilman Fred Fox returned to the meeting at 7:14 pm.

FTR: Cheryl Bruce, Acting Tribal Programs Manager addressed the Tribal Business Council about a couple of reporting issues.

ii) Tiffany Hodges.

Motion: Councilman Fred Fox moved to approve the contract to not to exceed \$7000.00 per month. April 1, through Sept 30th. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.

Chairman Mark N. Fox- Aye

Councilman Cory Spotted Bear- Aye

Councilman Fred Fox- Aye

Councilman Randy Phelan- Aye

Councilman Frank Grady- Aye

Councilman Mervin Packineau-Not Voting/Not Present

Councilman L. Kenneth Hall- Aye

iii) Pearline Kirk

Motion: Councilman Fred Fox moved to approve a one year contract as Tax Director at the salary rate of \$70-75/hour. Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.

Chairman Mark N. Fox- Aye

Councilman Cory Spotted Bear- Aye

Councilman Fred Fox- Aye

Councilman Randy Phelan- Aye

Councilman Frank Grady- Aye

Councilman Mervin Packineau-Not Voting/Not Present

Councilman L. Kenneth Hall- Aye

XV. CLOSED SESSION

XVII. ADJOURNMENT

Councilman Fred Fox moved to adjourn at 10:10 p.m. Councilman Randy Phelan seconded the motion.

Vote: 6 Ayes. 1 Not Voting/Not Present. Motion Carried.
Chairman Mark N. Fox- Aye
Councilman Cory Spotted Bear- Aye
Councilman Fred Fox- Aye
Councilman Randy Phelan- Aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau-Not Voting/Not Present
Councilman L. Kenneth Hall- Aye


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 Meeting thereof duly called, notice, convened and held on the 28th day of May, 2015; 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 28th day of May, 2015.

ATTEST:


Tribal Secretary, L. Kenneth Hall
Tribal Business Council,
Three Affiliated Tribes


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

(Seal)