



**I. CALL TO ORDER:**

Meeting called to order at 2:33pm.

**II. ROLL CALL:**

*Present:* Councilman Fred Fox, Councilman Randy Phelan, Councilman Frank Grady

**III. APPROVAL OF AGENDA:**

*Motion:* Councilman Randy Phelan moved to approve the Agenda. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

**IV. APPROVAL OF MINUTES:**

*Item deferred.*

**V. OLD BUSINESS**

**A. McKenzie County Sheriff Department**

Lloyd Clock presented a Report on work in the County and Collaborative efforts with the Tribe. They are still shorthanded with about 20 officers with 7 in training, with a lot of activity going on. Councilman Fred Fox has had some discussion with them over cross deputation, along with the City of New Town. City of New Town asked about civil crimes, and Legal said they could already. Councilman Randy Phelan stated that we need to get away from the social stigma of tribal member getting pulled over for being native. Cases set to Tribal Law enforcement. Councilman Randy Phelan: would like the MOU updated. Councilman Frank Grady rarely sees McKenzie County in anyway. Councilman Fred Fox stated that we need an office in Mandaree. Councilman Randy Phelan stated that they are planning on setting up an office in the Community but need an MOU or MOA to pull over non enrolled members. Officer: with the Oil that has increase greatly. Don Charging stated that in the 80's we never had the MOU. Audience Member: A working meeting tried to come to terms. Councilman Randy Phelan stated that way we need a lot of coverage around Johnson's Corner, and noticed that the oil traffic has picked up.

**VI. NEW BUSINESS**

**A. Retro Pay - Karrie Fast Dog & Sterling Reed**

**B. Grandchild Custody Issue - Charlene Fox**

**C. Circle of Life/Two Rivers - Doris J. Fox**

**D. Housing Issue - Rebecca White Owl & Danette Hunts Along**

**E. Population Projection Study - Sevant Taft, Enrollment**

The Population Study would cost about \$25,000 and take about 6 months to complete. They use different criteria. Since there are talks of changing the base roll to 4/4. Additional costs for more analysis. Councilman Randy Phelan: Are you doing



DNA test, Sevant Taft stated that it is possible and accepted form of proof for paternity but not a requirement. Sevant Taft stated that his first draft did include. And other though that it could be burdensome. Councilman Randy Phelan: on the other hand it out there you giving them their right as a member. Tribe could actually contract this at about 250 per test. Sevant Taft stated that the requirement is only a state certified birth certificate. At one time birth certificate was issued at Elbowoods Agency. With the 2-year window we allowed lineal decent enrollment about 2000 enrolled. Councilman Randy Phelan stated that about 500 are less than an 1/8. There are people on the base roll of 1936 that were less than 1/32. Councilman Randy Phelan stated that it would affect a lot of people if we changed.

**Motion:** Councilman Randy Phelan moved to forward to July 1st' Tribal Business Council Meeting. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

**F. Richard Hall – Kat Productions Contract; Tribal License Plate**

80% of people wanted a tribal plate according to a poll. 26K files that need to be put into a digital file. Will need about another \$11K to develop. Worked with Al Nygard and if we use carryover from unsigned employees

**Motion:** Councilman Randy Phelan moved to allow Mr. Hall move his budget around to pay for the KAT project. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

**Discussion:** Councilman Fred Fox will work with Don about program overview. 0-5 million dollars and some jobs concerning tribal plates. Will be totally voluntary to purchase the plates. Showed some examples. And Councilman Randy Phelan: asked what it would cost, and its going to cost some money. Using Roughriders at the state penitentiary. But it will pay for itself.

**Motion:** Councilman Fred Fox moved to forward to July 1st' Tribal Business Council Meeting. Councilman Frank Grady seconded the motion. Vote: 3-0-0-0. Motion carried.

**Discussion:** Councilman Randy Phelan; want to see some numbers. Don Charging stated if the Committee had some numbers from other reservation that would be good too. Richard Hall: Tribal trucks with tribal plates could forego state tax costs and help TERO.

**G. Bruce Gillette**

Presented a report in favor of Two Rivers Long Term Treatment Facility and family complaints or trying to family out of the committal order by going through the TBC.

**H. Sherry Hall**



Requesting retro pay from the date of salary authorization. Councilman Fred Fox: are you still at the Court house. Sherry Hall is giving notice by email on a Sunday. Not dully notified. Councilman Randy Phelan: Why were you not let off? Sherry Hall stated that service is need needed due to restructuring. Sherry Hall read the letter from the Court Administrator. Requesting admin leave, I need my insurance. Susie Paulson stated that in April she gave them verbal notice. And that the jobs would be advertised, but was more than 30 days' notice. Winona Traversie: introduced herself as the Court Administrator. Councilman Randy Phelan: was it a RIP, RT: stated that it was a restructuring. Everyone would need to re-apply. Councilman Fred Fox: from 2014 retro pay and admin leave

**Motion:** Councilman Fred Fox moved to forward to the Justice Commission Agenda on June 30th in Bismarck. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

**Discussion:** Councilman Randy Phelan asked why isn't this going to the Justice Commission.

## VII. REPORTS – PROGRAM UPDATES:

### A. **HR Tribal Programs - Barlow Wells**

*Item deferred.*

### B. **TAT Tribal Court - Diane Johnson**

Presented a resolution entitled “*Employment of Judicial referee for the Fort Berthold District Court, pursuant to the restructuring Resolution dated March 27, 2015.*”

Councilman Randy Phelan: use wording “To Concur”

**Motion:** Councilman Randy Phelan/Councilman Frank Grady Recommend our Court System that Justice Commission does the hiring and the TNC just concurs. Vote: 3-0-0. Motion carried.

### C. **TAT Law Enforcement - Nelson Heart**

Chief Heart presented TAT Law Enforcement Service Report. Monica the Dispatcher broke down the arrest section. Chief Hear: pointed out the org chart and pay scale and developing a uniform pay scale. And asked about the Consultant's scope of work.

Councilman Fred Fox: To structure all the LE agencies. Recommends that they sit down with Don Charging to prepare or edit the Org chart. Chief Heart would like to see a sergeant and a detective in each segment. Councilman Fred Fox: Recommended that all the staff be on patrol during the Pow-wow and Marvel Heart concurred. We don't want them burning out. July 2nd at 9am for all Law Enforcement and All TBC invited at the Casino a Working Meeting. With Don Charging and Elmer Four Dance. SLAC Agreement with the BIA needs to be renewed. Sensitivity training went well. Cory Smith attended the Community Action Simulator and would like to bring to the



employee appreciation on the July 14th. Councilman Randy Phelan” asked about back ground checks. CH: Sent to PFC and returned to Sarah Dogeagle. Councilman Randy Phelan asked when is Mandaree getting an officer and Chief Heart replied that an officer is designated but needs to talk to Councilman Randy Phelan staff to arrange a house.

**Motion:** Councilman Fred Fox moved to appoint Crystal Bowen as the Housing Liaison. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

**Motion:** Councilman Frank Grady moved to forward to July 1st’ Tribal Business Council Meeting the SLEC Agreement. Councilman Randy Phelan seconded the motion. Vote: 3-0-0-0. Motion carried.

**FTR:** moved to closed session (see below)

**D. Homeland Security - Cliff Whitman**

*Item deferred.*

**E. Criminal Investigation - Nelson Heart**

*Item deferred.*

**F. Adult Detention - Titus White Body**

*Item deferred.*

**G. Juvenile Detention - Mike Young Bird**

*Item deferred.*

**H. Child Support - Ellen Otterman**

*Item deferred.*

**I. Domestic Violence - Sadie Young Bird**

Discussion of bid and the need to return with additional bids. Presented a program report. Councilman Randy Phelan informed Sadie Youngbird that a Safe Haven Home is coming behind your building. Councilman Randy Phelan also directed Sadie Young Bird to work with her about the rent.

**J. TAT Legal - Caleb Dogeagle**



*Item deferred.*

**K. Public Safety Commission - Gerald White**

Brittney Cree presented MHA Judicial Monthly Report.

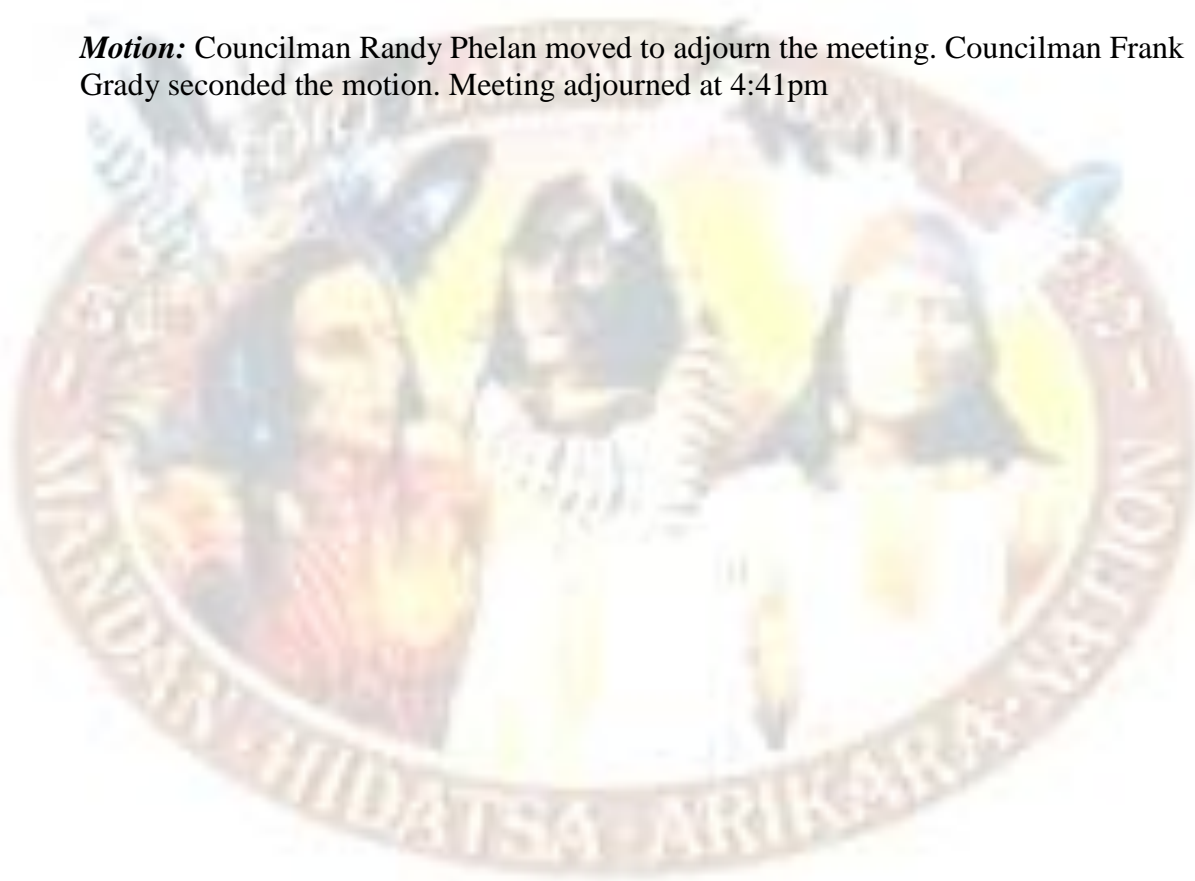
**VIII. CLOSED SESSION:**

**A. Law Enforcement:**

**B. Leonard Baker Vehicle Towing**

**IX. ADJOURNMENT:**

**Motion:** Councilman Randy Phelan moved to adjourn the meeting. Councilman Frank Grady seconded the motion. Meeting adjourned at 4:41pm





**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 3<sup>rd</sup> day of March, 2016; 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 3<sup>rd</sup> day of March, 2016.

**ATTEST:**



Judicial Committee Chairman,  
Councilman Fred Fox  
Tribal Business Council  
Three Affiliated Tribes

Executive Secretary,  
Councilman Ken Hall  
Tribal Business Council  
Three Affiliated Tribes