



CALL TO ORDER:

Meeting called to order at 11:00am.

INVOCATION:

Prayer given by Councilman L. Kenneth Hall.

I. ROLL CALL:

Present: Councilman Fred Fox, Councilman Frank Grady, Councilman L. Kenneth Hall representing Councilman Randy Phelan. Quorum established.

II. APPROVAL OF AGENDA:

- Move Drug Task Force to 4. A

Motion: Councilman Frank Grady moved to approve the Agenda. Councilman L. Kenneth Hall seconded the motion. Vote: 3-0-0. Motion carried.

III. APPROVAL OF MINUTES:

Item deferred.

IV. OLD BUSINESS

A. Resolution – Citizens for Change – Joletta Bird Bear

Councilman Fred Fox and Councilman L. Kenneth Hall discussed wording of the Resolution to reflect that the Agencies did receive the Denton Report.

Motion: Councilman Frank Grady moved to forward the Resolution entitled “Official Governmental Request to the U.S. Department of Justice; U.S. Federal Bureau of Investigation; U.S. Department of the Interior Bureau of Indian Affairs and the U.S. Internal Revenue Service – Initiate a federal investigation pursuant to findings of the Dentons US LLP Report” to the September 2nd Tribal Business Council Meeting a recommendation to approve. Councilman L. Kenneth Hall seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: Councilman Frank Grady agreed with this just because this is what the people wanted. Councilman L. Kenneth Hall stated that to date that no one has been charged, or seen anything in writing, but as far as the new Council we want to make sure the people know that we have a responsibility to do what is right and the Chairman mentioned at the last Council meeting that these events happened back in 2012 and he had some discussion with the Federal authorities and that it’s a tough issue. This group is simply asking for a formal request to these agencies to investigate. Audience member: I know your all mostly new, but is time to correct. Joletta Bird Bear commented that the Tribal Council at the time did take initial steps to preserve the integrity of the Three Affiliated Tribes. We are asking



the current Council to continue the steps to preserve the integrity of the Three Affiliated Tribes. We are asking for a recommendation a do-pass for the Resolution.

V. **NEW BUSINESS**

A. Department of Transportation – C.J. Whitman Jr.

C.J. Whitman discussed meeting with Chairman Mark N. Fox concerning anti-drug activities and a different approach. C.J. explained an activity to place on the bridge an oversize bundle prayer sticks as a visual reminder to the 84 meth babies born on the Reservation this year. Two signs on each end of the bridge as a provocative reminder of the issue. Also at the Northern Lights we would like to bring in painters for the sign and combine it with an event with speakers. Need permission if we can move ahead. Councilman Fred Fox asked about permission and asked C.J. to work with the D.O.T.

Motion: Councilman Frank Grady moved to forward to the Tribal Business Council approval to place on the Four Bears Bridge an oversize bundle prayer sticks as a visual reminder of the 84 meth babies born on the Reservation this year and investigate the needed permissions. Councilman L. Kenneth Hall seconded the motion. Vote: 3-0-0. Motion carried.

B. Amendment to “Remove & Exclusion Code” – Sevant Taft
Item differed.

C. Employee Policy Action – Claressse White Horse
Item deferred.

D. Warriors of the 21st Century – Wynona Traversie

Councilman Fred Fox stated that we did get a budget. Wynona Traversie presented an oral report. The program was funded last October and approximately 100 tribal members that are on probation in Bismarck with %85 that are drug/Meth offenders. So there is a need for the program. Beneficial impacts go way beyond the numbers in the program and reach out to all their family. We have a drug court expert on staff and many of our people are incarcerated. Councilman Fred Fox asked if we have Policies & Procedures for the program and if approved. Wynona White Horse stated that she did and they were approved through the Justice Commission and will resubmit them. Councilman Fred Fox asked the staff handle sensitive documents and do back ground checks. Wynona White Horse stated that we have had records compromised by former employees and so we have really tightened up our records. Even our clerks are restricted to access. Councilman Fred Fox asked about the Warriors of the 21st employees that work within the Court and their access to records and a staff members replied that they don't really have access. Wynona Traversie stated she was aware there was a problem but is unsure what to do. We would like to expand the program to meet



the needs of our people. We have 10 program participants, 15 applications, and 32 additional inquiries and that's not even touching the 100. We may be the program of this kind among Tribal nations and even very few among the States. Councilman Fred Fox if we were backed up in Court and Wynona White Horse replied that we have made a huge dent into the case load. We want to sure there is accountability for the program. Wynona White Horse stated we have knock down the 1600 cases in less than a year. Councilman Fred Fox asked for a Report of pending cases and an update for the Warriors of the 21st Century program at the September 2nd Tribal Business Council meeting.

Motion: Councilman Frank Grady moved to forward to change the Judicial Committee Chair, language for Board requirements are changed to an At-Large Tribal Council member for the Justice Commission. Councilman L. Kenneth Hall seconded the motion. Vote: 3-0-0. Motion carried.

I. Conflict of Interest – Kathy Danks Albers

Kathy Danks-Albers is inquiring about the status the Elder Abuse Code. Her parents are being exploited by another company and we really need that code. The Attorney for TERO is also representing other family members and it is conflict of interest. Councilman Fred Fox asked if Kathy Albers would prefer to present to Closed Session and stated that this is all that she wanted to say.

VI. REPORTS – PROGRAM UPDATES:

A. HR Tribal Programs - Barlow Wells
Item deferred.

B. TAT Tribal Court - Diane Johnson
Item addressed.

C. TAT Law Enforcement - Nelson Heart – (CLOSED SESSION)

B. Homeland Security - Cliff Whitman

Discussed a meeting with the Red Cross and MOU for legal to review. Given approval from the CFO to purchase the generators from Interstate for Parshall, Northern Lights with the other segments next year. Discussion of new community building and waiting for the specifications before moving ahead in White Shield and Four Bears. Also he was asked to look at the new TERO building and its need for a generator. The Tribal Administration Building will get a new generator. Councilman Fred Fox directed Cliff Whitman to insure that the Segments get their generators before purchasing a generator for the Tribal Headquarters. Cliff Whitman stated that he has been busy with the wind storm and the home damage. Have been securing proof of ownership and mortgage information. Cheryl Bruce asked if there have been a disaster plan and drills developed? Yes we do for shelter and evacuation. Cliff Whitman stated that with the Red Cross MOU, they



will help with their resources for shelter and tabletop exercise. Meet with Dakota Plains loading facility from west of New Town to develop exercises between New Town and the County. All Around Sports

C. Criminal Investigation - *Nelson Heart*
Item deferred.

B. Adult Detention - *Titus White Body*
Item deferred.

C. Juvenile Detention - *Mike Young Bird*
Item deferred.

D. Child Support - *Ellen Otterman* **(CLOSED SESSION)**

E. Domestic Violence - *Sadie Young Bird*
Item deferred.

F. TAT Legal - *Caleb Dogeagle*

Business Licenses temporary approval, Enrollment Ordinance is ready to go with changes in the benefits language, The Customary Adoption Code has been through the readings and public comment, and the Fort Berthold Court Assessment Resolution is ready. NARF is seeking to sue North Dakota for Voter ID Law is disenfranchising Nation Americans and would like to present at the Tribal Business Council Meeting. Arbitration for Solid Waste Building with Galanda Broadman assisting has be pushed back to December.

Motion: Councilman L. Kenneth Hall moved to authorize funds to pay for arbitration fee for the Solid Waste Arbitration from the Legal Department Budget. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

F. Public Safety Commission - *Gerald White* **(CLOSED SESSION)**

IX. ADJOURNMENT

Motion: Councilman Frank Grady moved to adjourn. Councilman L. Kenneth Hall seconded the motion. Vote: 3-0-0. Meeting adjourned at 2:11pm.



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 3rd 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 3rd 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