



## **CALL TO ORDER**

Chairman Mark N. Fox called the meeting to order at 11:22 AM.

## **OPENING PRAYER**

Prayer by elder Sally White.

## **ROLL CALL**

*Present:* Councilwoman Monica Mayer, Councilman Cory Spotted Bear, Councilman Mervin Packineau, Chairman Mark N. Fox, Councilwoman V. Judy Brugh, Councilman Randy Phelan, Councilman Fred Fox.  
*Quorum established.*

## **I. APPROVAL OF AGENDA**

***Motion:*** Councilman Mervin Packineau moved to approve the agenda. Councilman Randy Phelan seconded the motion.

Vote: 7 - Ayes. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

## **II. APPROVAL OF MINUTES**

- A. 12/12/2018 Special Meeting Minutes**
- B. 12/20-21/2019 Regular Meeting Minutes**

***Motion:*** Councilman Randy Phelan moved to approve the December 2018 Tribal Business Council minutes subject to corrections. Councilman Cory Spotted Bear seconded the motion.

Vote: 7 - Ayes. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

## **III. SPECIAL GUESTS & ELDERS**

- A. Sally White**



Discussed her daughter Bobby's illness and the need for a home in Bismarck to be closer to her hospital care. Chairman Mark N. Fox noted that she can put her current home up for sale as requested and then be provided accommodations at the Blue Cedar Residence in Bismarck. The cost is \$10-20/day, but at the outset there would be no charge. She would like to sell her house and move to Bismarck. Daryll Bearstail expressed that Bobby wants to stay in Bismarck and has a realtor that is working with the family. Sally White asked the Tribal Business Council help in any way they can. Chairman Mark N. Fox expressed that the Blue Cedar would be only temporary until a house can be found and the home mortgage on the reservation can be dealt with. Sally White requested that Tribe pay off the mortgage. Chairman Mark N. Fox noted the the staff will need to determine the equity and other details. Bobby Kruegar would like to get a mortgage on a house in Bismarck

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## B. Parshall School

### 1) Presentation

Presented guest passes for school sports events. Presented a quick updated on building construction.

### 2) Senior Class Close-Up - Parshall High School Senior Class Close-Up Group

The 2019 Senior Close-Up Group from the Parshall High School is requesting financial assistance for their upcoming trip to Washington DC, on March 24<sup>th</sup>, 2019. The 2019 Senior Close-Up Group has been fundraising since June 2018. Their goal is to make sure all 14 students would have this great opportunity to be educated in government. At this time, they are requesting funds to help defray the cost for airfare and accommodations for their trip. They have a goal of \$49,000 of which they have raised \$17,000.00 thru food sales at games, 50/50 raffles, wreaths, and Schwan sales. They are requesting assistance with the remaining balance of \$30,600.00 to help in their endeavors. They plan on continuing to fundraise until their goal is met; which includes 4 chaperones and 14 students.

**Motion:** Councilman Randy Phelan moved to approve a change in Close-Up sponsorship policy for each student to eligible to receive \$1,500 to attend the event. Councilman Cory Spotted Bear seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

*Discussion:* Maximum \$22,000 budget allocation to support these requests.

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### 3) Dean Birdsbill

Expressed concerns with kids living in the elderly housing and the possibility of elder abuse. He has called police on a number of occasions. It was noted that drugs are being dealt out of a





residence for the past two years, across from the Commodity Warehouse. Mr. Birdsbill related another issue were his daughter was beaten up at the casino by a convicted felon. Stated that the FBI looked into it, but never charged the person. Chairman Mark N. Fox asked that it be put on the Judicial Committee meeting agenda in closed session. Mr. Birdsbill expressed that the safety of the elders are in question. Chairman Mark N. Fox direct Law Enforcement to have a an expanded presence in the area.

### ***EXECUTIVE COMMITTEE REPORTS***

#### **IV. CHAIRMAN'S REPORT - *Chairman Mark N. Fox***

Federal Partners will probably be postponed if the government shut-down is not lifted by next Friday. We are possibly looking at 20% budget decrease from the drop in oil revenue, so affected tribal budget cuts will be discussed next week Tuesday the 15<sup>th</sup> at 10AM. Possible Executive Committee meeting on Wednesday. Energy Committee meeting on the Thursday the 17<sup>th</sup> at 1pm. in Bismarck. Oil Industry meeting on Friday in Bismarck at the Radisson Hotel. Special acknowledgment of Councilman Fred Fox's birthday with a drum group & gifts.

#### **V. VICE CHAIRMAN'S REPORT- *Councilman Randy Phelan***

Expressed condolences to all those that lost loved ones over the Christmas season. Attended meetings with the N.D. Governor and an honoring of Rep. Ruth Buffalo, New Year's Mid-Winter, provided an update on the progress of the Mandaree School project, and expressed the need to look at the emergency feed program in case of need, and upcoming Waterbuster Dance on the Jan 26<sup>th</sup> in Mandaree.

#### **VI. SECRETARY'S REPORT – *Councilman Fred W. Fox***

Informed the public of upcoming updates to the Records Office Web page. Currently indexing tribal corporations & Articles of Incorporation for publication on the site. Councilman Fred Fox reminded the TBC to schedule use of tribal chambers with the Records Office for the calendar which is also available online. White Shield School Operations & Maintenance is to be fully funded under the B.I.A. with the final walk through soon.

#### **VII. TREASURER'S REPORT - *Councilman Mervin Packineau***

**A. Chief Financial Officer (CFO) Report\*** – *Whitney Bell, CFO*  
*Item deferred*

**B. Four Bears Casino Report\*** – *Scott Wilson, General Manager*  
*Item deferred.*

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**C. Small Loans\*** – *Val Mayer & Mary Ellen Sun*  
Group A is recommended by the program.

**Motion:** Councilman Fred Fox moved to approve Small Loans Application Group A: subject to Loan Policies & Procedures. Councilwoman V. Judy Brugh seconded the motion.



Vote: 5- Ayes. 2 – Abstentions. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Abstained  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Abstained  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Randy Phelan moved to approve Small Loans Application Group B: subject to Loan Policies & Procedures. Councilman Fred Fox seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Randy Phelan moved to approve Small Loans Application Group C: subject to Loan Policies & Procedures with \$30,000 exception to the policy request. Councilman Fred Fox seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Group D:**

D:1 is currently working but has a past due amount on a loan with no payments. D:2 has a past due amount with no payment except disbursement withholdings. D:3 has discrepancies in reconciliation and the Program recommends no approval.

**Motion:** Councilman Fred Fox moved to approve Small Loans Application Group D:3 application subject to follow-up reconciliation & Directors additional requirements and also subject to loan policies and requirements. Councilwoman V. Judy Brugh seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye





Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Fred Fox moved to approve Vance Gillette for a \$6,000 loan and to be added to Group A. subject to Loan Policies & requirement. Councilman Randy Phelan seconded the motion.

Vote: 7 - Ayes. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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**D. Kristen Bearstail Keplin**

Previously approved for \$200,000 from the Home Mortgage program and requesting an increase in her mortgage.

**Motion:** Councilman Cory Spotted Bear moved to approve an home mortgage increase for Kristen Bearstail Keplin for an additional \$50,000 subject to loan requirements and policy. Councilman Randy Phelan seconded the motion.

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Not Voting

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**Loan Program Update – Valeri Mayer**

Val Mayer discussed Loan Mortgage policy success on rotating the loan program. Economic Development Committee has recommended pausing Business & Home Mortgage Loans for a period of 6 months. Chairman Mark N. Fox asked that the program continue to tighten up the policies so that the program can continue to be successful. Councilwoman Monica Mayer encouraged the development of a collection agency for all the loan programs to collect on the 50% of failed loans. The Program has also tightened regulation to prevent people from getting loans when they have delinquent loans already. Chairman Mark N. Fox requested a report on the success of the new policies to improve collection and resolving delinquency. Councilman Fred Fox noted that Small



Loans has been self-sufficient for 3 years. Chairman Mark N. Fox noted that tribal attorneys are taking on those that are delinquent and their currently paid out of the Chairman's budget and should be under the General Fund. Chairman Mark N. Fox recommended that the loan program have a staff person that specializes in collections to determine what is collectible or non-collectable. The Director noted that the program is working with Circling Eagle Law to strengthen their policies. Chairman Mark N. Fox noted problems with old loans only having minutes backing up the loans and not the documents such as promissory notes.

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**FTR:** *Chairman Mark N. Fox spent a moment clarifying the misconception of the Allottees Association assumption that the tribe will be taxing them. The Tax Code doesn't equal what the State does. The Tribal/State Tax Agreement provides for one tax that the State & the Tribe split. In the event the tribe was not any longer part of the agreement the tribe would need a tax that is at least equal to what the State does & make arguments on preemption. We can't get there, if we don't revise our own tax code to be on an even keel with what the State taxes well. Even after the code is changed, outside of allowable deductions that the Federal government gives on a barrel of oil, such as transportation individual allottees will not be taxed by the tribe. Royalty is paid out under trust income and is not taxable. What would be taxable is the percentage that the company makes and is currently taxed and split with the State. There is some language on the old tax provisions that alludes to royalties being taxed, but we are going to clarify that royalties cannot be taxed at all with the revisions. There will be a public Legal notice and information to insure the clarification of the issue that royalties will not be taxed. No Tribal or Tribal/State taxation on royalties.*

## **VIII. SEGMENT UPDATES**

### **A. North Segment – Councilwoman Monica Mayer**

Community Maintenance Building will be operational with the month. Main Street initiative with movie theatre & bowling alley projects, car wash. Wrecking yard project is moving forward. With the recent loss of her mother the Councilwoman expressed thanks to St. Anthony's for allowing having her wake at the church. During this time it became apparent for the need to have a facility in North Segment so we are looking at Northern Lights. Councilwoman Monica Mayer will also be exploring improving home health care services in the segment.

### **B. Twin Buttes – Councilman Cory Spotted Bear**

Expressed a Happy New Year & expressed condolences to those that have lost loved ones. Construction projects are moving forward; Community Center, Elders Building Grand Opening, Sober Living Lodge with housing, Water Treatment Plant completion in July. Recent research trip of the only Native American owned meat processing plant in Miami, Oklahoma (Quapaw Tribe). Informed the council of the ND bill to run a ferry from Parshall to Twin Buttes and expressed the need for consultation.

### **C. Four Bears – Councilwoman V. Judy Brugh**

Expressed a Happy New Year & condolences to those in attendance and on the radio. Also expressed her commitment to home health services. Informed the council of her segments ongoing cultural programs and the upcoming Elder's Holiday Dinner. Thanked the Chairman for allowing Lisa Lone Flight to work with her on the gravel pit issues. Four Bear's is looking at a new C-store & car wash south of the current building. All of Four Bears projects will be run through the tribe's finance system for auditing purposes.





## IX. OFFICER REPORTS

### A. Chief Executive Officer Report\* – Roger White Owl, Acting CEO

The CEO's Office has received about 80% of the program budgets from the Directors. Chairman Mark N. Fox noted the importance of these for the budget meeting especially provided the need to cover Federal programs during the government shut down.

#### 1) Federal Programs Report\*

*Item deferred*

#### 2) Executive Orders\*

**Motion:** Councilman Cory Spotted Bear moved to ratify Executive Action EA2018-60;

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves a small loan request for Wesley S. Wilson Sr. for \$6,000.00 based upon the policies and procedures of the Small Loan Department. Councilman Randy Phelan seconded the motion.

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Not Voting

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

**Motion:** Councilman Randy Phelan moved to ratify Executive Action EA2018-61; (PSJC Maintenance Building)

BE IT FURTHER RESOLVED that the Three Affiliated Tribes hereby authorizes and approves additional costs associated with material testing and inspections, procurement of Furniture, Fixtures and Equipment, Technology, Reimbursable Expenses for its contractors, Owner's Representative costs, and the Owner's Construction contingency costs in an amount not to exceed \$1,013,563.00. BE IT FINALLY RESOLVED, that the Chairman is authorized to execute the contract documents attached hereto and take such actions as is necessary to carry out the terms and intent of this Executive Action.

Councilman Fred Fox seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye



Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Randy Phelan moved to ratify Executive Action EA2018-62;

NOW THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes hereby authorizes and approves a contract with Rolac Construction, Inc. for the development and construction of the maintenance facility for the use and benefit of the Public Safety and Judicial Center in New Town, North Dakota in the amount of \$306,800.00, as reflected in Exhibit A. BE IT FURTHER RESOLVED, that the Three Affiliated Tribes hereby authorizes and approves additional costs, such as reimbursable expenses for its contractors, Professional Fees, Owner's Representative costs, and construction contingency costs in an amount not to exceed \$114,834.00. BE IT FINALLY RESOLVED, the Chairman is authorized to execute the contract documents attached hereto.

Councilman Cory Spotted Bear seconded the motion.

Vote: 7 - Ayes. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Randy Phelan moved to ratify Executive Action EA2018-63;

**NOW THEREFORE BE IT RESOLVED,** The Three Affiliated Tribes authorizes and approves consultant contract extensions for Circling Eagle Law and Tiffany Hodge effective October 1, 2018. Contract modifications will be at the Chairman's discretion.

Councilman Cory Spotted Bear seconded the motion.

Vote: 7 - Ayes. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Fred Fox moved to ratify Executive Action EA2018-64;





**NOW THEREFORE BE IT RESOLVED**, The Three Affiliated Tribes authorizes and approves a small loan request for Jude R. Phelan Sr. for \$3,500.00 based upon the policies and procedures of the small loan department. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – Abstention. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Abstained  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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**3) Tax Department Report\*** – *Cynthia Monteau, Tax Commission Director*

Estimated numbers for Nov. /Dec. are presented without Alcohol Tax revenue. October taxes at \$25 million which is up about \$8 million. Chairman Mark N. Fox expressed the need to clarify the fiscal year labels with dates in the report. Deadline for published codes is Friday and will be working with Legal to proceed. Chairman Mark N. Fox noted the need to strike any language alluding to taxing trust royalties. The Director noted the Title 29 code is 30 years old and she will be working Legal to update.

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**4) Enrollment\*** – *Sevant S. Taft, Enrollment Director*

The Director noted that at this they were not able to access records at the Agency Office due to the government shut down.

**Motion:** Councilman Randy Phelan moved to approve resolution no. 19-001-FWF entitled “Approval of 10 Applicants for Enrollment into the Three Affiliated Tribes”. Councilman Fred Fox seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Discussion:** Chairman Mark N. Fox pointed out that one of the applications notes a parent is listed as not established and expressed the need for a procedure to make sure every step is taken to rule out that the other parent did not have MHA blood quantum because this affects later generations’ ability to enroll. Chairman Mark N. Fox also noted the history of discrepancies in 1936 Base Rolls that all enrollments are based on. One possible solution is to have a referendum on clarifying or changing the 1936 Base Rolls to set all individuals to 4/4 to address errors in the rolls. On another issue, Chairman Mark N. Fox would like the Tribal Business Council to be



notified if a person is trying to re-enrolled or has violent criminal convictions due to a situation where an individual threatened the Tribal Business Council and the building was put on lock down. The individual was dis-enrolled and later let re-enrolled. Currently there are 16,282 total enrolled members.

## X. UNFINISHED BUSINESS

### A. **Safe Haven Homes Contract<sup>1</sup>** – *Marilyn Young Bird*

Contract is the same as the previous except for a small increase of the travel. Some change of focus to include children from 0-17. Also a focus of include transition homes for recovery services from Good Road Recovery Center. Chairman Mark N. Fox expressed the need to clarify the scope of the contract. Councilwoman Monica Mayer noted the need establish services for the homeless. Councilman Randy Phelan noted that Mandaree is developing a homeless shelter. Councilwoman Monica Mayer noted that the majority of homeless that come to her for shelter are alcohol & drug users and have exhausted their options. Chairman Mark N. Fox expressed the need to stop putting up the homeless or emergency housing people at the casino.

**Motion:** Councilman Cory Spotted Bear moved to approve the Marilyn Young Bird contract. Councilman Fred Fox seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

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### B. **Vantage Energy Acquisition Group**- *Carson Hood Jr., Energy Director, Roger Biemans, President, Dave Wolf, Production Superintendent.*

Seeking to acquire and closing a deal with QEP to transfer the IMDA to Vantage. Carson Hood is currently working with John Fredericks & Steve Gunderson on details & Federal guidelines & regulations acquisition transfer. Dave Wolf of QEP discussed the \$1.65 billion sale of ND resources IMDA# 7420A, #48596, #7420A42725, #, 10998000, ROW #FBOG101065 that 100% of QEP holding on FBIR. Roger Biemans provided an overview of his company and commitment to fulfill the lease. Plan to invest \$200-300 million /year in South Antelope funded from cash flow. Development plans include 140 new wells & 55 re-fracks for a total of \$1.5 billion of investment over 5 years. Efforts will be focused in the Williston Basin. Councilman Randy Phelan expressed a concern the QEP has not negotiated with one of the Tier 1 companies and the residential set-back issue. Chairman Mark N. Fox noted joint venture possibilities & responsible development by abiding by TAT Tribal law.

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### C. **Former White Shield School Building Resolution**





Transfer the school to the tribe. School is vacated but need the utilities kept on and transferred and used and could be used a temporary community building. School Board has approved & recommended approval.

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 19-002-FWF entitled “Approval of the Transfer of the Old White Shield School located in the East Segment, from the BIA to the Tribe” subject to Legal review. Councilman Randy Phelan seconded the motion.

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

*Discussion:* Chairman Mark N. Fox noted O&M requirements and possibly of plant dollars.

**D. Fort Berthold Housing Authority (FBHA) – Toni Parisian, Director**  
*Item deferred.*

**E. Todd Flinn Sponsorship / Barrel Racing<sup>3</sup>**  
*Item deferred to Committee*

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**F. Post 9061 Request<sup>2</sup> - Renae White Bear-Fox, Auxiliary 9061 President**

**Motion:** Councilman Fred Fox moved to approve assistance for veteran’s & auxiliary groups attending this year’s Ira Hayes Iwo Jima event according to the same standard policy amount (\$1,200.00/member). Councilman Randy Phelan seconded the motion

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**G. Chairman’s Consultants**  
*Previously addressed*

**H. University of North Dakota (UND) Time Out Wacipi Sponsorship \$3,000.00<sup>1</sup>**

**Motion:** Councilman Mervin Packineau moved to approve a sponsorship of \$3000. Councilwoman Monica Mayer seconded the motion.



Vote: 6 - Ayes. 1 – Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**I. Mandaree School – John Mahoney, Mandaree School Board, Attorney**

Resolution, contract and Opinion of Probable Cost submitted for review. Plans have been approved by the School Board. Relatively standard contract. Dispute language discussed and arbitration and limited waiver of sovereign immunity. Chairman Mark N. Fox noted the high cost to the Tribe when arbitration is utilized. Councilman Randy Phelan recommended the venue for applicable arbitration to be within the tribal court and tabled and changes to no arbitration. Chairman Mark N. Fox asked that a Dunn & Broadstreet report be completed on the contractor. Presented a resolution entitled “*Approval of Agreement Between Owner and Contractor for construction of the Mandaree School Project, with Burke Construction Group, Inc., of Las Vegas, Nevada for \$23,233,346; Authorization for the School District of up to \$18,000,000 in FY2019 funds as required for payment of obligations under the terms of the Agreement*”. John Fredericks recommended that the waiver be limited to a certain amount. The projected school count is 250 students for the new building K-12. Councilman Randy Phelan recommended tabling until the language changed with the correct language with our jurisdiction and no arbitration. Included liquidated damages. Deferred to the February Tribal Business Council.

**J. PSJC Maintenance Building Resolution**

*Previously addressed*

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**K. A.B.B. Medical Financial Request**

**Motion:** Councilman Cory Spotted Bear moved to approve with authority for the Chairman to address. Councilman Randy Phelan seconded the motion.

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Not Voting  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**L. Community Health Representative (CHR) Budget Request<sup>1</sup>– Jodi Simpson, Director**

*Previously addressed*





**M. Awatii Wellness Center/Diabetes Program Credit Card Request<sup>1</sup>** – *Jared Eagle, Director*  
*Previously Addressed*

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**N. Big Horn Sheep Project** – *Antoine Fettig, Fish & Game Director*

Will look into selling fishing licenses at the community C-Stores. The director will look into setting up the option in their online software. Also Councilman Randy Phelan inquired about putting the big horn sheep at the buffalo ranch. The director noted that the state herd is within 20 miles & and an addition population about 12 miles away to keep any disease out of the herd. Bringing back the MOU back to the next Tribal Business Council meeting. Management cost/year would be about \$100,000/yr. Would need additional expertise and training for possibly two years.

**FTR:** *Chairman Mark N. Fox stepped out of the meeting and Councilman Randy Phelan assumed the chair at 2:38PM*

**Motion:** Councilman Cory Spotted Bear moved to approve the \$108,000 contract subject to budget meeting. Councilman Fred Fox seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

Two year cushion built into the budget to get them started. Jen Cross (Legal) is working on the agreements. Councilman Cory Spotted Bear wants to keep the State out of the project. The animals have a range of about 10-11 miles with the rams roaming the most during the rut. The program has check and has not found any domestic sheep herds in the area which change logistics. All animals will have GPS. Round-up date would be the 23<sup>rd</sup> of February for 36 animals. Management Plan is for 75 animals and extended to other segments. FY2019 budget has been submitted. Animals would be tested before leaving from Rocky Boy & then released on Fort Berthold.

**FTR:** *Chairman Mark N. Fox resumed chair of the meeting at 2:38PM.*

**O. Morsette Mileage Request** – *Chad Morsette*

Requesting fuel assistance to transport two high school students to and from Beulah High School for the 2018-2019 Academic Year. They are both enrolled members of MHA Nation with no transportation to Beulah High School. So round-trip will be 50 miles per day. This is not taking into account for the multiple trips for the Athletic Activities. There is 176 days of school and a round-trip will be 50 miles per day, totaling \$5,104 in mileage by GSA Standards. There is no Activity Bus for athletes. Each of his children is in two sport activities per year so this makes transportation difficult. His kids have practice and games at different times from one another, so the school can



accommodate all sports divisions needing access to the gyms. Meaning, that there are extra trips or vehicles going into Beulah each day. Request for student mileage is for \$3,750.

**Motion:** Councilman Fred Fox moved to approve \$3,500 for each family. Councilman Randy Phelan seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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**P. Fort Berthold Communications Enterprise (FBCE) Board Appointment for Twin Buttes**

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 19-003-FWF entitled "Approval of Appointment for Crystal Bowen of Communications Board for Twin Buttes Segment" subject to Legal review. Councilman Randy Phelan seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**XI. MEDICAL REQUESTS**

**A. Amera Black Hawk-Brinson**

*Item deferred.*

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**B. Young Bird Request**

\$1,292 request for Lyman Youngbird

**Motion:** Councilman Randy Phelan moved to approve assistance for \$1000 according to medical request policy. Councilman Fred Fox seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye





Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

*Discussion:* Councilman Randy Phelan will provide the difference.

### COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

#### XII. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

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##### A. MHA Education Department – Dr. Ruth Swaney

###### 1) Tribal Education Code

1<sup>st</sup> reading completed on Tuesday at the Education Committee meeting. Completed legal review and no recommended change after the Legal review. The code has been submitted to the area school superintendents.

**Motion:** Councilman Randy Phelan moved to approve the 2<sup>nd</sup> reading of the Tribal Education Code. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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###### 2) Community School Project Resolution

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 19-004-FWF entitled “Community Schools Coordinator for the New Town Public School District #1”. Councilman Randy Phelan seconded the motion.

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

*Discussion:* New Town School District is paying for the position. Community Schools Team will be meeting twice this month and invited the Tribal Business Council to attend.



**FTR:** *The winners of the MHA Science Bowl event were read into the record.*

**B. Krystal Bell – Diana Tomlin**  
*Item deferred.*

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**C. Youthworks Financial Request – Pauletta Red Willow**

Requesting a grant in the amount of \$34,000 for our non-profit organization in Bismarck, ND. Our agency mission is to help homeless, runaway, trafficked and struggling youth throughout North Dakota. Youthworks provided services to 811 native and non-native youth in 2017. provides direct services and outreach to Native Youth from several tribes including: Standing Rock, Spirit Lake, Three Affiliated MHA, Pine Ridge, Rosebud, Sisseton-Wahpeton, Turtle Mountain and tribes outside the North Dakota/South Dakota region. We have 100% Native Youth in our New Direction After School program that serves the 3 largest high schools in Bismarck . 18% are MHA members. The funding requested will be used for the following: Tribal Coordination (relating to youth development) and cultural activities for youth in our afterschool programming, juvenile diversion and Youth Cultural Achievement Program. We would train tribal members to provide Indigenous Focus Oriented Therapy for youth using culturally appropriate methods to provide spiritual guidance using mind, body and medicine principals'. Transportation costs to pick up and drop off youth from school and return them home safely. We provide rides from all 4 Bismarck High Schools. Average annual budget is about \$112,000 Services are tracked requested to present a monthly update for the Tribal Business Council and or Committee. Shakopee & Spirit Lake contributes to the program.

**Motion:** Councilman Randy Phelan moved to approve \$30,000 with reports and & names of those served provided to the Tribal Business Council through the Education Committee. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**XIII. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer, Chair**

**XIV. ENERGY COMMITTEE – Chairman Randy Phelan, Chair**

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**A. Energy Dept. Update\* - Carson Hood Jr., Director**

No right of ways due to set-back concerns other than just two important requests from Bruin.

**B. ROW's\* – Paul Grady & Catherine Everett**

**Motion:** Councilman Randy Phelan moved to approve resolution no. 19-005-FWF entitled  
“Consent to Approval of a Right-of-Way across Tribal land for the Fort Berthold 148-94-19D-18-





11H, 12H, 13H, 14H, 15H and Fort Berthold 148-94-30A-31-8H, 9H, 10H, 11H and Fort Berthold 148-94-29B-32-12H (Grizzly) ten well pad Project Submitted by Bruin E&P Operating, LLC.”

Councilman Fred Fox seconded the motion.

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Fred Fox moved to approve resolution no. 19-006-FWF entitled “Approval of SETBACK Variance requested by MARATHON Oil Company for the Four Bears, USA Project”.

Councilwoman Monica Mayer seconded the motion. Councilwoman Monica Mayer seconded the motion.

Vote: 5 - Ayes. 1 – Opposed. 1 – Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilwoman V. Judy Brugh – Opposed  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Discussion:** Councilwoman V. Judy Brugh expressed concerns over the set back.

**XV. EXECUTIVE COMMITTEE** – Chairman Mark N. Fox

**XVI. HEALTH & HUMAN SERVICES COMMITTEE** - Councilwoman Monica Mayer, Chair

**A. Elbowoods Memorial Health Center (EMHC) Update\*** – Dr. Kathy Eagle, CEO.

Written report submitted for the record.

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**B. Tribal Care Health Insurance\*** – Jerry Fozzard & Pamela Lewis

**Motion:** Councilwoman Monica Mayer moved to approve a plan modification to increase in the DME number available under the Tribal Care plan. Councilman Randy Phelan seconded the motion.

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilwoman V. Judy Brugh – Aye



Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

*Discussion:* It was noted that it will not cost anymore. Councilwoman Monica Mayer expressed that currently they were under the policy to only allow 1 DME item / year. Medical beds would be included. CEO noted that office space for the program in the Office Complex.

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**C. Tribal Health\*** – *Red Fox Sanchez, Director*

**Motion:** Councilman Fred Fox moved to approve the Guy K. Slann, DPM, Podiatrist contract for 1 yr. for Podiatric Medicine. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Randy Phelan moved to approve the Money Follows the Person- Tribal Initiative Grant Agreement through the North Dakota Department of Human Services, Medical Services Division, Contract #415-11129. Councilman Fred Fox seconded the motion.

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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**D. Life & Limb\*** – *Alva Irwin, Grants & Donations Director*

Assisted tribal members 70 times with a budget of \$50,000/avg. month. Chairman Mark N. Fox asked the Director to reach out to his office if she runs into any need for additional help for people.

**1) Request A.**

Mother XXXXX is asking for assistance for her son that has less than 3 months expectancy to Live.

**Motion:** Councilman Cory Spotted Bear moved to approve Life & Limb assistance for request item A: not to exceed \$25,000. Councilwoman Monica Mayer seconded the motion.

Vote: 6 - Ayes. 1 – Not Voting. Motion carried.





Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**2) Request B.**

Mother XXXX is requesting funding to fix vehicle for \$7000.00 to take son (XXXX) to appointments which is already approved through Life & Limb.

**Motion:** Councilman Fred Fox moved to approve half of request to be a \$3,500 grant & half in a loan for \$3,500. Chairman Mark N. Fox to be granted authority to work the family. Councilman Mervin Packineau seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**XVII. JUDICIAL COMMITTEE – Councilwoman V. Judy Brugh, Chair**

**A. Justice Commission Report\***

*Item deferred.*

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**B. Tribal Court Report\* – Marvel Heart & Elizabeth Yellow Bird**

Chief Judge position does remain open. Chairman Mark N. Fox noted that the goal is have the position elected. Maintenance issues with climate control, phone system issues, Judicial Fee Schedule, public intoxication fine and speeding infraction increase to \$75.

**C. TAT Law Enforcement Report\* – Nelson W. Heart, Chief of Police**

*Item deferred.*

**XVIII. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chair**

**A. Homesite(s)\* - Valeri Hosie**

*Item deferred.*

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**B. Farm/Pasture Leases\* - Diana Americanhorse**

**Motion:** Councilman Fred Fox moved to approve the Wilber Hunts Along lease of 400 acres of tribal land of grass. Councilman Randy Phelan seconded the motion.



Vote: 5 - Ayes. 1 – Not Voting. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Present  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Not Present

**C. Easements\*** - *Shaylane Miller*  
*Item deferred.*

**XIX. CULTURAL COMMITTEE** – *Chairman Randy Phelan, Chair*

**XX. LEGAL DEPARTMENT** – *Caleb Dog Eagle, Esq., MHA Supervising Attorney*

**A. FPM and JF**

**Motion:** Councilman Fred Fox moved to direct Fredericks, Peebles & Morgan to transfer all files to John Fredericks. Councilwoman Monica Mayer seconded the motion.

Vote: 6 - Ayes. 1 – Not Present. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Not Present  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**FTR:** *Councilman Fred Fox left the meeting at 3:47PM. & Councilman Cory Spotted Bear to serve as acting Executive Secretary.*

**B. Contracts**

**Motion:** Councilwoman Monica Mayer moved to approve MLL Consulting Change Orders. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – Not Present. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Not Present  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye





Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilwoman Monica Mayer moved to approve Pyramid Communications contract Change Order. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – Not Present. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Not Present  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilwoman Monica Mayer moved to approve DFM Research contract Change Order. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – Not Present. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Not Present  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilman Randy Phelan moved to approve resolution no. 19-008-CSB “*Approving the Employment Contract with Sara R. Robinson for the Position of Lead Public Defender for the Three Affiliated Tribes Legal Department*” Sarah Robinson contract for 1 year for public defender. Councilwoman Monica Mayer seconded the motion.

Vote: 6 - Ayes. 1 – Not Present. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Not Present  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilwoman V. Judy Brugh moved to approve the Skyhunter-Orian Gillette Contract. Councilman Randy Phelan seconded the motion.

Vote: 6 - Ayes. 1 – Not Present. Motion carried.

Chairman Mark N. Fox – Aye



Councilman Randy Phelan – Aye  
Councilman Fred Fox – Not Present  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**Motion:** Councilwoman V. Judy Brugh moved to approve the Reed Soderstrum contract limited to issues at Four Bears Segment. Councilman Mervin Packineau seconded the motion.

Vote: 6 - Ayes. 1 – Not Present. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Not Present  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**XXI. NEW BUSINESS – Tribal Councilman Add Ons**

- A. **Chairman Mark Fox- Reserved**
- B. **Chairman Mark Fox – Reserved**
- C. **Councilman Randy Phelan – Reserved**
- D. **Councilman Randy Phelan – Reserved**

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- E. **Councilman Fred W. Fox – Biffley Issue**

**Motion:** Councilman Cory Spotted Bear moved to grant the Chairman authority to resolve the Biffley[sp.] issue. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6 - Ayes. 1 – Not Present. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Not Present  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

- F. **Councilman Fred W. Fox – Reserved**
- G. **Councilman Mervin Packineau – Reserved**
- H. **Councilman Mervin Packineau – Reserved**
- I. **Councilman V. Judy Brugh – Kinetics (Closed Session)**
- J. **Councilman V. Judy Brugh – Reserved**

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**K. Councilman Cory Spotted Bear – Chloe Fredericks**

Opportunity to go to Los Angeles and work the musical Director of the band “the Eagles” and recording & production and a possible internship. Seeking assistance with air fair & lodging, and other expenses. Submitted a budget of \$2,800.

**Motion:** Councilman Cory Spotted Bear moved to approve financial assistance for Chloe Fredericks from fund account 380. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6 - Ayes. 1 – Not Present. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Not Present  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

**L. Councilman Cory Spotted Bear – Reserved**

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**M. Councilwoman Monica Mayer – [XXXXXXXX]**

Dental issues.

**Motion:** Councilwoman Monica Mayer moved to approve \$25,000 Life & Limb assistance with payment to the vender. Councilman Cory Spotted Bear seconded the motion.

Vote: 6 - Ayes. 1 – Not Present. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye  
Councilman Fred Fox – Not Present  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

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**N. Councilwoman Monica Mayer – Catholic Church**

The church is seeking additional space and the tribe has space to the west and seeking a lease. Councilwoman Monica Mayer would like to lease the property for \$1.

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 19-007-CSB entitled “Approval of City Lot Lease and Utility Corridor for Saint Anthony’s Catholic Church” Councilwoman Monica Mayer seconded the motion.

Vote: 6 - Ayes. 1 – Not Present. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Aye



Councilman Fred Fox – Not Present  
Councilman Mervin Packineau – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilman Cory Spotted Bear – Aye  
Councilwoman Monica Mayer – Aye

*Discussion:* A 25 year lease of \$1 with additional option of another 25 years for either a parking lot or a Sunday school building.

**XXII. CLOSED SESSION**

- A. **Human Resources (HR)\*** – *Barlow Wells, Director*
- B. **Four Bears Casino Report\*** – *Scott Wilson, General Manager*
- C. **Magdalena Egan-Gonzalez<sup>2</sup>**
- D. **Missouri River Resources (MRR) Update<sup>2</sup>**
- E. **Traffic Violation Fines through Mandaree<sup>1</sup>**
- F. **R.J. Young Bird Loan Request**
- G. **Kinetic Leasing**
- H. **Elbowoods Memorial Health Center (EMHC) Update** – *Dr. Kathy Eagle, CEO.*
- I. **IRS Issue Consultant** – *John Fredericks*
- J. **Dialysis Services**
- K. **Home Health Issues** - *Councilwoman Monica Mayer*
- L. **Kidney Dialysis Unit (KDU) Issue** – *Roger White Owl, CEO*
- M. **Elder seeking Legal assistance** - *Roy Morsette*

**XXIII. ADJOURNMENT**

*Motion:* Councilwoman V. Judy Brugh moved to adjourn the meeting. Councilman Cory Spotted Bear seconded the motion. Meeting adjourned at 5:30PM.





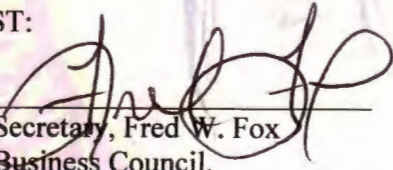
### CERTIFICATION

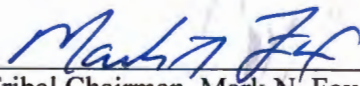
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 6 were present at the Regular Meeting thereof duly called, notice, convened and held on the 14<sup>th</sup> of February, 2019; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 6 members; 0 members opposed; 0 members abstained; 1 Members not voting.

Chairman (X) Voting    ( ) Not Voting

Dated this 14<sup>th</sup> day of February, 2019.

ATTEST:

  
\_\_\_\_\_  
Tribal Secretary, Fred W. Fox  
Tribal Business Council,  
Three Affiliated Tribes

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