



* Standing Agenda Item
Superscript indicates times deferred (After 3-times returned to Committee)

CALL TO ORDER

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

OPENING PRAYER

Pastors Damon & Jackie Sturm and Visiting Revival Pastors.

ROLL CALL

Present: Councilwoman Monica Mayer(Not Present), Councilman Cory Spotted Bear, Councilman Mervin Packineau, Chairman Mark N. Fox, Councilwoman V. Judy Brugh(Not Present), Councilman Randy Phelan, Councilman Fred Fox. *Quorum established.*

FTR: Councilwoman Monica Mayer joined the meeting

I. APPROVAL OF AGENDA

Motion: Councilman Randy Phelan moved to approve the agenda. 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 – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Not Present
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

II. APPROVAL OF MINUTES

- 7/10/2019 Regular Tribal Business Council Meeting Minutes

Item deferred.

III. SPECIAL GUESTS & ELDERS

TAT_20190807-1045_01d54d0d33f95b32.mp3

A. Capitol Hill Office Group – Rob Porter & Xavier Barraza

Motion: Councilman Randy Phelan moved to approve resolution no. 19-178-FWF entitled “Supporting Establishment of Treasury Tribal Advisory Committee Working Group” subject to Legal review. 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 – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Not Present
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Councilman Randy Phelan recommended the Chairman Mark N. Fox be part of the work group.

Motion: Councilman Randy Phelan moved to approve resolution no. 19-179-FWF entitled “*Implementing the Tribal General Welfare Exclusion Act of 2014*”. 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 – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Not Present
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: John Fredericks recommended working with Finance & Legal to take into account work already done.

Motion: Councilman Randy Phelan moved to approve resolution no. 19-180-FWF entitled “*Supporting Opportunity Zones Expansion Legislation for Indian Country*” 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 – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Not Present
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Discussion: Relates to provisions of the Tax Cut & Jobs Act of 2017 that were never fully vetted with tribes.

Motion: Councilman Fred Fox moved to approve resolution no. 19-181-FWF “*Implementing the Tribal Social Security Fairness Act of 2018*” 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 – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Not Present
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilwoman Monica Mayer moved to approve resolution no. 19-182-FWF entitled “Support for Jay Treaty Indian Border Crossing Rights” 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 – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Not Present
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Issue from NIGA and the state allowable gambling deduction definition. Some states are capping the deduction amount and disrupting the State/Tribal Compact. Would affect non-tribal patrons of the casino to fully net out their losses from state taxes if the the ND decides to try and do this.

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 19-183-FWF entitled “Supporting Consistent Treatment of Gaming Deductions for Tax Purposes” 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 – Aye
Councilman Mervin Packineau – Aye
Councilwoman V. Judy Brugh – Not Present
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

FTR: Councilman Cory Spotted Bear Birthday honoring.

EXECUTIVE COMMITTEE REPORTS

IV. CHAIRMAN’S REPORT - Chairman Mark N. Fox



Provided a summary of July events & activities such as the Deed signing & Swim beach grand opening, Energy Expo at the Casino, Hotel expansion meeting, Elder Luncheon, TAT Employee Day, New Town's 7 State Cross Country Championships were the Chairman's theme for his participation in the ND State Fair parade, Van donation from Brigade & Enerplus, MHA Coalition meeting and the role of the tribe in the Nation Park system, Federal Partner Meetings, Economic Development Conference in Billings, C-Store Ground Breaking, Drug Awareness Fair, Brooks & Dunn Concert record attendance, Upcoming Little Shell Celebration & grounds beatification, Child Safety Center Grand Opening, ND Public Instruction Consultation, AICA meeting, USDH meetings, UTTC Leadership Summit & pow wow. Work continues on getting allottees paid for flared gas, continued fight & advocacy for the riverbed minerals, 40,000 acres returned to the tribes land base, Bismarck Outreach picnic. New State Tax Agreement effects to start to be seen and in ten years could be up to half a billion additional revenue due to the new tax split. Provided an overview of the Cash for Clunkers Program to remove about 100 dilapidated vehicles from the reservation. Distribution to be mailed out this week asked that everyone make sure people's addresses are up to date. The Chairman expressed condolences to those who have lost loved ones, and asked for prayers for those in need & in the hospital.

V. VICE CHAIRMAN'S REPORT- Councilman Randy Phelan

Also provided a summary of recent activities and upcoming events such as successful Bakkan Days with Mud Run, & Horse Races. Upcoming Hushga Riders coming to Little Shell Celebration, Thanked the Good Road Recovery Center on their work to help the people. Commended the Chairman & the Council on working together to get the new Tax Compact passed. Thanked the Chairman for attending the Mandaree HeadStart Dedication.

FTR: Councilwoman V. Judy Brugh joined the meeting.

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

Provided an overview of the MHA Records Office Web Site and thanked Mike Stevens for his hard work. White Shield segment update: Elders Center & Administration construction continues, End of the Year Rodeo(Northern Badlands-Aug 31st), Back To School Pow Wow(Aug. 28th). Whished the Little Shell Pow Wow Committee a successful pow wow and which everyone a safe and happy weekend.

TAT_20190807-1210_01d54d191dfe1320.mp3

VII. TREASURER'S REPORT - Councilman Mervin Packineau

Provided updates and activities. Salt River Pima delegation tour of the Healing Horse Ranch, Segment Elders trip to Mystic Lake, Distribution check to be mailed out this afternoon, Projects: Maintenance Shop, 24 apartment complex bidding, restaurant renovation, High School tour of new building, new Stadium project, Thanked the Chairman's Clean-up for working in Parshall, Asked everyone to be safe during the Pow wow weekend.

A. Chief Financial Officer (CFO) Report* – Whitney Bell

Submitted the updated expense report and budget amendments with resolution to finish out FY 2019. Recommended a September budget meeting to start off the FY20 budget cycle. Chairman Mark N. Fox noted that within the resolution there is language allowing minor adjustments.



Motion: Councilman Randy Phelan moved to approve resolution no.19-184-FWF entitled “Approval of Amended Fiscal Year 2019 General Fund Budget for the Three Affiliated Tribes”. 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

FTR: Councilman Cory Spotted Bear noted that there was Twin Buttes Special Projects missing from the (719 & 720). The CFO explained that they can be added. Chairman Mark N. Fox noted the Parshall School would need adjustments. The CFO noted that invoices have come in and there is 2 million in that line item that will cover them.

Motion: Councilman Randy Phelan moved to approve resolution no. 19-185-FWF entitled “Directive to the Office of Trust Fund Management to Make Available Funds for Withdrawal from Three Affiliated Tribes Proceeds of Labor Account PL7228700 in the Amount of \$60,000,000.00”. 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

Discussion: Majority of the amount to go to the People’s Fund after which the account will be up to \$440 million. Chairman Mark N. Fox noted that there was also a little extra money that was placed into the fund. The CFO expressed that the tribed earned just under \$11 million that went out into the current distribution.

TAT_20190807-1215_01d54d19d1071886.mp3

B. Small Loans* –Mary Ellen Sun

Motion: Councilman Randy Phelan moved to approve Group A: Small Loan Applications subject to Loan Policy & recommendations. 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

Discussion: Councilman Mervin Packineau noted that #18 has a car for collateral and should be good. #15 asking for \$1,200 but owes \$1,200. And is bringing another title.

TA 19 20190807-1220_01d54d1a84f5c4d2.mp3

C. Home Mortgage – Val Mayer

The following applicants have been approved through the Mortgage Loan Committee and require further TBC approval, above the loan committee \$200,000.00 approving policy limit. These clients have an existing approved loan and are requesting additional amount to meet their home acquisition needs. Qualifying applicant criteria has been reviewed and qualified for income verification for repayment of the additional loan amount and client is in good standing with current loan.

Motion: Councilman Randy Phelan moved to approve mortgage increases(3) subject to loans policy & requirements;

- Borrower #1 [XXXXXX] \$10,000.00 additional.
- Borrower #2 [XXXXXX] \$80,000.00 additional.
- Borrower #3 [XXXXXX]

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

Discussion: Carson Hood Jr. to be added.

Motion: Councilwoman Monica Mayer moved to add Carson Hood Jr. subject to loans policy & requirements to the previous approval. 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

VIII. SEGMENT UPDATES

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

Provided an update to recent & upcoming activities. Asked everyone to come and join them at the Councilwoman's feed, Establishment of the MHA Women's Veterans League and coming in at the Little Shell grand entry, Honoring of Pete Coffey Jr. & Dr. Nordell during Little Shell, North Segment/City of New Town beautification collaboration. Breaking ground on the laundromat project & Car wash/Quick Lube. Completion dates in October. Park & basketball recreation areas being developed. Upcoming kid court & commercial playground area & ice rink around the Northern Light building. Multi agency meeting on road services across jurisdictions for grass cutting, road work, & snow removal in Shell Creek. Looking into purchasing a snow plow. Green House project collaboration with the Chairman's office, planning for an Earth Lodge Camp area near pouch point to hold various youth camps & numerous other events. Welcomed everyone to this weekend's Little Shell Celebration.

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

Sent out condolences to the families that recently lost loved ones. Provided a summary of recent events and activities in the South Segment. Thanked the NHSC for coming to Twin Buttes and touring the community & sites, New Community Center project is wrapping up and looking very nice, continued fencing of the buffalo pasture, improvements to the lighting on the walking path, Commended the Chairman's Beautification Program for the work in Twin Buttes & maintaining the large Juneberry Orchard, three new round homes, Twin Buttes Motel bidding, Cold Storage planning, Rodeo Grounds & race track planning. Asked the TBC for their support in this upcoming fiscal year's budget a new clinic, Roads Dept. building & Ambulance Services.

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

Expressed condolences to those that have lost loved ones and prayers to those struggling with health issues. Wished her nephew Councilman Cory Spotted Bear a Happy Birthday. Thanked the Chairman for stepping up for her in her time of need. Provided a report of recent activities such as successful Fourth of July Fireworks Show, New Eagles Landing Ground Breaking. Commended all the segments and the Chairman's Beautification Program, Cultural Events and commended Harry Sitting Bear, Elder programs & Shakopee Trip, Community Nurse Program, Elder trip to the ND Fair, Commended Kevin Finley on his work with the recreation program and informed the public of tonight's Youth Basketball League Championship & Timberwolves, Four Bear Planning Committee development, also recognized the Security & Officer Brugh on saving a young woman's life, and commended staff for taking supplies to the flood victims in Pine Ridge. Back to School supplies for over 400 students. Welcomed all the visitors to the reservation and wished everyone a happy weekend.

IX. OFFICER REPORTS

TAT_20190807-1230_01d54d1beb04fd82.mp3

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



The CEO notified the council of a meeting with the ND State Highway Patrol & Law Enforcement to draft a Mutual Aid Agreement that will be coming before the Judicial Committee.

1) Executive Orders*

Motion: Councilman Randy Phelan moved to ratify the following Executive Actions; EA 2019-94 through EA 2019-97;

- EA 2019-94 - NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves of Diana J. Mischel's Business License Application, having paid the \$50.00 license fee, for Family Fireworks to be located in New Town – Four Bears Segment.
- EA 2019-95 – NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves of Delreen J. Robertson's Business License Application, having paid the \$50.00 license fee, for Family Fireworks to be located in West Segment-Mandaree.
- EA 2019-96 – NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves of Mickey Rush and Derald Rowland's Business License Application, having paid the \$50.00 license fee, to be located in Four Bears Segment.
- EA 2019-97 – NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves of Thomas G. Rowland's Business License Application, having paid the \$50.00 license fee, for Black Feather Trades to be located in Four Bears Segment.

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 Randy Phelan moved to ratify the following Executive Actions EA19-98;

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves a \$9,500.00 sponsorship for the Xoshga Ride on August 1-2, 2019.

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 Fred Fox moved to ratify the following Executive Actions EA19-99:

NOW THERE FOR IT BE RESOLVED, The MHA Tribal Business Council of the Three Affiliated Tribes hereby authorizes and supports the grant proposal in the amount of \$398,850 with \$518,962 cash match provided by MHA South Segment for the Phase 2 Living Stone Lodge Round Homes, and
BE IT FURTHER RESOLVED, The Tribal Business Council hereby authorizes Twin Buttes Segment to accept the grant from the NDIC in the amount of \$398,850 for the purposes specified above and in accordance with its Grant Proposal; and
BE IT FINALLY RESOLVED, Councilman Spotted Bear is authorized to execute the grant agreement for the Twin Buttes Segment.

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

TAT_20190807-1235_01d54d1e9e006048.mp3

2) Tax Department Report* – *Cynthia Monteau, Tax Commission Director*

Submitted the June 2019 Monthly Report. Working with vendor to develop electronic forms that will make it easier for the public to access and submit tax department forms. Met with pertinent tribal departments regarding business license applicant's background review process to better coordinate information between departments. Drafting a background review form that will be submitted to departments for their review. Working with vendor on online payment module for taxes and fees and to enhance functionality to include online business license processing. Second Annual Taxation in Indian Country Conference- December 3-4, 2019. Total June Revenue Collections: \$24,907,641. Collected \$368,346 less than May 2018. Total FY2019 Annual (9 mo.) Collections: \$199,833,284. Total FY2018 Collections: \$253,529,920 [Diff: \$53,696,636]. Cuff accounts are up to date but working on balancing with Intacct in the new system. Motor Vehicle Fuel Refunds may be claimed for FY2018 through December 30, 2019. Alcohol Tax- Extension of suspension of alcohol requirements is extended to September 1, 2019. PIT Tax- Transportation Allowance. Per Federal Partner's meeting on July 30, 2019, the Federal Partners are going to continue to draft a rule and will be scheduling consultation with tribes. We are to work with ICEIWIG (Indian Country Energy and Infrastructure Working Group) and COLT (Coalition of Large Tribes) to gather support of 8-10



energy tribes. Reviewing Draft Business Code pertaining to Business Licenses and will be submitting to legal for review. Oil and Gas Tax- Developing response to Proposed Code Amendments Comments: 10% Oil Production Tax and Tax Credit. New Agreement applies to wells completed after July 1, 2019, working on identifying revenue split beginning with July production. Working on Draft Alcohol Tax Agreement language for TBC's Consideration.

Motion: Councilman Randy Phelan moved to approve the following Business Licenses subject to background review;

- Family Heritage Insurance, Amanda Arndt
- Family Heritage Insurance, Johnnalee Waldron

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

FTR: T-Shirts handed out from the baseball camp and noted 41 kids for the 3 day camp ages 9-13 in the mornings and 14-18 in the afternoon. Next year we will bus kids from the segments. MRR helped out with the Bismarck staff, Cynthia Monteau, & James Baker.

TAT_20190807-1245_01d54d1e04227392.mp3

3) Enrollment* – Sevant S. Taft, Enrollment Director

Motion: Councilman Fred Fox moved to approve resolution no. 19-186-FWF entitled “Approval of 53 (Fifty-Three) Applicants for Enrollment into the Three Affiliated Tribes”. 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

Discussion: 16,457 total members.



Motion: Councilman Fred Fox moved to approve resolution no. 19-198-FWF entitled “*Correction to the Blood Degree of L.J.L. Enrollment Number 301U-19861*”. 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

Minor enrollment appeal for revocation of enrollment. Alice Harwood is challenging the enrollment based on the child is not 1/8 MHA blood. Mother incorrectly list as 1/4 and was enrolled. Alice Harwood noted that when the mother was enrolled other tribe’s blood degree was added to her total making the child not eligible. The Enrollment office notified the family twice with no response within the 30 day period but went directly to TBC. Councilman Fred Fox is against this action. Individual will receive a letter notifying them enrollment is investigating do previous use of non MHA blood quantum. Chairman Mark Fox directed the Director to insure that due process is followed. [John Fredericks inaudible] Councilman Randy Phelan doesn’t want to move forward until all the facts are gathered. Chairman Mark N. Fox noted that information was brought in that show the child was 1/8. The department will work with John Fredericks and the Enrollment Ordinance.

X. UNFINISHED BUSINESS

TAT_20190807-1220_01d54d1a84f5c4d2.mp3

A. Good Road Recovery Center – *Ty Thompson, Executive Director & Dash Thunder, Consultant* State review completed and noted that it was unprecedented collaborative approach and comments. Labor day full operation and employment interviews continue. Billing collections are running smoothly. Actively billing and collecting from Boon, Medicaid and other venders. Thanked Finance for the E-Check process. Currently have seven male clients with the female spots ready to open around Labor Day.

Motion: Councilwoman V. Judy Brugh moved to approve the Dashell Thunder Consultant Contract. 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

Motion: Councilwoman V. Judy Brugh moved to approve the Elise (Lisa) Ronsberg Consultant Contract LAC. 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

Discussion: Would be available to do out of state evaluations and group treatments. 1-year contract.

XI. MEDICAL REQUESTS

No Items

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XII. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

A. **Wake Fund Resolution** – John Fredericks

Item deferred

TAT_20190807-1305_01d54d20d2310f30.mp3

B. **BIA Route 2 Bid Approval**

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 19-187-FWF entitled “*Bid Approval and Contract Authorization for Paving Project for Bureau of Indian Affairs Route 2 Within the Four Bears Segment of the Fort Berthold Reservation.*” Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Aye

Councilman Fred Fox – Abstained

Councilman Mervin Packineau – Not Voting

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye



Discussion: Lowest bid. Frank Sillitti discussed as one of the bidders that technically they were not the lowest bid and they were \$60-70,000 lower and about \$12,000 lower on the first round before the spec changes. Councilwoman V. Judy Brugh noted that Sillitti hadn't received a copy of the 2nd spec changes. Problems from last year's bidding process that ended up being resolved by bringing in an Engineer and that the bids were way too high. Councilwoman V. Judy Brugh noted that there is a phase II.

TAT_20190807-1325_01d54d23a1201f6e.mp3

C. North Segment TERO Exemption Request

Motion: Councilman Cory Spotted Bear moved to approve executive action/resolution subject to legal review. Councilman Randy Phelan seconded the motion.

- 19-193-FWF entitled "Approval of Waiver of the TERO Employment Rights Fee for Construction Contracts – North Segment Projects."

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

TAT_20190807-1330_01d54d24542dd51a.mp3

D. Crow Fair Parade Sponsorship Request

Motion: Councilman Randy Phelan moved to approve \$5000 sponsorship for the Crow Fair Parade. Councilman Cory Spotted Bear seconded the motion.

Vote: 2 - Ayes. 2 -Opposed. 2 -Abstentions. 1 – Not Voting. Motion failed.

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

TAT_20190807-1335_01d54d25082e2128.mp3

E. American Legion Myron Johnson/Nathan Good Iron Post 271 & Lady Auxiliary Post 253 Financial Requests for the National Convention

Motion: Councilman Fred Fox moved to approve a sponsorship for the formal veteran's posts & auxiliary posts for \$1,200/member. Councilwoman Monica Mayer 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: MHA Employees also requested admin leave for the 3 days.

TAT_20190807-1340_01d54d25bc14cf2a.mp3

F. Stick Game Tournament Sponsorship Request

Motion: Councilman Randy Phelan moved to approve a \$5000 sponsorship subject to event name change and \$5000 from the 4Bears Casino. Councilwoman Monica Mayer 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

TAT_20190807-1340_01d54d25bc14cf2a.mp3

G. Northern Badlands Rodeo Association Sponsorship

Motion: Councilman Randy Phelan moved to approve \$26,000 sponsorship to the NBRA. 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

TAT_20190807-1340_01d54d25bc14cf2a.mp3

H. TERO Waivers (WS Elders, WS Admin. & TB Community Center) – Marita Abe



Motion: Councilman Fred Fox moved to approve resolution no. 19-188-FWF entitled “*Approval of Waiver of the TERO Employment Rights Fee for Construction Contract – East Segment Admin Building.*” 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 approve resolution no. 19-189-FWF entitled “*Approval of Waiver of the TERO Employment Rights Fee for Construction Contract – White Shield Elder Center.*” 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. 19-190-FWF entitled “*Waiver of MHA Refuse Disposal Tax and MHA DOT Fees for Certain Tribal Construction Projects.*” 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 – Aye
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Not Voting

TAT_20190807-1350_01d54d2723001496.mp3

I. UTTC Events Week – Kathy Dye-Chapin, PowWow Chairwoman & Fred Klinegin(sp?), College Relations Director

Have raised \$217,400 from fundraising. Turtle Mountain is supporting the fees. 600 wrist bands were provided last year. Chairman Mark N. Fox would like to have more wrist bands because they ran out.



Motion: Councilman Cory Spotted Bear moved to approve a \$30,000 sponsorship. 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: Will try to get 300 more wrist bands from their board.

XIII. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

TAT_20190807-1400_01d54d288936ce6e.mp3

A. Medical School Request - Levi Hoffman

Seeking funding for the medical school application process. Seeking \$5,189 for the process that is not covered through any other source. Councilwoman Monica Mayer noted that these fees come out of the student's pocket.

Motion: Councilwoman Monica Mayer moved to approve \$3,900(According to policy @75% of request). 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 – Aye
Councilwoman V. Judy Brugh – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

XIV. CULTURAL COMMITTEE – Chairman Randy Phelan, Chair

No items

XV. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer, Chair &

No Items

XVI. ENERGY COMMITTEE – Chairman Randy Phelan, Chair

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

TAT_20190807-1405_01d54d293d1c76f6.mp3

B. ROW's* (See Energy Dept. binder) – Paul Grady & Harriette LePage



Motion: Councilman Fred Fox moved to approve resolution 19-191-FWF entitled “*Approval of Assessment of Civil Fine on WPX Energy Williston, LLC for Trespass Regarding BIA Right-of-Way Grant No. FBOG101072 for the Hidatsa North 14-23.*” 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

Motion: Councilman Mervin Packineau moved to approve resolution 19-192-FWF entitled “*Amendment to Resolution No. 19-078-FWF entitled, Consent to Approval of a Right-of-Way across Tribal land for the Bursheia USA Multi-Well Pad Project Submitted by ONEOK Rockies Midstream, 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 – Aye
Councilwoman V. Judy Brugh – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

TAT_20190807-1411_01d54d29f106a74a.mp3

C. BIA 10 Road Share Agreement – WPX

Representing all the producers for BIA 10. Cost break down is at 51% tribal/49% Operators. Same agreement as BIA 13. \$240,000 budget overall. Chairman Mark N. Fox recommends a resolution for the cost allocation. John Fredericks noted that these usually come out of the Roads Dept. budget. The CFO insured the TBC that it would be part of the 2020 budget.

Motion: Councilman Fred Fox moved to approve the “*BIA 10 Road Share Agreement*”. Councilman Randy Phelan seconded the motion.

Vote: 5- Ayes. 2 – 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 – Not Voting

Discussion: Chairman Mark N. Fox recommended a resolution since it entails an expenditure of tribal funds. Should be in the Roads 2020 budget,

XVII. HEALTH & HUMAN SERVICES

TAT_20190807-1416_01d54d2aa40c7bda.mp3

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

July 2019 CEO Report submitted.

Motion: Councilman Fred Fox moved to approve the consultant contract Karen Johnson 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 – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

Motion: Councilman Randy Phelan moved to approve a sub contract Award (Robert Wood Johnson)/Mayo for Dr. Taylor-Desir: R W J Clinical Scholars-subcontract to complete the Resiliency Rocks Suicide Prevention & Intervention Program. & Dr. Ah Quin: RWJ Clinical subject to Legal review. 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

B. Tribal Health* – Red Fox Sanchez, Director

Item deferred.

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

- **Motion:** Councilman Fred Fox moved to approve [XXXXX] for Life & Limb. Councilwoman V. Judy Brugh seconded the motion.



Vote: 5- Ayes. 2 – Not Voting. Motion carried.

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

- **Motion:** Councilwoman Monica Mayer moved to approve [XXXXX] for Life & Limb. 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:** Councilwoman Monica Mayer moved to approve [XXXXX] for Life & Limb. 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:** Councilwoman Monica Mayer [XXXXX] at 75% of request. Councilman Fred Fox seconded the motion.

Vote: 5- Ayes. 2 – 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 – Not Voting
Councilwoman Monica Mayer – Aye



- [XXXXX]
Councilwoman Monica Mayer noted that his power of attorney need to be determined.
- **Motion:** Councilman Fred Fox Mayer moved to approve Life & Limb for [XXXXX]
Councilwoman Monica seconded the motion.

Vote: 5- Ayes. 2 – 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 – Not Voting
Councilwoman Monica Mayer – Aye

- **Motion:** Councilman Fred Fox Mayer moved to approve [XXXXX] for \$5000 toward a wheelchair with individual council members can help. Councilwoman Monica seconded the motion.

Vote: 5- Ayes. 2 – 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 – Not Voting
Councilwoman Monica Mayer – Aye

- **Motion:** Councilman Fred Fox moved to approve [XXXXX] 75% of \$2,700 to the vender for \$2000. Councilman Randy Phelan seconded the motion.

Vote: 5- Ayes. 2 – 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 – Not Voting
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

- Four Bears elder in need of a swing/medical bed Cost of a bed at Ikeating is \$1,979.87 with set-up. Councilwoman Monica Mayer recommended working with Pam Lewis & Boon Insurance as a DME. Alva Irwin expressed urgency. Boon would purchase as opposed to leasing and that would be what the patient would need. Is being released on the 16th.



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

A. Justice Commission Report*

Item deferred.

TAT_20190807-1431_01d54d2cbd322efa.mp3

B. Tribal Court Report* – *Elizabeth Yellowbird, Acting Court Administrator*

Court Manual completed, Court Survey in-process, 2020 Budget submitted, Tribe Code work continues. Completed 3 reading of the Rules of Professional Conduct for Attorneys and Advocates with the Justice Commission reviewing. Training for the court clerks. Maintenance issues being worked on. Requesting Justice Appellate Service contract that is with Legal review for an increase an increase of services/hr. to increase parity. Project- Fines & Accounts Receivables - Dollars owed to FBDC Report presented. On 11/ 6/ 17 a total of \$2,173,919.87 was owed to the court for fines/ fees. As of 7/ 31/ 19 a total of \$2,069, 734.10 is owed to the court Since the project beginning January 1, 2018 the court has brought the receivables down by \$104,185.77 including assessments made to defendants in 2018 and 2019. Peoples Fund Disbursement August 2018 (submitted 340 delinquent accounts = \$915,170.64, received \$92,173) August 2019 (submitted 570 delinquent = \$214, 796) The cutoff amount was \$500 for individuals. August disbursement is pending. When the project of "Unapplied Fees" is completed the Accounts Receivable amount will be lowered by \$241,683 which will change the receivables number to \$1,828,051.

TAT_20190807-1436_01d54d2d704f84ba.mp3

C. Public Safety Division of Drug Enforcement – *Gerald White, Jr., Chief*

Special Agents Tyler Welk & Derrick Bourque presented the Report. Six (6) federal search warrants obtained re a Hispanic Drug Trafficking Organization (DTO) suspected of distributing methamphetamine and fentanyl based pills throughout Fort Berthold. Two enrolled females and one enrolled male indicted by a Federal Grand Jury for a variety of federal drug offenses. Special Agents (SAs) have made a number of controlled purchases of a variety of controlled substances, to include methamphetamine, oxycodone pills, and heroin. On one occasion, approximately 58 grams of suspected methamphetamine and 34 purported oxycodone pills were purchased. SAs have assisted Three Affiliated Tribes Police Department (TATPD) and New Town Police Department (NTPD) in the seizure of three stolen vehicles and the arrests of those involved. SAs have responded to assist TATPD/ TPD with a number of reported overdoses/medical calls and initiated case-related follow-up re each. SAs responded to a reported stabbing in Parshall and ultimately worked through the night with TATPD/FBI , to include assistance in drafting the federal search warrant affidavit. One arrest was made and SAs assisted in the collection of evidence. SAs assisted in the arrest of a previously convicted African American male and two firearms were seized. SAs investigated a marijuana distribution case in New Town/Parshall involving an African American male that ultimately went to a jury trial. After testimony, defendant was convicted on all counts and sentenced to North Dakota Department of Prisons. SAs have given various presentations to community members/groups/schools. K9 assisted Williston Police Department in the recovery of a deceased person. SAs and K9 personnel worked enforcement at each Pow Wow/Segment Celebration. On July 18, 2019, SAs intercepted an African American male and an enrolled female on Fort Berthold after the male arrived by train to ND. A K9 traffic stop led to the seizure of approximately 178 purported oxycodone pills. It was determined the male had a pending arrest warrant was issued for



his arrest in Michigan for Absconding. He was arrested and will face extradition. On July 19, 2019, based on the above seizure of pills and subsequent investigation, a tribal search warrant was obtained/executed in Mandaree. An enrolled member/resident was found to possess suspected drug paraphernalia and arrested. On July 20, 2019, based on continued investigation and the receipt of Tip 411 leads, an enrolled female was stopped during Mandaree Pow Wow/Celebration. That stop and investigation led to a search of her residence and the seizure of numerous items of suspected drug paraphernalia. Later, on July 20, 2019, as the above referenced investigation continued, and after surveillance of another residence occupied by two enrolled members and observations of suspected hand-to-hand transactions, SAs and K9 personnel searched another residence in Mandaree. Agents located an African American male, who was in possession of approximately 57 purported oxycodone pills and in excess of approximately \$8,000 in United States currency. McKenzie County Sheriff's Office and the Northwest Narcotics Task Force responded to assist. One arrest was made. On July 22, 2019, an enrolled female was stopped by K9 in New Town. SAs responded to assist. Investigation at the scene of the stop led SAs/K9/NTPD personnel to search an enrolled member's residence in New Town. Agents located another African American male, who was found to possess approximately 126 suspected oxycodone pills and approximately \$10,346 in United States currency. SAs have submitted in excess of four 960's re those suspected of being involved in the abuse of controlled substances and endangering the welfare of enrolled children. SAs have secured and executed or assisted in the execution of an additional three (3) state search warrants and two (2) tribal search warrants. One of the warrants resulted in the seizure of approximately 456 grams of meth, thirty (30) grams of cocaine, and 58 purported Ecstasy tablets. In addition to daily K9 arrest stats, SAs have been responsible for or assisted in the arrest of seventeen (17) enrolled males, thirteen (13) enrolled females, eight (8) non-enrolled males, and one (1) non-enrolled female. Brittney White discussed TAT email problems and establishing a separate email service for Public Safety. Chairman Mark N. Fox asked that they insure the security and policy is implemented.

Motion: Councilman Fred Fox moved to approve the requested external email system services. Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Randy Phelan – Not Voting

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Not Voting

Councilwoman V. Judy Brugh – Aye

Councilman Cory Spotted Bear – Aye

Councilwoman Monica Mayer – Aye

XIX. NATURAL RESOURCES COMMITTEE – Councilman Randy Phelan, Chairman

A. Homesite(s)* - Texx Lone Bear, Natural Resources Director

Item deferred.

B. Farm/Pasture Leases* - Diana Americanhorse, Realty Specialist



Item deferred.

C. Easements*

Item deferred.

D. T44-2A Home lot for Charles Fox Home

Item deferred.

E. New GPS Server Request – Texx Lone Bear

Requesting \$20,000 to replace an aging stand-alone server. Chairman Mark N. Fox expressed concern over moving away from a centralized system.

Motion: Councilman Fred Fox moved to approve the purchase of a new GPS Server. Councilman Cory Spotted Bear seconded the motion.

Vote: 5- Ayes. 2 – Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Voting
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye
Councilwoman Monica Mayer – Aye

F. Utilities Department

Item deferred.

TAT_20190807-1451_01d54d2f8b3126d8.mp3

G. Daylon Spotted Bear Lease Agreement Resolution

Motion: Councilman Fred Fox moved to approve resolution no. 19-194-FWF entitled “*Approval of a Lease Agreement between the Three Affiliated Tribes and Nueta Inc.*” Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 2 – Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Randy Phelan – Not Voting
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilman Cory Spotted Bear – Aye



Councilwoman Monica Mayer – Aye

H. Tom Wells/ James Green Appraisals

Item deferred.

XX. LEGAL DEPARTMENT – Tyra Wilkinson, Interim MHA Supervising Attorney
No items

XXI. NEW BUSINESS – Tribal Councilman Add Ons

- A. Chairman Mark Fox- *Reserved*
- B. Chairman Mark Fox – *Reserved*

TAT_20190807-1516_01d54d336c39b396.mp3

C. Councilman Randy Phelan – Ted Lone Fight III

Motion: Councilman Randy Phelan moved to approve resolution no. 19-195-FWF entitled “Approval of Application by the MHA Land & Livestock Corporation for funds from the Keepseagle Lawsuit Settlement Fund under the Native American Agricultural Fund for purposes of providing services and financing to Native Farmers and Ranchers of the MHA Nation” 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

TAT_20190807-1536_01d54d35da2849e6.mp3

D. Councilman Randy Phelan – Timberwolves Project - Kevin Finley

Requesting \$15,000 to cover administrative cost for the bringing Timberwolves Executives to the Pow-wow and players to talk to the public. Informed the TBC that they have agreed to bring a pre-season game to the casino but just need to find an opponent. Councilwoman Monica Mayer recommended taking it out of the Recreation Budget.

FTR: Chairman Mark N. Fox stepped out of the meeting and Councilman Randy Phelan assumed the Chair of the meeting.

Motion: Councilwoman Monica Mayer moved to approve \$15,000 from 380 for the Timberwolves Project. Councilwoman V. Judy Brugh seconded the motion.

Vote: 5- Ayes. 2 – Not Voting. Motion carried.



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

TAT_20190807-1526_01d54d34733ea802.mp3

E. Councilman Fred W. Fox – Indian Relay Sponsorship Requests - Lloyd Charlie Vigen

Young Bear Express Indian Relay Team & the Awa Daa Hey Indian Relay Teams have been invited to the prestigious has honored both teams from our nation to attend the 7th Annual Indian Horse Relay at Canterbury Park by the Shakopee Mdewakanton Sioux. This is an invitation-only event and only the best teams are asked to attend. Each team consists of rider, mudder, backholder and set up man. They will be taking a maiden rider for the maiden races, 6 horses not counting family members. The Shakopee Race will begin, August 22, 2019 and end August 24, 2019 and will need to be out there August 20, 2019 and would return home on August 25, 2019. Each team will need money for rooms, fuel for transporting horses, veterinarian expenses (traveling papers & health inspection), horse shoeing, horse food, and team meals. Total amount requested is \$5770.00 / team.

Motion: Councilwoman Monica Mayer moved to approve \$5,000 for Young Bear Express & \$5,000 for the Awa Daa Hey Indian Relay teams attending the 7th Annual Indian Horse Relay at Canterbury Park. Councilman Fred Fox seconded the motion.

Vote: 4- Ayes. 2 – Abstention. 1 – Not Voting. Motion carried.

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

TAT_20190807-1526_01d54d34733ea802.mp3

F. Councilman Fred W. Fox – Public Safety Division of Drug Enforcement Drone Purchase

Requesting permission to expend \$ \$60,395 00 for two drones & training from their budget from Icarus Aerospace, Inc.

Motion: Councilman Fred W. Fox moved to approve Drone purchase from the DEA budget. 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

- G. Councilman Mervin Packineau – *Reserved*
- H. Councilman Mervin Packineau – *Reserved*
- I. Councilman V. Judy Brugh – *Reserved*
- J. Councilman V. Judy Brugh – *Reserved*
- K. Councilman Cory Spotted Bear – *Reserved*
- L. Councilman Cory Spotted Bear – *Reserved*
- M. Councilwoman Monica Mayer – *Reserved*
- N. Councilwoman Monica Mayer – *Reserved*

XXII. CLOSED SESSION

- A. Forensic Interview²
- B. Extradition²
- C. Banishment Issue
- D. MHA Women’s Veterans Group Resolution
- E. Human Resources – *Barlow Wells, Director*
- F. Georgia Lepell Land Purchase-
- G. Higher Educational Financial Request Kimberly Blevins – *Stephanie Baker*
- H. TAT Law Enforcement Report*– *Nelson W. Heart, Chief of Police*
- I. A.S./M.T. Dental Request
- J. Benjamin Good Bird – *Frances Good Bird*
- K. Florence Laducer Arikara Language
- L. Legal Items – *John Fredericks*
 - 1) Four Bears Casino
 - 2) Water Storage Lease
 - 3) Law Enforcement letter from the U.S, Attorney General claiming not disclosing evidence.
- M. M.J. Gunderson
- N. Mariam Fixico

XXIII. ADJOURNMENT:

Motion: Councilman Randy Phelan moved to adjourn the meeting. Councilman Fred Fox seconded the motion. Meeting adjourned at 8:03 PM.




CERTIFICATION

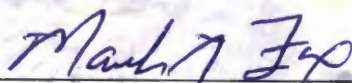
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 6 were present at the Regular Meeting thereof duly called, notice, convened and held on the 12th of September, 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 12th day of September, 2019.

ATTEST:


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


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