



CALL TO ORDER:

Councilwoman V. Judy Brugh called the meeting to order at 2:20 PM.

I. ROLL CALL:

Present: Councilwoman Monica Mayer, Councilwoman V. Judy Brugh, & Councilman Fred Fox. *Quorum established.*

II. APPROVAL OF AGENDA:

Motion: Councilman Fred Fox moved to approve the agenda. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

III. APPROVAL OF MINUTES:

- **2/11/2020 Judicial Committee Minutes**
- **6/23/2020 Judicial Committee Minutes**
- **9/15/2020 Judicial Committee Minutes**

Item deferred.

IV. PROGRAM UPDATES:

A. Public Safety Division of Drug Enforcement – Gerald "Chip" White Jr., Chief of Drug Enforcement

Item deferred.

B. TAT Law Enforcement – Nelson Heart, Chief of Police

The Committee inquired whether Law Enforcement was receiving names of people who are COVID positive and supposed to be in quarantine as requested of Elbowoods Memorial Health Clinic (EMHC). We asked Health department to inform our Law Enforcement. The CEO Scott Satermo noted that he knows Law Enforcement isn't getting the information and that there are people out around the community COVID positive. There are names at EMHC but don't have the whole reservation. Surrounding counties do not get this information either. Councilwoman V. Judy Brugh stated we are only interested about our own people, if the CEO can get you a list to Law enforcement. Total 42 people law enforcement staff, 25 are law enforcement officers. Councilwoman Monica Mayer feels we don't have enough law enforcement due to the drug problem here. Committee states we need Nelson to give us a report. Committee asked are they any hires you are looking at. Four are going to training. It takes 12-14 months to get hired, it's a process. Need more staff and training. Dean states he needs to talk to Nelson. Councilman Fred Fox states you need to take care of your workers, if they leave, we are hurting. Committee asked if law enforcement recruiter is out there working. No, have not gone out due to COVID. Could use software to find potentials. Law Enforcement needs to keep recruiting. The



Administrative people need to work on recruiting. Councilwoman V. Judy suggests to send an officer over to Twin Buttes, the officer there is in quarantine. Both departments need to start working together.

C. Department of Transportation – Blaine Flynn, Director

Report submitted. Licensing Office – MHA Tribal License Plates – Main St New Town. Covid Precautions in Place – Appointment only and masks required. Checking over the office procedures and adjusting with Covid precautions and Mask Mandate. Building still leaks, working with Maintenance program. DOT Office – BIA 2 & Hwy 23: Covid Precautions in Place – Office building secured, appointments only with Masks required. Staff assist callers over the phone with app or questions. Application process is done online, www.mhadot-quick-entry.com. Items can be mailed or picked up in a drop box outside the office. Special Permits (Oversize, Overweight, Rig Moves, etc.) are done online and issued online. FY 21 Approved Budget rec'd & will be working at announcing staff vacancies with HR when approved. Motor Carriers: Covid precautions in place, PPE (masks, gloves, sanitizer etc.) issued. Patrol the FBIR area along with compliance checkpoints and weight enforcement in select areas. Hours of Service (Log books or Record Duty of Service) for Commercial Vehicle Regulations being reviewed with the ND Century Code and Federal Motor Carrier Safety Regulations & CFR Code for a MHA Tribal Regulation Code. Have a steady flow of clients and keeping up with paperwork. DOT licenses all the tribal vehicles. Dispatch worker has been recalled from Furlough Status, going over reports and working on updating Motor Carrier Stats. Also reported a software issue and the inability to share the software with Law Enforcement at this time. Councilwoman V. Judy Brugh requested that the applications be sent to her by email so she can get it out to the community. There is no code (fines and checks) in place currently for in state hours of service. Can make a resolution for this drawn up.

D. TAT Tribal Court – Dr. Elizabeth Yellow Bird

Judge Christensen gave an update on staff and meetings. Have a couple contracts needing renewals. We don't have contracts in place for the Prosecutor, Public Defender or Judge Seaworth at this time. Currently going through old records within the full court system, have an estimate of what it will cost to add a component to the full court system the electronic filing system so all documents get scanned in. This system can track orders that are old or have gone out and can draft orders with it. Judge Christensen would like to have these extra features with the current system. The estimate is a little over \$20,000.

Motion: Councilman Fred Fox moved to forward the Public Defender Contract (Tim Wilhelm) to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.



Motion: Councilman Fred Fox moved to forward Judge B.J. Jones Contract to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

Request for Evelyn Wounded Face to be hired in temporary status as Business Manager. Elizabeth Yellow Bird has been moved in as acting Court Administrator. The Court and Police department need an MIS person and will share cost. This position is being advertised. Will work on the wage. Court Advocate position is needed to assist people coming in. would like to have a computer outside for public to use. Looking into a Code of Conduct. Assumed Law Enforcement had someone there for emergencies. Have blind spots with cameras, security buttons don't work. Bailiffs need more training. Time and attendance is needed for an easy flow. Councilwoman Monica Mayer told Judge to go to NSPM to sign a lease for 3-bedroom house with garage.

E. Homeland Security – Cliff Whitman, Director

Cliff Whitman provided a summary of recent activities that included working with the Task Force and emergency sirens. The Director requested clarification as to his supervision because he was told that it was changed from the Natural Resource Director, Texx Lone Bear to Emily Sitting Bear, of the EOC. Scott Satermo, CEO related plan to bring Homeland Security under Emergency Management to eliminate duplication of services and streamline services. The CEO noted that the TBC is already aware of the plan. CEO assured Cliff Whitman that at he will continue to handle the same services. It was noted that the CFO verified that each program has their own budget. Emily Sitting Bear will handle Global Emergency Management Plans, which includes the pandemic of the Task Force is an arm of. What needs to be determined is where Emily Sitting Bear, Carson Hood and Cliff Whitman fit in the overall Emergency Plan. Scott Satermo feels there needs to be one supervisor in Emergency Management. This person will be working with County and State agencies. Scott Satermo expressed concern that Whitman is listed on many emergency work duties, which a lot of them are not getting done, we don't have a lot of the plans in place we are supposed to have in place. Emily Sitting Bear has the background and has shown the with the Task Force's success. The entire EOC is funded through federal dollars. Not much tribal. A grant writer position can be developed and HR is ready to advertise. Scott Satermo will amend the organizational chart. Cliff Whitman will remain under Natural Resources until the org chart is approved. Carson Hood is currently working under Whitman. \$86,000 of budget is federal with \$75,000+ from tribal funds. The Committee inquired as to the status of the COVID reimbursement funds. Lenny Abrams states all those expenses will go over to fund code 5999, which will help the segment budgets. From March of 2020. Lenny Abrams states this will be done when the journal entries are done. Since the new fiscal there is \$41 million COVID monies that have not been spent yet on paper, once the journal entries are done it will show up. The FEMA and Care's Act will be brought to TBC. When the Tribe was on COVID leave, this covers that. Looking at



what we can spend in FEMA and try to get 100%, and 100% in Care's Act, we can't duplicate that so we can't send the same invoices to the same places. Need to make sure our books look right. FEMA is a reimbursement of \$5-15 million from FEMA. Scott Satermo states the EOC can fund the whole department. Cliff Whitman will stay under Texx Lone Bear until the Organizational Chart is approved.

F. Adult Detention (GTFJC) – Daniel Good Luck, Adult Administrator

Adult Detention inquired about two trailers and the showers for COVID inmates. Was told by a contractor these would not withstand ND weather. Need to make some type of shelter for this. Working with ionized air system and the holding cells up front for now. Looking at HVAC system in the building. Will take 2 weeks to install.

Councilwoman V. Judy Brugh informed the staff that she walked through the facility and was disappointed, the place was a mess and no one on the juvenile side. Expect to have things back in order. Mike Young Bird states we have people on duty and get bills paid. 85% employee ratio is that still part of the rule. Councilwoman V. Judy Brugh noted there was not one person there in the control box. Talk to the CEO and figure out to have a contact person to meet people at the front door. Informed the Committee of the need for additional and that current workers are overworked.

G. Juvenile Detention – Mike Young Bird

The Gerald Tex Fox Justice Center Juvenile Correctional Facility currently staffs, 1 Acting Lieutenant, 3 Sergeants, and 6 Correctional Officers. There were 6 males and 4 females for a total of 10 admitted and released from the Justice Center during the months of August and September, 2020. The Juvenile programming goal is to interact more with the adolescents and build on rehabilitation. The Juvenile Behavioral Therapist, Mrs. Jennifer Nodland-Lenning, Licensed Clinical Social Worker, Master of Social Work from the University of Nebraska has 20 years of experience working with children and families. Mrs. Nodland-Lenning provides individual and group counseling with the adolescents detained at the justice center. Mrs. Nodland-Lennings also coordinates services to Mental Health units, Drug and Alcohol Treatment programs throughout the state of North Dakota. Case Management services were provided for 6 youth for the months of August and September, 2020. Juvenile Corrections is currently waiting on 1 Correctional Officer for their adjudication to be completed. The background investigations are a timely process conducted by Personnel Security Consultants LLC. The Gerald Tex Fox Justice Center has completed the Bureau of Indian Affairs Abatement Plan. The Abatement Plan is a work-order Document, in which facility deficiencies are completed.

H. Child Support – Alison Johnson, Director

Report submitted. Staffing- We have been down 1 staff member since the end of May and have been granted to lift the hiring freeze to advertise for this position. It is being advertised now until October 16th, 2020. Will be filled soon. Monthly collections. Total collected in September 2020 was: \$333,373.35. Director will provide an update



next month of the Fiscal Year 2020 totals. Tribal Court-Still having two court days a month. The next court dates are October 7th & 21st, 2020. Fiscal Budget 2021-Had a meeting with CFO Whitney Bell on our FY2021 budget on Friday, September 25th: - 80% Federal Share \$1,01,4293.69 ; -20%. Tribal share \$253,573.43 ; Total Budget: \$1,267,867.12. We continue to do our best during this pandemic while trying to stay healthy and safe. We continue to operate efficiently with getting our Child Support payments processed twice weekly as well as receiving payments regularly from clients. We are still applying a rotating shift schedule to our staff so that we are all not working together all at the same time in case someone gets infected with COVID. It has been going well and the staff is managing to get their job duties complete.

I. Victim Services – Sadie Young Bird, Director

Have two staff under quarantine. We are making it work. Seven domestic assaults in the past 2 1/2 weeks. Sadie is trying to work with Gary Sam, he does not interview well, and he wants unnecessary details. Councilwoman Monica Mayer informed Sadie, we had a meeting with Drew Wriggly. If we need their help, he said to call their office. Councilwoman V. Judy Brugh suggested Sadie to write her letter. Federal and Tribal budget used to be 60% - 40%, now 70% - 30%. Committee directed Sadie Young Bird to talk to CEO about a different building. Sadie asked if she can code for COVID supplies too.

J. TAT Legal – Tara Wilkinson

Provided election report.

K. HR Departments – Melissa Brady, Director (Closed Session)

V. ADJOURNMENT

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 4:00 PM.



CERTIFICATION

I, the undersigned, as Chairman for the Tribal Business Council's Judicial Committee of the of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council's Judicial Committee is composed of three [3] members of whom [2] constitute a quorum; 3 were present at the Judicial Meeting thereof duly called, noticed, convened and held on the 10th day of November, 2020; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 3 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Dated this 10th day of November, 2020.

ATTEST:

Judicial Committee Chairman,
Councilwoman V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes

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




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