



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
NOVEMBER 12<sup>th</sup>, 2020 MINUTES  
[CLOSED SESSION CONTENT EXCLUDED]

\* 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 12:00PM.

**ROLL CALL:**

*Present:* Councilwoman Monica Mayer, Councilman Cory Spotted Bear, Councilman Mervin Packineau, Chairman Mark N. Fox, Councilwoman V. Judy Brugh, Councilwoman Sherry Turner-Lone Fight, & Councilman Fred Fox. *Quorum established.*

**OPENING PRAYER:**

Carol Enno

**I. APPROVAL OF AGENDA:**

*Motion:* Councilman Fred Fox moved to approve the agenda. Councilwoman V. Judy Brugh seconded the agenda.

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

**II. APPROVAL OF MINUTES**

• **10/8/2020 Regular Meeting minutes**

*Motion:* Councilman Mervin Packineau moved to approve the 10/8/2020 Regular Meeting minutes subject to minor corrections. Councilwoman V. Judy Brugh seconded the motion.

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



- **10/22/2020 Special Meeting minutes**

**Motion:** Councilman Mervin Packineau moved to approve the 10/22/2020 Special Meeting minutes subject to minor corrections. Councilwoman V. Judy Brugh seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

- **10/29/2020 Special Meeting minutes**

**Motion:** Councilman Fred Fox moved to approve the 10/29/2020 Special Meeting minutes subject to minor corrections. Councilwoman V. Judy Brugh seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

- **11/5/2020 Special Meeting minutes**

**Motion:** Councilwoman V. Judy Brugh moved to approve the 11/5/2020 Special Meeting minutes subject to minor corrections. Councilman Fred Fox seconded the motion.

Vote: 7 - Ayes. Motion carried.

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



---

Councilwoman Sherry Turner-Lone Fight – Aye

**III. SPECIAL GUESTS & ELDERS**

*FTR: Birthday honor song by Shorty Bearstail & gifts in recognition for Mike Stevens.*

***EXECUTIVE COMMITTEE REPORTS***

TAT\_20201112-1217\_01d6b8edc7de2a56.mp3  
**IV. CHAIRMAN'S REPORT - Chairman Mark N. Fox**

Provided an update of recent activities & upcoming events such as: Sanford Insurance, Energy Work Sessions, Donation from Makes Cents to the COVID Task Force, 1<sup>st</sup> Annual Chairman's Elementary Cross Country Championship, Round Table Discussions with the Governor, EPA & NIGC meetings, New Town Parent Input meeting, White Shield Headstart Grand Opening, Green House development, Pandemic Response meeting with Dr. Burke & other tribal leaders. Provided an update on COVID measures by the Tribe, testing & vaccination information. Swearing in of Council members & selection of Officers, UTTC Board meeting. Asked to Chair the Subcommittee on Energy of the NCAI & Continuing work on Riverbed Issues. Provided an update on Stimulus Funding from the federal government lobbying efforts. Sent out condolences & prayers to those who have lost loved ones.

TAT\_20201112-1222\_01d6b8ee7bc513aa.mp3  
**V. VICE CHAIRMAN'S REPORT – Councilman Cory Spotted Bear**

Provided report of activities and upcoming events & activities in the South Segment. Congratulated the new elected & returning Councilmembers. 99% completion of the motel and working on name for the motel. Community Center is almost complete and shop for maintenance. Working on a new clinic with COVID funding. Thanksgiving meal curbside pickup.

TAT\_20201112-1227\_01d6b8ef2ed8934e.mp3  
**VI. EXECUTIVE SECRETARY'S REPORT – Councilman Fred Fox**

Provided report of activities and upcoming events & activities in the East Segment. Congratulated the new & re-elected councilmembers. Provided an update on the Records Office and recommend the web site for those wishing to find any resolutions or minutes of the TBC. White Shield will be handing out gift certificates & Walmart cards for Thanksgiving dinner.

TAT\_20201112-1247\_01d6b8f1f8e810c4.mp3  
**VII. TREASURER'S REPORT - Councilman Mervin Packineau**

Expressed condolences & prayers to those who have lost loved ones and prayers for those in the hospital. Gift cards for Thanksgiving. COVID supplies handed out to the Community. It was noted that a corrected list of eligible former council people for the honorarium should be sent out.

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



---

*Item deferred.*

**B. Mortgage Program – Val Mayer, Credit Manager**

*Item deferred.*

TAT\_20201112-1247\_01d6b8f1fbc810c4.mp3

**C. Small Loans\* –Mary Ellen Sun, Lead Loan Officer**

**Motion:** Councilwoman V. Judy Brugh moved to approve Group A(9): subject to Loans Policies & recommendations. Councilman Cory Spotted Bear seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Motion:** Councilwoman V. Judy Brugh moved to approve Educational Group B(2): subject to Loans Policies & recommendations. Councilman Cory Spotted Bear seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Motion:** Councilman Cory Spotted Bear moved to approve Group C(5): subject to Loans Policies & recommendations. Councilwoman V. Judy Brugh seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
NOVEMBER 12<sup>th</sup>, 2020 MINUTES  
[CLOSED SESSION CONTENT EXCLUDED]

Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**D. Four Bears Casino Report\*** – *Scott Wilson, General Manager[See Closed Session]*

*Item deferred.*

TAT\_20201112-1232\_01d6b8efe1e3cada.mp3

**VIII. SEGMENT UPDATES:**

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

Provided report of activities and upcoming events & activities in the North Segment. Thanked the voters for allowing her serve another four years. Provided her vision for the next year and getting it done will cutting costs. Food baskets for Thanksgiving. Also COVID Care packages being sent out to the community.

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

Provided report of activities and upcoming events & activities in the Four Bears Segment. Security Officer training & policy development by Sheriff Kerzman. Inspection of the Johnny Bird Center. Drive through Thanksgiving dinner & COVID updates. Will be providing out usual Financial report

**C. West Segment** - *Councilwoman Sherry Turner-Lone Fight*

Provided report of activities and upcoming events & activities in the West Segment. Working on providing Thanksgiving gift cards. Expressed condolences & prayers to those who have lost loved one. Community meeting on the 17<sup>th</sup> asked everyone to visit the segment Facebook page for updates. Provided a listing on new key staff. Projects include Maintenance activities, Rehabilitation/Recovery services.

**IX. OFFICER REPORTS:**

TAT\_20201112-1257\_01d6b8f363bbe738.mp3

**A. Chief Executive Officer Report\*** – *Scott Satermo, CEO*

Discussion on the payout of the TBC Honorariums and currently need an updated listing. Will process those that the office has already.

**1) Executive Orders\***

*Item deferred.*

TAT\_20201112-1257\_01d6b8f363bbe738.mp3

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

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-230-FWF entitled “*Approval of 27 (Twenty-Seven) Applicants for Enrollment into the Three Affiliated Tribes*” Councilwoman V. Judy Brugh seconded the motion.



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
NOVEMBER 12<sup>th</sup>, 2020 MINUTES  
[CLOSED SESSION CONTENT EXCLUDED]

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

*Discussion:* 16,750 total members.

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

Report submitted for the record by Allen Demaray. October FY2020 Collections: Oil Production Tax: (11,003,379.00) ; Oil Extraction Tax: (10,555,30 1.00) ; Drilling Fees: (1,400,000.00) ; Motor Vehicle Fuel: 144,295.00) ; Alcohol Tax: (18,906.00) ; Hotel Tax: (8,809.00) ; Totals: (23,130,690.00). Alcohol Tax discussion and deliberations with the State of North Dakota remain unresolved, so suspension of the alcohol licensure requirements extended to November 30, 2020. Chairman Mark N. Fox noted that the tribe will continue the extension of the Alcohol Tax with notice going out after the 1<sup>st</sup> that the Tax will take effect.

**a) Business Licenses:**

**Motion:** Councilman Mervin Packineau moved to approve the following Business Licenses:

- **TJD Consulting LLC** - Theodore J Danks - Mandaree, ND – Contractor - 2020-B-63.
- **JC Java Coffee** - Vernie Joy Chapin – New Town, ND - Food/Beverage - 2020-B-64.
- **Scull Construction Services, Inc.** - Michael Jangula - Dickenson, ND – Contractor - 2020-B-65.
- **Dakota Petroleum Services, LLC** - Burton Bell - Killdeer, ND – Trucking - 2020-B-66.

Councilman Cory Spotted Bear seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye



**X. UNFINISHED BUSINESS**

TAT\_20201112-1307\_01d6b8f4c9e2dc64.mp3

**A. Fort Berthold Housing Authority (FBHA) – IHBG Competitive Grant Resolution<sup>2</sup>**

**Motion:** Councilwoman V. Judy Brugh moved to approve resolution no. 20-231-FWF entitled “Authorization for the Fort Berthold Housing Authority to Apply for the Housing & Urban Development, Indian Housing Block Grant (IHBG)-Competitive Grant Program for Indian Tribes.” Councilman Mervin Packineau seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**B. Request for Range Land ROW & Retention of Interest from Estate<sup>2</sup> –Ed Hall**

*Item deferred.*

TAT\_20201112-1307\_01d6b8f4c9e2dc64.mp3

**C. Land Exchange<sup>2</sup> – Austin Gillette**

Allotment 189 exchange for land adjacent to the lake in White Shield for T84A(grandparent old home site).

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 20-232-FWF entitled “Approval of the Land Exchange between the Three Affiliated Tribes and Austin Gillette” subject to letter of appraisal letter and reasonable. Councilman Fred Fox seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

*Discussion:* Submission of Appraisal Letter to become practice when uneven trade value of land is requested and definition of equitable trade. BIA has concern when



appraisal values are not close. Chairman Mark N. Fox thought a good measure may be 10%. John Fredericks research the B.I.A. standard for value.

### ***COMMITTEES OF THE TRIBAL BUSINESS COUNCIL***

#### **XI. EXECUTIVE COMMITTEE – Chairman Mark N. Fox**

TAT\_20201112-1327\_01d6b8f796de7fe6.mp3

##### **A. Judge Seaworth Contract**

***Motion:*** Councilwoman V. Judy Brugh moved to approve resolution no. 20-241-FWF entitled "*Appointment of an Associate Judge for the Fort Berthold District Court.*" Councilman Fred Fox seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

TAT\_20201112-1327\_01d6b8f796de7fe6.mp3

##### **B. Marilyn Young Bird Contract Renewal**

***Motion:*** Councilman Fred Fox moved to approve the Marilyn Young Bird Contract subject to Legal review. Councilwoman V. Judy Brugh seconded the motion.

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

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

TAT\_20201112-1327\_01d6b8f796de7fe6.mp3

##### **C. Safe Haven Home Construction Contract Resolution(North East & Four Bears Segments)**

***Motion:*** Councilwoman V. Judy Brugh moved to approve resolution no. 20-235-FWF entitled "*Approving Construction of Safe Haven/Transition Homes for North East Segment-Parshall and Four Bears Segment.*" Councilman Fred Fox seconded the motion.





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

TAT\_20201112-1327\_01d6b8f796de7fe6.mp3

**D. Twin Buttes BIA Building**

\$117,980 to demolish the BIA two story building next to the Twin Buttes Tribal Building.

**Motion:** Councilman Cory Spotted Bear moved to approve. Councilwoman V. Judy Brugh seconded the motion.

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

TAT\_20201112-1327\_01d6b8f796de7fe6.mp3

**E. Charging Eagle Lot Lease Agreements – Jim Mossett**

**Motion:** Councilman Cory Spotted Bear moved to approve Corps of Engineers (COI) Agreement. Councilwoman V. Judy Brugh seconded the motion.

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

**F. Highway Patrol Grant Resolution**

**FTR:** *Previously addressed in 20-226-FWF*



TAT\_20201112-1327\_01d6b8f796de7fe6.mp3

**G. Ratification of 11/11/2020 & 10/29/2020 Executive Committee Actions**

**Motion:** Councilman Cory Spotted Bear moved to ratify the 11/11/2020 & 10/29/2020 Executive Committee actions. Councilwoman V. Judy Brugh seconded the motion.

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

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Not Voting  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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

*Item deferred.*

**XIII. CULTURAL COMMITTEE – Councilwoman Sherry Turner-Lone Fight, Chair**

*Item deferred.*

**XIV. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer**

*Item deferred.*

**XV. ENERGY COMMITTEE – Councilman Fred Fox, Chair**

TAT\_20201112-1332\_01d6b8f849ea4b10.mp3

**A. Energy Dept. Update\* - Kenny Lyson, Director**

14 rigs in the state with 4 with the reservation (1-WPX, 2-Marathon, 1-Slawson).  
Tallsalt Report update sent to TBC by email.

TAT\_20201112-1332\_01d6b8f849ea4b10.mp3

**B. ROW's\* (See Energy Dept. binder) – Kenny Lyson & Paul Grady & Harriette Clah**

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-236-FWF entitled “Approval of Setback Variance for the Jessica USA as Requested by ONEOK Rockies Midstream, L.L.C.” Councilman Mervin Packineau seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
NOVEMBER 12<sup>th</sup>, 2020 MINUTES  
[CLOSED SESSION CONTENT EXCLUDED]

---

Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-237-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (Allotment 371A) for the JOBA USA CDP 16 Inch Submitted by ONEOK Rockies Midstream, L.L.C.*” Councilwoman Monica Mayer seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-238-FWF entitled “*Harrington USA CDP*” subject to Legal review. Councilwoman V. Judy Brugh seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-239-FWF “*Consent for Assignment of an Existing Right-of-Way across Tribal Land (Tract No. 371A)*” [Joba]. Councilwoman V. Judy Brugh seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye  
Councilman Cory Spotted Bear – Aye  
Councilman Fred Fox – Aye  
Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye



**Motion:** Councilman Fred Fox moved to approve resolution no. 20-240-FWF entitled “*Authorizing Assignment of Oil and Gas Lease 7420A42642 (MT 1742-C) to WPX Energy Williston, LLC And Amendment Of Term Thereof*”. Councilman Mervin Packineau seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Aye

Councilwoman V. Judy Brugh – Aye

Councilwoman Sherry Turner-Lone Fight – Aye

**XVI. HEALTH & HUMAN SERVICES - Councilwoman Monica Mayer**

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

Submitted report for the record. Have received all COVID funds and working with finance to process the funding. Working the EOC to transfer DHHS funding for Provider Relief for \$2.5 million one-time payment the EMHC received. Have met with State tribes to develop a plan to share resources due to the COVID hospital surge. Discussed strategies to serve tribal members in the event of State’s hospital system reaches capacity. Emergency medical locations have been identified at the New Town High School & the old New Town nursing home (Isolation Center). Councilwoman Monica Mayer provided an overview of the process of diagnosing and isolating Covid positive patients and noted ER’s would not send patients back to the reservation for care. The Isolation Center can be used for isolation but not ventilator care. The facility has 20 beds and appropriate facilities in each segment need to identify places too. Most of the segments have purchased fogging machines to sanitize segment properties. Report on recent COVID testing and adjusting to the colder weather. I.H.S. Expansion funding for Ambulatory Care Joint Venture construction being used for Dental & Optometry facility to be used for staffing. Chairman Mark N. Fox discussed an opportunity to bring mass rapid serology/antigen tests to the reservation. John Fredericks noted a meeting with Indian Affairs to discuss a vaccine event.

**Motion:** Councilwoman Monica Mayer moved to approve Good Health TV Annual Contract. Councilman Cory Spotted Bear seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
NOVEMBER 12<sup>th</sup>, 2020 MINUTES  
[CLOSED SESSION CONTENT EXCLUDED]

Councilman Mervin Packineau – Aye  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

*Discussion:* Contract amount is \$21,000.

Dakota Carrier Network-Transport Service Agreement-Internet connectivity for Twin Buttes. Required fiber for D1 Network-HIT Security Compliance. Cost cut by estimated \$1,000 increased bandwidth. Three-year contract. Reviewed by Legal with requirements.

**Motion:** Councilman Cory Spotted Bear moved to approve Dakota Carrier Network-Transport Service Agreement subject to pending dispute resolution language/arbitration clause and Legal review. Councilman Fred Fox seconded the motion.

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

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

*Item deferred.*

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

*Item deferred.*

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

TAT\_20201112-1412\_01d6b8fde5f60c74.mp3

**A. Tribal Court Report\*** *Elizabeth Demaray, Interim Court Administrator & Chief Judge David Christenson*

Submitted report for the record. Chief Judge, Wellness Court Case Manager have been hired (North Segment originally hired him and paperwork is being done for Kelly to be permanent in the Court). The Court continues to review and update our efforts to put into place a protocol for everyone and anyone entering the building. The new Chief Judge is working on an updated Organizational chart with each staff members job responsibilities. The Court has set up meetings with the Police Department once per month. And, the Court is working on setting up a meeting



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
NOVEMBER 12<sup>th</sup>, 2020 MINUTES  
[CLOSED SESSION CONTENT EXCLUDED]

once per month with the Justice Center. We are hoping to develop good communications, including clarification of policies with other entities that have an impact on the Court. The Court is setting staff meetings once per month, every 3<sup>rd</sup> Friday. The Court is beginning strategic planning sessions now that we are almost at full staff. Requests/Concerns: 1. What is the status of consultant contract for Sommer Turner as the court drug evaluator? MHA needs a Licensed Addiction Counselor, 2 would be better. This leads to the concern about transportation which we will hopefully resolve when we have our Wellness meetings and are able to coordinate through the entities involved. 2. MHA needs a mental health staff member to deal with the mental health issues in the Wellness Court. 3. The budget continues to be a concern with the Court as we update staffing. Also, with the risk assessment we feel it is necessary for updates of our equipment, and building maintenance such as security. Discussion of Jury Trials & mitigation. The Court receives about 3 EDO's/week but many don't include a mental health evaluation and transportation. The Chief Judge is working on Rules of Judicial Conduct for Judges & Magistrates and recommends establishing the same for the Supreme Court. Chairman Mark N. Fox asked that a UCC be considered for development. Regular meetings with Law Enforcement & corrections. Chairman Mark N. Fox asked the Court to get the Tribe into position to enforce VAWA.

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

*Item deferred.*

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

*Item deferred.*

**XVIII. NATURAL RESOURCES COMMITTEE** – *Councilman Cory Spotted Bear, Chairman*

TAT\_20201112-1322\_01d6b8f6e3cbd174.mp3

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

**1) Kristin Chase**

**Motion:** Councilman Mervin Packineau moved to approve resolution no. 20-234-FWF entitled “*Approval of Home Site Leases and Utility Corridor for Home Sites – November 2020*” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 7 - Ayes. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Aye



---

Councilwoman V. Judy Brugh – Aye  
Councilwoman Sherry Turner-Lone Fight – Aye

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

*Item deferred.*

**C. Fort Berthold Rural Water (FBRW)\*** – *Pem Hall, Director*

*Item deferred.*

TAT\_20201112-1317\_01d6b8f62ff699f4.mp3

**D. Land Exchange** – *Daniel Hall*

**Motion:** Councilman Fred Fox moved to approve resolution no. 20-233-FWF entitled “*Approval of the Land Exchange between the Three Affiliated Tribes and Daniel B. Hall*” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

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

**XIX. NEW BUSINESS**

TAT\_20201112-1447\_01d6b902cd0c3d8c.mp3

**A. Opioid Intervention Policy**

**Motion:** Councilwoman V. Judy Brugh moved to approve resolution no. 20-242-FWF “*Authorization for the Three Affiliated Tribes to Apply for grant funding available through the FY 2019/2020 Indian Health Services, Division of Behavioral Health, Community Opioid Intervention Pilot Project*”. Councilman Fred Fox seconded the motion.

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



**XX. LEGAL DEPARTMENT** – Tyra Wilkinson, MHA Supervising Attorney

TAT\_20201112-1437\_01d6b90166ebd586.mp3

**A. Digital Format Code<sup>[Judicial]</sup>** – Sharon Thompson

**Motion:** Councilman Mervin Packineau moved to approve the 1<sup>st</sup> Draft of the digital format of the law code. Councilwoman V. Judy Brugh seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Not Voting

Councilwoman V. Judy Brugh – Aye

Councilwoman Sherry Turner-Lone Fight – Aye

**Discussion:** Copy of previously approved paper version. Copies sent to Justice Commission, Court & Tyra Wilkinson. To work with the Records Office to certify & publish to the web site.

**XXI. CLOSED SESSION:**

**A. Human Resources (HR)\*** – Melissa Brady, Director

**1). Personnel Security Consultants (PSC)**

**2) Budget Cuts and Lay offs**

**B. Legal** – John Fredericks

**1) Mandaree Appointments**

**2) Leonard Hosie Loan Interest**

**3) Goldman-Sachs Bond**

**4) Hardship Grant Requests**

**C. COVID-19 Task Force/Emergency Operations Center Update**– Emily Sitting Bear(EOC Director); Task Force members, Dr. Anita Martin(EMHC), James Baker, & Duane Young Bird (Incident Commanders)

**XXII. ADJOURNMENT:**

**Motion:** Councilwoman V. Judy Brugh moved to adjourn the meeting. Councilman Mervin Packineau seconded the motion. Meeting adjourned at 5:22pm.





THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
NOVEMBER 12<sup>th</sup>, 2020 MINUTES  
[CLOSED SESSION CONTENT EXCLUDED]

**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, 5 were present at the Regular Meeting thereof duly called, notice, convened and held on the 10<sup>th</sup> of December, 2020; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 5 members; 0 members opposed; 0 members abstained; 2 Members not voting.

Chairman ( X ) Voting ( ) Not Voting

Dated this 10<sup>th</sup> day of December, 2020

ATTEST

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

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