



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
DECEMBER 10th, 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 11:16AM.

ROLL CALL:

Present: Councilwoman Monica Mayer(Not Present), Councilman Cory Spotted Bear(via phone), Councilman Mervin Packineau, Chairman Mark N. Fox, Councilwoman V. Judy Brugh(Not Present), Councilwoman Sherry Turner-Lone Fight, Councilman Fred Fox.
Quorum established.

OPENING PRAYER

Kevin Finley

I. APPROVAL OF AGENDA

Motion: Councilman Fred Fox moved to approve the agenda. Councilman Mervin Packineau seconded the motion.

Vote: 5- Ayes. 2- Not Present. Motion carried.

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

II. APPROVAL OF MINUTES

- **11/12/2020 Regular Tribal Business Council Meeting minutes.**

Motion: Councilman Fred Fox moved to approve the 11/12/2020 Regular Tribal Business Council meeting minutes. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Not Present



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Councilwoman V. Judy Brugh – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

III. SPECIAL GUESTS & ELDERS

A. Trey Brady

Honoring for his enlistment into the US Army. Honor song by Poncho Brady.

FTR: Councilman Cory Spotted Bear & Councilwoman Monica Mayer joined the meeting.

TAT_20201210-1142_01d6cee98924a878.mp3

B. 2020 Census Tribal Liaisons/Community Member Recognition - Shadana Sultan & Coralys Ruiz-Jimenez Media Specialist

Provided a recap of the 2020 National / Tribal Census: National response rate of 67% with 79.86% responding by internet, 18.3% by mail, & 1.85% by phone. Fort Berthold reservation had self-response rates of 24.10%. What's next for 2021, and overview of the U.S. Census Bureau Data Services presented.

EXECUTIVE COMMITTEE REPORTS

FTR: Chairman Mark N. Fox stepped out of the meeting.

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

Bidon/Harris contact call and Interior organization collaboration. Asked all listening to take the pandemic seriously and take the precautions. EOC & Task Forces are ramping up to enforce the Mask Mandate. Will be requesting that all the school keep with distance learning to protect the young people.

Motion: Councilman Cory Spotted Bear moved to direct the reservation schools to remain in distance learning until January 4th. Councilman Mervin Packineau seconded the motion.

Vote: 5- Ayes. 1- Not Voting. 1- Not Present. 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 – Not Present

Councilwoman Sherry Turner-Lone Fight – Aye

Business restrictions have been implemented that regulate hours for business and imposed mask requirements. Will be pushing hard to work with the incoming administration to receive proper compensation through stimulus funds. Peoples Fund and Elder Distributions will be mailed out hopefully next week. Employee Christmas



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activities will be on December 22nd through social distancing utilizing email & virtual events. 40% of the staff are currently working from home or on Administrative COVID leave.

V. **VICE CHAIRMAN'S REPORT** – *Councilman Cory Spotted Bear*
Provided a brief community update.

VI. **EXECUTIVE SECRETARY'S REPORT** – *Councilman Fred Fox*

Provided a brief community update.

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

Provided a brief community update. Christmas cards being handed out.

Motion: Councilwoman Monica Mayer moved to approve resolution no. 20-244-FWF entitled “*Designation of Tribal Officials Authorized to Conduct Business with the Office of Trust Fund Management.*” subject to Legal review. Councilman Mervin Packineau seconded the motion.

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

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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 20-245-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 \$19,750,000.00*” Councilman Mervin Packineau seconded the motion.

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

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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 20-246-FWF entitled “*Authorization for a Disbursement to the Elders*”. Councilman Mervin Packineau seconded the motion.



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

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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 20 20-247-FWF entitled “*Authorization for a one-time Disbursement of Funds from Tribal Oil & Gas Royalty Revenues to All Enrolled Members of the Three Affiliated Tribes*” subject to Legal review. Councilman Fred Fox seconded the motion.

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

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

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

Item deferred.

B. Mortgage Program – Val Mayer, Credit Manager

Item deferred.

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

Motion: Councilman Fred Fox moved to approve Small Loans Group A (13) applications: subject to Loans Policies & recommendations. Councilman Mervin Packineau seconded the motion.

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

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



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Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilman Fred Fox moved to approve Small Group B (1): applications: subject to Loans Policies & recommendations. Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve Small Group C (#1-3): applications: subject to Loans Policies & recommendations. Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve Group C (#4-5): applications: subject to Loans Policies & recommendations. Councilwoman Monica Mayer seconded the motion.

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

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

Discussion: Collateral required.

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



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FTR: Chairman Mark N. Fox returned to the meeting.

Motion: Councilman Fred Fox moved to approve resolution no. 20-257-FWF entitled “Approval and Authorization of Sports Book Consulting and Services Agreement Between the 4 Bears Casino & Lodge and BetMGM, LLC, a Delaware limited liability company” subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 1- Not Voting. 1- Not Present. 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 – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

Discussion: Could have NIGC implication over management provisions and would require Legal to remove. Chairman Mark N. Fox recommended a 1 year contract.

VIII. SEGMENT UPDATES:

A. North Segment – Councilwoman Monica Mayer

Provided update on the new North Segment phone app developed in partnership with the Casey Family Program for community communication and emergency alerts.

B. Four Bears – Councilwoman V. Judy Brugh

Item deferred.

C. West Segment - Councilwoman Sherry Turner-Lone Fight

First edition of this administrations’ West Segment newspaper has been sent out, food cards for elders and families, food pantry project established, roads work & community cleanup underway, attendance & accountability are key for new segment employees, & Youth gift tree established.

IX. OFFICER REPORTS:

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

1) Executive Orders*

Motion: Councilman Mervin Packineau moved to ratify Executive Order no. 2020-30:



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WHEREAS, TEK needs immediate temporary access over and across Allotment 1978 to use the land for purposes consistent with the Tribal Business Council's consent to the ROW while the BIA reviews its ROW application. **NOW THEREFORE BE IT RESOLVED**, The Tribal Business Council grants a Temporary Surface-Use Permit Agreement to TEK and approves the attached TEMPORARY SURFACE-USE PERMIT AGREEMENT. **BE IT FINALLY RESOLVED**, The Tribal Business Council authorizes the Tribal Chairman to execute the TEMPORARY SURFACE-USE PERMIT AGREEMENT.

Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Mervin Packineau moved to ratify Executive Order no. 2020-31:

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves a loan for Pemina Yellowbird not to exceed \$30,000.00.

Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Mervin Packineau moved to ratify Executive Order no. 2020-32:

NOW, THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes, through the Executive Committee, hereby authorizes and approves the contract between the White Shield/East Segment



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and Young Morning Star, LLC for home based health services within the White Shield Segment, in form as attached hereto, and hereby authorizes the funding required for the contract;

BE IT FURTHER RESOLVED, The Tribal Business Council Representative for the White Shield Segment is authorized to execute the referenced contract, and take all necessary actions to facilitate the contracted services thereunder.

Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Mervin Packineau moved to ratify Executive Order no. 2020-33:

WHEREAS, The Environmental Protection Agency ("EPA") has alleged that a number of construction sites throughout the Fort Berthold Indian Reservation owned or operated by the Tribe are discharging storm water without a National Pollutant Discharge Elimination System permit; and

WHEREAS, The EPA has offered to implement a "Compliance Assistance Plan" with the Tribe and its agencies, as an alternative to formal enforcement action, which the Tribe has determined appropriate to authorize.

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes approves and authorizes the Compliance Assistance Plan and directs all affected tribal agencies to implement and comply with the Plan.

Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Fred Fox oved to ratify Executive Order no. 2020-34:



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NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes hereby directs all bars and restaurants to limit capacity to 50% and to close all in-person service between 10:00 p.m. and 4:00 a.m. In addition, large scale venues are required to be limited to 25% capacity. This is a temporary closure mandate until otherwise directed.

Councilwoman Monica Mayer seconded the motion.

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

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 20-248-FWF entitled “*Approval of 33 (Thirty-Three) Applicants for Enrollment into the Three Affiliated Tribes*” Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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

Discussion: 16,765 total tribal members.

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

FY2021 (11/1/20- 11/30/20) November Monthly Collections Report: FY2021 YTD 25,836,046.00. COVID-19 Pandemic Impact Months Compared to Prior Year Monthly Collections (March-November: -88,345,310.00 Difference in Revenue.

FTR: *Chairman Mark N. Fox returned to the meeting and reassumed the chair of the meeting.*

Motion: Councilwoman Monica Mayer moved to approve a letter notifying all Alcohol venders/wholesalers within the Fort Berthold Indian Reservation of the



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upcoming suspension of the waiver of the licensing requirement to sell, distribute, and/or transport alcoholic alcohol to begin on December 31st, 2020 subject to Legal review.

Councilman Cory Spotted Bear seconded the motion.

Vote: 6- Ayes. 1- Not Present. 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 – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

Discussion: List of vendors (22) to be updated and verified. The effective date for reinstatement of the licensing requirements to be January 1st, 2021.

Motion: Councilwoman Monica Mayer moved to approve the presented Alcohol License applications:

- **Bison Room** – 4 Bears Casino & Lodge – New Town, ND – Food/Beverage – 2021-R-00015-2021-R-00016
- **Marina** – 4 Bears Casino & Lodge – New Town, ND – Food/Beverage - 2021-R-00011-2021-R-00012
- **Eagles Landing** – 4 Bears Casino & Lodge – New Town, ND – **Food/Beverage** - 2021-R-00013-2021-R-00014
- **Pocket Aces** – 4 Bears Casino & Lodge – New Town, ND – Food/Beverage - 2021-R-00009-2021-R-00010

Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 6- Ayes. 1- Not Present. 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 – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilman Fred Fox moved to approve the presented Business License Applications:

- **Buffalo Rock Feedyard** - Scott Simenson - Garrison, ND - Sales/Service - 2020-B-67.



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- **Yesenia's Concina** – Gustavo & Yesenia Saldana - New Town, ND - Food/ Beverage - 2020-B-68.

Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 1- Not Voting. 1- Not Present. 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 – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

X. UNFINISHED BUSINESS

A. Request for Range Land ROW & Retention of Interest from Estate³ – Ed Hall

Item deferred.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XI. NATURAL RESOURCES COMMITTEE – Councilman Cory Spotted Bear, Chairman

- A. Homesite(s)* - Texx Lone Bear, Natural Resources Director - Deferred**
B. Farm/Pasture Leases* - Diana Americanhorse, Realty Specialist Deferred
C. Fort Berthold Rural Water (FBRW)* – Pem Hall, Director
1) Cedar Henry Resolution Correction

Motion: Councilwoman Monica Mayer moved to approve resolution no. 20-249-FWF entitled “Cedar Henry Resolution Correction” subject to Legal review. Councilman Fred Fox seconded the motion.

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

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

D. 2020 Land Surveyor Requirement – Bureau of Indian Affairs

Item deferred.



E. Feed Lot Proposal– Scott Simonson

Item deferred.

F. Indian Business Grants - Ryan Wilson

Requesting \$150,000.00 appropriated from MHA Tribal Economic Stabilization Fund to create an emergency grant program for Indian owned retail businesses on the Ft. Berthold Indian Reservation. Proposed grant range 5,000-10,000 for rent costs, utilities, product costs, PPE, and market reintroduction of consumer's costs. This request represents less than 1% of the MHA award formula approximately (.75%). Submitted a draft resolution. Chairman Mark N. Fox would like to have a committee to oversee. Priority for businesses that didn't already receive Cares Act funding. Chairman Mark N. Fox would like a complete list for a total to determine the overall budget total. Would need to established committee to oversee. Will work with the CEO's Office to fine tune and return to Committee. A Care's Act spending deadline was noted and will work to get the deadline extended.

G. Native American Church (Allotment T1435) – Designation & Lease Resolutions

Item deferred.

H. Shell Creek Congregational Church Resolution/Lease

Item deferred.

XII. ENERGY COMMITTEE – Councilman Fred Fox, Chair

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

Item deferred.

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

FTR: Chairman Mark N. Fox stepped out of the meeting

Motion: Councilman Fred Fox moved to approve resolution no. 20-250-FWF entitled “Consent to Approval of a Right-of-Way across Tribal/and Allotment(s) 1793 and 1794 for the South Antelope Access Road Submitted by Targa Badlands LLC”. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 1- Not Voting. 1- Not Present. Motion carried.
Chairman Mark N. Fox – Not Voting



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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 20-251-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land Allotment(s) T1799E, T1799, T1799F, T1800, 871A, T2124, T3057, TAT Fee (S/2 of Section 32 T149N R92W) for the Whales Phase 4 Pipelines Submitted by Targa Badlands LLC.*” Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 20-252-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal/and Allotment(s) T962A, T1012A-A, TAT Fee land (S/2SE/4 of Section 26, T148N R94W and SW/4 of Section 25, T148N R94W) for the North Hector Pipelines Submitted by Targa Badlands LLC.*” Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 20-253-FWF entitled “*Consent to Approval of a Right-of-Way across Allotment(s) 1 069A for the Bear Ghost 31-4H Pipelines Submitted by Targa Badlands LLC.*” Councilwoman Monica Mayer seconded the motion.



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

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

Motion: Councilman Fred Fox moved to approve resolution no. 20-254-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal/and Allotment(s) (733A, 1979, 810A-B, 810A-A, T905A-A) for the Rim Rock Two Shields Butte 3-24 Project Submitted by McKenzie Electric Cooperative Inc.*” Councilwoman Monica Mayer seconded the motion.

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

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

XIII. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

A. North Segment Alliance Dissolution

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 20-255-FWF entitled “*Dissolution of North Segment Alliance*” subject to Legal review. Councilman Fred Fox seconded the motion.

Vote: 6- Ayes. 1- Not Present. 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 – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

B. Cheryl Gillette Home Purchase In Twin Buttes

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 20-256-FWF entitled “*Cheryl Gillette Home Purchase In Twin Buttes*” subject to Legal review. Councilman Fred Fox seconded the motion.



Vote: 6- Ayes. 1- Not Present. 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 – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

C. Jason Krueger Land Services Contract

Motion: Councilman Fred Fox moved to approve the Krueger Land Services Contract. Councilman Cory Spotted Bear seconded the motion.

Vote: 6- Ayes. 1- Not Present. 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 – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

D. Marilyn Young Bird Contract.

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

Vote: 6- Ayes. 1- Not Present. 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 – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

XIV. EDUCATION COMMITTEE – Councilman Cory Spotted Bear, Chair

A. Roychelle Morsette Travel Assistance

Children have to be driven every day to Beulah for schooling due to no bus service to the rural area.

Motion: Councilwoman Monica Mayer moved to approve \$3,500 in assistance. Councilman Fred Fox seconded the motion.



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

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

Discussion: Councilman Cory Spotted Bear's Office will process the request.

XV. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer

No Items.

XVI. HEALTH & HUMAN SERVICES COMMITTEE - Councilwoman Monica Mayer

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

Monthly report provided for the record that included; Administrative Activities, Budget, Financial, Grants, Safety & Risk Management Activities, CMO Monthly Report, COVID-19 Testing, Staffing, Recruitment, Provider reports, Dental, Optometry, Behavioral Reports, Physical Therapy, Pharmacy Program, Quality Care Complaints, & IT.

- **Dr. Guy Slann DPN Contract Renewal**

Contractor shall provide direct patient medical podiatric care, patient administrative and patient clinical duties for two days per calendar month.

Motion: Councilman Fred Fox moved to approve the Dr. Guy Slann. D.P.M Podiatrist contract renewal with a two year term. Councilwoman Monica Mayer seconded the motion.

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

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

B. Tribal Health*

Item deferred.



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C. Life & Limb* – *Alva Irwin, Grants & Donations Director* [HIPAA SENSITIVE]

Motion: Councilwoman Monica Mayer moved to approve requests numbers 1-8:

- 1) [W.S.] - Life and Limb
- 2) [V.Y.P.C] - Life and Life
- 3) [C.S.H.] - Life and Limb
- 4) [P.J.S] - Life and Limb
- 5) [T.A.] - Life and Limb
- 6) [B.K.] – Continued Travel Assistance
- 7) [W.G.B.] - Continued Travel Assistance
- 8) [D.J.] - Continued Travel Assistance

Councilman Fred Fox seconded the motion.

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

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

Discussion: Councilwoman Monica Mayer recommends verifying that EMHC cannot cover any of the costs. Requests 2, 4, & 5 are new. The Director is not recommending item #6-8 for approval at this time.

Motion: Councilwoman Monica Mayer moved to approve requests items # 9-13 for dental assistance:

- 9) [V.J.S.]
- 10) [S.J.H.]
- 11) [A.D.]
- 12) [C.B.W.]
- 13) [D.R.B.]

Councilman Cory Spotted Bear seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting



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Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

FTR: *No action on request #14 [D.H.]*

The program has been receiving financial requests from recovering addicts to attend after-care, counseling, etc. in Minot/Bismarck and has requested meeting schedules from the Parshall Resource Center and The Door to give to those who request assistance. Life and Limb was created for our tribal members who have life-long illnesses and require continuous medical care (such as Cancer, Heart Disease, Diabetes, Stroke etc.) The Director noted that Life and Limb is not for our tribal members who have conditions that are manageable and/or treatable and can lead to recovery (such as psoriasis, broken bones, edema, etc.). Meaning there should not be any tribal members approved for Life and Limb for only short-term. These Tribal Members can apply with Grants and Donations Medical Assistance.

D. Good Road Recovery Center* (GRRC) - Dashell Thunder, Acting Executive Director

- **Joshua Steel provider Contract Amendment (Modified contract to add hours).**

Motion: Councilman Fred Fox moved to approve amendment to the Joshua Steele contract to add hours but at the same rate. Councilwoman Monica Mayer seconded the motion.

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

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

- **Time & Half holidays missed in the last approval.**

Motion: Councilwoman Monica Mayer moved to approve GRRC to adopt the MHA Tribal Holiday Schedule. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Not Voting
Councilman Cory Spotted Bear – Aye



Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

E. N. M. Medical Bill [HIPAA SENSITIVE]

Requesting assistance with treatment (regenerative medicine/Hip) that insurance will not cover. Has undergone one treatment but wants to undergo one more treatment. \$16,500 for another stem cell treatment. Currently under Tribal Care. Eventually will require a double hip replacement.

Motion: Councilwoman Monica Mayer moved to approve \$16,500 to the vender. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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

Discussion: Pam Lewis to process request with North Segment Office follow-up.

F. G. P. Medical Bill

Elder with no insurance and I.H.S. denied at place of residence. Pam Lewis negotiated cost down to \$13,354.49 from \$18,252.93. Has since been signed up to Boon Insurance.

Motion: Councilman Fred Fox moved to approve payment of the G.P. medical bill. Councilwoman Monica Mayer seconded the motion.

Vote: 4- Ayes. 1- Abstention. 1- Not Present. 1- Not Present. Motion carried.

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

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



A. Tribal Court Report*

Item deferred.

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

Item deferred.

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

Item deferred.

D. Child Support – Allison Johnson, Director

Motion: Councilman Fred Fox moved to approve resolution no. 20-258-FWF entitled "Approval of Contract for Services between TAT Division of Child Support Enforcement and Access and Data Solutions, LLC" subject to Legal review. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Not Voting

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Aye

Councilwoman V. Judy Brugh – Not Present

Councilwoman Sherry Turner-Lone Fight – Aye

Discussion: Replace with Chairman as signatory.

Motion: Councilman Fred Fox moved to approve resolution no. 20-259-FWF entitled "Appointment of an Associate Judge — Child Support for The Fort Berthold District Court" subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 1- Not Present. 1- Not Present. 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 – Not Present

Councilwoman Sherry Turner-Lone Fight – Aye



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Motion: Councilman Mervin Packineau moved to approve resolution no. 20-260-FWF entitled "Approval of Contract for Services between TAT Division of Child Support Enforcement and Laboratory Corporation of America Holdings." subject to Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 1- Not Present. 1- Not Present. Motion carried.

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

Motion: Councilman Mervin Packineau moved to approve resolution no. 20-261-FWF entitled "Approval of Contract for Services between TAT Division of Child Support Enforcement and Systems & Methods Inc." subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 1- Not Present. 1- Not Present. Motion carried.

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

Motion: Councilman Mervin Packineau moved to approve the Thomson Reuters contract. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 1- Not Present. 1- Not Present. Motion carried.

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

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

No Items.

XIX. NEW BUSINESS – Tribal Councilman Add Ons



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

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- C. Councilman Cory Spotted Bear – Pre-K Assistance Policy**

Motion: Councilman Cory Spotted Bear moved to approve a Grants & Donations policy that would provide assistance for the cost of Pre-Kindergarten Education. Grant may be for up to 50% of the cost and not to exceed \$1000. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 6- Ayes. 1- Not Present. 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 – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

Discussion: It should be noted that this is not for day care. Chairman Mark N. Fox asked that Kathy Johnson (Grants & Donations-Education) develop a policy differentiating between Pre-K & Day Care.

TAT_20201210-1508_01d6cf064358e1fc.mp3

- D. Councilman Cory Spotted Bear – Pete Fredericks Lad Sale Amendment**
Amendment to purchase less acreage.

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 20-262-FWF entitled “*Amending Resolution No. 20-106-FWF*” [Pete Fredericks Land Sale]. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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

- E. Councilman Fred W. Fox – *Reserved***
- F. Councilman Fred W. Fox – *Reserved***

TAT_20201210-1548_01d6cf0bdf373c72.mp3

- G. Councilman Mervin Packineau – Comparative Market Analysis**



Motion: Councilman Mervin Packineau to approve utilizing Michelle Hoff for Comparative Market Analysis(CMA) in lieu of appraisals for Fee properties. Councilman Fred Fox seconded the motion.

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

H. Councilman Mervin Packineau – Reserved

TAT_20201210-1543_01d6cf0b2c360f22.mp3

I. Councilwoman Monica Mayer – Elder Home Care

Motion: Councilwoman Monica Mayer moved to approve resolution no 20-263-FWF entitled “*Approving Support and Collaboration With Home Instead Care Agency (“Home Instead”) and the North Dakota Department of Human Services (“NDDHS”)*” Councilman Mervin Packineau seconded the motion.

Vote: 6- Ayes. 1- Not Present. 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 – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

J. Councilwoman Monica Mayer – Reserved

TAT_20201210-1513_01d6cf06f749971a.mp3

K. Councilwoman V. Judy Brugh –Four Bears Utilities Building - Kelly Baker
Seeking assistance with demolition of the former tribal utilities building. More than 3 bids were taken with the lowest bid coming in at \$47.5K from C&J. Would like the Utilities department assist financially with the cost of the demolition in Dragswolf Village. Asbestos abatement would cost \$45K plus \$3,000 assessment fee by Total Control Inc. Total cost of the demolition would be \$92.5K. TAT Construction Management has been involved in the project. Chairman Mark N. Fox reminded the presenter that the bids need to be included in the payment documentation for the auditing purposes.



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Motion: Councilman Mervin Packineau moved to approve funding subject to procurement policy and verification of bidding process. Councilman Fred Fox seconded the motion.

Vote: 6- Ayes. 1- Not Present. 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 – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

TAT_20201210-1533_01d6cf09c546e4ae.mp3

L. Councilwoman V. Judy Brugh – Damon K. Williams Legal Contract

1 year contract to provide legal services to the Four Bears Segment in the following areas: special projects, legal document preparation and review, and providing legal advice on policy matters.

Motion: Councilman Fred Fox moved to approve the Williams One PLLC - Damon K. Williams contract for a term of one year. Councilman Cory Spotted Bear seconded the motion.

Vote: 5- Ayes. 1- Not Voting. 1- Not Present. 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 – Not Present
Councilwoman Sherry Turner-Lone Fight – Aye

M. Councilwoman Sherry Turner-Lone Fight – Reserved

N. Councilwoman Sherry Turner-Lone Fight – Reserved

XX. LEGAL DEPARTMENT – Tyra Wilkinson, MHA Supervising Attorney

Item deferred

XXI. CLOSED SESSION:

TAT_20201210-1713_01d6cf17ca6009da.mp3

- A. Human Resources (HR)* – Melissa Brady, Director**
- B. Legal – John Fredericks**
- C. Sal Beston**
- D. M.I.S Department Issues – Wayne Simpson, Director**
- E. Chase Probate**



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- F. West Segment – Councilwoman Sherry Turner-Lone Fight
- G. Elbowoods Memorial Health Center (EMHC) – Kathy Eagle, CEO
- H. Petition

XXII. ADJOURNMENT:

Motion: Councilwoman Monica Mayer moved to adjourn the meeting. Councilman Cory Spotted Bear seconded the motion. Meeting adjourned at 6:25pm.





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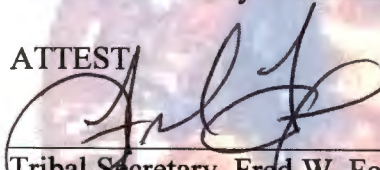
CERTIFICATION


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 14th of January, 2021; 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 14th day of January, 2020

ATTEST


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


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