



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
MARCH 10th, 2021 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 11:55 AM in the Tribal Chambers.

ROLL CALL:

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

OPENING PRAYER:

Delvin Driver Jr.

I. APPROVAL OF AGENDA:

Motion: Councilman Fred Fox moved to approve the agenda. 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

II. APPROVAL OF MINUTES:

- **2/11/2021 Regular Tribal Business Council Meeting minutes.**

Motion: Councilman Fred Fox moved to approve the 2/11/2021 Regular Tribal Business Council 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



III. SPECIAL GUESTS & ELDERS

No items.

EXECUTIVE COMMITTEE REPORTS

- TAT_20210310-1202_01d715a53744f050.mp3
- IV. CHAIRMAN'S REPORT - *Chairman Mark N. Fox*
Expressed condolences to all those families who recently lost loved ones. Expressed the importance of continued social distancing, wearing masks and sanitizing. Recent activities included continued work with the State on Taxes. Provided an update on the Cares Act & other relief grants. Addressed the moratorium on oil leases with the Biden Administration. Commended the White Shield Boys basketball team with victories in the District tournament and the outstanding accomplishments of Jess White reaching over 2,700 points scored (2nd all-time in ND history).

- V. VICE CHAIRMAN'S REPORT – *Councilman Cory Spotted Bear*

Item deferred.

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

Item deferred.

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

Item deferred.

- TAT_20210310-1212_01d715a69f1c72a6.mp3
- A. **Chief Financial Officer (CFO) Report*** – *Whitney Bell*
Submitted financial report to the TBC. Mid-year budget review next week.

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

Item deferred.

- TAT_20210310-1217_01d715a7522c3156.mp3
- C. **Small Loans*** – *Mary Ellen Sun, Lead Loan Officer*

Motion: Councilman Fred Fox moved to approve Group A Small Loans (11) subject to Loans Policy & 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
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

Discussion: Councilman Mervin Packineau requested J.R. [XXXXXX] be added and the value of vehicle to be used with the loan for the required collateral and the motion makers agreed.

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

Addressed

VIII. SEGMENT UPDATES:

A. North Segment – *Councilwoman Monica Mayer*

Item deferred.

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

Item deferred.

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

Item deferred.

IX. OFFICER REPORTS:

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

TAT_20210310-1232_01d715a96b57a460.mp3

1) Executive Orders*

Motion: Councilman Fred Fox moved to ratify Executive Action 2021-07:

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council authorizes the Chairman to execute the letter in support of Deb Haaland's nomination.

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



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
MARCH 10th, 2021 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

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

Motion: Councilman Mervin Packineau moved to ratify Executive Action 2021-08:

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council hereby appoints Robert Hunter, Sr., as the interim director of Veteran Affairs. **BE IT FURTHER RESOLVED**, That such a transfer shall include a transfer of his full benefits from his current tribal employment position **BE IT FURTHER RESOLVED**, That this appointment shall be presented to the full Tribal Business Council at the next meeting. **BE IT FINALLY RESOLVED**, That the Tribal Chairman is authorized to take such action as is necessary to carry out the terms and intent of this Executive Action.

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

2.) Organizational Chart

Requested amendments completed from discussion in Execution Committee that included the addition of the Public Safety Administrator & Health Administrator (previously additions included Transportation Administrator & Natural Resources Administrator) with a breakdown of which committees each department or program reports to. Verified input from Federal Programs Managers & Dept. contracting (Lenny Abrams) on 638 concerns.

Motion: Councilman Mervin Packineau moved to approve the interim Organizational Chart. Councilwoman Monica Mayer seconded the motion.

Discussion: A couple of the council members requested additional time to review and recommended authority for interim adjustments. Will return in closed session to give the TBC more time to review. CEO noted importance of including the GIS changes. Chairman Mark N. Fox recommended granting the CEO interim authority to restructure so as to address time sensitive issues.



Motion withdrawn.

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

Motion: Councilman Fred Fox moved to approve resolution no. 21-030-FWF entitled “*Approval of 28 (Twenty-Eight) 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 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: 16,737 total tribal members.

Motion: Councilwoman Monica Mayer moved to approve resolution no. 21-031-FWF entitled “*Approval of the Relinquishment of Lee Whirl Ross Enrollment Number 301U-07860 from Membership in the Three Affiliated Tribes.*” Councilman Mervin Packineau seconded the motion.

Vote: 4- Ayes. 1- Abstention. 2 Oppositions. Motion carried.
Chairman Mark N. Fox – Opposed
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Abstained
Councilwoman Sherry Turner-Lone Fight – Opposed

TAT_20210310-1252_01d715ac3953c360.mp3

3) Tax Department Report* – *Cynthia Monteau, Tax Commission Director & Stephanie Hall-Thomas, Compliance Officer*

Presented the March 10th Tax Report. Collections for the month of Feb. came in at \$18.9 million (Down \$8.5 million from Feb. 2020). COVID Collections: down \$11 million. Included Revenue reports, detailed State Oil & Gas Reports, Motor Vehicle collections & refunds, Alcohol Tax Revenue (Note: Increase in Alcohol Retailers), Included recent Legal correspondence from retailers. Councilwoman Monica Mayer requested a comparison report of the difference in tribal/county production & revenue impacts.

a) Alcohol Licenses



Motion: Councilwoman V. Judy Brugh moved to approve the Alcohol / Wholesale / Transporter license:

- The Rooster-Kenneth Danks – West Segment – New - Alcohol Retail Liquor/Beer.

Councilman Fred Fox 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

b) Business Licenses:

Motion: Councilwoman Monica Mayer moved to approve the following business licenses:

- Brandon Jones Welding – New – Welding.
- Screaming Eagle - Shawn Red Fox – North Segment – Renewal – Oilfield.
- Truesdell Corporation-Nancy Mackowiak – New – Construction.
- RimRock Oil and Gas - Jennifer Bland – New - Oil and Gas.
- The Rooster- Kenneth Danks – West Segment – New - Bar-Restaurant.
- Lunday Heating & Cooling Inc. – New – HVAC.

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

X. UNFINISHED BUSINESS

A. Land Sale – New Town, North Segment²_[NRC-]



Item deferred.

B. Reservation-Wide MOU³_[Judicial]

Item returned to Judicial Committee.

TAT_20210310-1302_01d715ada1547d32.mp3

C. Rescinding/Replacing 19-004-FWF "Community Schools Coordinator for the New Town Public School District # 1"_[Education] – *Amy Mossett, Education*

Director

Motion: Councilman Mervin Packineau moved to approve resolution no. 21-032-FWF entitled “*Authorization for Grant Funding Submission by Tribal Education Department for CTAS Purpose Area 9 – Tribal Youth Program*” 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 – Aye
Councilwoman Monica Mayer – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 21-033-FWF entitled “*Rescission of Resolution No. 19-004-FWF*” subject to Legal review. Councilwoman V. Judy Brugh seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting

TAT_20210310-1312_01d715af091e1e90.mp3

D. Administration American Vocational Rehabilitation Services Resolution –
*Jamie Hall*_[Health]

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 21-034-FWF entitled “*Tribal Business Council Approval of Application for the Rehabilitation Services Administration American Indian Vocational Rehabilitation*”



Services CFDA Number 84.250N" subject to Legal review. Councilman Fred Fox seconded the motion.

Vote: 5- Ayes. 2- 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 – Not Voting

E. Merging of the Three Affiliated Tribes Law Enforcement Services and the Appointment of Acting Chief of Tribal Law Enforcement-Resolution [Judicial]

Item deferred.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

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

TAT_20210310-1317_01d715afbc2046c6.mp3

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

Motion: Councilman Fred Fox moved to approve resolution no. 21-035-FWF entitled “*Approval of Home Site Leases and Utility Corridors for Home Sites-March, 2021*” [Charles Moran, Jr., Crystal Taylor, Sasha LaRocque, Jr., Quinn LaRocque, Lyle LaRocque, Victor Stevens, William Wells, III, Declan Jones, Tanya Fimbres] 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 – Aye
Councilwoman Monica Mayer – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

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

Motion: Councilman Fred Fox moved to approve the following resolutions:

- 21-040-FWF entitled “*Approval of Agricultural Lease for Anthony Vitko*”.
- 21-041-FWF entitled “*Approval of Agricultural Lease for Henry Almit Breuer*”.
- 21-042-FWF entitled “*Approval of Agricultural Lease for Blaine Fox*”.



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
MARCH 10th, 2021 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

- 21-043-FWF entitled “*Approval of Agricultural Lease for Donovan Dixon*”.
- 21-044-FWF entitled “*Approval of Agricultural Lease for Ethan White Calfe*”.
- 21-045-FWF entitled “*Approval of Agricultural Lease for Greta W. White Calfe*”.
- 21-046-FWF entitled “*Approval of Agricultural Lease for Austin Gillette*”.
- 21-047-FWF entitled “*Approval of Agricultural Lease for Wade Howard*”.
- 21-048-FWF entitled “*Approval of Agricultural Lease for Luke Spotted Bear*”.
- 21-049-FWF entitled “*Approval of Agricultural Lease for Nancy Vitko*”.
- 21-050-FWF entitled “*Approval of Agricultural Lease for Scott Simenson*”.
- 21-051-FWF entitled “*Approval of Agricultural Lease for Tom Breuer*”.
- 21-052-FWF entitled “*Approval of Agricultural Lease for Verlee K. White Calfe-Sayler*”.
- 21-053-FWF entitled “*Approval of Agricultural Lease for Weston Schettler.*”

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

TAT_20210310-1322_01d715b06f5e2e24.mp3

C. MWEC Secondary Transmission Line ROW (North Segment)

Motion: Councilman Mervin Packineau moved to approve resolution no. 21-036-FWF entitled “*Consent to Certain Rights of Way across Tribal land for the Mountrail-Williams Electric Cooperative – Secondary Transmission Line Project*” subject to 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

TAT_20210310-1322_01d715b06f5e2e24.mp3

D. 2021 Agricultural Lands Leasing Policy



Motion: Councilman Fred Fox moved to approve resolution no. 21-037-FWF entitled “*Agriculture Lands Leasing Policy*” subject to Legal review. 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

Discussion: North East segment requested \$45 for Indian Preference and not as high in White Shield.

TAT_20210310-1327_01d715b12342fcee.mp3

E. North Segment Land Use Resolution (160 acres)

Tribal Fee land just south of New Town for agricultural & future greenhouse development. Would need to be modified due to a Homesite in the acreage.

Motion: Councilman Mervin Packineau moved to approve resolution no. 21-038-FWF entitled “*North Segment Land Use Resolution*” subject to Legal review. Councilwoman Sherry Turner-Lone Fight 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_20210310-1332_01d715b1d64435b0.mp3

F. Four Bears Land Use Resolution (T549A)

Frontage area in from of the Tribal Building.

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 21-039-FWF entitled “*Four Bears Land Use Resolution (T549A)*” subject to 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

TAT_20210310-1337_01d715b2894180a0.mp3

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

Motion: Councilman Fred Fox moved to approve resolution no. 21-054-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*” [Twin Buttes Motel] subject to THPO concurrence. Councilwoman Monica Mayer seconded the motion.

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

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

XII. ENERGY COMMITTEE – Councilman Fred Fox, Chair

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

Enerplus completed acquisition of Bruin with 176 wells on the reservation and 40 employees with Point of contact still Josh Ruffo.

Item deferred.

TAT_20210310-1337_01d715b2894180a0.mp3

B. ROW's* – Paul Grady & Harriette Clah

1) QEP Buffalo 10-6 URD Line Project

Motion: Councilman Fred Fox moved to approve resolution no. 21-055-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (2217, T2215-B, T2214, T 2256) submitted by McKenzie Electric Cooperative Inc.*” subject to THPO concurrence. Councilman Mervin Packineau seconded the motion.

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

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



Councilwoman Sherry Turner-Lone Fight – Aye

2) XTO Smith North URD Line Project

Motion: Councilman Fred Fox moved to approve resolution no. 21-056-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (T602A and T603A) submitted by McKenzie Electric Cooperative Inc.*” subject to THPO concurrence. Councilman Mervin Packineau seconded the motion.

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

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

3) Bruin Belford Yale Project

Motion: Councilman Fred Fox moved to approve resolution no. 21-057-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (2248, T2006-A, T2101-C, T2006) submitted by McKenzie Electric Cooperative Inc.*” subject to THPO concurrence. Councilman Mervin Packineau seconded the motion.

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

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

4) Mandaree Water Intake Line Rebuild Segment 1 Project

Motion: Councilman Fred Fox moved to approve resolution no. 21-058-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal lands (1083A and T664A) submitted by McKenzie Electric Cooperative Inc.*” subject to THPO concurrence. Councilman Mervin Packineau seconded the motion.

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

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



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

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

TAT_20210310-1347_01d715b3f132afda.mp3

A. Dr. Joy Froelich Contract with Good Road Recovery Center (GRRC)

Motion: Councilman Fred Fox moved to approve contract and grant authority for Chairman Mark N. Fox to negotiate and sign contract subject to Legal review. Councilman Mervin Packineau seconded the motion.

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

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

- B. WIPFLI Engagement Letters**
- C. Davis Strategy Group Contract Amendment**
- D. Circling Eagle Law Tribal Code Contract Renewal**
- E. MSU Drum Group Financial Request**
- F. Laptop Request /Harry Sitting Bear**
- G. Michael Yellowbird Book Proposal**
- H. SAMHSA Grant Application Resolution**
- I. Trauma Informed Care & Practice Contracts**
- J. Tribal Homeland Security Grant Resolution – EOC**
- K. Building Code Resolution**
- L. THPO Consultant Contract**

Pemina Yellow Bird for 20 hours/wk.

Motion: Councilman Fred Fox moved to ratify Executive Committee Actions B.-L. except J. Councilman Mervin Packineau seconded the motion.

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

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



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
MARCH 10th, 2021 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

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

FTR: SAMHSA Tribal Opioid Response Resolution received resolution no. 21-061-FWF.

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 21-059-FWF entitled “*Authority For The MHA Emergency Operations Center to Seek on Behalf of MHA Nation the FEMA Tribal Homeland Security Grant Program (THSGP) for Fiscal Year 2021.*” Councilwoman Monica Mayer seconded the motion.

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

Discussion: Three year grant with no cost share.

XIV. EDUCATION COMMITTEE – *Councilman Cory Spotted Bear, Chair*
No Items forwarded

XV. ECONOMIC DEVELOPMENT COMMITTEE - *Councilwoman Monica Mayer*

[PDF: 20210310-1357_01d715b5574f7e82.mp3](#)

A. MHA Interpretive Center – *Delphine Baker, Director*

Project update. Moving into the facility by the end of March with a May 19th Grand Opening. \$30,000 agreement with Justin Deegan to produce an additional 15 minutes video production from the budget on the development of the project. Contract is under Legal review.

FTR: Chairman Mark N. Fox stepped out of the meeting & Councilman Fred Fox assumed the chair.

Motion: Councilwoman V. Judy Brugh moved to approve Justin Deegan contract subject to Legal review. Councilwoman Monica Mayer seconded the motion.

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



Councilwoman Sherry Turner-Lone Fight – Aye

TAT_20210310-1412_01d715b772459c10.mp3

B. MEC – Clarence O’Berry

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

Motion: Chairman Mark N. Fox moved to approve resolution entitled “*MEL Owner Exclusion for LTSS JV Contract*”

Discussion: Councilwoman Sherry Turner-Lone Fight had serious concerns with the history of this company using the Mandaree name and never bringing anything back to the community. It was recommended that the company change its name. Recommended that Mr. O’Berry meet with the community board.

Motion failed for seconded.

Motion: Councilwoman V. Judy Brugh moved to return to committee. Councilwoman Monica Mayer seconded the motion.

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

Discussion: Chairman Mark N. Fox recommended that the Mandaree name be changed because they don’t contribute back to the community.

Motion: Councilman Mervin Packineau moved to approve resolution no. 21-061-FWF entitled “*Delegation of Authority to the Board of Directors of Mandaree Enterprises, LLC to Issue Limited Waivers of Sovereign Immunity of the Subsidiaries of Mandaree Enterprises, LLC and Businesses Entities Owned by Such Subsidiaries*” subject to Legal review. Councilwoman V. Judy Brugh seconded the motion.

Vote: 3- Ayes. 2- Opposition. 2- Not Voting. Motion carried.
Chairman Mark N. Fox – Not Voting
Councilman Cory Spotted Bear – Not Voting
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Opposed



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

XVI. HEALTH & HUMAN SERVICES COMMITTEE - Councilwoman Monica Mayer

TAT_20210310-1437_01d715baf43001fe.mp3

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

1) Cosmetic Services Dental Policy

Item deferred.

B. Tribal Health*

Item deferred.

TAT_20210310-1437_01d715baf43001fe.mp3

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

Motion: Councilwoman Monica Mayer moved to approve items A-D Life & Limb requests:

- L.K. [XXXXXX]
- A.L.[XXXXX]
- M.B.W.[XXXXX]
- T.R.B.[XXXXX]

Councilwoman V. Judy Brugh seconded the motion.

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

Chairman Mark N. Fox – Not Voting
Councilman Cory Spotted Bear – Not Present
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 Monica Mayer moved to approve the following Assistance Requests E-M (9) for the presented amounts:

- C.E.M.[XXXXX]
- T.S.[XXXXX]
- T.W.[XXXXX]
- M.F.[XXXXX]
- L.P.[XXXXX]
- D.M.S.[XXXXX]
- E.W.C.[XXXXX]



- R.S.[XXXXX]
- R.B.[XXXXX]

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

Discussion: #1 - L.P. [XXXXXX] 52K item to be reviewed by Boon Insurance to bring the cost down.

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

Item deferred.

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

TAT_20210310-1447_01d715bc5a4ce7c6.mp3

A. Tribal Court Report* - Elizabeth Yellow Bird & David Christenson, Chief Judge
Submitted report for the record.

Motion: Councilwoman V. Judy Brugh moved to approve 5-month contract for an additional Conflict Attorney. 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 – Not Present
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

Discussion: El Marie Conklin.

Motion: Councilwoman V. Judy Brugh moved to approve the addition of Wellness Court Coordinator & Case Manager positions to the FBDC budget and the advertisement of the positions. Councilman Mervin Packineau seconded the motion.



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
MARCH 10th, 2021 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

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

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

Discussion: Position is in the budget.

TAT_20210310-1513_01d715bdc4d5992.mp3

B. TAT Law Enforcement Report* - Marty Foote, Acting Chief of Police

February Report submitted for the record. Noted three overdoses last month which is down. Starting a new Data Clerk. One returning officer. Expressing the need for housing in the segments. 16 total officers on the road. (2-Temp Status) Goal is to have 6 officers per segment.

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

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

TAT_20210310-1457_01d715bdc15bb374.mp3

A. Sundance Request – T.J. Plenty Chief

Councilwoman V. Judy Brugh recommended a flat \$10,000 grant to each sun dance with a reporting requirement by turning in receipts. Attorney John Fredericks noted that a resolution was already in place that would need to be amended.

FTR: Chairman Mark N. Fox returned assumed the chair

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 21-061-FWF entitled “Amending Resolution 14-093-VJB, Approving Funding in Support of Sundance Ceremonies and Other Religious Organizations” subject to Legal review



& amending resolution. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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

A. Chairman Mark N. Fox- *Reserved*

B. Chairman Mark N. Fox – *Reserved*

TAT_20210310-1808_01d715d863648cda.mp3

C. Councilman Cory Spotted Bear – Contract Support

Seeking approval to select from three bids to add garages to the South Segment Earth Lodge Model Round homes. Lowest bid for \$196,280 or around \$40,000/garage unit from South Segment funding.

FTR: Councilman Fred Fox left the meeting.

Motion: Councilman Mervin Packineau moved to accept the bid & approve contract to build garages for the Round House (Living Stone Lodge Model) from South Segment funding. Councilwoman V. Judy Brugh seconded the motion.

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

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

TAT_20210310-1808_01d715d863648cda.mp3

D. Councilman Cory Spotted Bear – 2021 Rural Business Development Grant

South Segment is applying for a grant from the USDA, the 2021 Rural Business Development Grant, to support the development and construction of a building to house the Maaskuhe – Twin Buttes Honey business. The amount to be requested from the USDA is \$250,000, with South Segment providing a match of \$250,000 for a total requested amount of \$500,000.



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
MARCH 10th, 2021 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 21-065-FWF entitled “2021 Rural Business Development Grant Application”. Councilman Mervin Packineau seconded the motion.

Vote: 5- Ayes. 2- Not Present. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Not Present
Councilman Fred Fox – Not Present
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

TAT_20210310-1508_01d71561292d28ce.mp3

E. Councilman Fred W. Fox – Tony Moran

Participating in a Half Iron man competition. Each TBC member present agreed to a \$500 sponsorship from each from their segment funds.

F. Councilman Fred W. Fox – Reserved

G. Councilman Mervin Packineau – Justin Racine

Addressed in Small Loans.

H. Councilman Mervin Packineau – Healing Horse Ranch Update - Jim Baker, Supervisor.

Mr. Baker is the Supervisor at the Healing Horse ranch and provided the update. Healing Horse4 is currently providing riding lessons during the week and excited to get activities back on track. Hess approached the ranch to collaborate on a grant in 2019 and was award \$27,000. The ranch was approached again and received another grant & acknowledged Hess for their support.

I. Councilwoman Monica Mayer – Reserved

J. Councilwoman Monica Mayer – Reserved

K. Councilwoman V. Judy Brugh – Reserved

L. Councilwoman V. Judy Brugh – Reserved

TAT_20210310-1523_01d715c14349cbe8.mp3

M. Councilwoman Sherry Turner-Lone Fight – Attorney Agreement

John Mahoney Contract for West Segment with a flat rate of \$4,000/month & settlement of bills from the previous administration.

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve John Mahoney retainer agreement subject to Legal review & settlement. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6- Ayes. 1- Not Present. Motion carried.
Chairman Mark N. Fox – Aye



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
MARCH 10th, 2021 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

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

Discussion: Tyra Wilkinson & John Fredericks to review retainer agreement and recommended editing language stating that the agreement is with the Three Affiliated Tribes but working for the West Segment & language that the attorney will not take a position contrary to the Tribe's positions.

N. Councilwoman Sherry Turner-Lone Fight – Mandaree School – Kelly Bradfield & Tara Thomas, Superintendent [see **Closed Session**]

XX. LEGAL DEPARTMENT – Tyra Wilkinson, MHA Supervising Attorney

Item deferred.

XXI. CLOSED SESSION:

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

B. Insurance Policy Discussion [Health-Maxon Item]

C. Legal* – John Fredericks

D. Section 17 Discussion - Councilwoman Sherry Turner Lone-Fight^[ENERGY]

E. THPO Repatriation Recommendations - Mary Baker, Interim Director^[Executive]

F. THPO/Energy - Mary Baker, Interim THPO Director & Kenny Lyson, Energy Director.

G. Connie Azure Medical bill Update- Pam Lewis

H. Self-Funded Insurance Report – Charity Yessilth

I. Councilwoman Sherry Turner-Lone Fight – Mandaree School – Kelly Bradfield, Board President & Tara Thomas, Superintendent

XXII. ADJOURNMENT:

Motion: Councilman Mervin Packineau moved to adjourn the meeting.

Councilwoman V. Judy Brugh seconded the motion. Meeting adjourned at 6:16PM.
5-0-0.



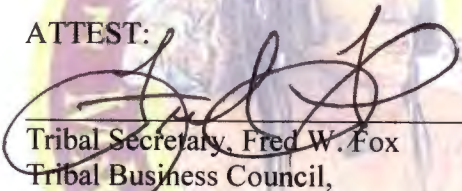
CERTIFICATION

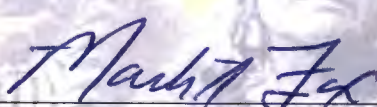
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 6 were present at the Regular Meeting thereof duly called, notice, convened and held on the 4th of April, 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 () Voting () Not Voting

Dated this 4th day of April, 2021

ATTEST:


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


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