



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
DECEMBER 15th 2021 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

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

CALL TO ORDER:

Chairman Mark Fox call the meeting to order at 11:48 AM.

ROLL CALL:

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

OPENING PRAYER:

Carol Enno

I. APPROVAL OF AGENDA:

Motion: Councilman Fred Fox seconded the motion. 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

II. APPROVAL OF MINUTES:

- **11/16/2021 Regular Meeting Minutes.**

Motion: Councilman Mervin Packineau moved to approve the 11/16/2021 Tribal Business Council minutes subject to minor corrections. 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

III. SPECIAL GUESTS & ELDERS

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A. **Parshall High School Close Up Request.**

The Close Up Trip in spring of 2022 will take students from Parshall to Washington D.C & New York. There they will meet with other students and leaders of federal and tribal governments, as well as participate in a Mock Congress and visit many historical sites and museums. Honor Society Members are students at Parshall High School that have a minimum of 3.25 cumulative GPA, and references in character and leadership. During the school year they lead charity events, work in the school coffee shop and act as an example to their peers. Honor Society students are working in the coffee shop to raise money, as well asking local business and community leaders to support this once in a life-time trip. Total Cost of the trip is \$26,859.

Motion: Councilman Mervin Packineau moved to approve a donation of \$16,500. Councilwoman Monica Mayer 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

EXECUTIVE COMMITTEE REPORTS

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

Provided overview of recent activities and upcoming events: such as Law Enforcement Conference, White Shield Grand Opening of the Community Center, Hosted meeting with Mountrail-Williams Electric to discuss gas capture to produce hydrogen, MRR meeting, Governor's Cabinet meeting & one on one meeting with the Governor, Interviews expressing concerns over the Teddy Roosevelt statue placement at his Presidential Library to insure proper prospective, Meetings concerning new diabetes technology, NAFSA Board meeting, Tribal Energy Alliance meeting. Upcoming Community Christmas events, Elders Distribution & food & gifts from the Event



Center, Elder distribution increase to \$2,500 each, General Distribution mailing out tomorrow for close to 17,000 members, TAT Employee Christmas event, NHSC & UTTC Graduations. Encouraged all to get their vaccinations/booster shots & continue social distancing & mask wearing, Tribe continues at an elevated level of response to the pandemic & new variant.

V. **VICE CHAIRMAN'S REPORT** – *Councilman Cory Spotted Bear* – Wished everyone a happy holidays and condolences those in morning. Community Christmas curbside gift & meal pickup.

VI. **EXECUTIVE SECRETARY'S REPORT** – *Councilman Fred Fox* – Expressed condolences those in morning. Community Christmas curbside gift & meal pickup.

FTR: Councilwoman V. Judy Brugh joined the meeting.

VII. **TREASURER'S REPORT** - *Councilman Mervin Packineau*
A. **Chief Financial Officer (CFO) Report*** – *Whitney Bell*

Item deferred.

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

Motion: Councilman Fred Fox moved to approve the presented home mortgage (1) subject to Loans Policies & Recommendations. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6- Ayes. 1- Abstention. Motion carried.

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Abstained

Councilwoman Monica Mayer – Aye

Councilwoman V. Judy Brugh – Aye

Councilwoman Sherry Turner-Lone Fight – Aye

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

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve Group A(20): 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
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilman Cory Spotted Bear moved to approve Alyssa Starr small loan 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

D. Four Bears Casino Report* – *Spencer Wilkinson, Scott Wilson, General Manager*

Item deferred.

VIII. SEGMENT UPDATES:

A. North Segment – *Councilwoman Monica Mayer*

Happy Holidays to all MHA members. Also encouraged all to get their vaccinations/booster shots.

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

Thanked all those that attended their recent Christmas even and expressed condolences to those mourning the loss of loved ones.

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

Expressed condolences those in morning. Community Christmas curb-side gift & meal pickup. Parade of Lights & prizes.



IX. OFFICER REPORTS:

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

1) Executive Orders*

Motion: Councilwoman V. Judy Brugh moved to ratify Executive Action EA-43:

WHEREAS, The Casino requested a modification of the terms of the loan in light of the COVID-19 disruption; and WHEREAS, The Casino proposed that the loan be modified to a fifteen (15) year term with a interest rate of 0.8841988 percent; and WHEREAS, Interest which had accrued since March of 2020 was added to the amount due on the loan; and WHEREAS, The first payment under the new terms was due, and was paid, on October 1, 2021; and WHEREAS, \$33,528,023.00 remains due on the loan after the October 1 payment; and WHEREAS, An agreement evidencing the modification of the note is attached as Exhibit A; and WHEREAS, The note will be paid of in 2036; and WHEREAS, The Casino is currently undergoing an audit and the auditors require written verification of the loan modification. NOW THEREFORE BE IT RESOLVED, The Tribal Business Council confirms modification of the Casino loan in accordance with the above-described terms.

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 – 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

Motion: Councilwoman V. Judy Brugh moved to ratify Executive Action EA46:

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes, through the Executive Action procedure, authorizes and approves of Daisy's Cleaning Services, LLC's business license application. The Business Owner's name is Lizette Alvarez, located at 7250 38th S1. NW #35, Parshall, NO 58770.

Councilwoman Sherry Turner-Lone Fight seconded the motion.

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



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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

Motion: Councilman Cory Spotted Bear moved to ratify Executive Action EA-47:

WHEREAS, The Tribe owns land in Las Vegas, NV; and WHEREAS, The Tribe previously allowed the filming of American Ninja Warrior on the property; and WHEREAS, The production company behind American Ninja Warrior have approached the Tribe to film the show on the property again; and WHEREAS, An agreement to allow use of the land has been proposed; and WHEREAS, The Tribe's legal counsel has reviewed and approved the agreement; and WHEREAS, Authorizing the Tribal Chairman to execute the agreement is necessary. NOW THEREFORE BE IT RESOLVED, The Tribal Business Council authorizes the Tribal Chairman to execute the agreement. 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 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

Motion: Councilman Fred Fox moved to ratify Executive Action EA-48:

NOW, THEREFORE, BE IT RESOLVED, That, pursuant to its Constitutional power and authority, and through the Executive Action procedure, the Tribal Business Council of the Three Affiliated Tribes hereby approves the attached Consultant Contract between White Shield (East) Segment, Three Affiliated Tribes and Blue Water Designs, Inc. BE IT FURTHER RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby approves and



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appropriates the \$30,000.00 expenditure of Tribal funds from the Fiscal Year 2022 White Shield (East) Segment budget for the payment of the funds in accordance with the terms of the Contract. BE IT FINALLY RESOLVED, That the Tribal Chairman and the White Shield (East) Segment Representative are hereby authorized to execute the aforementioned Contract and take such further action as is necessary to carry out the terms and intent of this Executive Action.

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

Motion: Councilman Fred Fox moved to ratify Executive Action EA-49:

NOW, THEREFORE, BE IT RESOLVED, That, pursuant to its Constitutional power and authority, and through the Executive Action procedure, the Tribal Business Council of the Three Affiliated Tribes hereby approves the attached Consultant Contract between White Shield (East) Segment, Three Affiliated Tribes and Apple Environmental Inc.; and BE IT FURTHER RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby approves and appropriates the \$7,228.00 expenditure of Tribal funds from the Fiscal Year 2022 White Shield (East) Segment budget for the payment of the funds in accordance with the terms of the Contract; and BE IT FINALLY RESOLVED, That the White Shield (East) Segment Representative and the Tribal Chairman are hereby authorized to execute the aforementioned Contract and take such further action as is necessary to carry out the terms and intent of this Executive Action.

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



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

Motion: Councilman Fred Fox moved to ratify Executive Action EA-50:

NOW, THEREFORE, BE IT RESOLVED, That, pursuant to its Constitutional power and authority, and through the Executive Action procedure, the Tribal Business Council of the Three Affiliated Tribes hereby approves the attached Contractor Construction Agreement Between Ree Lodge Management Program of the White Shield (East) Segment of the Three Affiliated Tribes and TSK Construction; and BE IT FURTHER RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby approves and appropriates the \$10,320.00 expenditure of Tribal funds from the Fiscal Year 2022 White Shield (East) Segment budget for the payment of the funds in accordance with the terms of the Contract; and BE IT FINALLY RESOLVED, White Shield (East) Segment TBC Representative on behalf of the White Shield Segment, Chris Everett on behalf of RLMP, and the Tribal Chairman are hereby authorized to execute the aforementioned Contract and take such further action as is necessary to carry out the terms and intent of this Executive Action.

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

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

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 21-255-FWF entitled “*Approval of 49 (Forty-Nine) Applicants for Enrollment into the Three Affiliated Tribes*”. 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

Discussion: 16,942 total living members.

b. Tate Mathews

Item deferred.

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

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve the presented Alcohol Licenses:

- **Superpumper #80143**(Van Hook Travel Center) - Danny Armstrong - NewTown, ND - Liquor/Beer Retail License – New.
- **Beck-Sherven Post #290 American Legion** - David Siira - New Town, ND - Liquor/Beer Retail License – Renewal.
- **4 Bears Casino & Lodge Pocket Aces Lounge** - MHA Systems Inc. - New Town, ND - Liquor/Beer Retail License – Renewal.
- **4 Bears Casino & Lodge Marina & Yacht** - MHA Systems Inc. - New Town, ND - Liquor/Beer Retail License – Renewal.
- **4 Bears Casino & Lodge Eagles Landing** - MHA Systems Inc. - New Town, ND - Liquor/Beer Retail License – Renewal.
- **4 Bears Casino & Lodge Bison Room** - MHA Systems Inc. - New Town, ND - Liquor/Beer Retail License – Renewal.

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: Councilwoman V. Judy Brugh moved to approve the presented Business Licenses:

- **Daisy's Cleaning Services, LLC** - Lizette Alvarez – FBIR - Cleaning/Residential & Commercial – New.
- **Stellar Field Services Inc.** - Cheryl Massey – FBIR - Oilfield Services – Renewal.
- **Q's Kitchen** - Suzanne Styren – FBIR - Mobile Food Truck – Renewal.
- **C&J Construction** - Curtis Danks - West Segment - Construction & Services Renewal.
- **Superpumper #80143** - Danny Armstrong – FBIR - Convenience Retail Store/Motor Fuel – New.

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

X. UNFINISHED BUSINESS

A. South Segment – Dennis Huber²[NRC]

Item deferred to NRC.

B. Home Site Lease Modification Resolution² [NRC]

Item deferred to NRC.

C. ND Highway 73 Safety Project – Roger White Owl

Item deferred to NRC.

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D. Emergency Feed Budget

Previously aided in the amount of \$500,000 (\$250K-feed & \$250K for hay).
Requesting additional funds and extension of the project.



Motion: Councilman Cory Spotted Bear moved to approve \$300,000 additional funding and program extension. 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: Lloyd Charlie Vigen is the contact.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XI. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

A. Ratification of 12/3/2021 Executive Committee Actions.

- **Rusty Gillette Contract Renewals.**
- **NIGA Membership Renewal & Delegates.**
- **State Historical Society of ND Membership Request.**
- **Agridime Cattle Opportunity**(Subject to further review)
To be added to the budget with contract.
- **R. B. Medical Bill Payment**(Subject to further review)
- **FBRW Overtime Request**
- **Josh Seil Contract with MHA Recovery Services.**
- **Harmony Stables Contract with MHA Recovery Services.**
- **EOC-MHA Nation General Evacuation and Lockdown Policy and Procedures.**
- **State of North Dakota Cybersecurity MOU**
- **HighPoint Networks MSA**
- **EMHC-NDSU Vaccination Project**
- **EMHC-DataTrak Contract**
- **Casino Employee Vaccine Incentive**

Motion: Councilman Mervin Packineau moved to ratify the presented Executive Committee Actions: 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

B. EOC-Enbridge Safe Communities First Response Grant Application Approval Resolution

Motion: Councilman Fred Fox moved to approve resolution no. 21-256-FWF entitled “*Enbridge Safe Communities First Response Grant Application Approval*” 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

XII. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer,
Chair

XIII. HEALTH & HUMAN SERVICES COMMITTEE - Councilwoman Monica Mayer,
Chair

A. Tribal Health Update* - Jared Eagle, Health Administrator
1) Report

Item deferred.

B. Life & Limb*– Trudy Old Crane, Interim Director [HIPPA SENSITIVE]

Motion: Councilwoman Monica Mayer moved to approve the following Life & Limb requests:



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- E.P.C. [XXXXXX] to be placed on Life & Limb program.
- CL.B. [XXXXXX] to be placed on Life & Limb program.
- J.F. [XXXXXX] to be placed on Life & Limb program.
- L.L. [XXXXXX] to be placed on Life & Limb program.
- D.C. [XXXXXX] to be placed on Life & Limb program.
- A.R.G. [XXXXXX] to be placed on Life & Limb program.
- C.J.F. [XXXXXX] to be placed on Life & Limb program.
- C.W. [XXXXXX] to be placed on Life & Limb program.
- R.D. [XXXXXX] to be placed on Life & Limb program.
- S.S. [XXXXXX] to be placed on Life & Limb program.
- N.C. [XXXXXX] to be placed on Life & Limb program.

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: Councilwoman Monica Mayer moved to approve Financial Requests:

- T. B. [XXXXXX] assistance to pay for orthodontic costs \$5,550.00
- D.H.E. [XXXXXX] 70 assistance to pay for medical costs \$1,689.89
- C.S. [XXXXXX] assistance to pay for Orthodontic costs \$6,740.00
- N.S. [XXXXXX] assistance to pay for Orthodontic costs \$6,740.00
- A.G. [XXXXXX] assistance to pay for Orthodontic costs \$3,595.00

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



C. Good Road Recovery Center (GRRC) Update*- Dr. Joy Froelich

Item deferred

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D. Health Insurance – B.F.

B.F. [XXXXXX] is requesting reimbursement of \$872 or bill going to collections from BC/BS for dental service for children.

Motion: Councilman Cory Spotted Bear moved to approve payment \$875 (\$872.59) to vender. 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: Councilwoman Monica Mayer office to process.

E. Dental Request R. D.

[XXXXXX]

Addressed by Grants & Donations Office

TAT_20211215-1329_01d7f1b7c1b837c2

F. Tribal Health Insurance – Charity Yessilth, Director, & Pam Lewis

Pam Lewis (Boon Insurance) provided report on Sober Living cost & effectiveness over 20 months. Submitted report on top 10 facilities and cost. Workshop planed on Friday for flow chart with every going through GRRC. \$145K spent on sober living. Councilwoman Monica Mayer noted that she asked the presenters to develop the report for the TBC. Report provided on member Health Insurance and transition from Boon through an Administrative Services Agreement for the run-out period. Further discussion of the cost of MyHealthPass.

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

TAT_20211215-1314_01d7f1b5b5ccfade

A. Tribal Court Report* - Elizabeth Yellow Bird & David Christenson, Chief Judge

1) Report



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Report submitted. Continue to provide services to MHA nation and public with consideration given to COVID protocol 2) FBDC has 33 full time staff (are under contract); a Bailiff was submitted to TBC for hire; the Building manager applicant is waiting on documentation for transfer to the Court. A Wellness Court Recovery Coach, 2 Deputy Clerks and one Adult Probation officer are being requested to be advertised. A new Business Manager has been hired temporarily, we will be submitting paperwork for permanency. Our primary goal for December is to provide services to the people of the community and to protect the health of the judges, court staff, and litigants the best way we can. A new Building Manager will begin at the Court sometime in December and we will begin working on maintenance concerns for the Court. Regarding maintenance, we are waiting on scheduling for the intercom/alert phone system. The Wellness Court continues as a priority. The Wellness Court meets every Thursday, and the Wellness Court Steering Committee meets once per month. Verdell has submitted a report that lets you know of the updates in the Wellness Court. Dr. Tami DeCoteau did an excellent presentation regarding grief to the Wellness Court. The Court continues to address COVID 19 epidemic and will continue enforcing the mask mandate because of the Delta virus. The Court is now sending emails to all our staff regarding the mandatory vaccination memo. The Court will be screening all public and staff who work in the building, face covering for everyone, and regular cleaning and sanitizing this facility and practicing social distancing. We continue working with our court clerks and their duties and responsibilities; a recent FullCourt training was excellent and the clerks are busy implementing all the updates. There will be a separate training on imaging that the Justice Systems has not scheduled yet. The Court continues to work on our own Policies and Procedures Manual. A draft has been completed and was sent to the Justice Commission for review and approval, we are waiting on the next scheduled meeting. The Court sent the CEO the manual for review and is waiting on approval. The Court continues to work on holding court in some of the segments. One of our Judges is working on setting them up and doing brochures and educational materials to hand out. We will need to make sure that the Court areas are safe and secure for the court sessions. At the request of the Judicial Committee, the Court continues to research more training for Court staff. The Court continues to meet once per month with the Justice Center, PD and the Court (Public Safety Meeting) to review any issues. These have been very good meetings and lets all departments know any issues or concerns and updates. The next meeting is scheduled for December 15th. The Court also continues regular meetings with the Justice Commission and most recently Social Services. Justice Systems, the office that is contracted to do the FullCourt system, met with the Court from November 30th to December 3rd. The training was excellent and the staff learned many new things about our FullCourt2 system. We will be having a staff meeting and separate clerks meeting to get caught up on all the new



applications that we can perform on FullCourt. The Prosecutors office remains very busy with several new staff who were appointed by the Legal department. We continue to work on updating forms the court uses in the manual and on our website. The Court is working on adding an educational component (maybe a newsletter) to our website with more specific information about the Court and its processes.

NOTE: Find resolution that authorized reducing sentence by 5% -30% with good behavior. Gave the Administrator authority and more if Judge concurred. Chairman Mark Fox, Councilman Mervin Packineau were on council. (5-141-NH)

2) Judge Seaworth Compensation

Judge Mary Seaworth contract, the contract ended in October of 2021, TBC extended the contract until December. The Court requests payment of \$17,470.56 for Judge Mary Seaworth as compensation as Acting Chief Judge.

Motion: Councilwoman V. Judy Brugh moved to approve a 90-day contract extension for Mary Seaworth while the Associate Judge position is in recruitment. Councilwoman Sherry Turner-Lone Fight 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 – Not Voting
Councilwoman Monica Mayer – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

Motion: Councilwoman V. Judy Brugh moved to approve compensation for Associate Judge Mary Seaworth while acting as Chief Judge. Councilwoman Sherry Turner-Lone Fight 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 – Not Voting
Councilwoman Monica Mayer – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye



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

Item deferred.

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

Item deferred.

D. Child Support – Alison Johnson, Director

1) Negotiated Rate for Genetic Testing Resolution

Motion: Councilwoman Monica Mayer moved to approve resolution no. 21-260-FWF entitled "Approval of Negotiated Rate for Genetic Testing, such services provided by Laboratory Corporation of America Holdings for Child Support Matters." Councilwoman V. Judy Brugh seconded the motion.

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

2) Appointment of an Associate Judge – Child Support Resolution

Motion: Councilwoman Monica Mayer moved to approve resolution no. 21-261-FWF entitled "Appointment of an Associate Judge -Child Support for The Fort Berthold District Court." Councilwoman V. Judy Brugh seconded the motion.

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



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

No Items

XVI. EDUCATION COMMITTEE – *Councilwoman Monica Mayer, Chair*

No Items

XVII. NATURAL RESOURCES COMMITTEE – *Councilman Cory Spotted Bear, Chair*

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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 21-257-FWF entitled “December 2021 Home Site Leases and Utility Corridors.” [Jenna Johnson, Georgianna E. Smith & Elizabeth Tikanye] Councilwoman V. Judy Brugh seconded the motion.

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

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

Item deferred.

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

Item deferred.

D. Request for Surveying Services.

Request for Qualifications for Engineering services. Homesite surveys & partitionments.

Motion: Councilwoman Monica Mayer moved to approve RFP for services. Councilman Fred Fox seconded the motion.



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

E. Brianna Jo Foote – Land Purchase, North Segment

Item deferred

TAT_20211215-1409_01d7f1bd6d93202e

F. Betty Peterson Home Sale

Motion: Councilwoman Monica Mayer moved to approve resolution no. 21-258-FWF entitled “*Land Purchase from Betty Peterson.*” Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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G. Grazing Resolution -Allocations

Motion: Councilwoman Monica Mayer moved to approve resolution no. 21-259-FWF entitled “*Approval of 2021 Grazing Resolution -Allocations*” subject to Legal review. Councilwoman V. Judy Brugh seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.
Chairman Mark N. Fox – Not Voting
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye



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

XVIII. ENERGY COMMITTEE – Councilman Fred Fox, Chair

TAT_20211215-1419_01d7f1bed3a410ac

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

Provided a brief report. Jan 5th Energy meeting. 1/6/2022 Renewables meeting.
Two rigs on the reservation.

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

Motion: Councilman Fred Fox moved to approve resolution no. 21-262-FWF entitled “Consent to Approval of a Right-oJ-Way across Tribal land (T777A-D, T1593, T704A-C, T704A-D, T704A-B, T704A-A, T759A-C, T759A-B, T1831-A, 1831-B, 1833, 1810, 991A, T1785-A, T2249, T2198, 1811-A, 992A-D, 992A-A) submitted by McKenzie Electric Cooperative Inc.” 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. 21-263-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land (T1812, T1J89, 360, 434) submitted by McKenzie Electric Cooperative Inc.” 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. 21-264-FWF entitled “*Consent for Assignment of Right-of-Way across Tribal land (Tract 1007A) from Whiting Oil and Gas Corporation to RimRock Oil & Gas Williston, LLC*” 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

Motion: Councilman Fred Fox moved to approve resolution no. 21-265-FWF entitled “*Consent to Crossnet Lease 5400012860 and Lease 5400024330, Submitted by Marathon Oil Company*”. 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

Motion: Councilman Fred Fox moved to approve resolution no. 21-266-FWF entitled “*Consent to Suspension of Operations (SOP) across Tribal land for (Allotment MT 1961) for the Suspension of Operations for XTO Energy, Inc.*” 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

C. Gas Capture Discussion – Devon Energy



Item deferred.

XIX. NEW BUSINESS – Tribal Councilman Add Ons

TAT_20211215-1429_01d7f1c039c97e5c

A. Chairman Mark N. Fox- Mathew Foolish Bear Educational Request

Youth educational request for assistance for summer internship at Harvard.

Motion: Councilwoman V. Judy Brugh moved to approve subject to budget.
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

B. Chairman Mark N. Fox – Reserved

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C. Councilman Cory Spotted Bear – Land Purchase

South Segment trying to purchase 23 acres for the community.

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 21-267-FW entitled Resolution Entitled, “*Authorizing The Tribal Chairman To Execute A Purchase And Sale Agreement For Lands Within The Twin Buttes Segment*” subject to appraisal and Legal review. Councilman Fred Fox seconded the motion.

Vote: 6- Ayes. 1- Abstention. Motion carried.

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

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D. Councilman Cory Spotted Bear – ROW Request – Dennis Fox, Construction Management Office

MEC ROW stuck at the BIA for the Twin Buttes Arena & Celebration grounds. John Fredericks will call.

E. Councilman Fred W. Fox – Reserved

F. Councilman Fred W. Fox – Reserved

G. Councilman Mervin Packineau – Community Building Amendment – Bandy Poitra

Amendment to the Professional Services Agreement between the WSB & Associates, Inc. & Mandan Hidatsa and Arikara Nation Northeast Segment dated April 8, 2021 for the following project: Parshall Community Center, Community Building and Pow-Wow Grounds ("Project")

Motion: Councilman Cory Spotted Bear moved to approve WSB Associates. 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

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H. Councilman Mervin Packineau – Land Sale - Bandy Poitra

Jenette Coffey Land Sale needs appraisal. 2nd land sale has an appraisal for the home & lot. Presented a second home for sale from Elissa Argent asking price of \$155,900.

Motion: Councilwoman Monica Mayer moved to purchase the Elissa Argent home in Parshall, N.D. 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: To be put into rental properties or professional housing incentives.

TAT_20211215-1434_01d7f1c0eda937b4

I. Councilwoman Monica Mayer – Planning & Grants Resolution - Jolene Siers

Motion: Councilwoman Monica Mayer moved to approve resolution no. 21-268-FWF “Approval of the Three Affiliated Tribes’ Five Year Community Economic Development Strategic (CEDS) Plan for 2021-2026 and the Covid 19 Recovery Plan.” 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

FTR: Chairman Mark Fox returned to the meeting.

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J. Councilwoman Monica Mayer – UND Time Out Sponsorship Request - Keith Malaterre

Student Diversity & Inclusion at the University of North Dakota are proud to announce the 50th Time-Out and Wacipi Powwow Celebration. The Wacipi Powwow Celebration will be held Friday, April 22 and Saturday, April 23 at the University of North Dakota. Request for a funding contribution.

Motion: Councilwoman Monica Mayer moved to approve a \$5000 sponsorship with passes for enrolled member. 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 – 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

Discussion: Councilwoman Monica Mayer’s Office to process.

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- **GoodHealthTV**

Councilwoman Monica Mayer presented her review of the assessments from the CEO Steve Gunderson’s financials. Video presentation. 15 years of profit for the turn key business. Chairman Mark N. Fox suggests to send a counter offer, feels the price is still too high.

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve a \$13 million offer with a 90-day close. 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

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K. Councilwoman V. Judy Brugh – Interpretive Center – Delphine Baker, Director
Film called “The Long Game” shown at the Chinese Theatre and a Film fest in Rapid City. Made the top 20 list of new attractions in the U.S. With USA Today and voting is still open. MHA Interpretive Center is sitting in 15th place. Presented gives Christmas gifts to the TBC. Chairman Mark Fox asked for a break down of costs & revenue. 230K was made in FY21.

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L. Councilwoman V. Judy Brugh – Damon Williams Contract

Motion: Councilwoman V. Judy Brugh moved to approve the Damon Williams Contract with Four Bears Segment. 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 – Aye
Councilwoman Monica Mayer – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

TAT_20211215-1444_01d7f1c253d69170

M. Councilwoman Sherry Turner-Lone Fight – West Segment Development Authority.

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 21-269-FWF entitled “Grant of Non-Profit Corporate Charter to the West Segment Development Authority and Appropriation of \$500,000 for Operations of the Corporation” [WSDA] 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

N. Councilwoman Sherry Turner-Lone Fight – Reserved

XX. LEGAL DEPARTMENT – Tyra Wilkinson, MHA Supervising Attorney

No Items

XXI. CLOSED SESSION:

- A. Human Resources (HR)* – Melissa Brady, Director**
- B. Legal – John Fredericks**
- C. Land Sale West Segment – Land Sale Transaction ^[NRC] 3**
- D. Finance – Whitney Bell, CFO**
- E. Russell Deane**
- F. Victim Services - Sadie Young Bird, Director**
- G. WIFLI Agreement.**

XXII. ADJOURNMENT:



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
DECEMBER 15th 2021 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilwoman V. Judy Brugh seconded the motion. Meeting adjourned at 5:01PM.





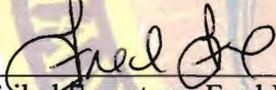
CERTIFICATION

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 13th of January, 2022; 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; 0 Members not voting.

Chairman (X) Voting () Not Voting

Dated this 13th day of January, 2022

ATTEST:



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



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