



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
JANUARY 13<sup>th</sup> & 20<sup>nd</sup>, 2022 MINUTES  
[CLOSED SESSION CONTENT EXCLUDED]

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

**CALL TO ORDER:**

Councilman Cory Spotted Bear called the meeting to order at 11:37AM.

*FTR: Councilman Cory Spotted Bear assumed duties of the Chair.*

**ROLL CALL:**

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

**OPENING PRAYER:**

[1/13/2022] Pancho Brady

[1/20/2022] Harriet Good Iron

**I. APPROVAL OF AGENDA:**

*Motion:* Councilwoman Monica Mayer moved to approve the agenda. Councilman Fred Fox 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 – Aye

Councilwoman V. Judy Brugh – Not Present

Councilwoman Sherry Turner-Lone Fight – Not Present

*FTR:* [1/20/2022] Meeting reconvened at 1:45PM. Councilwoman Sherry Turner-Lone Fight serve as Executive Secretary. Roll Call: Councilwoman Monica Mayer, Councilman Cory Spotted Bear, Councilman Mervin Packineau, Chairman Mark N. Fox, Councilwoman V. Judy Brugh (Not Present), Councilwoman Sherry Turner-Lone Fight, Councilman Fred Fox (Not Present)

*FTR:* [1/20/2022] Councilman Fred Fox joined the meeting and resumed duties of the Executive Secretary.



**Motion:** Councilman Fred Fox moved to approve the amendments to the agenda. 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

## II. APPROVAL OF MINUTES:

- **12/14/2021 Special Meeting Minutes.**

**Motion:** Councilwoman Monica Mayer moved to approve the 12/14/2021 Special TBC minutes subject to minor corrections. 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 – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilwoman Sherry Turner-Lone Fight – Not Present

- **12/15/2021 Regular Meeting Minutes.**

**Motion:** Councilwoman Monica Mayer moved to approve the 12/16/2021 TBC minutes subject to minor corrections. 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 – Aye  
Councilwoman V. Judy Brugh – Not Present



Councilwoman Sherry Turner-Lone Fight – Not Present

- **12/27/2021 Special Meeting Minutes.**

**Motion:** Councilman Mervin Packineau moved to approve the 12/27/2021 Special TBC minutes subject to minor corrections. Councilman Fred Fox 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 – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilwoman Sherry Turner-Lone Fight – Not Present

### III. **SPECIAL GUESTS & ELDERS**

*No Items*

#### ***EXECUTIVE COMMITTEE REPORTS***

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

Wished Councilman Fred Fox a Happy Birthday. Commended the Council for their hard work and to carry on. Announcement of inclusion of lands such as the Figure-4 Ranch that were purchased and finally approved to be put into trust. Chairman announced that the reservation is growing out west. We are a bigger reservation now. The Fort Berthold boundaries have changed. Chairman Fox expressed the need to ramp up Covid safety measures, testing, & vaccinations.

[1/20/2022]: Provided a brief report of the recent meeting with the Governor of ND.

**FTR:** [1/13/2022] Councilwoman V. Judy Brugh joined the meeting.

### 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**

TAT\_20220113-1208\_01d808765539d6f6

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

Submitted the monthly Year-to-Date Expense report. 28% through FY22. 20% budget expensed.

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• **TERO Contract**

Contractor is contracted to provide accounting services to the Three Affiliated Tribes in connection with a due diligence/audit project with the Tribal Employment Rights Office by the Minnesota firm not to exceed \$15,000.

**Motion:** Councilwoman Monica Mayer moved to approve Schechter Dokken Kanter Andrews & Selcer, Ltd (SDKAS) Contract 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 – Aye

Councilwoman Sherry Turner-Lone Fight – Not Present

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• **Admin Building Phase III**

Received bids from 5 firms and worked through the TAT Construction Management Dept. for the new facility that will house IDC Programs.

**Motion:** Councilman Mervin Packineau moved to authorize the Chairman to negotiate to engage Schutz Foss Architects for the Phase III of the Admin Building A&E Services. 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 – Aye

Councilwoman Sherry Turner-Lone Fight – Not Present



*Discussion:* Selected as a result of the Request for Proposal process through Construction Management.

Councilwoman V. Judy Brugh – had a question of the CEO concerning fund code and salary level for the FBDC Building Manager position. Will be working with the CEO to address. Recommended leaving as requested by the Judge due to technical knowledge requirement. CFO noted it will be from IDC.

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

*Item deferred.*

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**C. Small Loans\* –Mary Ellen Sun, Lead Loan Officer**  
Val Mayer present on behalf of Mary Ellen Sun.

**Motion:** Councilwoman Monica Mayer moved to approve the presented Small Loan Application Group A(2): subject to Loans Policy & recommendations. 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 – Aye

Councilwoman V. Judy Brugh – Not Present

Councilwoman Sherry Turner-Lone Fight – Not Present

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• **J.C. Small Loan Add On – Val Mayer, Credit Manager**

**Motion:** Councilman Mervin Packineau moved to approve the J.C. [XXXXXX] small loan up to \$20K subject to Small Loans Policies & recommendations. Councilwoman V. Judy Brugh 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 – Aye  
Councilwoman Sherry Turner-Lone Fight – Not Present

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- **B.F. Loan Issue**

Discussed B.F. [XXXXXX] loan issues and will apply reconciliation stemming from an error. WSRC was sending full amount from paycheck. Was recently informed that she paid more than what the loan was over 19 pay checks. Small loans is reconciling. Will return next week with more information.

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

*Item deferred.*

**VIII. SEGMENT UPDATES:**

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

*Item deferred.*

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

*Item deferred.*

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

*Item deferred.*

[1/20/2022]: *Informed the public that Mandaree Basketball games will have no spectators.*

**IX. OFFICER REPORTS:**

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

TAT\_20220113-1218\_01d80877bc2de892

**1) Executive Orders\***

**Motion:** Councilwoman V. Judy Brugh moved to ratify 2021-52:

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes, through the Executive Action procedure, authorizes and approves of Benton's Outpost business license application. The Business



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Owner's name is William Benton, located at 3908 87th Ave. NW, New Town, ND 58763.

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 – Aye

Councilwoman Sherry Turner-Lone Fight – Not Present

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- **MHA Nation Tribal Employee COVID FAQ/Return To Work Policy**

Dr. Anita Martin informed the TBC that so far, 86% of MHA employees are vaccinated. A number of waiver are currently being reviewed. Scott Satermo noted that the Tribes' policy is more stringent than the States'.

**Motion:** Councilman Fred Fox moved to approve the “Return to Work Policy”. 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 – Aye

Councilwoman Sherry Turner-Lone Fight – Not Present

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

**Motion:** Councilwoman V. Judy Brugh moved to approve resolution no. 22-001-FWF entitled “*Approval of 30 (Thirty) Applicants for Enrollment into the Three Affiliated Tribes.*” Councilwoman Monica Mayer seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye



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

*Discussion:* 16,955 total tribal members.

- TAT\_20220113-1228\_01d80879224459-4
- 3) **Tax Department Report\*** – *Cynthia Monteau, Tax Commission Director*  
Report submitted for the record. Year-to-Date-Actual: (FY2022 91,252,976.00)  
(FY2021 42,705,886.00). COVID-19 Pandemic Impact Months Compared to  
Prior Year Monthly Collections. Comparative Tax Revenue- All Sources  
FY2022 - 3 Months. 4-Year Annual Comparison Total Tax Revenues All  
Sources Fiscal Years: 2018- 2022. Total Oil & Gas Revenue 4 Year  
Comparison 4 Year Ave \$242.2. North Dakota Office of State Tax  
Commissioner – Three Affiliated Tribes Revenue Sharing Agreement Tax  
Source Summary of Reporting In Support of December 2021 Collections  
Distributed January 2022. ND Oil & Gas Certification Report. 4 Year Annual  
Comparison Motor Vehicle Fuels Tax Revenue Fiscal Years: 2018-2021 4 Year  
Ave \$1,670,382. ND Motor Fuel Tribal Revenue - Three Affiliated Tribes  
Report Revenue Period: 12/01/2021 - 12/31/2021. Motor Fuel Tax Refunds For  
Fiscal Years 2017-2020. 4 Year Annual Comparison Alcohol Gross Retail Tax  
Revenue Fiscal Years: 2018-2022 4 Year Ave, \$203,450.

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 22-002-FWF entitled “*Business License Code*” 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 – Aye  
Councilwoman Sherry Turner-Lone Fight – Not Present

*Discussion:* John Fredericks, Legal made his recommendation to approve the final reading.

X. **UNFINISHED BUSINESS**





**A. Brianna Jo Foote – Land Purchase, North Segment<sup>2</sup><sub>[NRC]</sub>**

Texx Lone Bear advised that there is no actual price on it yet. Councilwoman Monica Mayer advised that she will speak with Ms. Foote. Still in negotiation.

*Item deferred.*

**COMMITTEES OF THE TRIBAL BUSINESS COUNCIL**

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

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

*Item deferred.*

**B. ROW's\* – Paul Grady & Harriette Clah (See Closed Session)**

TAT\_20220120-1456\_01d80e0df39d0830

**C. Geo Thermal Survey Resolution - Jessica Bluestone**

Request for UND graduate students to conduct community interviews and a survey for the 2021-2022 Geothermal Collegiate Challenge. This is an interdisciplinary graduate student project. We are developing a combined heat and power concept for New Town using the hydrothermal water from the Deadwood formation. The survey will be included as part of our stakeholder engagement project section: Focus on measuring pre-existing knowledge of geothermal energy, level of interest in the development of renewable energy, identify community needs this project could support. This survey will be performed using Qualtrics and will be overseen by the University of North Dakota's Institutional Review Board (IRB).  
<https://www.herox.com/GeoCollegiateCompetition2022>.

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 22-012-FWF entitled “*Approval of UND Student-Conducted Community Interviews and Surveys for Participation in the 2021-2022 Geothermal Collegiate Challenge.*” subject to Legal review. Councilman Fred Fox 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 – Aye

Councilman Mervin Packineau – Aye.

Councilwoman Monica Mayer – Aye

Councilwoman V. Judy Brugh – Not Present

Councilwoman Sherry Turner-Lone Fight – Aye



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**D. Data on Seismic and Bottom Hole Temperatures Resolution - Jessica Bluestone**

A resolution for the tribe to request seismic and bottom hole temperature data from the DEMD.

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 22-013-FWF entitled “*Approval of Team Geothermal Vision’s Request to Examine Seismic and Bottom Hole Temperature Data*” subject to Legal review. Councilman Fred Fox 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 – Aye  
Councilman Mervin Packineau – Aye.  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilwoman Sherry Turner-Lone Fight – Aye

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**E. Data Access Resolution - Jessica Bluestone**

Contingent on previous item. My team for the geothermal challenge would like to request access from the tribe to examine the seismic and bottom hole temperature data from the DEMD to refine our resource assessment once the data is received.

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 22-014-FWF entitled “*Approval of the Tribes’ Seismic and Bottom Hole Temperature Data Request from the Division of Energy and Mineral Development.*” subject to Legal review. Councilman Fred Fox 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 – Aye  
Councilman Mervin Packineau – Aye.  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilwoman Sherry Turner-Lone Fight – Aye

**F. Tahu Reroute Project – TARGA**

[1/20/2022]: Energy Department recommended this be deferred. They were offered \$50,000 but Bobby Big Lake refused. There is already a pipeline there. Ms. Big



Lake is not living there yet. Targa is willing to pay for the movement of the home. It is on tribal land. Other locations are being looked into for placing her home on. Mr. Fredericks advised may her mortgage should be deferred and any interest dissolved in hopes of her to come to an agreement.

*Items deferred*

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

**A. Ratification of 1/10/2022 Executive Committee Actions.**

- NAFOA Membership Dues FY22(5K)
- NAFSA Membership Dues FY22(6K)
- UTGA Membership Dues FY22(25K)
- Damon Williams Contract Renewal
- Wendell White Reimbursement Request
- Water Payment from General Fund

**Motion:** Councilman Fred Fox moved to ratify the presented Executive Committee action. 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 – Aye  
Councilwoman Sherry Turner-Lone Fight – Not Present

**B. DSGW A&E Contract Resolution**

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 22-005-FWF entitled “*DSGW A&E Contract*” subject to Legal review. 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

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**C. Weston Schettler Easement**

*See Executive actions “Consent to Approval of a Right-of-Way across Tribal land 301-T 3155-as requested by Weston Schettler.”-22-016-FWF*

TAT\_20220120-1401\_01d80e063fa13f1a

**D. MHA Cyber Security collaboration with NDITD and HPN Resolution**

**Motion:** Councilman Fred Fox moved to approve resolution no. 22-006-FWF entitled “MHA Cyber Security collaboration with NDITD and HPN” subject to Legal review. 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

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**E. Amending 21-151-FWF**

Authorizing Hiring Of Director Of Cybersecurity.

**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 22-007-FWF entitled “Amending 21-151-FWF” subject to Legal review. 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

*Discussion:* Authorizing Hiring Of Director Of Cybersecurity



**NOTE:** Title corrected to “Creation of the Three Affiliated Tribes Cybersecurity Department and Authorization of Annual Budget”

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#### **F. Business License Code Final Reading**

**Motion:** Councilman Cory Spotted Bear moved to approve resolution no. 22-008-FWF entitled “Approving to Repeal Title VII, Chapter 2 “Commerce and Trade” of the Tribal Code of Laws and Enacting the Business License Code.” subject to Legal review. 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

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#### **G. EDA Grant Resolution**

**Motion:** Councilman Fred Fox moved to approve resolution no. 22-009-FWF entitled “To Authorize the Application to the U.S. Department of Commerce Economic Development Administration’s ‘FY 2021 American Rescue Plan Act Indigenous Communities Grant’ (Funding Opportunity Number EDA-2021-ARPAINDIGENOUS)” subject to Legal review. 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

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#### **H. NIGA Delegate Resolution**



**Motion:** Councilman Mervin Packineau moved to approve resolution no. 22-010-FWF entitled "*Appointing the Delegates from the Three Affiliated Tribes to the National Indian Gaming Association and Authorizing the Payment of the National Indian Gaming Association's Annual Dues.*" 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

**I. Amending 21-174-FWF - I.H.S Building Transfers**

*Items deferred.*

**XIII. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer, Chair**

TAT\_20220120-1406\_01d80e06f3704040

**A. Small Loan Issue – Brandi Fox**

Mary Ellen Sun explained issue stemming from continues error on an overpayment through payroll deduction that the dept. will address. Brandie Fox will work with Small Loans.

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

TAT\_20220113-1243\_01d8087b3c2b43d4

**A. Tribal Health Update\* - Jared Eagle, Health Administrator & Dr. Anita Martin, EMHC CMO**

**1) Report**

Covid measures/vaccination hesitation information Public Health measures to be finalized this afternoon along with quarantine provisions. For various vaccinated, non-vaccinated and boosted individual. Vaccination hesitation information being developed. Councilman Cory Spotted Bear asked for vaccination information concerning young children. Dr. Martin noted 24 positive/day and testing around 100/day. 120 active cases on Ft. Berthold. Councilman Fred Fox noted White Shield School is closed due to covid. Parshall School is out till Tuesday. Councilwoman Monica Mayer asked for copies of the publication when completed along with clinic schedules and



expressed the importance of testing & vaccinations. Dr. Martin provided recommendations on covid booster shots.

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

**Motion:** Councilman Fred Fox moved to approve Life & Limb items A-H:

- E.H. [XXXXXX] to be placed on Life & Limb program.
- A.N. [XXXXXX] to be placed on Life & Limb program.
- S.T.G. [XXXXXX] to be placed on Life & Limb program
- K.F. [XXXXXX] to be placed on Life & Limb program
- S.J.Y.B.B. [XXXXXX] to be placed on Life & Limb program.
- M.W. [XXXXXX] to be placed on Life & Limb program.
- J.L.B. [XXXXXX] to be on Life & Limb program.
- R.G.B. [XXXXXX] to be on Life & Limb program.

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

*Discussion:* #A is a Jr.

**Motion:** Councilman Fred Fox moved to approve items: I-L Financial Requests:

- J.A. [XXXXXX] assistance to pay for dental costs \$79.00
- L.J.L. [XXXXXX] assistance to pay for medical costs \$26,279.93
- H.K. [XXXXXX] assistance to pay for dental costs \$1,310.56
- C.W. [XXXXXX] assistance to pay for dental costs \$1,666.63

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

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

*Item deferred*

**D. Medical Request – Delphine Baker**

Decided to address in open session. Delphine Baker has power of attorney over her niece Carolyn Danks and presented issue with using disbursements as income contrary to Solicitor Opinions to deny Medicaid to pay for her nursing home care in McKenzie County. Legal Dept. will bring in one of the Tribe's Legal consultant to address. Chairman Mark N. Fox will bring this to the attention of the Governor of North Dakota at their next meeting.

**Motion:** Councilman Cory Spotted Bear moved to assign a Legal Consultant to assist. 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

**E. KDU Employee Status Change – Elizabeth Lone Bear**

Shelby presented request to change the employee status of the KDU Director to exempt.

**Motion:** Councilwoman Monica Mayer moved to approve the KDU Director position as Exempt status. 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





THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
JANUARY 13<sup>th</sup> & 20<sup>nd</sup>, 2022 MINUTES  
[CLOSED SESSION CONTENT EXCLUDED]

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

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**F. M.B. Hearing Aid Payment [HIPAA Sensitive]**

Lexie Driver presented. M.B. [XXXXXX] sent the bill to I.H.S. & Elder program and denied. Elder Program denied due to bill being too old.

**Motion:** Councilman Fred Fox moved to approve payment of \$5,114.50 to AAA Collections, Inc. 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 – Aye  
Councilwoman Sherry Turner-Lone Fight – Not Present

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

*See Closed Session*

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

TAT\_20220120-1441\_01d80e0bd97d58ee

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

**1) Report**

Report submitted for the record. Expressed concern over upcoming jury trial and addressing covid mitigation. Jury Trials beginning in February. Full Court training continues. Web site development continues. Meetings continue Justice Center, Social Services & Law Enforcement. Search for a Prosecutor continues. Discussion concerning EDO enforcement and delays in enforcement. There is nothing in the code limiting the term of an EDO but as a rule of thumb is an EDO last 6-months. The Chief Judge noted the EDO is sent to Law Enforcement almost immediately. The Judge noted there may be a need for a Case Manager.

TAT\_20220120-1511\_01d80e100d87939e

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



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
JANUARY 13<sup>th</sup> & 20<sup>nd</sup>, 2022 MINUTES  
[CLOSED SESSION CONTENT EXCLUDED]

Verbal report submitted for the record. Provided report on calls, overdose statistics, & case load information.

**Motion:** Councilwoman Monica Mayer moved to approve intercom system contract subject to Legal review. Councilman Fred Fox 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 – Aye  
Councilman Mervin Packineau – Aye.  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilwoman Sherry Turner-Lone Fight – Aye

TAT\_20220113-1304\_01d8087e0a2e2e8e

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

Supervisory Special Agent Dawn White provided the report on recent activities, staff & Overdose Statistics: -CY 2020 & 2021(2020: 108) (2021:57). Believes strategy shift was responsible for the decline in overdoses.

TAT\_20220113-1304\_01d8087e0a2e2e8e

**D. County Sheriffs Meeting** - *Roger White Owl, Policy Advisor, Four Bears Segment* [1/13/2022] Seeking assistance to provide the meal & room rental for the meeting at the MHA Interpretive Center to discuss future MOU’s with the counties. Feb. 3<sup>rd</sup> at 1pm. Invoice submitted for \$1000.

**Motion:** Councilwoman V. Judy Brugh moved to approve Sherriff’s Meeting Luncheon funding. 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 – Aye  
Councilwoman Sherry Turner-Lone Fight – Not Present

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**E. Robert White Contract Renewal (Four Bears Segment Funds)** - *Roger White Owl, Policy Advisor, Four Bears Segment*



Consultant will serve as special projects coordinator for several projects in the Four Bears community including, but not limited to, the new Four Bears Convenience Store, the new Four Bears Community Building, and other projects as assigned.

**Motion:** Councilwoman V. Judy Brugh moved to approve the Robert White Contract with Four Bears Segment subject to Legal review. 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 – Aye  
Councilwoman Sherry Turner-Lone Fight – Not Present

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

**A. Hidatsa Language Dictionary Contract - Tony Lone Fight**

Joshua Richards Consultant Hidatsa Dictionary Contract & Sahnish Language Dictionary.

**Motion:** Councilman Fred Fox moved to approve the Joshua Richards Consultant Contract subject to Legal review. 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

**B. MHA Cultural Advisory for Sensitive and Spiritual Issues**

**Resolution - Delphine Baker**

Presented draft resolution & MHA IC P&P.



**Motion:** Councilwoman Monica Mayer moved to approve resolution no. 22-018-FWF entitled “MHA Cultural Advisory for Sensitive and Spiritual Issues” subject to Legal review. Councilwoman Sherry Turner-Lone Fight 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 – Aye

Councilman Mervin Packineau – Aye.

Councilwoman Monica Mayer – Aye

Councilwoman V. Judy Brugh – Not Present

Councilwoman Sherry Turner-Lone Fight – Aye

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**C. Tourism Budget Request - Darian Morsette, Director & Jason Morsette**

ND State Committee(Craig Rudland, Assistant General Manager JaCee Aaseth, Marketing Director.) members for a promotion at the State Fair to bring Indian-Relay to the fair. JaCee Aaseth noted the Tuesday event for MHA is with all marking branding to include MHA. Presented proposed budget of \$108,424.74. To return after further negotiation over returns for the Tribe if it decides to contribute to the event.

[TAT\_20220120-1541\_01d80e14428bfa36]:

Darrin Morsette & Charlie Vigen presented report of tribal spending on State Fair tickets. Estimate that MHA purchase of mega bands per year \$73,500. \$588,000 for the past 8 years. ND State Fair Committee joined the meeting. They informed the TBC that they will write a check to MHA for \$10,000 after the Indian Horse Relay. Recommended \$10K for the Indian Relay, Secured 2 booths in the Commercial area & 12 outdoor spaces. \$60,8000 request with \$10K return to TAT. Chairman Mark N. Fox recommended \$50K & \$10K return check. Seconded request for \$36K budget for the dancers. Agreed to \$20K. The State Fair Committee would like to have MHA dancers there for 5 days. Chairman Mark N. Fox recommended also seeking sponsors for the cultural events. It was noted that Cornerstone contributed \$10K.

**Motion:** Councilman Fred Fox moved to approve \$70K budget for both events. Councilwoman Monica Mayer 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 – Aye  
Councilman Mervin Packineau – Aye.  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilwoman Sherry Turner-Lone Fight – Aye

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**D. Water Buster Committee**<sup>[Cultural]</sup>

Enos Baker requested funding for the mourners feed as there will be no pow-wow this year due to covid but, will be handing out meals. Chairman Mark N. Fox recommended each segment can donate up to \$500/segment. Jodi will route.

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

TAT\_20220120-1602\_01d80e17107d4664

**A. Education Request - V.A.**

Vikki Alberts requesting funding via resolution #81-149-AG -Tribal Graduate School Scholarship docket funds be increased for graduate school in the areas of Medicine, Law, Physical Science and Engineering. Chairman Mark N. Fox explained that it would take a referendum to increase the amount and recommended that the MHA Education Grant be increased from \$5000/yr. to \$5000/semester through the Tribal Education grant program.

**Motion:** Councilman Mervin Packineau moved to approve a supplemental educational grant for graduate students in the areas of Medicine, Law, Physical Science and Engineering at \$5000/semester from General Fund. Councilman Fred Fox 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 – Aye  
Councilman Mervin Packineau – Aye.  
Councilwoman Monica Mayer – Aye  
Councilwoman V. Judy Brugh – Not Present  
Councilwoman Sherry Turner-Lone Fight – Aye

**FTR:** [1/20/2022]: Councilwoman Sherry Turner-Lone Fight left the meeting & TBC went into recess at 4:13PM & convened an Executive Committee meeting until a quorum could be re-established for the TBC meeting.

**FTR:** [1/20/2022]: Returned from recess 4:59 PM



**B. Head Start Program – Kelly Bradfield, Director**

*Item deferred.*

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

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

*Item deferred.*

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

**1) 2022 Agricultural Lease Resolution**

*Item deferred to NRC*

**2) Luke Spotted Bear, Ag Lease**

*Item deferred to NRC*

**C. Fort Berthold Rural Water (FBRW) Update\* – Pem Hall, Director & Joe Savaria, Operations Manager.**

Provided information on funding opportunities & 5-year plan. Meeting with segments to better access the tribes needs.

**1) Hwy 73 ROW Resolution.**

**Motion:** Councilwoman V. Judy Brugh moved to approve resolution no. 22-004-FWF entitled “*Consent to Certain Right(s) of Way across Tribal Land*” [Hwy 73-Reroute]. 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 – Aye

Councilwoman Sherry Turner-Lone Fight – Not Present

**D. Request for Emergency Feed (\$300K)**



Need to determine unmet need and develop resolution to address for all ranchers. John Fredericks recommended a resolution if it is not in the budget. Chairman Mark N. Fox asked for assurances of how many didn't receive assistance before.

*FTR: Councilwoman V. Judy Brugh asked the CEO to find out who is doing backgrounds for Law Enforcement applicants. CEO will bring the information back on Thursday.*

**XIX. NEW BUSINESS – Tribal Councilman Add Ons**

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

TAT\_20220120-1456\_01d80e0df39d0830

**C. Councilman Cory Spotted Bear – Home Purchase**

*Motion:* Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 22-011-FWF entitled “*Cummings Home Purchase*” subject to Legal review. 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

- D. Councilman Cory Spotted Bear - Reserved**
- E. Councilman Fred W. Fox – Youth Rodeo Funding – Curt Sequesus?**

*Item deferred.*

- F. Councilman Fred W. Fox - Reserved**
- G. Councilman Mervin Packineau - Reserved**
- H. Councilman Mervin Packineau - Reserved**
- I. Councilwoman Monica Mayer - Reserved**
- J. Councilwoman Monica Mayer – Reserved**

TAT\_20220113-1344\_01d80883a54b8bfa

**K. Councilwoman V. Judy Brugh –Employee Tero Waiver - Lane Vocu**

Item deferred subject to further assessment and clarification of the overall process. Leonika Charging is drafting the policy. John Fredericks noted that the TBC approves with the supervisors concurrence. Chairman Mark Fox explained that a



process needs to be put in place to determine if the applicant is eligible. CEO will bring back Thursday a laid out process.

- L. Councilwoman V. Judy Brugh - *Reserved*
- M. Councilwoman Sherry Turner-Lone Fight - *Reserved*
- N. Councilwoman Sherry Turner-Lone Fight - *Reserved*

**XX. LEGAL DEPARTMENT** – Tyra Wilkinson, MHA Supervising Attorney  
[1/20/2022]:

**Motion:** Councilman Fred Fox moved to approve the following Employment Contracts:

- Advocate - Gabriel Dumea
- Criminal Prosecutor Advocate - Bailey Dumea

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

**XXI. CLOSED SESSION:**

- A. Human Resources (HR)\* – *Melissa Brady, Director*
- B. Legal – *John Fredericks*
- C. Enrollment - *Tate Mathews*<sup>2</sup>
- D. Gas Capture Discussion<sup>2</sup> – *Devon Energy*
- E. TERO Suspension <sup>[Energy]</sup>
- F. T.J. Loan Issue <sup>[Education]</sup>
- G. Bakkan Energy MOU<sup>[Executive]</sup>
- H. MHA Interpretive Center – *Delphine Baker*
- I. Bell Rock LLC – *Jim & Delphine Baker*
- J. TERO License – *Lane Vocu*
- K. 1/20/2022 Executive Committee Ratifications:
  - Home Sites Resolution  
"Home Site Lease Resolution -January 2022" Assigned resolution no (22-015-FWF).
  - Weston Schettler Resolution





THREE AFFILIATED TRIBES  
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[CLOSED SESSION CONTENT EXCLUDED]

*“Consent to Approval of a Right-of-Way across Tribal land 301-T 3155-as requested by Weston Schettler.”* Assigned resolution no 22-016-FWF.

- **Request for Emergency Feed (150K)**
- **Contracts - Tyra Wilkinson**
- **T.J Loan Issue**
- **Wells Sr. Loan**

**L. Energy Dept.**

- 1) **ROW**
- 2) **Targa Tahu**

**M. K.H. Complaint**

**N. Interpretive Center** – *Delphine Baker, Director*

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

**XXII. ADJOURNMENT:**

[1/20/2022]

**Motion:** Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 6:40PM.




### 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 9<sup>th</sup> of February, 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 9<sup>th</sup> day of February, 2022

ATTEST:

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

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