



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
MARCH 9th, 2022 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

* Standing Agenda Item

Superscript indicates times deferred (After 3-times returned to Committee)

I. CALL TO ORDER:

Chairman Mark N. Fox called the meeting to order at 11:25 am.

II. ROLL CALL:

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

III. OPENING PRAYER:

Carol Enno.

IV. APPROVAL OF AGENDA:

Motion: Councilman Cory Spotted Bear moved to approve the agenda. 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

V. APPROVAL OF MINUTES:

- **February 9th, 2022 Regular Meeting Minutes.**

Motion: Councilman Mervin Packineau moved to approve the presented 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

VI. SPECIAL GUESTS & ELDERS

No Items.

EXECUTIVE COMMITTEE REPORTS

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

Presented report of recent activities & upcoming events such as United Tribes, BOR, Media Interviews concerning redistricting, the riverbed, State of the State Address in Fargo with many items concerning MHA highlighted by the Governor, Government to Government consultation, Attended property development meeting, the 6th Annual Ice Warrior Plunge that raised \$70-80K for cancer research with over 70 jumpers, Cultural Center Tour, Bismarck Land purchases, Assistant Secretary of the COE meeting addressing current issues securing commitment to assist, Greenhouse Project progressing, Specialized clinic tour utilizing stem cell to treat diabetes, Assisted Living building Walk Through and plans for facilities in each segment, Upcoming: UTGA Board Meeting, Possible COE meeting, Mountrail-Williams meeting concerning gas capture. Asked everyone to stay informed on covid.

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

Projects: Roads Garage, Administration Building, Fair Grounds, New Clinic almost complete opening in June or July. Upcoming: paving initiatives for rural roads, Assisted Living project, Buffalo Pasture expansion & meat processing, & Cold Storage Unit.

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

Upcoming activities include the 1st Annual Sanish Classic Basketball Tourney this weekend with 30 teams' men's & women in the new Community Center.

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

Assisted Living facility tour, Housing needs, Elders Trip, Rough Rider Rodeo Finals at Healing Horse Ranch.

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A. CFO Report

Budget is looking good and as projected. Meeting with Program Directors to review budget needs and make adjustments, upcoming budget work session.



Motion: Councilman Mervin Packineau moved to approve HA Thompson Contract(54K) 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

Discussion: Traibal building contract.

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B. Mortgage Program – Val Mayer, Credit Manager

Motion: Councilman Mervin Packineau moved to approve the presented mortgage loan application 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

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

Motion: Councilwoman V. Judy Brugh moved to approve Group A Small Loan applications (9): subject to Loans Policies and recommendations. 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

Discussion: Applications 8 & 9 with Years of Service consideration.

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

Item deferred.

XI. SEGMENT UPDATES:

A. North Segment – *Councilwoman Monica Mayer*

Item deferred

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

Upcoming: Elders Bingo, Hosting County Sherriff meeting at the Interpretive Center, Covid Testing ongoing, Pow-wow Committee very active with bingo.

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

Upcoming: Parshall Elders Retreat & Casino trip, Emergency Closet, Warrior Basketball event & picture session, Covid Testing and Vaccine program continuing,

XII. OFFICER REPORTS:

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

1) Executive Orders*

Motion: Councilman Mervin Packineau moved to ratify Executive Action EA 2022-03:

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes, through the Executive Action procedure and based upon the information presented above, authorizes and approves B.B. [XXXXXXX] to receive funds in the amount of \$11 ,000.00, which will put him back up to the maximum allowable loan amount under the Small Loans Program and the requirement of collateral for this transaction is waived; and

BE IT FINALLY RESOLVED, that the usual Small Loan process will be followed and Mr. B.B. [XXXXXX] 's loan will be newly administered as a loan of what remained on the former loan amount plus \$11,000.00.



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

Motion: Councilman Cory Spotted Bear moved to ratify Executive Action EA 2022-01:

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council does hereby authorize a drawdown of \$150,000 to the South Segment CDC for the express purpose of buying hay.

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

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

Motion: Councilman Mervin Packineau moved to approve resolution no. 22-037-FWF entitled “*Approval of 19 (Nineteen) 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: 16,960 total tribal members.

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- 3) Tax Department Report*** – *Cynthia Monteau, Tax Commission Director*
Submitted report for the record. Total Revenue (Year to Date): \$76,137,585.00. Comparative Tax Revenue -All Sources (FY2022 -5 Months): Production Tax: \$74,388,181(50%), Extraction Tax: \$72,414,612 (48%), Straddle Wells: \$1,420,749 (1%), Motor Fuels Tax: \$567,650, & Other: \$81,856. ND Oil & Gas Certification Report Gross Production Tax for Revenue Period: 28-February-2022. 5 Year Annual Comparison Motor Vehicle Fuels Tax Revenue Fiscal Years: 2018-2022. 5 Year Annual Comparison Alcohol Gross Retail Tax Revenue Fiscal Years: 2018-2022.

XIII. UNFINISHED BUSINESS

A. Brianna Jo Foote – Land Purchase, North Segment⁴[NRC]

Item deferred.

B. Amending 21-174-FWF - I.H.S Building Transfers²[EXECUTIVE]

Item deferred to Executive Committee.

C. RFP for Rural Development Projects (KLJ) [NRC] Deferred

Item deferred.

D. New Town City Lot Lease Request [NRC]

Item deferred.

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E. CHR Transportation Policy & Procedure — Jodi Simpson, Director^[Health]

Motion: Councilwoman Monica Mayer moved to approve the CHR Transportation Policy & Procedures subject to Legal review. 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

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XIV. NATURAL RESOURCES COMMITTEE – Councilman Cory Spotted Bear, Chair

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

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 22-038-FWF entitled “*Home Site Lease(s) – March 2022.*” 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

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no 22-040-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (T690A-B) submitted by McKenzie Electric Cooperative Inc.*” [Lindsey Fox Sepeta]. 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 Sherry Turner-Lone Fight moved to approve resolution no 22-041-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (T710A) submitted by McKenzie Electric Cooperative Inc.*” [Mary Finley] 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 resolution no 22-042-FWF entitled “*Temp. ND DOT Easement.*” 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

Discussion: South road to the fill station approach realignment with return to original condition for left hand turning lanes on Hwy. 23.

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

Item deferred.

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

Item deferred.

D. Irrigation Proposal – *Dennis Huber*

Item deferred.



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E. Construction Contract – Dennis Fox

Master Code Professional for training. Planned review from permit fees project to pay him.

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve the Mike Roberts Contract 1-yr term 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

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F. Game & Fish 2022 Proclamations Amendment

Motion: Councilman Fred Fox moved to approve resolution no. 22-043-FWF “Approval of the 2022-2023 Tribal Small Game & Furbearer Hunting and Fishing Proclamations.” 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

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G. Michelle Grisham Fiber Optic Easement

Motion: Councilman Cory Spotted Bear moved to approve resolution no 22-039-FWF entitled “Consent to Approval of a Right-of-Way across Tribal land submitted by Michelle Grisham.” 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

H. McKenzie Electric Cooperative Service Line Easement

Item deferred.

I. Scott Simenson Agriculture Resolution

Deferred to NRC Committee

XV. ENERGY COMMITTEE – Councilman Fred Fox, Chair

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

\$109/barrel WTI. 5 rigs on the reservation & 1 service rig: Enerplus(2), RimRock(1), Slawson(1) and WPX(1). John Fredericks noted NDIC flaring information note reservation flaring is lower on trust land but Fee land flaring is the highest. To set up a wok session with MMR. Working putting in an ATM at the Energy Office to help clients pay fees. Reported that Oasis & Whiting companies are merging. Department training & in-Office ATM machine for fees.

B. ROW's*–Paul Grady & Harriette Clah

Motion: Councilwoman V. Judy Brugh moved to approve resolution no. 22-044-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal lands (Allotments 733A, 1979, 810 A-B, 810 A-A and T 905 A-A) Submitted by RimRock Oil & Gas Williston, LLC*” 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 – Aye
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Not Voting



Motion: Councilman Fred Fox moved to approve resolution no. 22-045-FWF entitled “Consent to Modify ROW FBOG 100329 across Tribal land (Allotment 834A) Submitted by XTO Energy Inc.” 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 – Aye
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Not Voting

C. Carbon Project – Josh Ruffo & Kenny Lyson

Submitted handout for pilot project to sequester carbon from generator engine tailpipes and later flares. Seeking a Letter of Support for NDIC Clean Sustainable Energy Authority grant application. TBC had questions concerning royalties and benefits of carbon sequestration when running the generators off of flare gas. Carbon would go to a disposal well. It was noted that it would need to go through ONNR/BLM to insure any financial benefits are reported.

Motion: Councilman Fred Fox moved to approve a Letter of Support. Councilwoman Monica Mayer 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 – Aye
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Not Voting

XVI. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

A. Ratification of 3/8/2022 Executive Committee Actions.

- First Impressions Contract Approval
- Interpretive Center Consultant Agreements (2)– Amphitheatre & Gallery
- Lane Vocu Contract with Four Bears Segment



- **Ethics Commission Contract Renewals**(Grant L. Walker, Anthony Brandenburg, John Traylor, Chris Redmann, BJ Jones.)
- **NBIRA Budget(150K)**
- **Thunder Butte Refinery Letter of Credit**
- **Denver March Pow Wow(5K)**
- **L.R. F. Small Loan Approval (2,500)**
- **2022 New Town Fire Department Contract(22.6K)**
- **Mobile Mini Negotiation/Settlement**
- **National Tribal Land Association Conference Sponsorship (2,500)**
- **McLean Electric Cooperative Feeder Line Request(429K)**
- **McKenzie Electric TAT Energy Building Metering (Negotiation/payment)**
- **Parshall Elementary School Construction(16m)**
- **UND Time-Out & MSU Spring Honor Dance(5K each)**
- **Parshall Ambulance (*162K)**
- **GRRC-Med Trainer Contract**
- **GRRC-Addiction Counselor/Case Manger – Underfill (Practicum)**
- **Sober Living Budget**
- **EOC- Active Shooter Full Scale Exercise**
- **FBRW Over-time**
- **BTD Invoices – Housing Dept. (BTD & Menards)**
- **TSRC Name Change**
- **CHR Budget and Pay Scale**
- **Circle of Life Budget Increase**
- **LAC Clinical Director for Circle of Life**
- **RML Proposal – New Construction Covid19 Funds**
- **Diabetes Wellness – Mobile Life Imaging**
- **New Clinic: Computer Support White Shield/Twin Buttes**
- **Eight Ball Classic Sponsorship(4K)**

Motion: Councilwoman V. Judy Brugh moved to ratify all of the above approvals from the 3/8/2022 Executive Committee. Councilman Mervin Packineau 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 – Aye
Councilwoman V. Judy Brugh – Aye



Councilwoman Sherry Turner-Lone Fight – Not Voting

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B. Resolution – Approving Agreement for Construction Manager for the Four Bears Community Center

Woodstone to act as the Construction Manager at Risk.

Motion: Councilwoman V. Judy Brugh moved to approve resolution no 22-046-FWF entitled “*Agreement for Construction Manager for the Four Bears Community Center*” 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

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C. Resolution – EOC -Approval for McGough Pre-Construction Fee Payment

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 22-047-FWF entitled “*Approval of McGough Pre-Construction Costs of \$35,182.00 for the Emergency Operations and Fire Management Construction Project.*” 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

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D. Resolution – EOC -Approval for McGough as CMAR for EOC Project with TERO Fee Waived.

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 22-048-FWF entitled “*Approval of CMAR services with McGough Construction for the*”



Emergency Operations Center and Fire Management Construction Project with a GMP to be established by May 2022 and a waiver of the 2.5% TERO fee.” subject to Legal review. Councilwoman Monica Mayer seconded the motion.

Vote: 7- Ayes. Motion carried.

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

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E. Youth Rodeo – Blaine Foot

Cowboy Cool Rough Stock Series & Shigaga Adeh Isha Youth Rodeo has raised about \$16K. Trying bring back rough stock cowboying. Requesting \$36.6K (2 adult and 2 youth events) rodeos. Chairman Mark N. Fox would like to see anticipated revenue be included in future requests. Mr. Foote noted that there are no gate fees & entry fees go support costs. Location of the events are at the Healing Horse & White Shield Rodeo grounds.

Motion: Councilwoman Monica Mayer moved to approve a sponsorship of \$32,000. 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

XVII. ECONOMIC DEVELOPMENT COMMITTEE - Councilwoman Monica Mayer,
Chair

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

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



Item deferred.

B. Tribal Health Update* - Jared Eagle, Health Administrator

Item deferred.

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

Motion: Councilman Cory Spotted Bear moved to approve the presented Life & Limb applications:

- (A) E.D. [XXXXXX]
- (B) M.A.S. [XXXXXX]
- (C) D.D.D. [XXXXXX]
- (F) L.E.V. [XXXXXX]
- (H) R.M.O. [XXXXXX]
- (I) S.T. [XXXXXX]
- (K) K.L.F. [XXXXXX]
- (L) J.N. [XXXXXX]
- (M) R.C. [XXXXXX]
- (N) D.D.D. [XXXXXX]
- (O) R.G. [XXXXXX]
- (P) J.M.D. [XXXXXX]
- (Q) A.M.M. [XXXXXX]
- (R) S.L.F.K. [XXXXXX]
- (S) A.H.D. [XXXXXX]
- (T) K.P. [XXXXXX]

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: Except: D, E, G, & J.



Motion: Councilwoman Monica Mayer moved to approve item D - T.Y.W. [XXXXXX] for Life & Limb. 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: Item E- T.C.H. [XXXXXX] (reach cap for FY). Councilwoman Monica Mayer noted to work with POAE. Trying to talk to family to see if they can move him to a different nursing home that is lower in cost. Each month is between \$9000.00 and \$11,600.00.

Motion: Councilwoman Monica Mayer moved to approve item #G.-J.L.B. [XXXXXX] for a new wheelchair (*\$18,660.00). 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 N. Fox stepped out of the Councilman Cory Spotted Bear Chair

Motion: Councilman Fred Fox moved to approve item J. W.V. [XXXXXX] for Life & Limb. Councilwoman Monica Mayer 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

D. Good Road Recovery Center (GRRC) Update*- Dr. Joy Froelich, Director

Item deferred.

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E. Tribal Health Insurance – Charity Yessilth, Director

Report submitted for the record.

- **3rd Party Boon Audit**

Audit of Boon Third-Party Payer for the Self-Funded Plan. Was previously approved in July 2021. Original 2014 Boon agreement stipulated that they would be subject to audit by resolution. Boon has requested that it be removed.

Motion: Councilwoman Monica Mayer moved to reaffirm the requirement that Boon is subject to audit. Councilwoman Sherry Turner-Lone Fight 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 – Aye
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

- **Unfunded Claims Report.**

Decreased by 3.2 million. 2020 Release of Payment of Unclaimed Claims Claims up to 2018 may need to be written off. Request for 4.3 million payment release for unfunded claims. Majority of calls from 2020/2021. Run out period expires on 3/21. 8.8 million in total unpaid claims.

Motion: Councilwoman Monica Mayer moved to approve resolution no. 22-049-FWF entitled “*Release of Payment to Boon*” subject to Legal review (around 8.8 million). 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 – Aye
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

- **Comparission Report of Dental, Vision Eployee/Member Insurance.**
Report submitted.
- **Removal from Insurance due to Relinquishment of Tribal Enrollment.**
Presented a list of former tribal members who due to their relinquishment of the tribal membership are no longer eligible for tribal health insurance. List is to be verified with enrollment and the former members to be notified of their forfeiture of health insurance.

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

A. Tribal Court Report* - Elizabeth Yellow Bird & David Christenson, Chief Judge
Report submitted for the record. The Court completed the interviews for the Wellness Court Recovery Coach and have sent HR the recommendation to hire, now at the March TBC. The Wellness Court continues as a priority, the Wellness Steering Committee is being rescheduled for March 18th. 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 Well ness Court. The Court continues to address COVID 19 epidemic and will continue enforcing the mask mandate and washing hands. 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. The Court plans on utilizing "imaging" application through FullCourt and should have all the files digitized within the next year. This will be a separate training that the Justice Systems has not scheduled yet. We also are finalizing a telephone messaging, alert system and intercom call systems. 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, however they did not meet in July. A Justice Commission meeting has been scheduled for March 11th. 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. 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



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[CLOSED SESSION CONTENT EXCLUDED]

secure for the court sessions. At the request of the Judicial Committee, the Court continues to research more training for Court staff. We understand there is a clerks training coming up in Bismarck; there is a meeting in Grand Forks in May "A Consortium on Racial Ethics and Fairness for the Courts"; because we have new Adult Probation officers, the supervisor will be planning training for new staff. The Court now has 35 staff members. Our Court is fortunate to have very professional and hard-working staff. By the end of March, the Court should be fully staffed. The Court would like to plan an intensive training for all Court staff. We are anticipating a weekend and holiday, so a 3-day training, possibly in May, we are reviewing our budget to for this project. The Court continues to meet once per month with the Justice Center, PD, now Social Services 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 being scheduled. Meetings have been held regarding the Tribal Codes; Sharon Thompson, Tyra Wilkinson, Judges Christensen and Seaworth and the Court Administrator have been in attendance. Title I has been completed and will be reported at the TBC and Justice Commission. The Court is fortunate to have a law clerk working temporarily. He worked previously for the Court, will be graduating from Law School in May and hopefully will be a Court staff member. We continue working with our court clerks and their duties and responsibilities. However, we have seen the clerks doing a great job and would like to commend them on their work. The Chief Clerk of Court will be setting up weekly meetings with the clerks to discuss any issues. The Prosecutors office remains very busy with several new staff who have been hired by the Legal department, the two new attorneys are Bailey and Gabriel Dumea, Bailey will be in the Prosecutors office. The Court is coordinating a meeting with Good Road Recovery and Dr. Tami DeCoteau (DeCoteau Trauma Informed Care and Practice) for mental health resources that are very important and needed. Dr. DeCoteau has a grant that will be able to pay for services for patients to receive mental health care. Currently the Court Administer and the Business Manager are completing a grant for a Youth Wellness Court/Program. The grant is through the department of Justice or the Coordinated Tribal Assistance Solicitation (CT AS). The Court intends the program grant to be coordinated through the Juvenile Department. At this time, we are adding new staff, (2 new adult probation officers as per Judicial Committee, a Wellness Court Coach and 2 deputy clerks) however, a major concern is the housing situation of new staff. One excellent staff member resigned this month because of the housing situation. The Court is respectfully asking the TBC to direct the Housing department to work with the Court regarding housing. It is a well-known fact there are many houses that are boarded up and not being fixed up, meanwhile, some of our tribal members are in dire need of housing. We have one staff member who is on a 2-year waiting list because he has 5 children and a wife.



- **Organizational Chart.**

Motion: Councilwoman V. Judy Brugh moved to approve the Fort Berthold District Court (FBDC) Organizational Chart. Councilwoman Monica Mayer 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 – Aye
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

- **Seaworth Contract**

Motion: Councilwoman V. Judy Brugh moved to approve the Judge Mary Seaworth Contract subject to Legal review. Councilwoman Sherry Turner-Lone Fight 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 – Aye
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

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

Item deferred.

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

Lead Patrol Agent David Brumett & Special Agent Dwayne Bowen provided the report on overdoses and recent activities.

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



No Items

XXI. EDUCATION COMMITTEE – Councilwoman Monica Mayer, Chair

TAT_20220309-1435_01d833c2f58dbc22

A. Authorization for Grant Funding Submission by Tribal Education Department for CTAS Purpose Area 9 – Tribal Youth Program

Motion: Councilwoman Monica Mayer moved to approve resolution no. 22-050-FWF entitled “*Authorization for Grant Funding Submission by Tribal Education Department for CTAS Purpose Area 9 – Tribal Youth Program*”. 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

XXII. NEW BUSINESS – Tribal Councilman Add Ons

- A. Chairman Mark N. Fox- *Reserved***
- B. Chairman Mark N. Fox - *Reserved***
- C. Councilman Cory Spotted Bear – *Reserved***
- D. Councilman Cory Spotted Bear – *Reserved***

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E. Councilman Fred W. Fox – Rusty Gillette

Motion: Councilman Fred Fox moved to approve the Rusty Gillette Contract subject to Legal review. Councilwoman Sherry Turner-Lone Fight 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 – Aye.
Councilwoman Monica Mayer – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye



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F. Councilman Fred W. Fox – Contracts

- **Anthony Gonzalez Contract Renewal**

Motion: Councilman Mervin Packineau moved to approve Anthony Gonzalez 6-month term contract subject to Legal review. 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 – Aye
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

- **Don Yellow Bird Contract Renewal**
Renewabl energy retrofit.

Motion: Councilman Mervin Packineau moved to approve Don Yellow Bird contract subject to Legal review. 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 – Aye
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

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G. Councilman Mervin Packineau – Contracts

- **T.J. Plenty Chief Contract**

Contract with T.J. Plenty Chief to build an earthlodge at the pow-wow grounds with a contract amount of \$36,397 from North East Segment funds.

Motion: Councilman Fred Fox moved to approve T.J. Plenty Chief Contract from Northeast Segment funds subject to Legal review. Councilwoman Sherry Turner-Lone Fight 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 – Aye.
Councilwoman Monica Mayer – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

- **Dive & Rescue Contract Correction**

The purpose of this Contract is for the Consultant to provide the following: Consultative services to establish a functional, certified public safety operation dive/rescue team for the Three Affiliated Tribes.

Motion: Councilwoman V. Judy Brugh moved to reaffirm “*Consultant Contract Between the Three Affiliated Tribes and Cody Steele*” with Term through December 31st, 2022, Retainer fee of \$5000, Payment under this Contract shall not exceed \$150,000 per year without the further express written consent of the Tribe, excluding expenses as set forth in Section 6. 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

Discussion: Previously approved but clarification made to some amounts such as compensation and milage.

- **EMT Feasibility Grant – Bandy Poitra**

Renewable energy grant for North East Segment. Recommended each Segment apply.

Motion: Councilman Fred Fox moved to approve to work with the Planning & Grants. 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 – Aye.
Councilwoman Monica Mayer – Not Voting
Councilwoman V. Judy Brugh – Aye
Councilwoman Sherry Turner-Lone Fight – Aye

T.A.F. 20220309-1445_01d833c45c874884
H. Councilman Mervin Packineau – Vehicle Purchases

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve Payloader Purchase (RDO Equipment Co.: \$49,355.92) from North East Segments funds. 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

- **Van Purchase for Parshall Resource Center**

Motion: Councilman Fred Fox moved to approve van purchase for Parshall Resource Center from North East segment funds. 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

Discussion: Received 3 bids & trade-in.

I. Councilwoman Monica Mayer - Reserved

J. Councilwoman Monica Mayer - Reserved



- K. Councilwoman V. Judy Brugh – Reserved**
- L. Councilwoman V. Judy Brugh - Reserved**
- M. Councilwoman Sherry Turner-Lone Fight – Enrollment Issue (Closed Session)**
- N. Councilwoman Sherry Turner-Lone Fight - Reserved**

XXIII. LEGAL DEPARTMENT – Tyra Wilkinson, MHA Supervising Attorney

Item deferred.

XXIV. CLOSED SESSION:

- A. Human Resources (HR)* – Melissa Brady, Director**
- B. Legal* – John Fredericks**
 - **Cenex Pipeline**
 - **Counsel Engagement**
 - **Midi Enterprises LLC**
- C. Land Purchase 1301 Elbowoods Lane Bismarck**
- D. CMC Controls Proposal² – Coulee Luger^[ENERGY]**
- E. Exclusion Resolution**
- F. N.P. Issue**
- G. E.D. Grants & Donations**
- H. Enrollment Issue – Councilwoman Sherry Turner-Lone Fight**
- I. Pipeline Authority – Travis Hallam, Director**
- J. Proposed Fractionation Plan – Steve Kelly**
- K. Home Purchase – Chairman Mark N. Fox**

XXV. ADJOURNMENT:

Motion: Councilman Mervin Packineau moved to adjourn the meeting.
Councilwoman Monica Mayer seconded the meeting. Meeting adjourned at 6:07 pm.




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, 7 were present at the Regular Meeting thereof duly called, notice, convened and held on the 15th of April, 2022; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 7 members; 0 members opposed; 0 members abstained; 0 Members not voting.


Chairman (X) Voting () Not Voting

Dated this 15th day of April, 2022

ATTEST:



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



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