



CALL TO ORDER:

Councilwoman V. Judy Brugh called the meeting to order at 1:30 PM.

I. ROLL CALL:

Present: Councilwoman Monica Mayer, Councilman Fred Fox, & Councilwoman V. Judy Brugh. *Quorum established.*

II. APPROVAL OF AGENDA:

Motion: Councilman Fred Fox moved to approve the agenda with additions. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

III. APPROVAL OF MINUTES:

• **April 26th, 2022 Judicial Committee Minutes**

Motion: Councilwoman Monica Mayer moved to approve April 26th, 2022 Judicial Committee Minutes subject to minor corrections. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

IV. NEW BUSINESS:

A. RW Contract Renewal

Robert Werlinger Contract Renewal

Motion: Councilman Fred Fox moved to forward contract renewal for Robert Werlinger to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

B. Tribal Codes – Janice Morley/ Sharon Thompson

Roger White Owl presented. County Sheriff Meeting, extended it. Roger is asking for direction. Councilwoman V. Judy Brugh had a meeting at the Interpretive center, Mercer County did not make it. Councilwoman V. Judy Brugh we should move ahead and set up another meeting. The MOU is drafted, Roger mentioned if they would all be on one or individual MOU's. McLean County has a little different verbiage, McKenzie and Mountrail counties would like a little wiggle room with verbiage. Roger White Owl states there is no negotiations. Extradition and what they can do to serve, Councilwoman Monica Mayer we can do individual for those two. Everyone agrees they should be all together. McLean County, will they be entire tribe, legal will need to draft it. Month of July will look at setting up a meeting.

Last Justice Commission mtg, next working session will be set up.

Government to Government in ND June 13th-14th in Bismarck. Councilman Fred Fox spoke to him this morning about our treatment, after care, drug issues, what are they



bringing to each tribe. Commissioner wants to focus on ? Roger White Owl will follow up on this.

FTR: Sharon Thompson joined the meeting via conference call.

Circling Eagle Law working on updating tribal codes. The code will be completely finished by the end of this month. Will present in Judicial meeting in July. Councilwoman V. Judy Brugh asked if Sharon worked with others on the Tribe. Confirmed that she works with John and Tyra. Title 1 of the tribal code was worked on by Tyra Wilkinson and Sharon Thompson. Jan Morley is a former Assistant U.S. Attorney. She works with Sharon. Enhancing will be developed as well as ?. Jan has been working on the code word for word, there is a lot of clean up. Don't have an efficient defensive attorney. Would like to work with the DEA on the drug code. Code does not include fentanyl. Also worked with CED's work violations. Will have training with Law Enforcement on the CED's petition. Discussed internal affairs, the justice commission has recommendations, two of the members are on the MHA?, they don't feel the justice commission feels they should not be working together. Sharon added, The Wellness Court was created a year and a half ago. Sharon and Jan will meet soon. Drug code, CVB for this. Our officers should have been able to cite nonmembers for the past 20 years or more on Fort Berthold. Councilwoman Monica Mayer this would like to discuss this more at Executive Committee. Jan states the code, there are some commission and are listed by the person and not the position, the code would need to be amended every time.

V. PROGRAM UPDATES:

A. Public Safety Administrator – Marty Foote

Marty was recently put into this position. Will touch base with other programs, Councilman Fred Fox states Game and Fish did not know they were under Public Safety, he will talk to Toni. Merge with Drug Enforcement will be together with TAT Law Enforcement. Would be easier for trainings. Backgrounds are updated. Councilwoman V. Judy Brugh asked about the adjudication process is going, we need our own adjudication Department for our Law Enforcement.

Motion: Councilman Fred Fox moved to forward with recommendation of approval the creation of a Three Affiliated Tribes adjudication office. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

B. Public Safety Division of Drug Enforcement - Gerald "Chip" White Jr., Chief of Drug Enforcement & Supervisory Special Agent Dawn White
Report submitted for the record.

C. TAT Law Enforcement – Nelson Heart Jr., Chief of Police

Report submitted for the record. Report included a detailed arrest report broken down by type of arrest, segment, age and address, age & tribe. 7 total Juvenile arrests in



May. 141 Adult arrests. Also presented May 2022 overdose statistics by segment & year. Reported 4 overdoses in May. Councilwoman V. Judy Brugh inquired as to what is the protocol for school shootings? Chief of Police Nelson Heart Jr states, that the SRO Officer would need to contain that threat. Councilman Fred Fox would like an SRO Officer in the White Shield School. Councilwoman Monica Mayer would like to have the Tribe take over on the towing trucks. Councilwoman Monica Mayer will bring this up at the Executive Committee Meeting.

Motion: Councilwoman Monica Mayer moved to forward to Executive Committee for further discussion on turning over North Segment towing services/equipment to the Tribe. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

Councilwoman V. Judy Brugh mentioned the about 6:15 pm. yesterday evening a TAT cop car was driving fast through town. Chief Heart replied that they should turn off the siren and slow down until the edge of town. Councilman Fred Fox make sure to work on getting a SRO in White Shield and why don't the DEA and LE reports differ, one shows activity in White Shield and the other one does not.

D. Department of Transportation (DOT) – Blaine Flynn, Director

Report submitted for the record. MHA Department of Transportation Motor Carrier Inspectors partnered up with TAT Law Enforcement and other local Law Enforcement Agencies for saturations. MHA Department of Transportation currently has (1) Office Assistant, and (1) Motor Carrier Inspector Positions Open. MHA DOT also has (3) additional Positions are pending for upcoming TBC Approval. Weight Enforcement for May 2022: 18 Total Contacts, 19 Citations Issued, \$39,190 Amount of Citations. Compliance Enforcement Check for May 2022: 114 Total Contacts, 23 Citations Issued, \$41,190 Amount of Citations. Funeral Escorts for May 2022: 2.

E. TAT Tribal Court – Dr. Elizabeth Yellow Bird, Court Administrator

Report submitted for the record. Our primary goal is to provide services to the people of the community and to protect the health and safety of the judges, court staff, and litigants the best way we can. The Wellness Court continues as a priority and is doing very well. Two reports have been submitted with details regarding the status of the Well ness Court, its activities and information about events. The Court continues to address COVID 19, and is following the TAT protocol as updated regarding vaccinated and unvaccinated staff. Regular cleaning and sanitizing the facility and practicing social distancing continues with the Court. a. The staff training has been rescheduled to June 24th at Prairie Knights due to scheduling conflict.

Accomplishments: Through the Wellness Court a naming ceremony was completed on Saturday May 28th. Because the participants are on probation in the Juvenile Department, we did not want a lot of information with names being given out. However, the participants did get permission from parents. We have also begun Equine Horse therapy through the Adult Probation department. One person from Mandaree and another within the Adult Probation have begun a series of 4 sessions in



Mandaree. Meetings have been held regarding the Tribal Codes; Sharon Thompson, Tyra Wilkinson, and most recently Janice Morley are going to be working on the Tribal Codes. I was asked by the Justice Commission and the Drug Task Force to forward the proposed amendments to the Tribal Code from the Drug Task Force. I am working on setting up a meeting with the Justice Commission, and the Judicial Committee for July regarding the Tribal Codes. The Prosecutors office remains very busy as they continue to learn processes and procedures and how they can assist the community the best way possible. The prosecutor's office submits the Criminal Department report in the monthly reports. A jury trial was cancelled this week, and we are anticipating a few more in the coming months. Would like to amend a code by resolution. A draft resolution entitled, "*Amendment to Chapter IV – A Motor Vehicle Code of the Three Affiliated Tribes Tribal Code*" was presented. Judge Christiansen states, Jury trial schedule issue, found out the officer was on leave. Would like notification sooner and would appreciate better communication. 14-159

F. Homeland Security – Cliff Whitman, Director

Item deferred.

G. Adult Detention – Danielle Goodluck, Administrator

Report submitted for the record. The month of April 2022 the Gerald "Tex" Fox Justice Center (GTFJC) currently has 19 Correctional Officers on staff with 3 Positions open 9 Corrections Officers are currently IPA uncertified. From 4/01/2022 to 4/31/2022 at 0800 hours there were 154 inmates brought into the custody of the GTFJC. Our capacity is currently 36 inmates. 78 were males and 77 were females. 94 were arrested in New Town, 16 in Four Bears, 19 in Parshall, 18 in Mandaree, 5 in White Shield and 2 in Twin Buttes. 121 were under the influence of Drugs and or alcohol. There were 314 charges assigned to the 154 inmates creating an average of 2.45 charges per person. We had 20 transports for the month, 4 of the transports were out of the local area. We had 10 Facility Incident Reports and 22 Serious Incident Report for the month of April. We have been having a really hard time getting background checks completed for our staff and due to that we have been unable to send any of our Corrections Officers to the BIA Mandatory Basic Corrections Officers training program located at FLETC in Artesia, New Mexico.

The Administrator states the overcrowding is an issue would like a new building. Robert Werlinger would like get some proposals out there and present them to the Committee. Councilwoman V. Judy Brugh asked about the States, and how long are the juveniles in there, Robert needs to sit with Mike Young Bird and see if there is another place to house inmates. It was mentioned that White Shield was a possibility, it would help out White Shield. Red Berries Home could hold them until they can transport, and the facility is not really utilized as it seems. Can discuss at Executive Committee meeting.



Moton: Councilwoman Monica Mayer moved to approve use of the Red Berry Home as a place to hold Juveniles. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

H. Juvenile Detention – *Mike Young Bird, Administrator*

Item deferred.

I. Child Support – *Alison Johnson, Director*

Report submitted for the record. Attached a breakdown of the collections on cases. Staffing - We are currently fully staffed with 9 employees. Tribal Court - Our next court dates are on June 8th, and June 22nd, 2022. Eastern Regional Interstate Child Support Association (ERICSA) Conference- Me and our Child Support Attorney, Bill Woods attended the ERICSA Conference May 22-26th, in New Orleans, LA. It was very nice to see the other colleagues after two years of Virtual conferences. Bill was one of the breakout session presenters at the ERICSA conference. Child Support Building - Still waiting to hear on any possible leads for a new office space for Child Support. We were approved at the November 26th, 2019 TBC meeting for a new Modular Building purchase from 380. Included are the meeting minutes. Here are some possible ideas for a Child Support building that have been brought to my attention: Possibly the Finance and Small loans sections of the current tribal building after they move to new locations. Children's Safety Center?? That was once talked about a possibility a few months ago at the Judicial meeting. Possibly Chairman's area after they move to new location. The old Coffee shop (JC Java Coffeehouse) on main street in New Town. Could remodel the inside into office spaces for Child Support TAT Child Support is continuing to operate efficiently with getting our Child Support payments processed twice weekly as well as receiving payments regularly from clients. Total Number of Open Cases at the end of May: 649. Established Order: 629 (Have all the documentation to enforce the order to pay Child Support). Pending: 20 (Meaning we need more documentation in order to consider Open). Tribal Support Orders: 348 (Established in our Tribal Courts) Foreign Support Orders: 281 (Established outside of our Courts). Total Amount Collected on ALL Cases in May: \$218,203.08. Total Amount of Current Support Collected on Cases in May: \$86,413.19. Total Amount of Past Due/Arrears Collected on Cases in May: \$131,789.89. How many cases are "Arrears only" payments? 240. How many cases are paying their current monthly obligation? 156 out of 366. How many cases are "Disbursement only" cases? 131 How many people are just "Not paying" at all on their cases? 413. It was recommended to submit a list of people not paying child support to Game and Fish to prevent them from getting a hunting license until they pay their child support. Can do it but never have as of yet. Councilwoman Monica Mayer suggests to forward to TBC. Submitted a quote from DesignSpace Modular buildings.



Motion: Councilwoman moved to forward to Executive Committee. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

J. Victim Services – Sadie Young Bird, Director

Item deferred.

K. TAT Game & Fish – Toni Smith, Director

Item deferred.

L. TAT Legal – Tyra Wilkinson, Lead Attorney

Item deferred.

M. HR Department – Melissa Brady, Director

Report submitted for the record. The HR department is currently revising our Mission Statement. HR meets with employees and directors on a daily basis for disciplinary, benefits, and assists with questions. HR continues to meet regularly with Big Fire Law Firm for the updated Personnel Policy & Procedures handbook. Every other Tuesday. Every Friday morning the Benefit Specialists and HR Director have a zoom meeting with the broker, MMA to discuss any ongoing issues. HR Director currently sits on the United Tribes Technical College Business Department Advisory Board. Board meets twice a year, meeting was held in May 2022. HR Staff became certified to utilize Breathalyzer machines Background Staff had training with PSC for onboarding and entering employee data. Monthly Data: Applications: 166. Vacancies Posted: 107. Hires: 17. Rehires: 11. Salary Modifications: 21. Closeouts : (termination/resignation/transfer): 6, Verification of Employment: 13. SARS entered: 150. Temporary Employees: 139. Permanent Employees: 1,409. Total Employees: 1,548. Backgrounds: TAT Tribal Court Pending: 77. Other Tribal Court Pending: 23. Preliminary Backgrounds Performed: 77. Preliminary Backgrounds Pending: 29. PSC Pending Full Investigation: 88. The HR Department is getting closer to our actual amount of employees needed per industry standard. HR Industry standard is 1-1.4 HR staff member per 100 organization employees. The Tribe currently has 1,548 employees. HR should have at least 15 to 21 employees. We currently have 13 employees. The barrier for HR becoming fully staffed is lack of office space. Our current staffing needs are as follows: 1 Background Verification Specialists, Benefit Specialist, and Receptionist/File Clerk. Per CEO, HR has been directed to hire an Employment Pool Coordinator for the Tribe to assist departments with immediate and temporary hiring needs. Will have to wait for departments to move from the current Tribal Building into the new building. Space will become available then. Employee Orientation: June 22nd & June 23rd, 2022 to be held at the TERO Building, pt floor conference room. Benefit Specialists and Background Investigations have moved to the 4th floor of the TERO Building. All Human



Resources staff are Breathalyzer certified. Will work with certifying Security and a couple of staff from Sage Coulee Wellness Center in Bismarck. HR will have a Breathalyzer unit, one will be shared with Security and one with Sage Coulee Wellness Center.

VI. CLOSED SESSION:

A. Lisa Yellow Bird Chase

VII. ADJOURNMENT:

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 5:45 PM.






CERTIFICATION

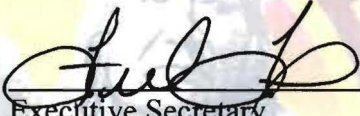
I, the undersigned, as Chairman for the Tribal Business Council's Judicial Committee of the of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council's Judicial Committee is composed of three [3] members of whom [2] constitute a quorum; 3 were present at the Judicial Meeting thereof duly called, noticed, convened and held on the 1st day of July, 2022; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 3 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Dated this 1st day of July, 2022.

ATTEST:



Judicial Committee Chairman,
Councilwoman V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes



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