



CALL TO ORDER:

Councilwoman Monica Mayer called the meeting to order at 12:25 PM.

I. ROLL CALL:

Present: Councilwoman Monica Mayer, Councilman Fred Fox, & Councilman Robert White. *Quorum established.*

II. APPROVAL OF AGENDA:

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

III. APPROVAL OF MINUTES:

- **January 31st, 2023 Judicial Committee Minutes**

Item deferred.

- **February 22nd, 2023 Judicial Committee Minutes**

Motion: Councilman Fred Fox moved to approve February 22nd, 2023 Judicial Committee Minutes subject to minor corrections. Councilman Robert White seconded the motion. Vote: 3-0-0. Motion carried.

IV. NEW BUSINESS:

A. Next Judicial Committee Meeting

April 17th, 2023.

V. PROGRAM UPDATES:

A. Tribal Code – Janice M. Morley/Leonika Charging/Sharon Thompson

Report submitted for the record. Michelle gave an update for Leonika. Continuing to revise, edit, and renumber sections in rough draft of Title III, Criminal Code. A rough draft has been completed on the code for Protection of Elder and Vulnerable Adults. Consultations were held with Administrator Phil Packineau and Chief of Police Nelson Heart Jr. at Law Enforcement building; along with Sadie Young Bird on Domestic Violence and Elder Abuse; Court Administrator Dr. Liz Yellowbird and court staff on judicial procedures; also, with Special Investigator Dawn White and Chief of Drug Enforcement Gerrald White on Drug Code; and with Lead Attorney Tyra Wilkinson in Legal Dept. on the code revisions. attended a meeting with US Attorney Mac Schneider and related law enforcement agencies on Savannah's Act, dealing with missing adults and children. At the conclusion of this meeting, I was able to meet with USA Schneider who committed to organizing a meeting with the States Attorneys and US Attorney office personnel to develop a protocol for enforcement of crimes by non-Indians. This protocol will be in place until adoption of



code amendments to implement jurisdiction over covered crimes and domestic violence. Juvenile Code, have developed this with a wish list. Changes will be made to three titles in the code. They are within their time frame for working on updating the Tribal Code by the end of the year.

B. Public Safety – Philip Packineau, Administrator

Report submitted for the record. Phil acquired 4 quotes. The total of all 4 quotes comes to \$1,261,679.20 over 5 years. The upfront cost would be \$430,806.71.

Councilman Fred Fox asked about the animal control officer, are they on the list too, they need to, our kids are having a hard time getting on the school busses. Phil states they can get another camera, animal control can utilize the camera. Councilwoman Monica Mayer states, during an accident she was driving by, she is required to stop as a physician. A New Town City police officer cursed her and yelled that he did not care who she was. Councilwoman Monica Mayer left, did not want to argue with the officer. Councilman Fred Fox will have to add the \$430,000 to his budget.

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

- **Brianna Foote Land Purchase**

Councilwoman Monica Mayer visited with the CEO, Brianna Foote who manages a shop in North Segment. The \$563,750 appraisal from the CEO that was given to Councilwoman Monica Mayer. Councilwoman Monica Mayer would like to forward this for further discussion.

Motion: Councilman Fred Fox moved forward land purchase to TBC.
Councilman Robert White seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: Lots by Justice Center for negotiation price, appraisal price from Brianna Foote.

C. Public Safety Division of Drug Enforcement – Gerald "Chip" White Jr., Chief of Drug Enforcement

Item deferred.

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

Report submitted for the record. Presented Total Response Implementation & Service Agreement. PowerPhone will implement a Total Response Call Handling Solution for MHA Nation Three Tribes -Mandan, Hidatsa and Arikara. The delivered solution will include Total Response software for call handling and provide access to PowerPhone's full range of educational services. The process to implement and realize the full benefits of the system will be led by a dedicated PowerPhone



Implementation Manager assigned to your agency. Of critical importance to the success of this initiative is a close working relationship between PowerPhone and MHA Nation Three Tribes -Mandan, Hidatsa and Arikara to set objectives, fulfill deliverables, and secure full adoption of this system among all end users. Ongoing use of the Total Response system will help ensure that your agency handles each call for service in a consistent manner. Purchased 15 Chevy Tahoe vehicles, but did not incorporate all the upgrades and equipment needed into the purchase.

Motion: Councilman Robert White moved to approve the Total Response Implementation & Service Agreement subject to Legal review. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

- **IHSP Grant Resolution**

The FY2023 Grant Contract was awarded by the BIA Indian Highway Safety Program. The grant is updated yearly based on the traffic statistics provided by the tribe each fiscal year. Since TBC has full authority and maintains the tribe's actions, the BIA IHSP needs a signed resolution of the Tribe agreeing to abide by the grant contract and to appropriately allocate the funds. Resolution for Grant entitled, “Authorization for TAT Law Enforcement Program to Apply for FY 2023 Bureau of Indian Affairs Indian Highway Safety Program Grant Funds”.

Motion: Councilman Robert White moved to forward IHSP Grant resolution to Executive Committee. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

FTR: Councilwoman Monica Mayer noted the request for cameras and body cam have been presented by Administrator Phil Packineau already.

Motion: Councilman Robert White moved to fund out of General Fund (\$830,000 - purchase and not to exceed) forward to Executive Committee. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

Councilman Fred Fox instructed Captain C.J. Whitman to get reports on officers’ incidents to him on a timely manner to address the incidents as soon as possible, we want to protect our Law Enforcement housing.

E. Department of Transportation – Blaine Flynn

Item deferred.



F. Fort Berthold District Court – Dr. Elizabeth Yellow Bird, Court Administrator

Have a vehicle that they put in their budget, have been waiting over 5 months. Councilman Robert White. suggest to resubmit to CFO again. Councilman Fred Fox stated, make sure to cc the Committee the emailed request.

Councilwoman Monica Mayer states A&W towing is still towing vehicles in North Segment. A&W is not supposed to tow enrolled members' vehicles off Fort Berthold.

G. Homeland Security – Cliff Whitman, Director

Item deferred.

H. Adult Detention – Robert Werlinger

Item deferred.

I. Juvenile Detention – Mike Young Bird, Administrator

Item deferred.

J. Child Support – Alison Johnson, Director

Report submitted for the record. Next Tribal Child Support court dates are on March 22nd and April 12th, 2023. Total Number of Open Cases at the end of February: 664. Tribal Support Orders: 345. Foreign Support Orders (Established outside of our Courts and transferred to us): 280. Pending cases: 39. Total Amount Collected on ALL Cases this month: \$93,855.91. Total Amount of Past Due Collected on Cases (Total monthly amount due on that case plus 20% of arrears if owed): \$28,690.13. Total Amount of "Arrears only" Cases: \$9,424.90. Presented two resolutions for action. BIA Resolution is for the BIA to comply with Child Support when it comes to Restricting IIM accounts. Resolution entitled, "*Request to Bureau of Indian Affairs on Behalf of Tribes Child Support Program*".

Motion: Councilman Robert White moved to forward resolution to Executive. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

Disbursement Resolution is for the Council to choose on; either to withhold \$750 or \$1,000 from each disbursement for Child Support obligations. Whichever amount that the Council decides on, (75% or 100%) is the amount that we will put in the resolution and use going forward, permanently. Resolution entitled, "*Collection from Peoples Fund – for Child Support Arrears*".

Motion: Councilman Robert White moved to forward resolution to Executive. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.



A consultation going on, it's an important issue, requesting someone from the tribe to come and testify. Councilwoman Monica Mayer would like to see data as to how many households are single families. Bill states that would be hard to obtain, now sure how to go about it.

K. Victim Services – Sadie Young Bird, Director

Item deferred.

L. MMEIP – Lisa Yellow Bird-Chase, Director

Item deferred.

M. TAT Legal – Tyra Wilkinson, Lead Attorney

Item deferred.

N. HR Department – Melissa Brady, Director

Item deferred.

VI. CLOSED SESSION:

- A. S. T.
- B. Z. W.
- C. Child Support Issue

VII. ADJOURNMENT:

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilman Robert White seconded the motion. Adjourned at 2:49 PM.




CERTIFICATION

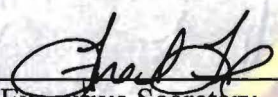
I, the undersigned, as Chairman for the Tribal Business Council's Judicial Committee of the of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council's Judicial Committee is composed of three [3] members of whom [2] constitute a quorum; 3 were present at the Judicial Meeting thereof duly called, noticed, convened and held on the 17th day of April, 2023; 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 17th day of April, 2023.

ATTEST:



Judicial Committee Chairman,
Councilman Robert White
Tribal Business Council
Three Affiliated Tribes



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