



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
JUNE 8th, 2023 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

* Standing Agenda Item

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

I. CALL TO ORDER:

Mark N. Fox called the meeting to order at 12:00 PM

II. ROLL CALL:

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

III. PRAYER:

Harriet Good Iron

IV. APPROVAL OF AGENDA:

Motion: Councilman Fred Fox moved to approve the agenda. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

V. APPROVAL OF MINUTES:

- **May 17th, 2023 Regular Meeting Minutes.**

Motion: Councilman Fred Fox moved to approve the May 17th, 2023 Regular Meeting Minutes subject to minor corrections. Councilman Robert White

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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye



VI. SPECIAL GUESTS & ELDERS:

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A. Doreen Irwin-Russell & Alva Irwin

Alva Irwin preseted request for assistance to get a new house in Bismarck for her sister Doreen Irwin-Russell family. Their trailer is in bad shape and in unlivable condition. The trailor is located in a trailor park and she pays lot rent. Already has had a electrical fire in the home and has roof, floor and electrical issues. Have searched out some quotes and working with a realitor. She cares for two disabled adult grand-children. Mark N. Fox recommended looking for a home. Has applied for a mortgage at one time and has reapplied. It was noted she was denied due to no colateral. Chairman Mark N. Fox stated the house becomes colateral. Mark N. Fox recommended interim approval subject to Policies & Procedures. Mark N. Fox also recommended applying for veterans home loan programs or Native American VA.

Motion: Councilman Robert White moved to approve home mortgage subject to Loans Policies & recommendations 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

Dicussion: Councilman Fred Fox noted that they have 6 new veterans homes in White Shield but the family wants to stay in the Bismark area.

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B. Marilyn Young Bird

Ms. Young Bird presented 3 quotes for furniture for the Four Bears Segment Safe Haven Home. She is working with Justin Baker from the GRRC. Ms. Young Bird is recommending the Zimmerman Furniture quote. The price will be \$21,678.72. Ms. Young Bird stated that if this is approved today, she would give the information to GRRC and they would submit the invoice. This will be paid by funds and matched with GRRC. Councilman Robert White provided further clarification. Meeting on the 14th to clarify the exact dollor amount split.



Motion: Councilman Robert White moved to approve purchase from assistance from Four Bears Segment subject clarification of final amount share between Four Bears & GRRC. 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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C. Roberta Crow's Breast

Requesting to make a small loan but co-signed a loan for elder home renovation in 2011 and they are it taking out of her disbursements. Mary Ellen Sun will resolve the interest at the time of the loan. Would like the loan turned into an elderly assistance grant. Chairman Mark N. Fox stated that TBC approved a small loan for her husband Waldron Crows Breast not long ago. It was approved based on the probate money that would be coming in. Also, it was approved subject to the policy and procedures. Not long after that, the balance that Ms. Crows Breast said she had did not match the balance the the Small Loans Department had. Because there amount was significantly different, a hold was put on the small loan until it was all straightened out. Ms. Sun stated that what they are going to do is not apply the accrued interest. Now Ms. Crows Breast will not owe and can receive the loan that TBC already approved. After Ms. Crows Breast recieves money in her probate she will be able to pay the loan off. An exception is being made for Ms. Crows Breast. No collateral or co-signor is needed.

Motion: Councilman Fred Fox moved to pay the balance of the loan from the General Fund (Elders Home Renovation) and approve a small loan with an waiver of the colateral requirement & co-signor requirements for a TBD amount for the loan. 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye



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D. Lana Turner

Elder requesting assistance with dental implants. Working through the Wrangler Group and they have quoted the procedure at \$27K. They would do the work in one shot and there is a risk of failure so she has sought out a different provider and is looking at one in Plano, Texas. The that performs the procedures of 4-7 months. Their quote is at \$50K. Sanford/Concordia would help with \$3K. Mark N. Fox noted that with the max cap the tribes could assist with \$37K.

Motion: Councilman Fred Fox moved to assist with (\$37K). 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

FTR: Later in the meeting, it was realized that the policy states “Elder’s do get 75% but not to exceed \$10,000 and may need to revisit the policy in the future.

EXECUTIVE COMMITTEE REPORTS

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VII. CHAIRMAN’S REPORT - Chairman Mark N. Fox.

Chairman Mark N. Fox gave an update to the TBC about the things he has been working on. One of the main topics was about oil and gas. Tomorrow, June 9th, 2023 will be the signing of the acquisition of the Enbridge pipeline. This will service the Thunder Butte area. When all the work is complete on this, the tribe will be making more money. Chairman Fox also mentioned that the MHA Nation will be involved in a Hydrogen Hub. It is a multi-billion-dollar project. Every ounce of the flaring will be used to create hydrogen. Hopefully, the MHA Nation will be the feed stock for one of the target markets which would be transportation. (Hauling/trucks) The MHA Nation is the strongest candidate to be able to fund this. There will only be 8 to 10 nationwide. There is a good chance the MHA Nation will be one of the ten spots for the Hydrogen Hub. It would increase royalties for everyone if the MHA Nation builds this facility. The tribe will know within six months if they will be able to be a part of this Hydrogen Hub venture. He was not able to go to NCAI. Chairman Mark N. Fox stated that Gov. Burgum will be running for US President. He met with him in regards to tribal issues. Chairman Mark N. Fox expressed his condolences to those in mourning. The Summer



Kick-Off in Bismarck is coming up. There is about 1,000 tribal members in the Bismarck area. In June 21st-22nd, 2023 there will be a N.D. Gov't to Tribal Gov't Conference. Chairman Mark N. Fox stated that the TBC is helping to sponsor the 4th of July event in Minot. Weight Loss Contest Summer Slime Down Final day with over 100 participants.

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

Councilman Cory Spotted Bear expressed his condolences. They recently had the garden open up for planting. Also, they had a clean-up day in the community. The horse cultural event started today. Twin Buttes Youth Olympics will be coming up June 14th, History of the Mandan Hidatsa Arikara at the Interpretive Center on June 15th. Twin Buttes Rodeo will be July 3rd and 4th, 2023. MHA Nation Indian Relay Series at Healing Horse & Twin Buttes Fair Grounds on June 24th /August 6th & 20th. Twin Buttes Pow Wow is coming up in August 4th – 6th.

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IX. EXECUTIVE SECRETARY'S REPORT – Councilman Fred Fox

Councilman Fred Fox expressed his condolences. Tomorrow is the Grand Opening of the Veterans Homes in White Shield. Two of the homes are strictly solar/Tesla Power Wall to see how that goes. The pow wow arbor is about complete. White Shield Pow Wow/Rodeo is July 7th-9th, 2023. September 1st-3rd, 2023 will be the Arikara and Pawnee Reunion – In White Shield for the first time. Make Cents Inc will pay 4 recipients in each segment and the Chairman's Office for a \$1,000 Educational Scholarship. Recommended that school officials be consulted and to contact Richard Mayer for further details.

FTR: Birthday recognition, honor song, special words with gift presentation to Councilman Robert White

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X. TREASURER'S REPORT - Councilman Mervin Packineau

Expressed his condolences to those families that lost loved ones. The elder's trip went well. June 13th is Clean-up Day in Parshall. Famous Dave's is serving. With *Fun On The Run*, Bingo, Pow Wow is June 23rd-25th, 2023 with DJ & Fair Passes for participants. Horse Relay's on June 24th, 2023. MHA Rodeo on June 25th.

A. CFO Report – Whitney Bell

Item deferred.

B. Mortgage Program – Val Mayer, Credit Manager

Item deferred.



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

Motion: Councilwoman Monica Mayer moved to approve Group A (13): Small Loans subject to Policy & recommendations. 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Motion: Councilman Mervin Packineau moved to approve Group B (1): Small Loans subject to Policy & recommendations. 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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D. Four Bears Casino Report* (See Closed Session)– *Spencer Wilkinson, Scott Wilson, General Manager*

Motion: Councilman Robert White moved to approve resolution no. 23-168-FWF entitled “*Approval of Revised Four Bears Casino Hotel Expansion Construction Budget*” Councilman Fred Fox seconded the motion.

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

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



Councilman Robert White – Aye

XI. SEGMENT UPDATES:

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A. North Segment – Councilwoman Monica Mayer

Councilwoman Monica Mayer mentioned the committee meetings that are coming up. June 12th – Education, Economic & Cultural Committee meetings. June 13th – Health & Human Resources & Judicial Committee meetings. June 21st – New Community Center Ground Blessing Ceremony with Summer Kickoff events. June 28th - Cleanup day is coming up this month and another one in July. The participants will get mega ride passes for the children and concert passes for adults.

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B. Four Bears Segment – Councilman Robert White

Councilman Robert White expressed his condolences. The event staff has been very active since he started in office. Listing of upcoming events available on the Four Bears Segment Web Page. June 7th Four Bears Pow-wow & Rodeo. 1st Youth 5k/10k Run. Councilman Robert White expressed his appreciation for the TBC and all they do. Praised the TBC for the work they do as a new Councilman to make the tribe generational wealthy and not just rich.

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C. West Segment - Councilwoman Sherry Turner-Lone Fight

Father's Day BBQ will be coming up. There are many events that are coming up in the community. July 1st, 2023 will be the West Segment Days. July 13th-16th, 2023 will be the Mandaree Pow Wow with Clans coming in after the Veterans during Grand Entry. Councilwoman Sherry Turner-Lone Fight asked the Mandaree Community to keep their yards clean because they are being monitored for their State Fair passes. June 19th – 21st – Cultural & Language Camp, June 23rd/24th – Whole Hearted Horsemanship Camp, Suicide Prevention/Alcohol & Drug Prevention Events.

XII. OFFICER REPORTS:

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A. Chief Executive Officer Report* – Stella Berquist, CEO

1) Executive Orders*

Motion: Councilman Cory Spotted Bear moved to ratify Executive Action 2023-023-MF:

WHEREAS, The Twin Buttes Segment operates the Twin Buttes Do It Best store; and

WHEREAS, Furniture Fixtures and Equipment (FFE) must be supplied for the Twin Buttes Road Garage Project; and



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WHEREAS, The Twin Buttes Segment wishes to procure all of the FFE from its Do It Best Store; and

WHEREAS, The total cost of the FFE is \$200,000; and

WHEREAS, An exception to the Tribe's Procurement Policy is necessary to allow such purchases; and

WHEREAS, Waiver of procurement requirements is necessary.

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council authorizes an exception to the Tribal Procurement Policy for the Twin Buttes Road Garage Project.

BE IT FINALLY RESOLVED, That the Tribal Chairman is authorized to take such action as is necessary to carry out the terms and intent of this Executive Action.

Councilman Robert White seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Not Voting
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Motion: Councilman Robert White moved to ratify Executive Action 2023-024-MF:

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes authorizes and approves a contract for services with R&R Construction LLC, for work to be completed at 301 Sundance Lane, Bakersfield Woman Goes Out Subdivision, in the Four Bears Segment. Total funds of \$10,600.00 will be drawn from the Four Bears Segment Budget.

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 – Not Voting
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye



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Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Motion: Councilman Robert White moved to ratify Executive Action 2023-025-MF:

WHEREAS, In 2022, White Shield Segment and EMS initially determined that North Central Ambulance Sales and Service of Lester Prairie, Minnesota could provide the highest quality vehicle, a Braun Liberty Type 1 Ambulance, at the most reasonable cost and solicited a bid from them. The purchase of an ambulance from North Central was authorized by TBC Resolution No. 22-265-FWF; however, North Central has failed to meet deadlines, is in breach, and still cannot confirm a firm delivery date; and

WHEREAS, Time is of the essence, as White Shield Segment is in dire need of a new ambulance. Upon further investigation, White Shield EMS determined that Premier Specialty Vehicles of Fergus Falls, MN can deliver an ambulance built to White Shield Segment and EMS specifications within a reasonable time for a cost of \$420,235.00; and

WHEREAS, White Shield Segment and EMS solicited a Bid (copy provided hereto and made a part hereof by reference) from Premier Specialty Vehicles for a new ambulance equipped with all amenities necessary for providing the people of the Segment and the MHA Nation the highest quality emergency services possible, and respectfully ask that the Tribal Business Council of the Three Affiliated Tribes rescind the previously approved Resolution No. 22-265-FWF, and that it approve the purchase and authorization for payment for the Braun Liberty Type 1 Ambulance, as more particularly described in the accompanying Bid, from Premier Specialty Vehicles.

NOW, THEREFORE, BE IT RESOLVED, That, through Executive Action procedure, the Tribal Business Council of the Three Affiliated Tribes approves the purchase by White Shield Segment of the Braun Liberty Type 1 Ambulance from Premier Specialty Vehicles, as described in the aforementioned Bid, and approves the drawdown of funds of up to \$420,235.00 from the TAT FY 2023 Budget, from the White Shield annual allocation for payment of the purchase price.

Councilman Cory Spotted Bear seconded the motion.

Vote: 7- Ayes. Motion carried.
Chairman Mark N. Fox – Aye



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Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Motion: Councilman Robert White moved to ratify Executive Action 2023-026-MF:

WHEREAS, The Small Loans Department has indicated that an application has been made by Frederick W. Fox Sr. for a loan, that its policies and procedures have been followed, and that Frederick W. Fox Sr. meets the Tribal criteria for a personal loan of \$ 10,000.00.

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 the aforementioned one loan to Frederick W. Fox Sr. for a total for \$10,000.00.

Councilman Cory Spotted Bear seconded the motion

Vote: 6- Ayes. 1- Abstention. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Abstained
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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

Motion: Councilman Fred Fox moved to approve resolution no. 23-169-FWF entitled “*Approval of 29 (Twenty-Nine) Applicants for Enrollment into the Three Affiliated Tribes.*” 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Discussion: 17,236 total tribal members.

3) **Tax Department Report*** – *Cynthia Monteau, Tax Commission Director*
Report submitted for the record.

XIII. UNFINISHED BUSINESS:

A. **GIS** – *Tanya Sand, Director*

1) **Draft GIS Ordinance**

Item deferred.

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B. **Public Works** – *Marcus Levings, Director*

Presented verbal report of recent activities that included OSHA Training, Vaccination for the staff, and Org chart. Resolutions presented for the SDS Projects, Rural Water & Solid Waste to get funded with the I.H.S. Councilman Robert White was concerned on some of these may not need resolutions due to being standard forms. John Fredericks noted the I.H.S Transfer and funding requests need resolutions. John Fredericks notes that of these need Legal review. Presented 16 resolutions that have tribal match.

FTR: *Mark N. Fox stepped out of the meeting*

Motion: Councilman Fred Fox moved to approve resolution no. 23-170-FWF entitled “*Approval of Transfer Agreement between the United States of America, Acting Through Indian Health Service, and the Three Affiliated Tribes for Project No. GP-20-J73, Regarding the Provision of Sanitation Facilities in the Parshall Community.*” subject to Legal review. 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye



Discussion: John Fredericks asked that the resolution doing transfers included O&M.

Motion: Councilman Fred Fox moved to approve resolution no. 23-171-FWF entitled “*Approval of Transfer Agreement between the United States of America, Acting Through Indian Health Service, and the Three Affiliated Tribes for Project No. GP-21-J90, Regarding the Provision of Sanitation Facilities in the White Shield Community.*” 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 23-172-FWF entitled “*Approval of Public Works Department And Indian Health Service general fund match for Project No. GP22-K18 FB-CSLS Woman Goes Out LS Renovation; within Four Bears Segment and hereby approves a Tribal General Fund match in the Amount of \$380,000.00 for the \$993,500.00 Project GP-22-K18.*” Subject to Legal review. 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 23-173-FWF entitled “*Approval of Memorandum Of Agreement between the Indian Health Service for Project No. GP-20-J77 Thunder Butte Sewer Collection And Treatment. Fort Berthold Indian Reservation Memorandum of Agreement. Amendment One. Thunder Butte Housing Development; within the Four Bears Segment.*” 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 23-174-FWF entitled *“Approval of Transfer Agreement between the Indian Health Service for Project No. GP-20-G24 Individual Water & Sewer, Transfer Agreement Between The United States of America And The Three Affiliated Tribes Fort Berthold Indian Reservation, North Dakota; New And Like New Housing.”* 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 23-175-FWF entitled *“Approval of Transfer Agreement between the United States of America, Acting Through Indian Health Service, and the Three Affiliated Tribes for Project No. GP-21-J94, Regarding the Provision of Sanitation Facilities in the Four Bears Community.”* subject to Legal review. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Motion: Councilman Robert White moved to approve resolution no. 23-176-FWF entitled *“Approval of Amendment One to the Woman Goes Out Sewage Lift Station*



Renovation Project GP-22-K18 (133273) Summary for The Construction of Sanitation Facilities to Serve Existing Housing On The Fort Berthold Indian Reservation, North Dakota; Increases the Cost Estimate of a previously approved project by \$380,000.00." subject to Legal review. Councilman Fred Fox seconded the motion.

Vote: 5- Ayes. 2- Not Voting. Motion carried.

Chairman Mark N. Fox – Not Voting
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Discussion: John Fredericks expressed concern over similar resolution and noted that Legal may combine the two resolutions.

“Approval of a Letter of Intent to Obtain Right-of-Way for T-538A-B, T-549-A, T-5439 Within the Four Bears 22 Lift Station Generator, New Town Dragswolf Lift Station To Install Self Powered Generators In the Advent of Electrical Power Outages”

Attorney John Fredericks recommended remaining ROW Procedure with NRC to make sure there are no other encumbrances. Councilman Cory Spotted Bear noted the remaining are Right-of-Ways.

Item deferred.

Motion: Councilman Fred Fox moved to approve resolution no. 23-177-FWF entitled *"Approval of Public Works Department And Indian Health Service Engineers Project No. GP-21-X29 -FB Water Haul Trucks Serving the Three Affiliated Tribes within the Fort Berthold Indian Reservation."* Subject to Legal review. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye



C. Tribal Code Table of Contents – *Jan Morley/Leonika Charging/Sharon Thompson*

Item deferred.

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D. Twin Buttes Rodeo – *Marty Young Bear*

Mr. Young Bear is here to request a financial sponsorship for a rodeo held July 3th-4th, 2023 for this INFR Tour qualifier. The total budget needed is \$101,745.00. Remainder from South Segment Funds. They are requesting that \$35,000 come from the General Fund. They have \$49,000 in the NDRA account that will also be putting toward this event. They are requesting that \$35,000 come from the General Fund & remainder of \$16,885 can be paid by the Twin Buttes Segment funds.

Motion: Councilman Mervin Packineau moved to approve \$35K from General Fund and the remainder of need (\$16,885) from South Segment Funds for the INFR Tour Rodeo in Twin Buttes. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

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

No Items

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

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

Ms. Eagle asked for clarification concerning the process for contractor payments to the Dental/Optomtry Building expansion & contingency. Ms. Eagle asked if the Project Manager has the authority to sign for and approve contingency for payment. Councilwoman Monica Mayer noted that Ms. Eagle that the Project Manager or her (Ms. Eagle) do not have that authority to sign for financial things. All things



concerning the construction should be brought to Chairman Mark N. Fox for approval and signature.

1) Amy Ham Contract
Clinical Councilor.

Motion: Councilwoman Monica Mayer moved to approve the Amy Ham Contract subject to Legal review. Councilman Robert White 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 – Aye
Councilwoman Sherry Turner-Lone Fight – Not Voting
Councilman Robert White – Aye

2) Sage Coulee MOU

This MOU is still being edited and there are no financials involved in this.

Motion: Councilwoman Monica Mayer moved to approve Sage Coulee MOU subject to Legal review. Councilman Mervin Packineau 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 – Aye
Councilwoman Sherry Turner-Lone Fight – Not Voting
Councilman Robert White – Aye

3) Triage Staffing-Locums Service Agreement

Approval will allow EMHC to provide and continue with lab services.

Motion: Councilwoman Monica Mayer moved to approve Triage Staffing-Locums Service Agreement subject to Legal review. Councilman Mervin Packineau 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 – Aye
Councilwoman Sherry Turner-Lone Fight – Not Voting
Councilman Robert White – Aye

4) Years of Service Award

5-10 years one time award to select people who have met the 5-year requirement from 3rd party funds. Amount is \$3,250.

Motion: Councilwoman Monica Mayer moved to approve Years of Service Award. Councilman Robert White 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 – Aye
Councilwoman Sherry Turner-Lone Fight – Not Voting
Councilman Robert White – Aye

5) Change Orders Dental & Optometry

- i. Mowbray & Sons
- ii. Scull Construction

Items addressed. Councilwoman Monica Mayer recommended that the Project Manager be taking Change Orders to the Chairman's Office

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

Seeking approval for bid pack #2 in the amount of \$15,013,670.00. Legal review is pending. This is in regards to the PHN building. Mr. Eagle also informed TBC that the suggested names for the new building have been finalized. He asked that the TBC vote on the name of the building. Mr. Eagle also informed TBC that the suggested names for the new building have been finalized. He asked that the TBC vote on the name of the building.

FTR: Councilwoman Sherry Turner-Lone Fight returned to the meeting.

Motion: Councilwoman Monica Mayer moved to approve Bid pack 2 GMP Amendment PHN Building. Councilman Mervin Packineau 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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C. **Life & Limb*** - Felicia Lone Bear Jimenez, Director [HIPAA SENSITIVE]

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

- S.L.B. [XXXXXX]
- F.S. [XXXXXX]
- L.J.H. [XXXXXX]
- R.P. [XXXXXX]
- M.B. [XXXXXX]
- R.G. [XXXXXX]
- J.D. [XXXXXX]

Councilman Fred Fox 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

FTR: Chairman Mark N. Fox returned to the meeting.

Discussion: Councilwoman Monica Mayer noted the last individual J.D. is not eligible for Medicaid and has limited income. Their retirement income is \$55,000. The applicants Nursing Home charges is \$120,000. The client needs \$50,000.

Motion: Councilwoman Monica Mayer moved to approve J.D. for \$50,000 as allowed according to the Nursing Home policy. The client will be responsible for the rest. Councilman Fred Fox seconded the motion.



Vote: 5- Ayes. 2- Not Voting. Motion carried.

Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Not Voting
Councilman Robert White – Not Voting

EX-120230608-1330_01d99ad71249c3c

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

Cray Hudson, Point of Contact Supervisor presented for the Director.

1) Recovery Behavioral Health Process

This is a policy that will cover sending clients to Emmanuel down in Arizona.

Motion: Councilman Fred Fox moved to approve the Recovery Behavioral Health Process. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

2) Healing Hearts Lodge Contract

Motion: Councilman Robert White moved to approve Nicole McCarty Contract with Healing Hearts Lodge 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye



- 3) **MHA Sober Lodge (MHASL) Contract**
- 4) **CDR Health Contract**
- 5) **Jennifer Bartch LAC Contract Renewal.**
- 6) **Proposal for Payment of Employee Coinsurance**
- 7) **Proposal for White Shield Men's Sober Living**
- 8) **GRRC Residential Tech Overnight**
- 9) **GRRC Interim Clinical Supervisor**
- 10) **GRRC Interim Director.**

Motion: Councilman Robert White moved to approve blanket approval of the above agenda item 3-10 subject to Legal review:

- **MHA Sober Lodge (MHASL)/Christian Kelly Contract**
- **CDR Health Contract**
- **Jennifer Bartch LAC Contract Renewal.**
- **Proposal for Payment of Employee Coinsurance**
- **Proposal for White Shield Men's Sober Living**
- **GRRC Residential Tech Overnight**
- **GRRC Interim Clinical Supervisor/ Adalia McCrea Contract**
- **GRRC Interim Director.**

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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

E. Survey – Travis Hedrick

Item deferred

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

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



Motion: Councilman Fred Fox moved to approve resolution no. 23-186-FWF entitled: “June 2023 Home Site leases and Utility Corridor.” [Sheldon Standish] 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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

Item deferred.

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C. Agriculture Leases*

- 1) **Ree Ranch**
- 2) **Elton Spotted Horse**
- 3) **Bobby Biglake**

Ree Ranch 7 allotments- This is in the East Segment. This will be for three years.
Elton Spotted Horse 2 allotments- This is in the West Segment. One year lease.
Bobby Biglake 1 allotment- This is in the Four Bears Segment. One year lease.
Chairman Mark N. Fox stated that the TBC can terminate these leases and the leasers need to be aware of that.

Motion: Councilman Fred Fox moved to approve resolution no. 23-182-FWF entitled: “June 2023 Agricultural Leases.” Councilman Robert White 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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D. Easements:



1) McKenzie Electric Cooperative (MEC) (3)

- **Bypass 23B Project**

Tribal Fee Project North of New Town for loop on Bypass 23B. Currently have an existing easement but just want to complete the circuit. Councilman Cory Spotted Bear noted that all resolutions should have Legal review prior to being presented.

Motion: Councilman Fred Fox moved to approve resolution no. 23-183-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal land (T696A-C, T750A-A, T716A, and 710A) submitted by McKenzie Electric Cooperative Inc.*" subject to Legal Review. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

- **MEC Rerouting and Improvement in the South Segment for Underground 3-Phase**

MEC Rerouting and Improvement in the South Segment for underground for a stretch coming into the community for 3-Phase.

Motion: Councilman Fred Fox moved to approve resolution no. 23-184-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal land (T538A-B, T549A, T5256, T1853-B, T5255, 585A, 568A, 568A, T583A-B, 607A, T567A-B, 594A B) submitted by McKenzie Electric Cooperative Inc.*" subject to Legal Review. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

- **MEC West Segment**



Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 23-185-FWF entitled "*Consent to Approval of a Right-of-Way(s) across Tribal land (1087, T457, T777A-C, T1088, T1088-A, T1398, T1593, T704A-C, T704A-D, 2143, T1810, T2145) submitted by McKenzie Electric Cooperative Inc.*" subject to Legal Review. 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

- **MEC Four Bears Community Center**

Motion: Councilman Robert White moved to approve resolution no. 23-197-FWF entitled "*McKenzie Electric Cooperative Easement Project for the Four Bears Community Center*" subject to Legal Review. 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

2) Mountrail Williams Electric Cooperative (1)

Item deferred.

3) Four Bears Segment – Reserve Status Request

Item deferred.

E. Patiently & Jodi Martinez Land Purchase (East Segment)



Item deferred.

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F. Land Exchanges:

1) Adam Fredericks – West Segment

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 23-188-FWF entitled, "*Approval of the Land Exchange between the Three Affiliated Tribes and Adam Fredericks.*" subject to Legal Review. Councilman Fred Fox seconded the motion.

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

Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

2) Maxine Buffalo – West Segment

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 23-187-FWF entitled "*Maxine Buffalo – West Segment Land Transfer*" subject to Legal Review. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Discussion: Councilman Mervin Packineau asked Mr. Lone Bear the process of land exchanges. Mr. Lone Bear stated if the land is in Trust, the person that wants to exchange must apply with BIA. BIA will determine how much property they person has to trade with. They will list any undivided interests and allotments. BIA will notify them of the land they can exchange and also the land they can exchange with. Then the person will notify the NRC of the land they want to exchange. NRC will let the person know if they will approve of it or if the tribe has plans for the land they want to exchange for.



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G. Fort Berthold Rural Water (FBRW) Update* - Joseph Silvaria, Director

Motion: Councilman Robert White moved to approve resolution no. 23-189-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*” [FBRW-White Horse] 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Motion: Councilman Robert White moved to approve resolution no. 23-190-FWF entitled “*Authorizing and Approving the Purchase of Land for Use by the Fort Berthold Rural Water System Program*” 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

H. Amy Hosie Request Concerning the Lonnie Charging Estate

Item deferred.

I. Roads MOU Dunn County – Dennis Fox

Item deferred.

XVII. ENERGY COMMITTEE – Councilman Fred Fox, Chair

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



Federal Partners & Rig Friendly meeting on the June 26th. At the EOG Office in Denver.

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B. ROW's*–Paul Grady & Harriette Clah

1) Murray USA Lake Setback

Motion: Councilman Fred Fox moved to approve resolution no. 23-179-FWF entitled “*Approval of a Setback Variance Requested by Marathon Oil Company for the Murray USA Project.*” 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Discussion: Councilwoman Monica Mayer noted that in Committee she had objection to companies drilling so close to our set-backs on Sahnish. Meet with the companies.

2) Murray USA Surface Use Agreement & Damage Agreement

Motion: Councilman Fred Fox moved to approve resolution no. 23-180-FWF entitled “*Approval of a Surface Use and Damage Agreement with Marathon Oil Company for the Murray USA Project.*” 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

3) Collins USA Project Surface Use Agreement



Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-181-FWF entitled “*Approval of a Temporary Surface-Use Permit Agreement across Tribal Land (T5480) for the Collins USA Project Submitted by Marathon Oil Company.*” 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

XVIII. ECONOMIC DEVELOPMENT COMMITTEE – *Councilman Robert White, Chair*

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A. AAU Sponsorship Policy Clarification

Standing policy. Councilman Robert White asked for an updated Standing Policies list. He wants clarification on who is eligible to receive the sponsorship. The current policy for AAU Sponsorships is from 2017 and is \$1,240 per athlete. Chairman Mark N. Fox would like the students to more fundraising & would be dependent on they are going. Question as to the inclusion of coaches. Councilman Cory Spotted Bear noted that it was for a series of games. Councilman Robert White & Councilman Cory Spotted Bear recommended developing a policy and presenting at the next Executive Committee.

FTR: *The Records Office provided a current copy of the Standing Policies to each Council person.*

XIX. JUDICIAL COMMITTEE – *Councilwoman Monica Mayer, Chair*

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

-Supreme Court Justices. Michelle Rivard Parks, James Maxon and John Mahoney. Their contracts end June 30th, 2023. The contracts are for four years. There were some adjustments, Mr. Christianson is not sure who suggested them. There is a change in the hourly rate, from \$187/hr. to \$225/hr. Also, a late payment provision that includes interest charges. This did not go through the Judicial Committee. TBC advised Ms. Yellow Bird to get everything in the contract worked out and bring it to the Judicial Committee meeting on June 13th, 2023.

- **Contracts (3)**

Deferred to Judicial Committee.

- **Vehicle Purchase**



Vehicle purchase for the Adult Probations Department. This can be purchased with funds in their budget. They have already met with CFO Whitney Bell. The money for the purchase is in their budget. They will submit the information to CEO Stella Berquist. No Action required

- **Rules of Judicial Conduct**

Chief Judge Christianson spoke on policy for the *Rules of Judicial Conduct*. Behaviors and prohibited behaviors. Chief Judge Christianson also stated that requests this so it will have a bit of teeth to it. It has gone through legal review.

Motion: Councilwoman Monica Mayer moved to approve “*Rules of Judicial Conduct*” subject to Legal review. Councilman Robert White 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

Chairman Mark N. Fox expressed his concern about the process of getting a person into treatment. There needs to be more cooperation from the prosecutors. They don’t need to belittle the process to get people into treatment. Chief Judge Christianson stated that their concern is that people that have warrants are ending up in treatment or sober living. Chairman Mark N. Fox stated that several outside agencies commended our tribe for helping people get into treatment but yet our own tribal judicial system is hampering the efforts that the tribe does to get people to treatment. Chairman Mark N. Fox stated we need to get people into treatment regardless of what their motivations are. When people get to treatment their mind frame changes and their lives can change for the better. We cannot always worry about procedures. We need to help the people. Chief Judge Christianson stated that he feels our judicial system goes above and beyond to get people into treatment. He feels he may be misinformed. Chairman Mark N. Fox also stated that he is an educated man and can read the complaints made to him.

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B. TAT Law Enforcement Report* - Phil Packineau, Public Safety Administrator

1) Report

Provided verbal report. Mr. Packineau spoke about the meeting that was held at the end of May with all the State and County agencies. He also mentioned some



issues with the gun range project. One main issue is that the contractor will not be able to build the gun range until next spring. Currently they use an area in Shell Creek to practice shooting or indoors at Stanley. The TBC advised Mr. Packineau that he may have to go with another contractor to build the gun range.

2) Insurance Data

Item deferred

C. Public Safety Division of Drug Enforcement Report* – *Gerald White, Jr., Chief*
Submitted report for the record. Overdose Demographic Report.

D. ND BCI SLEC Deputation Agreement - *Gabriel DeMaya, Staff Attorney & Phil Packineau, Public Safety Administrator*

This is pursuant to resolution 23-034-FWF. This authorizes the MHA Tribal Chairman to enter into this agreement on the tribe's behalf. Also, it authorizes the ND BCI Law Enforcement Officers under a BIA special law enforcement commission issues through the Secretary of the Interior to enforce federal laws in Indian Country.

Motion: Councilwoman Monica Mayer moved to approve ND BCI SLEC Deputation Agreement. 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

E. Tribal Code- Title VI Revision – *Jan Morley/Leonika Charging/Sharon Thompson*

Item deferred.

XX. CULTURAL COMMITTEE – *Councilwoman Sherry Turner-Lone Fight, Chair*
No Items

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

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A. Resolution “Waiver of Bureau of Indian Education Assessment for School Year 2023-2024” - Gregory Sherwood, Mandaree School Principal and Carolyn Bluestone, Mandaree Superintendent.

Supports them in their efforts in regards to school testing. They hope to have a one day of testing because of so much testing that needs to be done takes away from daily school instruction. If the BIA wants testing done then they (Mandaree School) will submit the state testing scores.

Motion: Councilman Robert White moved to approve resolution no. 23-196-FWF entitled “Waiver of Bureau of Indian Education Assessment for School Year 2023-2024” subject to Legal review. 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

FTR: The above resolution was reassigned resolution no. 23-178-FWF due to duplication.

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B. Education Request – Tracie Packineau

Seeking a match from each office to cover child tribally enrolled in the seconded semester but needs help for the first semester at Shiloh High School. It was agreed to go to each office for assistance.

XXII. NEW BUSINESS – Tribal Councilman Add Ons

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A. Chairman Mark N. Fox- Qualifying Rodeo Event

Chairman Mark N. Fox spoke about rodeo requests. (Roping) Chairman Mark N. Fox stated that those that qualify for things like the INFR will or may be allowed financial assistance. What has been going on is that the rodeo requests are being paid for open rodeos to get qualified, not just the final qualified event. He stated it is getting out of hand and he needs the other segments to step up and help out as well. Chairman Mark N. Fox stated he is tapped out on helping with rodeo sponsorships. TBC also discussed the policies on sponsorship. Chairman Mark N. Fox recalls TBC passing sponsorships for just four categories and now the TBC isn't adhering to their own policy.

Councilman Cory Spotted Bear stated the policy he had in front of him from 2020. It states the cap is \$1,500 for a qualified roping event for adults and youth. A maximum of 2 events. Policy also states 75% of request for INFR event not to exceed \$5,000.



Councilwoman Monica Mayer stated there is a lot of confusion and the TBC needs to update the policy and all get on the same page.

FTR: Mark N. Fox requested the Records Office search for the policy or resolution that limited assistance to 4 categories with financial limitations about 5-7 years ago.

B. Chairman Mark N. Fox – Reserved

C. Councilman Cory Spotted Bear – Equipment Purchase (100K+)

Seeking to purchase a used Water Truck from United Rentals (Bid 1) for \$122,600.00. We got three comparable bids for the same model and year water unit and one new truck bid for comparison. Bid# 1-United rentals \$122,600.00. Bid# 2 -USM \$129,984.00, Bid# 3 -RDO Equipment \$137,000.00, Bid# 4 -Ledwell (new water truck) \$187,223.11. This unit will be used by multiple entities in Twin Buttes for multiple projects to include but not limiting to: Fairground Operations and events, Twin Buttes Public Maintenance, and Grassland Fire Unit Support.

Motion: Councilwoman Monica Mayer moved to approve vehicle Bid #1. Of the presented 3 bids and to be purchased from South Segment funds. 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

D. Councilman Cory Spotted Bear – Range Riders Vehicle Purchase - Jesse Baker

Have 4 vehicles for purchase but two on hold by the CFO Office. Found vehicles that the dealer has reserved that are hard to get. Will follow up with the CEO's Office to complete the purchase of the two reserved trucks in Dickinson.

E. Councilman Fred W. Fox – East Segment Ambulance Purchase & Resolution Rescission

Motion: Councilman Fred Fox moved to approve resolution no. 23-191-FWF entitled "Approval of Purchase of Ambulance by White Shield Segment from Premier Specialty



Vehicles, at a cost of \$420,235.00, and rescission of Resolution 22-265-FWF.”
Councilman Robert White 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 Sherry Turner-Lone Fight – Not Voting
Councilman Robert White – Aye

F. Councilman Fred W. Fox – Jackie Morsette (See Closed Session)

G. Councilman Mervin Packineau – Reserved

H. Councilman Mervin Packineau – Reserved

I. Councilwoman Monica Mayer – Reserved

J. Councilwoman Monica Mayer – Reserved

K. Councilwoman Sherry Turner-Lone Fight – Kathy Mossett (Closed Session)

L. Councilwoman Sherry Turner-Lone Fight – Reserved

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M. Councilman Robert White – Contract Approvals

- **Jody Ground Contract**

Motion: Councilman Fred Fox moved to approve extending Jody Ground contract not to exceed \$20K subject to Legal review. 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

- **Kayla Danks Contract/I.H.S. Land Transfer.**

Ms. Danks will help Four Bears Segment with a land transfer. (IHS compound)



Motion: Councilman Mervin Packineau moved to approve Kayla Danks Contract subject to Legal review. Councilman Cory Spotted Bear 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 Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

- **Tonia Jo Hall Performance Agreement**

Contract for the Interpretive Center with Tonia Jo Hall. (\$7,500) The Interpretive Center will pay for this; Councilman Robert White is just presenting it for them.

Motion: Councilman Robert White moved to approve the Tonya Hall Performance Agreement subject to Legal review. 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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N. Councilman Robert White – Four Bears Safe Haven Homes Change Order

Contract approvals pending Legal review. Safe Haven homes have been slightly over budget across the reservation. The changes in the Four Bears Segment will be paid out of Segment funds and not to exceed \$130,000. They will pay the 15th of every month starting on June 15th, 2023. This is not to exceed \$130,000 if it does, then it will be brought back to committee and TBC. Councilman Robert White wants this to state that in the minutes the Four Bears Segment will pay for it.



Motion: Councilman Fred Fox moved to approve Four Bears Safe Haven Change Order from Four Bears Segment funds not to exceed \$130K. 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 Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

XXIII. LEGAL DEPARTMENT – Tyra Wilkinson, MHA Supervising Attorney

Item deferred.

XXIV. CLOSED SESSION:

A. Human Resources (HR)* – Melissa Brady, Director

B. Legal* – John Fredericks

1) IMDA Lease with Marathon

2) Recreation Lands Resolution Amendment

3) Request to the Department of Interior to Initiate Shut-In Actions and Cancel Certain Oil and Gas Leases in the Little Missouri

4) Pinecrest 40, LLC Amendment

5) Cancellation of Grazing Permit

C. Randy Phelan RU 101

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

E. E.C. Home Assistance Request ^[ECONOMIC]

F. B.F. Dental Request ^[HEALTH]

G. N.F.M Medical Request ^[HEALTH]

H. J.D. Medical Request ^[HEALTH]

I. T.R. Medical Request ^[HEALTH]

J. M.G. Medical Request ^[HEALTH]

K. J.C. Dental Request ^[HEALTH]

L. Angela Young Bear

M. Fredericks Custom Solutions, LLC. – Jesse Fredericks ^[Energy]

N. MWEC Annual Conference Public Safety Incident at Northern Lights

1) Tribal and Segment Security Uniform Policy and Procedure

2) Mandate Tribal and Segment Security to attend EOC public safety trainings

3) Develop Policy and Procedures for Mass Gatherings within MHA



- 4) **Mountrail County MOU Agreement to mirror McLean County/White Shield agreement for North Segment**
- 5) **Press Release to Divert Civil Unrest in Response to the Incident at Northern Lights and Recent News Coverage**
- 6) **Banishment**
- O. **Employee Issue** – *Phil Packineau, Public Safety Administrator, Gerald "Chip" White Jr., Chief of Drug Enforcement & Dawn White, Special Investigator*
- P. **Lana Turner**
- Q. **Kathy Mossett**
- R. **Jackie Morsette**
- S. **East Segment Ambulance Resolution**
- T. **North Segment Van**
- U. **Sherry Turner-Lone Fight**
 - 1) **House Moving Contract**
 - 2) **Francine White-Baker Contract with West Segment**
 - 3) **Northern Integrity**
- V. **Tanya Sand-Driver Small Loan Issue**

XXV. ADJOURNMENT:



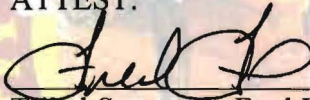
CERTIFICATION

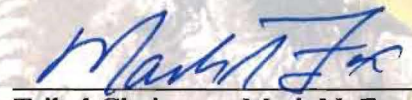
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 6 were present at the Regular Meeting thereof duly called, notice, convened and held on the 13th of July, 2023; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 6 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Chairman (X) Voting () Not Voting

Dated this 13th day of July, 2023

ATTEST:


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


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