



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
SEPTEMBER 13th, 2023 MINUTES
[CLOSED SESSION CONTENT INCLUDED]

* Standing Agenda Item

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

I. CALL TO ORDER:

Chairman Mark N. Fox called the meeting to order at 12:19 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:

Keith Bear

IV. APPROVAL OF AGENDA:

Motion: Councilman Robert White moved to approve the agenda. 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

V. APPROVAL OF MINUTES:

- **August 9th, 2023 Regular Meeting Minutes.**

Motion: Councilman Fred Fox moved to approve the August 9th, 2023 Regular TBC Meeting Minutes subject to minor corrections. Councilman Robert White seconded the motion.

Vote: 6- Ayes. 1- Not Present. Motion carried.
Chairman Mark N. Fox – Not Present
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:

EXECUTIVE COMMITTEE REPORTS

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

Chairman Mark N. Fox welcomed everyone to the new tribal chambers and reminiscence about the changes he has seen over his tenure working for the Tribe and to see the new Administration building come to fruition is quite remarkable and thanked the Council. The Chair reminded the council that there are two add-ons notified the council that his office will be working with Legal to develop parliamentary rules for the conducting of meetings. Presented report of recent activities & upcoming events. Such as the Powwows, Energy Round Table, Ground Blessings for the Twin Buttes Assisted Living & High School, Reunion, United Tribes Board of Directors Meeting, Project Meetings, Tribal Economic Development meetings. The Chairman discussed a gift he received from the Colossal Investment Group which was a fossil tooth from a woolly mammoth and their efforts to clone extinct animals and the wish to collaborate with the MHA Nation and develop MHA park lands. Other activities included the Pawnee Reunion event activities. There will be meeting with Shakopee, the Regenerative Clinic, the Buddy Walk in Bismarck, Chairman’s Scramble, and the Fall Fest that will include the People’s Choice Rib Cook Off & Best carved pumpkin contest & Scarecrow contest as well & live music.

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

Presented report of recent activities & upcoming events. Councilman Cory Spotted Bear expressed his condolences to the mourners. Also, his appreciation for all those that had a hand in putting this the new Administration building project together. Councilman Cory Spotted Bear provided an overview of upcoming events and recent activities. Back to School Event, MHA Rodeo Finals at the Fair Grounds, Cross Country Meet, Upcoming: History of the Horse Culture, Elders Trip to Deadwood, Pumpkin Patch Vendors Show, Hunters Safety Courses this weekend, Continuing development includes Housing Development of 40 new homes, Recruitment Trip for the new High School, Fair Grounds Development Completion, Roads Dept Facility, Bison Fencing Expansion Project. Councilman Cory Spotted Bear mentioned that Chairman Fox’s birthday is tomorrow.

FTR: *Chairman Mark N. Fox Birthday acknowledgement, song, & gift giving*



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

Presented report of recent activities & upcoming events. Councilman Fred Fox wished Chairman Mark N. Fox and expressed his appreciation for the things he has done for the tribe. Councilman Fred Fox expressed his appreciation for the Records Office Staff and all their hard work. Groundbreaking for the Son of Star Casino in White Shield. Provided an overview of the Pawnee Reunion activities.

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

Wished Chairman Mark N. Fox a Happy Birthday. Provided gave an update about the Parshall Community thanked its staff for all their help. Elder Trip to Mystic Lake heading out today. Thanked the Tribal Council for everything they do for the people. Discussed a recent interview with BEK TV.

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A. CFO Report – *Whitney Bell*

Distributed the YTD Expense Report. Currently scheduling budget meetings and work sessions and individual meetings with council people for their budgets and Special Projects. Formal approval of the budget by resolution in October. Audit report. FY2020 audit almost complete. Councilwoman Monica Mayer requested for a status update of the audits. That information was shared with the TBC. The FY20 audit should be completed by December 2023. Also engaged additional audit firms to assist Moss Adams move the process faster. Councilwoman Monica Mayer stated for the benefit of the listening audience that the audits are being worked on and completed. Councilman Robert White stated that if there is anyone in the listening audience who questions the audits, they are free to come to his office he will tell you the truth. Noted transparency & collaboration is the backbone of this council. There is no disbursement this September 2023. No action items.

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

Councilman Mervin Packineau mentioned a family that is seeking a home mortgage for a house in the Van Hook area. It was discussed in previous meetings. Councilman Mervin Packineau noted that there is already a basement.

Motion: Councilwoman Monica Mayer moved to approve the Jassen and Toni White Owl Home for the Mortgage Program to work with the family. 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



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Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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

Motion: Councilman Robert White moved to approve Group A (15): small loans subject to Loans Policies & recommendations. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 2- Abstention. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Abstained
Councilman Fred Fox – Abstained
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Discussion: 2 additions.

Motion: Councilman Robert White moved to approve Group B (4): small loans subject to Loans Policies & recommendations & requirements. 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

Discussion: Clients are currently paying on existing loans. Monthly payments may need to be administered if approved. Mary Ellen is not in favor of them but would like to see extra collateral to approve.



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Motion: Councilman Robert White moved to approve Group C (#4): small loans subject to Loans Policies & recommendations with exception for the loan amount. 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: Recommended that the person provide additional collateral.

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve Group C (numbers: 1-3, 5): small loans subject to Loans Policies & 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

Discussion: Mrs. Sun would deny C1 due to just seeing repayment efforts and loans should have been paid off in 2016. Has been doing wage deductions for about a year. Councilman Mervin Packineau recommended using collateral possibly land. Mary Ellen recommended additional collateral. C2-C5 and would recommend lower loan amounts of \$500 because they are 1st time borrowers do not work for the tribe. C1 to verify value of land collateral.

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

XI. SEGMENT UPDATES:

A. North Segment – *Councilwoman Monica Mayer*



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Presented report of recent activities & upcoming events. Councilwoman Monica Mayer spoke about Chairman Mark N. Fox's birthday and mentioned good words about him. Provided Tribal Code meetings and public commenting in the communities. North Segment Community Center groundwork continues, Hawk II Apartments will open the end of October 2023 (36 apartments). Grand Opening for the Mercantile Store will be held soon. Councilwoman Monica Mayer went to a meeting in Minneapolis instead of going to the United Tribes Pow-Wow to attend Life Source Board Meeting. Every Weds. Dr. Mortenson is providing Chiropractic Services, Halloween Party will be held on October 31st in coloration with the Native American Church. Councilwoman Monica Mayer thanked her staff for all their help. Provided a brief update on Health Services at the Elbowoods Medical Campus.

B. Four Bears Segment – Councilman Robert White

Councilman Robert White wished Chairman Mark N. Fox a happy birthday and expressed his appreciation for him. Reported on recent activities such as the Ribbon Skirt Classes, upcoming Traditional Dress Classes, Fry Bread Making Classes, Singing Classes every Weds. Along with Bingo, Community Fundraisers, Berry Acres Pumpkin Patch Trip, Community Board Meeting tonight, Oct 28th-Carnival with 5K Glow Run, Building projects report.

C. West Segment - Councilwoman Sherry Turner-Lone Fight

Councilwoman Sherry Turner-Lone Fight expressed her appreciation for Chairman Mark N. Fox and wished him a Happy Birthday. She expressed her condolences to the mourners. Informed the public of the upcoming Criminal Code meeting on September 27th at Water Chief Hall. The elder generators are currently being installed in the community. The Walking Path is available to use now. Little Honey's Day Care is open. Berry Acres Pumpkin Patch trip coming up and there will be a community Fun Day at the Jump House September 22nd, 2023. Community updates are held in conjunction with other events in the community. Cultural Activities include Singing Classes starting up again.

XII. OFFICER REPORTS:

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

1) Executive Orders*

Motion: Councilman Robert White moved to ratify Executive Action EA2023-46:

WHEREAS, The Small Loans Department has indicated that an application has been made for a loan, that its policies and procedures have been followed, and



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that Jon Glenn Brady 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 following one loan listed below for a total of for \$ 10,000.00.

Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 7- Ayes. Motion carried.

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

Motion: Councilman Cory Spotted Bear moved to ratify Executive Action EA2023-47:

WHEREAS, In April 2023, the Tribal Business Council approved and funded a budget of \$100,000 for the MHA Nation Indian Relay Series; and

WHEREAS, The amount needed to finish the season is \$28,700 more than what was previously approved and funded by the Tribal Business Council.

NOW, THEREFORE, BE IT RESOLVED that the Tribal Business Council of the MHA Nation hereby authorizes and approves the budget increase and funding from the Tribe needed to finish the MHA Nation Indian Relay Series in the amount of \$28,700; and

BE IT FINALLY RESOLVED that the Chairman is authorized to execute the aforementioned Agreement, and takes such further actions as are necessary to carry out the terms and intent of this executive action.

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



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

Motion: Councilman Robert White moved to ratify Executive Action EA2023-48:

WHEREAS, William Firkus is an independent contractor to the Tribe; and

WHEREAS, The term of the Consultant Contract for Mr. Firkus is about to expire; and

WHEREAS, A new Consultant Contract has been presented and reviewed by legal.

BE IT FURTHER RESOLVED, That the Tribal Business Council approves the Chairman and Segment Representative, to execute the Consultant Contract with Mr. Firkus.

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 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 Robert White moved to ratify Executive Action EA2023-49:

WHEREAS, Pursuant to Resolution No. 23-165-FWF the MHA Nation authorized increased pricing for the remainder of the work to be performed under the contract; and

WHEREAS, The nature of the remaining work to be performed under the Contract has changed such that amending the scope of services is necessary to accurately reflect the survey work to be performed in multiple areas of the FBIR and to clearly define a budget for each phase of work; and

WHEREAS, The contract amendment requires immediate action to cover work performed in support of the MHA Nation's ongoing efforts to put forth a legal



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challenge to an administrative decision that purports to diminish the boundaries of the FBIR .

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council hereby authorizes and approves the attached First Amendment to contract between Mountain Plains LLC and the MHA Nation for land surveying services on the FBIR (First Amendment).

BE IT FINALLY RESOLVED, The Chairman is authorized to execute the First Amendment, and to take such further action as is necessary to carry out the terms and intent of this Executive Action.

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

Motion: Councilman Cory Spotted Bear moved to ratify Executive Action EA2023-50:

WHEREAS, On June 27, 2022 the Tribal Business Council approved a contract with Mountain Plains LLC to survey the South Boundary of the Fort Berthold Indian Reservation (FBIR) along the Little Missouri River; and

WHEREAS, The contract includes a proposal, scope of services, and general terms and conditions; and

WHEREAS, Pursuant to Resolution No. 23-165-FWF the MHA Nation authorized increased pricing for the remainder of the work to be performed under the contract; and

WHEREAS, The nature of the remaining work to be performed under the Contract has changed such that amending the scope of services is necessary to accurately reflect the survey work to be performed in multiple areas of the FBIR and to clearly define a budget for each phase of work; and

WHEREAS, The contract amendment requires immediate action to cover work performed in support of the MHA Nation's ongoing efforts to put forth a legal challenge to an administrative decision that purports to diminish the boundaries of the FBIR.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council hereby authorizes and approves the attached First Amendment to contract between



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Mountain Plains LLC and the MHA Nation for land surveying services on the FBIR (First Amendment).

BE IT FINALLY RESOLVED, The Chairman is authorized to execute the First Amendment, and to take such further action as is necessary to carry out the terms and intent of this Executive Action.

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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-280-FWF entitled “*Approval of 34 (Thirty-Four) Applicants for Enrollment into the Three Affiliated Tribes.*” 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

Discussion: 17,299 living MHA Nation enrolled members.

3) Tax Department Report* - *Stephanie Hall-Thomas, Interim Tax Director*
Report submitted for the record.

Motion: Councilman Mervin Packineau moved to approve the presented business license applications:



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- **Safe Dig Services, LLC** - Greg Oberhofer, Teresa Esper - Watford City, ND – New - Hydro excavation services, Remediation, Tank cleaning.
- **J & J Rental, LLC** - Jarrett Shane Johnson - New Town, ND – New - Trucking Services, Oilfield Services.
- **Fitzpatrick Trucking & Ranch LLC** - Brian Fitzpatrick - Cut Bank, MT – New - Water Hauling.

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

- **HR Consultant Contract**

HR Assesment for review of all current practices, policies & procedures in all areas of HR administration.

Motion: Councilman Mervin Packineau moved to approve HR Consultant contract approval for the Tribal Programs. (1 year) 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

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- 4) **Emergency Operations Center Report** – *Emily Sitting Bear, Director*
Ms. Sitting Bear gave an update to the TBC. EOC & Fire Management Facilities Projects are on task and expect a December turnover date to the Tribe. 2 missing persons were located within 12 hours. Storm update that affected the southern portion of East segment with 10 damaged structures. Did not meet the



25% FEMA requirement for percentage of community impacted. Most of the homes affected had insurance. Pennington Well incident update provided and development of Comprehensive Shelter in Place and Evacuation plans that need to be implemented by tribal resolution. The closet structure is with ¼ of the well pad and were lucky after explosion of the well the wind pushed the gas north away from structures. Chairman Mark N. Fox noted that when they placed the well pad there the tribe protested to the federal government to no avail. Have created a group notification for this type of event. Next week will be attending the National Search and Rescue School in Yorktown, PA. No cost tuition so just travels. Tribal Homeland Security Grant Program 1.2 million received have \$120,000 for D.H.S. training and would like to provide active shooter training after receiving training with some of those dollars for all FBIR First Responders. Public Health Notices: Services still being provided for Covid -19. Wildfire smoke from Canada is expected to last to the end of the year. EOC presentation for energy management entities on Sept 27th for 852 participants in collaboration with FEMA for Best Practices for missing persons. Acknowledged Thomas Nash for receiving his degree in Fire Science and Nimka Reese who received national certification as a management professional.

XIII. UNFINISHED BUSINESS:

A. Survey^{3[Health]} – Travis Hedrick

Item deferred back to Committee.

B. Mountrail Williams Electric Cooperative Easement^{3[NRC]} – Texx Lone Bear, Director

Item deferred to NRC portion of the agenda.

C. Four Bears Segment – Reserve Status Request^{3[NRC]} Texx Lone Bear, Director

Item deferred back to Committee.

D. EMHC Housing Project^{3[Health]}

Item deferred back to Committee.

E. Michaela Howe Home Site Lease – North Segment^{3[NRC]}

Item deferred back to Committee.



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F. LCC Telecom Services – West Segment Cell Tower Project³ [NRC]

Chairman Mark N. Fox noted that the Tribe was recently awarded a 5-million-dollar grant for this.

Item deferred back to Committee.

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G. Tourism Advisory Board - Vivian Hall³ [Cultural]

Ms. Hall stated that they needed clarification on how many Board Members are needed. The paperwork (Bylaws) is in Legal now being reviewed. Would like to visit with each Council member. Chairman Mark N. Fox recommended the council visit informally to discuss the need.

Item deferred back to Committee.

H. Thomas Eagle Easement Request – East Segment¹ [NRC]

Addressed

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I. Austin Gillette Ag Lease - East Segment¹ [NRC]

Motion: Councilman Fred Fox moved to approve resolution no. 23-296-FWF entitled “*Agricultural Leases for August 2023.*” [Donavon Dixon, Noreen Mossett, Lee Voight, Wilber Hunts Along, Yvette Blake & Austin Gillette] 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

Discussion: Yvette Blake - Four Bears Segment¹ and Austin Gillette Ag Lease - East

J. Yvette Blake - Four Bears Segment¹ [NRC]

See Above



K. William & Debora Marlenee Land Sale^{1[NRC]}

See NRC Committee Items

L. Property Inventory – Tribal Program Purchases^{1[NRC]}

See NRC Committee Items

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XIV. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

A. Ratification of the 9/11/2023 Executive Committee Actions:

- **Kelsey Jacobson Contract** [Interpretive Center]
- **UND Video Release Request**
- **MEC Substation Payments**

Motion: Councilman Fred Fox moved to approve resolution no. 23-283-FWF entitled “*Approval of Substation Lease for McKenzie Electric Cooperative*” 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

- **Brad Gjermundson Bronc Event**
- **Enrollment Records Transfer to New Admin Building**
- **J.G. Employee TERO Waiver**
- **Contract Renewals:**
 - **Jasmin Enockson**
 - **Susan Fredericks**
 - **Gasper Investigations**
 - **Pathways Rain Program**
 - **Scott Davis**
 - **Francis Connors (Surveillance)**



- **Davis Strategy Group**
- **Miles McAllister**
- **Pyramid**
- **Jason Krueger**
- **Museum Budget**

Motion: Councilman Fred Fox moved to approve resolution no. 23-284-FWF entitled “*Museum Budget*” 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

Discussion: Museum expansion & renovation for funding and possibly valued engineering.

- **Precision Paramedics (East & West Segments)**

Councilman Fred Fox as requested provided a report on the number of ambulances runs for the year. September 2022-2023: Mandaree had 267 runs & White Shield had 229 runs for a total of 486.

Motion: Councilman Fred Fox moved to approve resolution no. 23-281-FWF entitled “*Approval of Extension of Ambulance and Emergency Services Contract for the White Shield Segment of the MHA Nation with Precision Paramedic Services, Inc.*” 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



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Discussion: Councilman Fred Fox noted that it would be a 2-month contract extension.

Motion: Councilman Robert White moved to approve resolution no. 23-282-FWF entitled “*Approval of Extension of Ambulance and Emergency Services Contract for the West Segment of the MHA Nation with Precision Paramedic Services, Inc.*” subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 7- Ayes. Motion carried.

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

Discussion: Councilman Fred Fox noted that it would be a 2-month contract extension.

- **Dr. Mortenson Contract (East Segment)**
- **East Segment Generator Contracts**
- **Ree Ranch Contract for Services – Sheena Gladue**
- **Water Truck Purchase – West Segment**
- **West Segment Elder Home Purchase**
To ensure that funding is in the budget.
- **Dakota Fence Contract – West Segment**
- **GMP from A&P (Mandaree Community Center)**

Motion: Councilman Robert White moved to approve resolution no. 23-285-FWF entitled “*GMP from A&P (Mandaree Community Center)*” subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye



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

- **West Segment Storm Construction Contracts**
- **BIA Roads (2) Maintenance Inclusion Under the Roads Dept. Budget**

Motion: Councilman Robert White moved to approve resolution no. 23-286-FWF entitled “*BIA 14 & 12 Road Maintenance*” subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 7- Ayes. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

- **LIHEAP Letters & P&P**
- **Headstart Quality Improvement Funding Acceptance**
- **Transfer of HAZMAT Training Grant To EOC**
- **Circle of Life & Behavioral Health Project Pre-design Contract**
- **Elbowoods Sanitary Sewer A&E Contract**
- **Great Plains Tribal Leaders Health Board Cooperative Agreement.**
- **MWEC Construction Invoice Payment**

Motion: Councilwoman Sherry Turner-Lone Fight moved to ratify the presented 9/11/2023 Executive Committee Actions. 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



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- **Circle of Life and Behavioral Health Building Phase 1 Combined Construction Project – Shelby Stien, Tribal Health**

Motion: Councilman Robert White moved to approve resolution no. 23-287-FWF entitled “*Approval of Funds for MHA Circle of Life and Behavioral Health Building Phase 1 Combined Construction Project.*” 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

B. I.H.S. Staff Quarters Resolution

Item deferred.

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C. Language Apprentice Resolutions

Motion: Councilman Robert White moved to approve resolution no. 23-288-FWF entitled “*Recommending Jayli Fimbres and Elijah Dale Omizo Benson for licensure to teach Three Affiliated Tribes languages in North Dakota schools.*” 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 – Not Voting
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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D. Son of Star Casino Project Budget Resolution



Motion: Councilman Fred Fox moved to approve resolution no. 23-289-FWF entitled *"Approval of Contract With Woodstone Inc. for the White Shield Casino Construction Budget."* 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

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E. TERO Board Appointment – Leonard Hosie Jr.

Motion: Councilman Fred Fox moved to approve resolution no. 23-290-FWF entitled *"Appointment of Leonard Edwin Hosie to the TERO Commission"* 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

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F. North Segment Community Center Project Solar Addition

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-291-FWF entitled *"North Segment Community Center Project Solar Addition"* 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 – Not Voting



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

Discussion: Original GMP cap would need to be lifted.

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G. LIHEAP P&P Manual Resolution

Motion: Councilwoman Sherry Turner-Lone Fight move to approve resolution no. 23-292-FWF entitled "*Authorization to Adopt Policies and Procedures Manual for the Three Affiliated Tribes Low Income Home Energy Assistance Program (LIHEAP) for FY 2024.*" 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 – Not Voting
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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H. LIHEAP Income Exclusion Resolution

Motion: Councilman Robert White moved to approve resolution no. 23-293-FWF entitled "*Authorization for the Three Affiliated Tribes' Low Income Home Energy Assistance Program to exclude any income that would be excluded for Federal income tax purposes in the computation of gross income for purposes of qualifying for the LIHEAP Program for FY 2024.*" 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



I. EOC Water Purchase Agreement Resolution

Addressed

J. Amend Lease 102-11-0203 with Indian Health Service with Addendum No. 4 to Modify the Land Description for Trust Parcel 301-T3096 Resolution

Motion: Councilman Robert White moved to approve resolution no. 23-294-FWF entitled "*Authorization to Amend Lease 102-11-0203 with the Indian Health Service with Addendum No.4 to Modify the land description for Trust Parcel 301-T3096*" 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

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

Report submitted for the record.

1) Lori Jepson, NP Contract Renewal

Mandaree Provider (October 13, 2023-October 12, 2025)

Motion: Councilwoman Monica Mayer moved to approve the Lori Jepson, NP Contract Renewal subject to Legal review & negotiations. 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) James Jeski, Optometrist Contract Renewal
(Dates back to August 9, 2023-August 8, 2025)

Motion: Councilwoman Monica Mayer moved to approve the Dr. James Jeski, Optometrist Contract Renewal subject to Legal review & negotiations. 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

3) Marvin Zerr, DDS Endodontist Contract

Motion: Councilwoman Monica Mayer moved to approve the Marvin Zerr, DDS Endodontist Contract subject to Legal review & negotiations. 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

4) KAT Communications: Good Health Contract
\$21,000.00 annually for Wellness & Good Health TV.

Motion: Councilwoman Monica Mayer moved to approve the KAT Communications: Good Health Contract subject to Legal review. Councilman Cory Spotted Bear seconded the motion.



Vote: 7- Ayes. Motion carried.

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

5) Mobile Life Imaging, LLC Contract

Perform data collection as pertains to four exams vascular, carotid artery. evaluation, abdominal aorta evaluation, lower extremity peripheral artery evaluation, arterial stiffness evolution. \$11,940.00 / \$199.00 per exam. Can pay with PRC funds as needed for those eligible for PRC.

Motion: Councilman Cory Spotted Bear moved to approve the Mobile Life Imaging, LLC Contract 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

6) INMAR Intelligence-Service Agreement

Term 2 years & recently required by FDA Regulation 11/27/2023 to combat diversion, FDA is tracking all items from wholesaler to arriving at the Pharmacy \$9000.00

Motion: Councilwoman Monica Mayer moved to approve the INMAR Intelligence-Service Agreement subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

Vote: 7- Ayes. Motion carried.

Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye



Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

7) Colossal Contract

Replacement of our server: \$99,538.57

Motion: Councilwoman Monica Mayer moved to approve the Colossal Contract subject to Legal review. Councilman Cory Spotted Bear seconded the motion.

Vote: 7- Ayes. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

8) Philips Contract

(Radiology Maintenance Agreement) - \$27,423.85

Motion: Councilwoman Monica Mayer moved to approve the Philips Contract subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 7- Ayes. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

9) The Medicus Group Renewal Agreement

\$9,900 (2 searches) total \$19,800.00 monthly cost \$1,619.52. Working with Medicus Firm on recruiting Pediatrician (6) and Pediatric Nurse Practitioner. Only applicants require a J1 Visa waiver. No answer on mechanism for hiring



an applicant with JI Visa waiver from HR. Waiver guarantees employees a job for two years after their visa expires so they don't have to go back to their country. The CEO noted the biggest hurdle to recruitment is housing. There is a fee. Councilwoman Monica Mayer expressed past problems with these employees adapting and communicating with our clients and recommended only as a last resort.

Motion: Councilman Fred Fox moved to approve the Medicus Group Renewal Agreement subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 7- Ayes. Motion carried.

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

10) Small Ambulatory Care Program (SACP) Grant

Resolution to apply for a grant and is due October 13th, 2023, for Mandaree Clinic for \$3 million.

Motion: Councilman Fred Fox moved to approve resolution no. 23-295-FWF entitled “*Small Ambulatory Care Grant (SACP) Grant*” subject to Legal review & final Executive review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 7- Ayes. Motion carried.

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

FTR: Councilman Cory Spotted Bear asked Ms. Eagle the status of the opening of the Twin Buttes Clinic. He stated that they started construction earlier and the White Shield Clinic has been in operation for over a year. Ms. Eagle stated that one of the hold ups is that they added



on the radiology services. Issues include the need for a Certificate of Occupancy as required for Federal requirements. Councilman Cory Spotted Bear asked the presenters to prioritize the opening.

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

1) Construction Management Office (CMO) Permitting Fee

Motion: Councilwoman Monica Mayer moved to waive fees for the PHN Project. 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

2) MWEC Payment

MWEC payment was previously approved but needs a Notice of Letter of Intent letter. This is the agreement to do the work that the funding is for. Councilwoman Monica Mayer noted that this for the building Circle of Life, Behavioral Health, KDU, Tribal Health Headquarters & Maintenance Building. Need to have this bill paid to continue construction. Same as ratification “MWEC Construction Payment” under Executive Committee ratifications above.

Motion: Councilwoman Monica Mayer moved to approve MWEC payment. 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



3) Letter of Intent

Jared reported on IMD Waiver was not heard at the capital. Did not get a response to our Institute of Mental Diseases request through the National CMS Office & the National Director & HHS Secretary Becerra. Back to square one. He stated the meeting he attended did not go well. They are back to square one. They didn't even address the issue. Councilwoman Monica Mayer stated that Jared, John Fredericks, and April Wilkinson get together to draft a letter that supports the issue to expand beds at Recovery Services.

Motion: Councilwoman Monica Mayer moved to approve Letter of Intent for the work. 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. Life & Limb* - Felicia Lone Bear Jimenez, Director [HIPAA SENSITIVE]

Motion: Councilwoman Monica Mayer moved to approve the presented individuals to be accepted to the Life & Limb program. 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

Discussion: Councilman Mervin Packineau noted that the last person needs to be removed.

- **M.P. Assistance [HIPAA SENSITIVE]**



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
SEPTEMBER 13th, 2023 MINUTES
[CLOSED SESSION CONTENT INCLUDED]

Lexie Driver passed out information regarding a [XXXXXX] 6-year-old juvenile that needs to be placed on Life & Limb. The juvenile will need a lot of medical services. Child has lost all its baby teeth and sees future dental issues. They do have Medicaid, but dental issues are not covered. She will have ongoing medical appointments. Councilwoman Monica Mayer also noted that the mother is a full-time student and asked TBC for a match to help so the family can move to a more adequate housing. Councilwoman Monica Mayer's Office could run the paperwork around for the match. The child will be added to Life & Limb.

Motion: Councilman Cory Spotted Bear moved to approve for Life & Limb and for housing assistance each Segment & the Chairman's Office to financially assist Martha Phelan up \$500/ Segment Office. 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 would run the paperwork.

FTR: A complaint was filed by a person [E.W.C.] that was referred out for medical services, but the bill was not paid by EMHC and is now in collections. Councilwoman Monica Mayer asked TBC to help the individual pay the bill. Councilwoman Monica Mayer advised that Charity Yessilth will investigate this issue to see the best possible outcome for the individual. No action needed at this time.

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

Report submitted for the record. Request for IMD waiver with no movement from ND and presentation yesterday by Jared Eagle at the STAC meeting with no movement.

1) Hawkvision Ecotherapy and Consulting, LLC Contract



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
SEPTEMBER 13th, 2023 MINUTES
[CLOSED SESSION CONTENT INCLUDED]

Contractor will provide psychological, teletherapy, consultation services and related services as described at Section 4 for the Tribe's Good Road Recovery Center.

Motion: Councilwoman Monica Mayer moved to approve the Hawkvision Ecotherapy and Consulting, LLC Contract renewal 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 – Aye
Councilwoman Sherry Turner-Lone Fight – Not Voting
Councilman Robert White – Aye

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

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

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 23-297-FWF entitled “*Home Site Lease and Utility Corridors – September 2023*” subject no single wide trailers in the Four Bears Thunder Butte development area. 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

Discussion: Councilman Robert White does not want trailer homes in the Thunder Butte development area. Councilman Mervin Packineau asked that they be informed when anyone wants to put in a trailer home.

B. Agriculture Leases*

1) Donavon Dixon



2) **Lee Voight**

Covered under 23-296-FWF

C. Easements:

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1) **MEC Easement – South Segment**

FBHA easement.

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-331-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal land (T387-B) submitted by McKenzie Electric Cooperative Inc.*" 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 – Not Voting

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Aye

Councilwoman Sherry Turner-Lone Fight – Aye

Councilman Robert White – Aye

FTR: *Chairman Mark N. Fox stepped out of the meeting and Councilman Cory Spotted Bear assumed the chair.*

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2) **Thomas Eagle Utility Corridor – East Segment**

Motion: Councilman Fred Fox moved to approve resolution no. 23-300-FWF entitled "*Consent to Approval of a Right-of-Way across Tribal land for a Utility Corridor - East Segment.*" Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

Chairman Mark N. Fox – Not Voting

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Aye

Councilwoman Sherry Turner-Lone Fight – Aye

Councilman Robert White – Not Voting



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3) Four Bears Special Use Resolution

Four Bears community wants to put an apartment complex in this area and to designate it as residential.

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-301-FWF entitled “*Reserving Tribal Land for the Four Bears Segment – Thunder Butte Apartment Complex.*” subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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

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D. Fort Berthold Rural Water (FBRW) Update* - Joe Silveria, Director

1) Rhonda Hall Water Connection ROW

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-302-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*” [Rhonda Hall Water Connection] sub. 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 – Aye
Councilman Robert White – Not Voting

2) Mandaree Wellness Center Master Meter Project ROW

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-303-FWF entitled “*Consent to Certain Right(s) of Way across Tribal land*”



[Mandaree Wellness Center Master Meter Project]. 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 – Aye
Councilman Robert White – Not Voting

3) Four Bears Community Center Project ROW

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-304-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*" [Four Bears Community Center Project]. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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

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4) ND Water User Association

ND Water User Association wants to know if MHA Nation wants a seat on their Board. They asked Mr. Silveria to sit on the Board. He will be representing the MHA Nation, not all ND Tribes. They meet twice a year.

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-305-FWF entitled "*Appointment of the FBRW Director to the North Dakota Water User Association Board of Directors*" subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

Chairman Mark N. Fox – Not Voting



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

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5) Water Purchase Agreements between the City of New Town and the Tribe for the New EOC Building and EMHC Campus

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-306-FWF entitled “*Approval of Water Purchase Agreements between the City of New Town and the Tribe for the new EOC Building and EMHC Campus.*” Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 2- Not Voting. Motion carried.
Chairman Mark N. Fox – Not Voting
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Not Voting

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6) Southwest Water Authority Authorization

Motion: Councilwoman Monica Mayer moved to resolution no. 23-307-FWF entitled “*Authorization for the Southwest Water Authority to provide services to Wade Trotter in Mercer County*” subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 2- Not Voting. Motion carried.
Chairman Mark N. Fox – Not Voting
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Not Voting



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- 7) **North Dakota State Water Commission (NDSWC) Cost Share Request.**
Issues with dispute resolution language.

Tabled

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- 8) **Twin Buttes Assisted Living Facility Master Meter Project**

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-308-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*" [Twin Buttes Assisted Living Facility Master Meter Project]. 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 – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Not Voting

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- 9) **Twin Buttes West Hill Subdivision Master Meter Project**

Motion: Councilman Fred Fox moved to approve resolution no. 23-309-FWF entitled "*Consent to Certain Right(s) of Way across Tribal land*" [Twin Buttes West Hill Subdivision Master Meter Project] Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 2- Not Voting. Motion carried.
Chairman Mark N. Fox – Not Voting
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Not Voting

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- 10) **Organizational Chart**



Item deferred to HR portion of the agenda.

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E. Michael G. Roberts Contract Amendment – Dennis Fox, Construction Management

Reported that they have a new building official Master Code Professional who is acting and applying for the position named Preston Meanus(s?). He feels confident in approving it Michael G. Roberts Contract Amendment. There is an item that will be taken out of the contract. He is currently owed \$96,000. Due to numerous construction projects on FBIR, he has gone over the \$200,000 threshold. TBC agreed to do a whole new contract for Mr. Roberts. The contract is valid until March of 2024. The dollar amount will be amended to \$500,000.

Motion: Councilwoman Monica Mayer moved to amend the Michael Roberts current contract to a ceiling of \$500K subject to Legal review. 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

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F. Land Exchanges:

1) Christopher McLaughlin

Tabled

2) Richard White Bear

Motion: Councilman Robert White moved to approve resolution no. 23-298-FWF entitled “*Approval of the Land Exchange between the Three Affiliated Tribes and Richard White Bear.*” 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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G. Land Sales

1) Jodi Martinez

This was passed in June of 2023. Attorney Fredericks stated that this the purchase of a Life Estate. Chairman Mark N. Fox stated that there is a risk if no agreement is place with the heirs. Texx Lone Bear noted that there was a precedent.

Tabled

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2) Agnes Vondell-Lockwood

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-299-FWF entitled “*Land Purchase – Agnes Vondell-Lockwood, West Segment.*” 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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3) William and Debra & Marlene

(\$895,000) The tribe does not have their own appraisal. Need more information about this sale for the land near Knife River Villages. Councilman Cory Spotted Bear volunteered to go look at the land.

Tabled

H. Property Inventory – Tribal Program Purchases



See Closed Session

XVII. ENERGY COMMITTEE: – *Councilman Fred Fox, Chair*

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

There are five oil rigs in operation at the FBIR. The price of oil has been going up. The ND Oil Petroleum Council meeting is next week in Watford City, ND.

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B. ROW's*–*Paul Grady & Harriette Clah*

Motion: Councilman Robert White moved to approve resolution no. 23-310-FWF entitled “*Approval of Setback Variance Requested by EOG Resources, Inc. for the Liberty 26 SENW Pad.*” Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-311-FWF entitled “*Approval of Setback Variance Requested by WPX Energy Williston, LLC, for the Paul Peter Coffee 35H Pad Expansion.*” 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

Motion: Councilman Robert White moved to approve resolution no. 23-312-FWF entitled “*Approval of Setback Variance Requested by WPX Energy Williston, LLC for the Missouri River 25-26H Pad.*” Councilman Fred Fox seconded the motion.



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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

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-313-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (T458A, T482A & 447A) for the Missouri River 25-26H Project Submitted by WPX Energy Williston, LLC.*” 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

Motion: Councilman Robert White moved to approve resolution no. 23-314-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (T607 & T1171) for the FBIR MHA PAD Project Submitted by WPX ENERGY WILLISTON, LLC.*” [FBIR MHA WAPU]. 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

Motion: Councilman Robert White moved to approve resolution no. 23-315-FWF entitled “*Consent to Amend BIA Row No. FBOG101037 across Tribal land*”



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(Allotment 557A-B) for the PRIMUS 1 PAD Project Submitted by PetroShale (US), Inc.” 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

Motion: Councilman Fred Fox moved to approve resolution no. 23-316-FWF entitled *"Consent to Approval of a Right-of-Way across Tribal Fee Land submitted by McKenzie Electric Cooperative Inc."* [Tennis South Pad]. Councilwoman Monica Mayer seconded the motion.

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

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

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 23-317-FWF entitled *"Consent to Approval of a Right-of-Way across Tribal land (T1799, T1799-F) submitted by McKenzie Electric Cooperative Inc."* [Woman Creek URD Line]. 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye



Motion: Councilman Robert White moved to approve resolution no. 23-318-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal Land (T437A-A) for the MHA USA Pipeline Corridor and Temporary Access Submitted by Marathon Oil Company*” 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 – Aye
Councilwoman Monica Mayer – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Motion: Councilman Robert White moved to approve resolution no. 23-319-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal Land (T437A-A) for the MHA USA Utility Corridor Submitted by Marathon Oil Company*” 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 23-320-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (Allotments 146, 355A, 1791, 1794) submitted by Arrow Pipeline, LLC*” subject to land owner concurrence. [Bradfield Gemstone]. 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye



Councilman Robert White – Aye

Motion: Councilman Fred Fox moved to approve resolution no. 23-328-FWF entitled “*Authorizing a Partial Lease Assignment of Lease# 7420A42643 to Bastion Funding I, LLC*” 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

Discussion: Originally entitled “*Assignment of Producing Well Bore Interest for D.W. Slate*”

FTR: Leland Tieg, Josh St. Pierre, Darian Tieg(sp?) LE graduates honored by Councilman Robert White through the feeder program of Four Bears Security to LE. Presentation of gifts

C. Frank Lee Contract

Item deferred.

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

No Meeting

XIX. JUDICIAL COMMITTEE: – Councilwoman Monica Mayer, Chair

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- A. Tribal Court Report*** - Elizabeth Yellow Bird & David Christenson, Chief Judge
An update was given to the TBC. Upcoming Strategic Planning meeting with invitation to the TBC. A Clerks Training will be coming up soon, Nov. 1-2. The FBDC is working on a Salary Matrix. They are also working on the Organizational Chart. Wellness Court is still happening. They have a new Director of that program. There are 4 Associate Judges but still looking for another. They are still working on setting up community information meetings in each segment. Approval to make Vape Pens illegal for juveniles.



- **Vape Pen Prohibition**

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-321-FWF entitled “*Vap Pen Prohibition*” 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

- **Supreme Court Justices**

Motion: Councilwoman Monica Mayer moved approve the (3) Supreme Court Justices Contracts for Michelle Rivard Parks, James Maxon and John Mahoney subject to Legal review. 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

Discussion: No changes to the Justices on the Court.

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

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- B. TAT Law Enforcement Report*** - *Phil Packineau, Public Safety Administrator, Chief of Law Enforcement Services Nelson Heart & Captain C.J. Whitman Jr.* Report submitted for the record. Chief Nelson Heart expressed his appreciation for the support from the TBC. Captain C.J. Whitman Jr provided an update on officer numbers/recruitment and arrest reports. Staff recently attended the following training: Field Training Officer (FTO) Training Program, Women in Law



Enforcement Summit, Sexual Assault Investigation, Active Shooter Threat Instructor Training Program, IACP Conference, IAPE Property/Evidence Management Class, Leadership Training, Director's Training. Currently 30 officers. 2 recent graduates. Submitted the August 2023 Total Officer Arrests Report & Overdose Report. Reported 8 deaths from overdose YTD. Recognized National Women's Police Day: Deandra Catches, Jackie Mitchell, Rachel Christianson, Aubriana Young Bird, Shayla Rodgers, & Jessica Shields.

C. Public Safety Division of Drug Enforcement Report* – *Gerald White, Jr., Chief & / Supervisory Agent Dawn White*

Item deferred.

FTR: *Chairman Mark N. Fox returned to the meeting and resumed the Chair.*

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

A. MHA Interpretive Center Positions for Advertisement – *Delphine Baker, Director*

Interpretive Staff presented job advertisements. Councilwoman Monica Mayer advised to be referred this to HR. Provided a marketing report with Zane Baker providing cultural report. Informed the TBC that they haven't had maintenance staff since March. Chairman Mark N. N. Fox expressed his concern over the upkeep of the facility and the need to be maintained at the highest level. Reported on the issues with the walkway and water feature. Chairman Mark N. Fox needs the Interpretive Center to get to the point where we can get our artifacts returned to us. Mr. Baker reported that they are 70-80% ready to accept museum artifacts. Councilwoman Monica Mayer would like Beautification to do an assessment on the maintenance needs. Chairman Mark N. Fox is willing to have Beautification hire on an employee and his office would pay the salary.

Motion: Councilwoman Monica Mayer moved to authorize HR to advertise of presented positions. 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: Janitors, Maintenance, & Studio Manager

B. MHA Culture & Language Department ND Teacher’s Licensure (2)

Addressed Under Executive Committee items.

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C. Indrek Park

Provided an update of his activities. Informed the TBC that he is at the point in the project to make available the language materials generated over the past 8 years with the best option due to the size of the materials is by placing online. Requesting renewal of his contract for him to continue this work with the addition of a web site, lexicon person, sound engineer, and an IT person. Should be able to have it up by December. Councilman Cory Spotted Bear stated that he is in approval of his contract and what it states in it. This will be paid for by the General Fund. Councilman Fred Fox noted that East Segment has a similar project coming up. Councilman Cory Spotted Bear notes that the tribe will have total control of the web and materials. Tony Lone Fight also noted that some of the materials may need family approval to be published.

Motion: Councilman Cory Spotted Bear moved to approve Contract (and staff) \$189K General Fund 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

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D. Maagarishda Nest – Nora Packineau



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Councilwoman Monica Mayer would like to see the Maagarishda Nest – Nora Packineau as a recurring budget item. Have completed a successful year long pilot study. \$387K one time budget. In the Cultural Committee it was noted they have 5 children that are paying fees. The non-profit currently has 7 students for the 12-month program. The program is also producing language materials and has developed a web site. Councilwoman Monica Mayer asked that their board consider becoming a tribal program and return to Cultural Committee with their decision.

Motion: Councilwoman Monica Mayer moved to approve assistance to cover fees/tuition for Maagarishda Nest students at \$5,400/student x 7. 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

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E. Susan Three Irons

Susan Three Irons I am the daughter of Valerian and Marilyn Three Irons is seeking financial assistance for the family to attend her daughter's Coming of Age Ceremony in Arizona and dance at the 9th Hawaii Island All Nations Powwow 2023. This year their group "Bird singing and dancing by the river group" are invited to the Hawaii Island All Nation Pow wow this month. Their dance group has been fundraising since being invited. coming of age ceremony. She is only 17 years old we are planning to have the Ceremony on October 2. This is a rite of passage welcoming young girls into womanhood. During this time, we will have singers and dancers around her with a fire going for her. There will be a feed and give away at the end of everything. The day after her ceremony ends, we are planning to have a memorial for my late daughter Elvia Ramirez. She passed away almost 3 years now from Covid at the age of 17. We are planning to do a celebration of her life on her reservation. We have rented a hall for social storytelling and traditional dances Oct.6-9th 2023. Elvia herself danced their basket dances with her paternal grandmother and grandfather. The total budget for the ceremony and memorial is \$8,914.00. 11 enrolled family members will be attending and provided with a listing of the tribal members. They have done some fundraising of their own and raised \$1,500. She currently



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has a small loan and loans at the bank. Councilwoman Monica Mayer stated she feels she falls within the standing resolutions for the youth trip and ceremony. Councilwoman Monica Mayer recommended providing AZ Trip: \$6,000 to the family and each segment give \$5,000. Hawaii Trip: Recommended helping with \$1,500 per youth for the trip and each segment give \$500.

Motion: Councilwoman Monica Mayer moved to approve each of the 11 enrolled family members \$500 apiece which totals to \$5,500. 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 – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Not Voting

Three of Ms. Three Iron's non-enrolled children are going to Hawaii with their grandparents to participate in cultural activities. Ms. Three Iron's son-in-law made a loan to pay for this. She is requesting help to pay him back. TBC agreed to provide \$500/child for a total of \$1,500.

Motion: Councilman Cory Spotted Bear moved to approve \$1,500. 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

XXI. EDUCATION COMMITTEE: – Councilwoman Monica Mayer, Chair

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A. Headstart

5.6% Cola increase granted by HHS retroactive to January 1st, 2023, and to be perpetual to the grant. Chairman Mark N. Fox would like to see the tribe get reimbursed for the 5% the tribe put in. Should help retain current staff, increase the



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base pay of the staff, and help with recruitment. Councilwoman Monica Mayer recommended approval.

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

Motion: Councilwoman Monica Mayer moved to accept the Headstart Funding and approve 5.6% COLA (Retroactive to January 1st, 2023) if the program did not receive previous COLA from tribal funds in 2023. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

Chairman Mark N. Fox – Not Present
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: The Director noted that they have not received a Tribal COLA except for 2 employees in Twin Buttes.

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B. Amy Mossett

The Tribal Education Director is requesting that her salary be equally split between two accounts, 50% from our Tribal Account 170 and 50% from our Federal Account 1112 and secondly) to journal entry the salary/fringe expense cost over-runs in the Federal Account 1112 back to the Tribal Account 170.

Motion: Councilwoman Monica Mayer moved to approve a 50/50 salary split between Federal & Tribal funding. 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



XXII. NEW BUSINESS – Tribal Councilman Add Ons

A. Chairman Mark N. Fox- Reserved

B. Chairman Mark N. Fox – Reserved

C. Councilman Cory Spotted Bear – Requests for Assistance

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1) Housing Assistance.

Seeking authorization to assist the family with tribal housing rent and arrears due to falling behind due to medical emergency with their child.

Motion: Councilwoman Monica Mayer moved to authorize South Segment to assist the (A.R.) family up to \$7K. 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

Discussion: Tribal Insurance will verify that Insurance has met its obligations.

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2) Works for the EMHC Twin Buttes Clinic.

A single parent attending NDSU while working for EMHC is requesting \$2457.96 for financial costs.

Motion: Councilwoman Monica Mayer moved to approve \$2457.96 from South Segment funds for [A.G.]. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 1- Not Voting. 1- Not Present. Motion carried.

Chairman Mark N. Fox – Not Present

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

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3) Youth Trip to DC.

Faith R. daughter of Melissa Mossett Request for \$2,700 to attend youth trip to Washington D.C. Councilwoman Monica Mayer recommended approval according to the Standing Policy.

Motion: Councilwoman Monica Mayer moved to approve following standing resolution (\$1,500) and authorize South Segment to assist up to a \$1000. Councilman Robert White seconded the motion.

Vote: 5- Ayes. 1- Not Voting. 1- Not Present. Motion carried.

Chairman Mark N. Fox – Not Present
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

D. Councilman Cory Spotted Bear – Reserved

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E. Councilman Fred W. Fox – Life Insurance – Jessie White Calfe, Combined Independent Insurance Agent

Presented a Single Pay Juvenile Life Insurance Policy. Up to the age of 26 for \$600 and can convert the policy to a whole life policy without being denied. One-time premium payment prevents loss of coverage due to missed premiums. Age range is 14 days old to 14 years of age. 20K life insurance coverage. It was noted that from 26 and under there have been 201 deaths in the last 26 years. Councilman Cory Spotted Bear recommended bringing back with resolution from the Health Committee and the physical impact to the budget. Councilman Robert White noted that it cost around 1.6 million for around 5000 members or 3.2 million for the other plan. Audience member Charlie Vigen expressed the need for this type of insurance from his experience.

Item forwarded to Health Committee for further discussion.

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F. Councilman Fred W. Fox – Grace Gillette

Two elders Grace Gillette (\$3,706) & sister Barbara Roy (\$3,067) requesting assistance for a trip to Cherokee, N.C to attend a conference.

Motion: Councilman Fred Fox moved to approve \$1,500 for each elder to attend the conference. Councilwoman Monica Mayer seconded the motion.

Vote: 5- Ayes. 1- Not Voting. 1- Not Present. Motion carried.

Chairman Mark N. Fox – Not Present
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

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G. Councilman Mervin Packineau – MHA Rodeo Association

Motion: Councilman Robert White moved to approve budget increase of \$43,000 from General Fund to purchase 9 prize saddles. Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Not Present
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. Councilman Mervin Packineau – Reserved

I. Councilwoman Monica Mayer – OSS Beatification Contract

Addressed

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J. Councilwoman Monica Mayer – Tribal Insurance



Family Caregiver Agreement for Client(member) wishes to return/remain home especially but due to a serious & imminent circumstance (i.e. dementia) care need home care assistance. Due to no coverage in the self-funded or fully funded program and the family doesn't want to send the family member away for care but to stay at home. Legal has reviewed the document for the Family Care-giver Agreement with payment from Segment funds for a max of \$150/day determined by the number of hours and dependent on the clients needs. Family members willing to provide the service with a primary & secondary care giver.

Motion: Councilwoman Monica Mayer moved to accept the template agreement. Primary/Secondary providership with Tribal Health Insurance working out the details with authority of the Segment representative utilize segment funding for members in their own segments. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 6- Ayes. 1- Not Present. Motion carried.
Chairman Mark N. Fox – Not Present
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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K. Councilwoman Sherry Turner-Lone Fight – Ross Olson Contract Amendment

House mover contract amendment from segment funds. Tyra Wilkinson has reviewed the contract.

Motion: Councilman Robert White moved to approve the Ross Olson Contract Amendment subject to Legal review from West Segment funds. Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1- Not Present. Motion carried.
Chairman Mark N. Fox – Not Present
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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L. Councilwoman Sherry Turner-Lone Fight –Fair Grounds Contract - Lloyd Viegen

Discussion of Woodstone Preconstruction GMP Contract and the proposed Limited Waiver of Immunity for arbitration.

Motion: Councilwoman Monica Mayer moved to approve Fair Grounds Pre-construction GMP Contract subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

Chairman Mark N. Fox – Not Present
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

• **Pony Relay Sponsorship**

To be held in Minot this weekend put on by the Mandaree Rodeo Committee. West Segment would like to pay half.

Motion: Councilman Robert White moved to approve Pony Relay Sponsorship of \$8,600.00 from West Segment funds. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 5- Ayes. 1- Not Voting. 1- Not Present. Motion carried.

Chairman Mark N. Fox – Not Present
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

M. Councilman Robert White – Reserved

N. Councilman Robert White –Reserved



XXIII. LEGAL DEPARTMENT – *Tyra Wilkinson, MHA Supervising Attorney*

Item deferred.

XXIV. CLOSED SESSION:

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

- **FML Request**

B. Legal* – *John Fredericks*

- 1) **Oil and Gas Agreement With Marathon Energy**
- 2) **Representation Agreement with Robins Kaplan LLP**
- 3) **Tribal Opioid Settlement**

D. 23-277-FWF Amendment

E. 4Bears Casino General Operations Procedures

F. Property Management – Natural Resources Department ^[NRC]

G. Pouch Point Reimbursement Request – *James Mossett* ^[NRC]

H. Jolene Gonzalez

I. Flight School Assistance Request

J. Whitney Bell

K. Insurance Compensation

L. Rural Water Clarification

M. Property Acquisition Update

N. Range Riders – RU 229, Twin Buttes Compliance – *Jesse Baker*

O. Salary Adjustment Councilwoman Sherry Turner-Lone Fight

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

- 1) **Audit Issues**

Q. Incident Report – *Chief Nelson Heart*

R. Four Bears Community Center - Councilman Robert White

- **House Purchase**
- **Rescinding 22-189-FWF**

S. Exception to Mortgage Rule

T. Valerie Mayer

U. West Segment Employee Wage

XXV. ADJOURNMENT:

Motion: Councilman Robert White moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 9:56 PM.



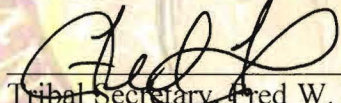
CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 6 were present at the Regular Meeting thereof duly called, notice, convened and held on the 19th of October, 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.

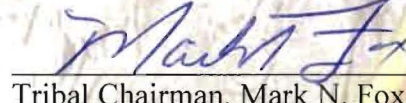
Chairman (X) Voting () Not Voting

Dated this 19th day of October 2023

ATTEST:



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



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