



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
DECEMBER 15th, 2022 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

* Standing Agenda Item

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

I. CALL TO ORDER:

Chairman Mark N. Fox called the meeting to order at 1:23 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 (Phone), & Councilman Fred Fox. *Quorum established.*

III. OPENING PRAYER:

Kevin Finley

IV. APPROVAL OF AGENDA:

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

V. APPROVAL OF MINUTES:

- **November 16th 2022 Regular Meeting Minutes.**

Motion: Councilwoman Monica Mayer moved to approve the November 16th 2022 Regular Meeting Minutes subject to minor corrections. 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

VI. SPECIAL GUESTS & ELDERS

EXECUTIVE COMMITTEE REPORTS

TAT_20221215+1328_01d910891fb6b0b4
VII. CHAIRMAN'S REPORT - *Chairman Mark N. Fox.*

Recent activities included Len Helms meeting, December meeting on Natural Gas, UTTC, Water Meeting, Dakota Water Resource Act, meeting with the new Senate Majority leader, storm update, Prayers & Condolences, Special condolences to the Driver family. Upcoming announcements & activities included Christmas parties, Elders Christmas Party, General Distribution update, Tues. Employee Christmas Party 2:30-8 with Williams & Ree, Thurs. Bismarck Christmas Dinner 5:00pm at the Civic Center, New Years Eve Sobriety Event in Bismarck, Tribal/State Address in January. NHSC Graduation on Friday. Possible Executive Committee next week. Merry Christmas wished for all.

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

Item deferred.

TAT_20221215+1338_01d9108a85d0c2a8
IX. EXECUTIVE SECRETARY'S REPORT – *Councilman Fred Fox*

Christmas Dinner, Opening of Avatar II at the White Shield Community Center at 3 & 7 pm tomorrow with concessions & free showing all weekend. Had an excellent turn out for the Black Panther showing. There can hold 55 people.

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

TAT_20221215+1413_01d9108f6ca4c692
A. CFO Report – *Whitney Bell*

Motion: Councilman Mervin Packineau moved to approve resolution no. 22-268-FWF entitled "*Directive to the Office of Trust Fund Management to Make Available Funds for Withdrawal from Three Affiliated Tribes Proceeds of Labor Account PL7228700 in the Amount of \$25,000,000.00.*" 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



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
DECEMBER 15th, 2022 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

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. 22-269-FWF entitled “*Authorization for a Disbursement to the Elders*”. 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: 12/31/2022 cutoff date.

Motion: Councilman Robert White moved to approve resolution no. 22-270-FWF entitled “*Authorization for a one-time Disbursement of Funds from Tribal Oil & Gas Royalty Revenues to All Enrolled Members of the Three Affiliated Tribes*”. 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 Cory Spotted Bear moved to approve \$300 (under 1 year) employee Christmas Bonus or \$500 for all non-segment employees with 1 year or over. Mervin Packineau seconded the motion.

Vote: 7- Ayes. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
DECEMBER 15th, 2022 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

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 a 5% COLA.
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: To have a start on pay period #1

B. Mortgage Program – Val Mayer, Credit Manager

Item deferred

FAT_20221215+1408_01d9108ebad171ba

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

Motion: Councilman Cory Spotted Bear moved to approve Group A(12) subject to Loans policies & recommendations. 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: C.D. [XXXXXX] added to Group A.



Motion: Councilman Mervin Packineau moved to approve Group C (1) subject to Loans policies & recommendations & requirements. 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

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

Items deferred

XI. SEGMENT UPDATES:

- A. North Segment** – *Councilwoman Monica Mayer*
- B. Four Bears Segment** – *Councilman Robert White*
- C. West Segment** - *Councilwoman Sherry Turner-Lone Fight*

Items deferred

XII. OFFICER REPORTS:

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

TAT_20221215+1338_01d9f08a85d0c2a8

1) Executive Orders*

Motion: Councilman Cory Spotted Bear moved to ratify EA 2022-62:

WHEREAS, Twin Buttes staff has had a preliminary conversation with Woodstone, Inc. about the project and they have proposed a total budget of approximately eighteen million dollars; and

WHEREAS, As the Construction Manager, Woodstone, Inc. will bid out work on the project and those bids will be shared with the Tribe to ensure adherence to budgets; and

WHEREAS, Waiver of the procurement requirements is necessary to begin this project on time; and

WHEREAS, Authorization to negotiate a contract with Woodstone for the above-referenced project is necessary; and



WHEREAS, The FY2022 funds have been allocated from the Roads Construction budget; and

WHEREAS, Executive Action 2022-12 is hereby amended to provide that payment for the project will be made over FY2022 and FY2023, as determined by the Tribal Business Council.

NOW, THEREFORE, BE IT RESOLVED that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes the Twin Buttes staff, with the assistance of legal counsel, to negotiate a contract for the above-referenced project; and

BE IT FURTHER RESOLVED, That the procurement requirements for the above-referenced project are hereby waived, but not including proper bid procedures of general contractor Woodstone, Inc.; and

BE IT FINALLY RESOLVED, that the Tribal Chairman, subject to legal review, is authorized to execute the aforementioned negotiated contract.

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 Cory Spotted Bear moved to ratify EA 2022-63:

WHEREAS, The Twin Buttes Segment requested and received bids for landscape improvement on the Juneberry Orchard; and

WHEREAS, The winning bidder was Prairie View Landscaping & Nursery; and

WHEREAS, A contract for the necessary services has been negotiated and reviewed by legal; and

WHEREAS, Approval to execute the contract is required.

NOW THEREFORE BE IT RESOLVED, That the Tribal Chairman is authorized to execute the contract for landscape services with Prairie View Landscaping for improvement of the Juneberry Orchard.

BE IT FINALLY RESOLVED, That the Tribal Chairman is authorized to take such actions as are necessary to fulfill the intent of this Executive Action.

Councilman Robert White seconded the motion.



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
DECEMBER 15th, 2022 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

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 EA 2022-64:

WHEREAS, The Twin Buttes Segment requested and received bids landscape renovation of the Twin Buttes Trailer Park; and

WHEREAS, The winning bidder was Prairie View Landscaping & Nursery; and

WHEREAS, A contract for the necessary services has been negotiated and reviewed by legal; and

WHEREAS, Approval to execute the contract is required.

NOW THEREFORE BE IT RESOLVED, That the Tribal Chairman is authorized to execute the contract for landscape services with Prairie View Landscaping for the landscape renovation of the Twin Buttes Trailer Park.

BE IT FINALLY RESOLVED, That the Tribal Chairman is authorized to take such actions as are necessary to fulfill the 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

Motion: Councilman Cory Spotted Bear moved to ratify EA 2022-65:

NOW, THEREFORE, BE IT RESOLVED that, through Executive Action, the Tribal Business Council of the Three Affiliated Tribes approves hereby appoints attorney Jill E. Tompkins to serve as Associate Judge for at the Fort Berthold District Court to hear appeals of 2022 Election Board decisions; and



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
DECEMBER 15th, 2022 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

BE IT FURTHER RESOLVED that a Contract with Jill E. Tompkins is approved in the form presented herewith; and

BE IT FINALLY RESOLVED that Representative Fred Fox, Executive Secretary, is authorized to execute the aforementioned Contract, and take such further actions as are 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

Motion: Councilman Fred Fox moved to ratify EA 2022-66:

WHEREAS, The Three Affiliated Tribes and White Shield Segment have a need for professional planning and consulting for Emergency Management Services; and

WHEREAS, Anthony Gonzalez is a skilled consultant with fire management and other emergency management expertise whose services have been beneficial to the White Shield Segment, and is an enrolled member of the MHA Nation; and

WHEREAS, The Tribal Business Council of the Three Affiliated Tribes desires to approve the six-month Consultant Contract, as attached, with term of October 1, 2022, through March 31, 2023, for Anthony Gonzalez, with total fees of \$32,500.00, subject to oversight authority of the White Shield Segment Representative.

NOW, THEREFORE, BE IT RESOLVED, That, through Executive Action procedure, the Tribal Business Council of the Three Affiliated Tribes hereby authorizes and approves the attached Consultant Contract by and between the White Shield Segment of the MHA Nation and Anthony Gonzalez for a six-month term from October 1, 2022 through March 31, 2023; and

BE IT FURTHER RESOLVED, That, through Executive Action, the Tribal Business Council hereby approves and appropriates the \$32,500.00 expenditure of Tribal funds for the Contract from the Fiscal Year 2023 White Shield (East) Segment budget to be paid in accordance with the terms of the Contract; and



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
DECEMBER 15th, 2022 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

BE IT FINALLY RESOLVED, That the Tribal Chairman and White Shield (East) Segment Representative are hereby authorized to execute the Consultant Contract with Anthony Gonzalez, in form as attached hereto, and take such further action as is necessary to carry out the terms and intent of this Executive Action.

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 Fred Fox moved to ratify EA 2022-67:

WHEREAS, Marita Abe is an enrolled member of the MHA Nation, and is a skilled writer and editor who has been providing editorial services for the White Shield Segment through contract with her corporation, Blue Water Designs, Inc., for a reasonable fee of \$5,000.00 per month for terms of six months; and **WHEREAS**, The White Shield Segment and Blue Water Designs, Inc. desire to renew their Consultant Contract for an additional six-month term, in form as attached hereto, and seek prompt approval thereof by the Tribal Business Council so that Blue Water Designs can continue to provide professional editorial and publications services for the people of the White Shield Segment.

NOW, THEREFORE, BE IT RESOLVED, That, through the Executive Action procedure, the Tribal Business Council of the Three Affiliated Tribes hereby approves the attached Consultant Contract between White Shield (East) Segment, Three Affiliated Tribes and Blue Water Designs, Inc. for a six-month term, from November 1, 2022, through April 30, 2023 ; and

BE IT FURTHER RESOLVED, That, through Executive Action procedure, the Tribal Business Council of the Three Affiliated Tribes hereby approves and appropriates the \$30,000.00 expenditure of Tribal funds from the FY2023 White Shield (East) Segment budget for payment of fees as required under the terms of the Contract; and

BE IT FINALLY RESOLVED, That the Tribal Chairman and the White Shield (East) Segment Representative are hereby authorized to execute the aforementioned Contract and 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

FTR: EA 2022-68 – *deferred.*

Motion: Councilman Fred Fox moved to ratify EA 2022-69:

WHEREAS, The Tribal Business Council has been notified that an emergency request for funding has been made for livestock feed for the Tribes' miniature rodeo stock, and that Dakota Quality Grain of New Town, North Dakota will provide the feed.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes, through the Executive Action procedure, approves funding in the total amount of \$25,000 from the Tribes' FY20n General Fund budget for the aforementioned livestock feed from Dakota Quality Grain. The first round of funding is approved for \$10,000, and thereafter three more rounds of funding in increments of \$5,000 each.

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

FTR: EA 2022-70 *deferred.*

Motion: Councilman Cory Spotted Bear moved to ratify EA 2022-71:



WHEREAS, The Tribe has a vested interest in acquiring land adjacent to the Fort Berthold Reservation ;and

WHEREAS, Approximately 317 acres in Mercer County is being auctioned on December 8, 2022; and

WHEREAS, The Tribe wishes to participate in the auction and set a bid cap.

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council authorizes Councilman Spotted Bear, or his designee, to bid up to \$3,000 an acre.

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.

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

TAT_20221215+1343_01d9108b39c764b0

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

Chairman Mark N. Fox inquired about a situation where a minor with less than 1/8 blood quantum may have been enrolled. The Director noted that the individual was denied by the enrollment committee twice and that the person was included on the resolution and later disenrolled. Chairman Mark N. Fox asked that a summary report be provided at the next TBC with his report.

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 22-267-FWF entitled “*Approval of 28 (Twenty-Eight) Applicants for Enrollment into the Three Affiliated Tribes.*” 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: To be included in distribution. 17,154 total members.

TAT_20221215+1353_01d9108ca0b646c2

3) Tax Department Report* – *Cynthia Monteau, Tax Commission Director*
Report submitted for the record. Reported November Tax Collections at \$28,757,378.00. Oil Extraction Tax (OET) Trigger and Coming Winter Months Impacts. October collections were about \$5M higher than the same period in FY2021, although during the winter months we will see the historical decrease in production (and collections) as the November collections show above. We will also see the change in collections moving forward due to the removal of the oil tax trigger. The OET trigger rate of 6% was initiated June 1, when the oil prices for March, April and May were above \$94.69/bbl, we saw that overall increase (Oil Production Tax of 5% and OET of 5%) from 10% to 11% in our August collections. However, the OET trigger rate reverted back to 5% on November 1, we will see that change in our January collections.

Motion: Councilman Mervin Packineau moved to approve the following Alcohol Licenses (14).

- **RumDums Liquor LLC** - Darrick Bell – New Town – Renewal.
- **The Rooster LLC** - Ken Danks – Mandaree – Renewal.
- **4 Bears Casino & Lodge (10):** Scott Wilson – 4 Bears – Renewal.
 - **Pocket Aces(Beer & Liquor)**
 - **Bison Room(Beer & Liquor)**
 - **Eagles Landing(Beer & Liquor)**
 - **Marina(Beer & Liquor)**
 - **River Willow – Riverboat(Beer & Liquor)**
- **Foreman American Legion** – Auxiliary Post 290 – New Town – Renewal.
- **Superpumper Inc.** – New Town – Renewal.

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

Motion: Councilman Mervin Packineau moved to approve Business Licenses (1):

- **B&G Electric, LLC** - Mitch Barth - FBIR - Minot, No Renewal - Electrical Construction, Installation & Repair.

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

XIII. UNFINISHED BUSINESS

A. Emergency Operation Center (EOC)³ – Emily Sitting Bear, Director

- 1) **Proposal Approval for SAR Wilderness/Disaster Response FBIR Canine Program³ - Defer**

B. Support For Research Concerning Energy Transition in Native Communities - Dr. Andrew Curley

Item deferred.

C. Resolution 22-121-FWF Modification [NRC]

Item deferred.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XIV. EXECUTIVE COMMITTEE – Chairman Mark N. Fox

TAT_20221215+1418_01d9109021c391d6

A. Ratification of 12/13/2022 Executive Committee Actions:

- **Memorial Pow-Wow Request.**
- **Four Bears Segment - Johnny Bird Remediation Project Change Orders.**
- **Four Bears Segment - Water Park Soil Testing.**



- **Four Bears Safe Haven Home Contract With Marilyn Youngbird.**
- **Four Bears Segment - Damon Williams Contract Renewal.**
- **Four Bears Segment - John Vetter Contract.**
- **Rusty Gillette Contract Renewals.**
- **Scott Davis Contract.**
- **Employee COLA.**
- **North Segment - Jackie Jackson, Susan Hall, Aletha Morsette Contracts.**
- **North Segment – Bruce Gilbertson Contract for CPA services.**
- **North Segment - Joan Azure Contract Renewal.**
- **North Segment - Dr. Gregory Mortensen Contract.**
- **North Segment Board Appointments**
- **Bobbi Big Lake Home Change Order**
- **Youth Livestock Feed/Hay Budget**
- **West Segment - Brunton Contract**
- **West Segment - American Engineering Testing contract**
- **Employee Segment Christmas Bonus**
- **EMHC - Dr. Inna Malostovker Contract Renewal**
- **EMHC - Dr. Michael Jones Contract Amendment (Salary error/SAR Error)**
- **EMHC - IDC-SAMHSA Grants Waiver**
- **EMHC - Medicom**
- **EMHC - Script Pro Contract Renewal**
- **EMHC - Badger Health & Associates Contract/Privileging & Credentialing Training.**
- **Headstart COLA**
- **Westlaw Services Contract**

Motion: Councilman Mervin Packineau moved to ratify the presented Executive Committee actions. 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



B. EOC - Resolution “Amending Resolution 20-156-FWF, and Updating EOC Scope of Work.”

Motion: Councilman Cory Spotted Bear moved to approve. 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

FTR: Number 22-253-FWF reserved at the November TBC.

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

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

Item deferred.

TAT_20221215+1423_01d91090d4c9abee

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

Motion: Councilman Cory Spotted Bear moved to approve the Jasmyn Enockson Contract extension for 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: This will be for Speech Therapy services.



FTR: Jason Morsette presented a recognition plaque to the TBC for their support of the State Fair Indian Relay.

C. Life & Limb* - Felicia Lone Bear Jimenez, Director

Item deferred.

TAT_20221215+1428_01d9109187cb9e5c

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

Report submitted for the record. Total 241 clients in services.

1) Ratification of Appointees Hires Under GRCC with Unfavorable & Background.

HR is currently following a 5-year clean record policy for hiring and would like to change with submitted lived experience policy of 6-months to a year. Some positions require a longer sobriety than others. A person with "lived experience" is someone who is trained or can be trained to support those who struggle with mental health, psychological trauma, or substance abuse disorder.

Motion: Councilwoman Monica Mayer moved to approve policy (time requirement on unfavorable background). Subject to providing list of affected positions & 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: Councilwoman Monica Mayer & Councilman Robert White would like to see which position affected. 6-months: for Residential Tech, Security, Health Managers. Chairman Mark N. Fox recommended 1 year for security positions. Sharon Thompson provided Legal review. Councilwoman Monica Mayer recommended that the applicants be run through HR.

2) Equine Therapy

Providing equine assisted services to clients of the GRRC.



Motion: Councilman Cory Spotted Bear moved to approve the TR for Heart & Soul Contract 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

3) MHA Recovery Web Site

It was noted that it is in the budget. Chairman Mark N. Fox noted that it should have a contract for services.

Motion: Councilwoman Monica Mayer moved to approve 701 Studios Contract 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

4) Bismarck House for Women's Sober Living

Appraisal submitted for the house at 2805 Finley Street. Need a house for women only not for children. Appraisal at 285K is done and counter offer submitted. Carmen Bruce owns the home.

Motion: Councilman Robert White moved to approve negotiation with split of the difference. 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

TAT_20221215+1453_01d9109508c8af72

E. B.B. Dental Request

[XXXXX] request for assistance (\$25K) for dental implants. Councilwoman Monica Mayer noted that it is medically needed and not cosmetic due to extreme weight loss.

Motion: Councilman Cory Spotted Bear moved to approve assistance dental assistance in the amount of \$12,500 and authorize North Segment to assist with \$12,500. 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

Discussion: North Segment would assist with half the cost.

TAT_20221215+1448_01d9109455c42802

F. Aging Services – Polly Chase, Director

1) **Resolution:** "*Authorization for Continuation of Elder Services Funding From the Administration for Community Living/Administration on Aging Older Americans Act Title VI Nutrition, Supportive Service and Caregiver Grants (Part A/B and C)*"

Motion: Councilwoman Monica Mayer moved to approve resolution no. 22-272-FWF entitled "*Authorization for Continuation of Elder Services Funding From the Administration for Community Living/Administration on Aging Older Americans Act Title VI Nutrition, Supportive Service and Caregiver Grants (Part A/B and C)*". 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

2) Resolution: “Authorization for Tribal Participation in a Nationwide Elder Needs Assessment Survey for the Title VI Grant Funding Year 2023 through 2025.”

Motion: Councilwoman Monica Mayer moved to approve resolution no. 22-271-FWF entitled “Authorization for Tribal Participation in a Nationwide Elder Needs Assessment Survey for the Title VI Grant Funding Year 2023 through 2025.” 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

XVI. JUDICIAL COMMITTEE – Councilwoman Monica Mayer, Chair

A. Tribal Court Report* - Elizabeth Yellow Bird & David Christenson, Chief Judge
Report submitted for the record. The 2023 contracts for the Judges Christensen, BJ Jones, Mary Seaworth (PT), Richard Jackson, have been approved. The contracts for the Public Defender and Judge Taylor Dawn Olson and Jill Thompkins have also been approved. Judge Foote moved back to the Court as a magistrate judge. Therefore, the Court has one Chief Judge, 4 Associate judges and 2 magistrate judges. Budgets for the 2023 year has been finalized; the court is working on the purchase/trade in of one new vehicle. The Court has two small vehicles and needs one that will be larger to fit the needs of some staff. One jury trial was held in November with a total of 3 jury trials this year. Discussion of old fines and the need to write off the fines with a recommendation 4 years from the Court. Chairman Mark N. Fox recommended 7 or negotiation. They need more office space at the court house.

B. TAT Law Enforcement Report* Chief Nelson Heart & Captain Phil Packineau

Item deferred.



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

Item deferred.

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

Item deferred.

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

XVIII. EDUCATION COMMITTEE – *Councilwoman Monica Mayer, Chair*
A. Nueta Hidatsa Sahnish College – *Twyla Baker, President*

Item deferred.

XIX. NATURAL RESOURCES COMMITTEE – *Councilman Cory Spotted Bear, Chair*
A. Homesite(s)* - *Texx Lone Bear, Natural Resources Director*

Item deferred.

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

Item deferred.

C. Fort Berthold Rural Water (FBRW) Update* – *Joseph Silveria, Director.*

Item deferred.

D. Range Unit 40 Request - *Delvin Driver, Jr.*

Motion: Councilman Cory Spotted Bear moved to authorize Legal to draft a resolution transferring Range Unit 40 from Delvin Driver Sr. to his son Delvin Driver Jr. Councilwoman Monica Mayer seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Not Voting



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

Discussion: Attorney John Fredericks will get this information together.

TAT_20221215+1513_01d91097d7b8cdc4

E. Utilities – Mike Bintliff, Director

• **Parshall Bay Subdivision Drain Field**

Township 151 North, Range 91 West, Section 1 of the 5th Principal Meridian,
Fort Berthold Reservation, Mountrail County, North Dakota. (Packineau Lane)

Motion: Councilman Fred Fox moved to approve resolution no. 22-273-FWF
entitled “*Parshall Bay Subdivision ROW*” 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

• **Four Bear Village Sewer Extension**

Township 152 North, Range 93 West Section 16 of the 5th Principle Meridian,
Fort Berthold Reservation, McKenzie County North Dakota.

Motion: Councilman Robert White moved to approve resolution no. 22-274-
FWF entitled “*Four Bears Village Sewer Extension*” 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



- **Twin Buttes Trailer Park**

Township 147 North, Range 91 West, Section 34 of the Fifth Principal Meridian, Fort Berthold Reservation, Dunn County North Dakota.
Strips of land being fifteen feet on both sides of lines situated.

Tabled - Hold

- **Lift Stations Generator Project**

Motion: Councilman Robert White moved to approve resolution no. 22-275-FWF entitled "Lift Stations Generator Project" 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

XX. ENERGY COMMITTEE – *Councilman Fred Fox, Chair*

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

Provided a verbal report. Oil prices have been up and down. 46 rigs in the state and 7 on FBIR. Roads meetings have been started.

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

Motion: Councilman Mervin Packineau moved to approve resolution no. 22-276-FWF entitled "Approval of Setback Variance Requested by WPX Energy Williston, LLC Company for the North John Elk 28-27H Pad" 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

Motion: Councilman Fred Fox moved to approve resolution no. 22-277-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (Allotment 1875) for the North Elk 28-27H Pad Expansion Submitted by WPX Energy Williston, LLC.*” 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

Motion: Councilman Fred Fox moved to approve resolution no. 22-278-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (T1812, T1189, 360, 434, 549) 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

Motion: Councilman Mervin Packineau moved to approve resolution no. 22-279-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (T2010, T5297A, 1075A, 1076A, T5304) 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

Motion: Councilman Mervin Packineau moved to approve resolution no. 22-280-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (T1572, T1570, 49, 1751-A, T5143) 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

XXI. ECONOMIC DEVELOPMENT COMMITTEE – *Councilman Robert White, Chair*
No Items Forwarded

XXII. NEW BUSINESS – Tribal Councilman Add Ons

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

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

TAT_20221215+1528_01d91099f0c63ea8

- G. **Councilman Mervin Packineau – MHA Rodeo Association** – *James Baker*
Requesting financial assistance for the Association. Presented a budget of \$420,900.00 next year’s rodeo season.

Motion: Councilman Fred Fox moved to approve budget subject to resolution if required. 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

H. Councilman Mervin Packineau – Reserved

TAF: 20221215+1538101d9109b57ce2e9a

I. Councilwoman Monica Mayer – North Segment Community Center Contract

No dollar amount yet but estimated around \$70 million still in the GMP process and seeking internal/external valued engineering. Councilwoman Monica Mayer asking for approval subject to dollar amount.

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

Motion: Councilman Cory Spotted Bear moved to approve Architect DSGW / Skull Construction Contract subject to valued engineering & not over 6%. 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

J. Councilwoman Monica Mayer – Reserved

K. Councilwoman Sherry Turner-Lone Fight – Reserved

L. Councilwoman Sherry Turner-Lone Fight – Reserved

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*
- B. **Legal*** – *John Fredericks*
- C. **Four Bears Casino Report*** – *Spencer Wilkinson, Scott Wilson, General Manager*
 - 1) **Report**
 - 2) **Apartment Planning**
- D. **NARCAN Distribution** ^[Judicial]
- E. **L.F. Request** - *Jason Morsette*
- F. **Marcus Levings.**
- G. **Shynna Taft**
- H. **M.P. Medical Assistance**
- I. **Employee Issue**
- J. **Land Auction**

XXV. ADJOURNMENT:

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilman Robert White seconded the motion. Meeting adjourned at 6:05 PM. 6-0



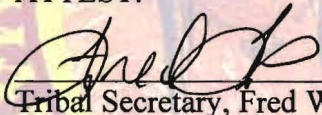
CERTIFICATION

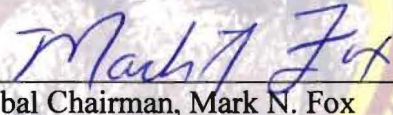
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum, 5 were present at the Regular Meeting thereof duly called, notice, convened and held on the 8th of January, 2023; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of 5 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Chairman (X) Voting () Not Voting

Dated this 8th day of January, 2023

ATTEST:


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


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