



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
NOVEMBER 9th, 2023 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 12:17 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. OPENING PRAYER:

Harriet Goodiron

IV. APPROVAL OF AGENDA:

Motion: Councilman Cory Spotted Bear moved to approve the agenda. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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

V. APPROVAL OF MINUTES:

- **October 19th, 2023 Regular Meeting Minutes.**

Motion: Councilman Fred Fox moved to approve October 19th, 2023 Regular Meeting Minutes subject to minor corrections. Councilwoman Sherry Turner-Lone Fight seconded the motion.

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

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



Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Not Voting

VI. SPECIAL GUESTS & ELDERS:

A. Dental – Myron Foote²

Item deferred.

EXECUTIVE COMMITTEE REPORTS

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

Expressed his condolences and prayers for those that lost loved ones and for the families with loved ones in the hospital. Acknowledged the member student athletes competing in all the sports. INFR contestants that included Councilman Packineau that represented the MHA Nation. Continued to work hard developing Hydrogen Project, the Green House, hosted the United Tribes meeting, the NDIA Meeting. Calls & meetings concerning the Regenerative Clinic. Hosted Energy meetings at INFR with Governor Doug Bergum & his wife attending. Attended Honoring Ceremony on Oct. 30th for Virgil Hill for the North Dakota Rough Rider Award. In Bismarck a presented him with a war bonnet with honor song for his boxing achievements. Yesterday had Federal Partners meeting. Tonight, will be the U.S. Marine Corps Birthday Dinner.

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

Extended condolences to all those who have lost loved ones and thanked the veterans for the service. Recent activities included: Twin Buttes, Masquerade, Josh Lyons Horse Clinic, Thanksgiving Distribution, Turkey Trot, Toys for Tots Event, & Dec. 13th Edwin Benson Day. Eagles Nest Day Care is hiring, Basketball Training Sessions, Wrestling Practice. High School & Assisted Living construction is underway, West Hill Subdivision is moving along well. Feed Lot Build near complete, Bison Fence with the Elk Pasture near completion, Mossett Bay Road is all being worked on, Chipped & Sealed our roads this summer. Nest Summer construction included Tribal Administration building & a Fire Hall.

IX. EXECUTIVE SECRETARY'S REPORT – Councilman Fred Fox

Report Records Office Web Site is up to date and encourages all to check it out. East Segment Veterans Day Meal and 21 Gun salute at the Old Scout Cemetery with Pow-wow with Dead Grass singing all the honor songs on Sat @ 5pm. Thanksgiving Diner on Nov. 22nd. Sahnish Development Authority Audits complete for 2018-2021.



Currently working on the 1804 Store & the Ree Lodge Housing with their audits completed soon. Also, currently drug testing all East Segment employees.

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X. TREASURER'S REPORT - Councilman Mervin Packineau

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A. CFO Report – Whitney Bell

Submitted Financial Report to the individual Council members.

Motion: Councilman Fred Fox moved to approve resolution no. 23-387-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 50,000,000.00" 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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-388-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" 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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-389-FWF entitled "Authorization for a Disbursement to the Elders" 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

Motion: Councilman Robert White moved to approve resolution no. 23-390-FWF entitled “*Skull Contract for Finance Building Project.*” subject to Legal review. 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: Phase III of the Administrative facility. Cheryl White as Project Manager.

B. Mortgage Program – Val Mayer, Credit Manager

Item deferred.

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

Motion: Councilman Cory Spotted Bear moved to approve Group A Small Loans (9) subject to policies and recommendations. 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

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

Item deferred.

XI. SEGMENT UPDATES:

A. North Segment – Councilwoman Monica Mayer

Thanks to all the Vets for their service. NS Turkey Distribution on the Nov. 20th., Had over 600 children attended the Halloween activities, Project: NS Community Center construction is under way with the groundwork completed, Family Fun Center completion was pushed back to around April, Hidatsa Hills homesite area being developed for 1 acres home sites and apartments, KDU opens next month, and Hawk building opens in Dec.

B. Four Bears Segment – Councilman Robert White

Condolences to all the members struggling with loss and addiction. Community update includes chiropractic services by Dr. Hurley Nov. 10th, Thanksgiving Diner Nov. 16th, Elder's Bingo every Thurs., Community Christmas Dinner Dec. 15th at the 4Bears Casino Event Center & School Awards Banquet & Highwaymen Tribute Band Concert that evening.

C. West Segment - Councilwoman Sherry Turner-Lone Fight

Presented report but experienced audio issues.

XII. OFFICER REPORTS:

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

1) Executive Orders*

Motion: Councilman Mervin Packineau moved to ratify EA 2023-52:

WHEREAS, The Tribe has negotiated a purchase of 1911 N. 11 til Street, Bismarck, ND legally described as Lot 7, Tibesar's pt Addition to the City of Bismarck; and

WHEREAS, The purchase amount is \$640,000; and

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council authorizes, subject to the property properly appraising, the purchase of 1911 N. 11th Street, Bismarck, ND and authorizes the Tribal Chairman to execute all documents necessary to purchase the property.



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

Correction and resolution 2023-52

Motion: Councilman Cory Spotted Bear moved to ratify EA 2023-53:

WHEREAS, The Tribes' Small Loans Department has indicated that an application has been made for a loan, that its policies and procedures have been followed, and that Nathaniel Casey Mayer 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 above-mentioned Tribal small loan for Nathaniel Casey Mayer in the amount of \$10,000.00

Councilman Mervin Packineau seconded the motion.

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

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

Motion: Councilman Mervin Packineau moved to ratify EA 2023-54:

WHEREAS, The Tribe's Human Resources Department has brought forward for consideration Metlife Vision with VSP Network and Dental Plans for Tribal Employees for calendar year 2024. It is understood that the maximum lifetime



limit of \$2,000 in the Dental Plan is to be raised to at least \$3,000. NOW, **THEREFORE, BE IT RESOLVED**, that the Tribal Business Council of the Three Affiliated Tribes, through the Executive Action procedure, authorizes and approves the aforementioned 2024 Metlife Dental and Vision with VSP Plans for Tribal employees, with a raised maximum lifetime limit on the Dental Plan.

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: Assigned resolution no 23-369-FWF entitled “Authorization and Approval of Dental and Vision Plans for MHA Nation Employees”

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

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-370-FWF entitled “Approval of 45 (Forty-Five) Applicants for Enrollment into the Three Affiliated Tribes.” Councilwoman Sherry Turner-Lone Fight seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.
Chairman Mark N. Fox – Aye
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Not Voting

Discussion: 17,345 total tribal members.

3) **Tax Department Report*** - *Stephanie Hall-Thomas, Interim Tax Director*

Item deferred.



4) **Emergency Operations Center Report*** – *Emily Sitting Bear, Director*

Item deferred.

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

XIII. UNFINISHED BUSINESS:

A. Tribal Insurance – Boon Audit²

Charity Yessilth reported that the Bryant Legal Group notified the TBC that they were unable to there was not enough evidence for cause of action. Councilwoman Monica Mayer noted that the company in their contract was required to perform annual audits. Recommended not continuing further.

B. Sons of Star Casino ROW²

Item deferred.

COMMITTEES OF THE TRIBAL BUSINESS COUNCIL

XIV. EXECUTIVE COMMITTEE: – *Chairman Mark N. Fox, Chair*

A. Ratification of 11/8/2023 Executive Committee Actions:

- NC Business Loan
- Montana Native American Center, Inc Sponsorship
- Legends for Charity Sponsorship
- Range Rider Program Budget Increase
- NE Segment/ Toby Delorme Contract
- NE Segment/ T.J. Demarce Contract
- NE Segment/ Healing Horse Contract.
- East Segment/ Jackie Bird Contract
- East Segment/ Fargo Satellite Gift Cards
- East Segment/ Veterans Home Project Change Order
- West Segment/ HVAC Contract Amendment
- West Segment/ Employee Bonuses
- UND Graduation Sponsorship
- “National Apprenticeship Week” Proclamation
- Dental Assistance Policy and Procedures.
- Immanuel Campus of Care Invoice Payment
- T.C. Nursing Home Bill Payment



- **Housing Property Inventory Dept. Development**
- **Property Acquisition Negotiation Authorization**
- **Heritage Place – Ardell Blueshield Contract**
- **C.R. Employee Status Change Director Adolescent Services**
- **T.L Medical Bill Payment**
- **S.F. Medical Bill Payment**
- **P.F. Medical Bill Payment**
- **M.B. Small Loan & Segment Assistance**
- **Luah Beah Employee Contract**
- **Talon MOU Renewal**
- **Northern Integrity**

Motion: Councilman Mervin Packineau moved to ratify the presented 11/8/2023 Executive Committee Actions. 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: Councilman Mervin Packineau moved to approve add Northern Integrity to the above Executive Committee ratifications. 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

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B. Tribal Match/Fencing Grant FBLA Resolution



Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-371-FWF entitled “*Tribal Match of \$200,000 to the Fort Berthold Land and Livestock Association for Fencing Grant through the Native American Agriculture Fund.*” subject to Legal review. 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

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C. Bismarck Daycare Building Purchase Resolution

Motion: Councilman Fred Fox moved to approve resolution no. 23-368-FWF entitled “*Authorizing and Approving Purchase of Property for Bismarck Daycare Center*”. Councilman Mervin Packineau seconded the motion.

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

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

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D. South Segment Infrastructure Change Order Resolution

TAT MHA Nation – Twin Buttes Master Infrastructure Change Order 001. Contract increase from \$7,381,323.00 to \$12,110,581.00.

Motion: Councilman Robert White moved to approve resolution no. 23-373-FWF entitled “*TAT MHA Nation – Twin Buttes Master Infrastructure Change Order 001*” subject to Legal review. 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

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E. South Segment Community Center Change Order Resolution

Submitted AIA Document G701-2017 for the MHA Twin Buttes Community Center Change Order 02. Contract increase from \$12,508,946.00 to \$21,320,242.00.

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-374-FWF entitled “MHA Twin Buttes Community Center Change Order 02” subject to Legal review. 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

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F. Parshall Elementary School TERO Fees Resolution

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-375-FWF entitled “Parshall Elementary School TERO Fees Waiver”. Councilman Mervin Packineau seconded the motion.

Vote: 6- Ayes. 1- Not Voting. Motion carried.
Chairman Mark N. Fox – Not Voting
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye
Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Aye
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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G. TATLE Indian Highway Safety Grant Award Resolution



Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-376-FWF entitled "Authorization for TAT Law Enforcement Program to apply for FY 2024 Bureau of Indian Affairs Indian Highway Safety Program Grant Funds" subject to Legal review. 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

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

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

1) AAAHC for HIPAA and Med Staff By laws

Motion: Councilman Mervin Packineau moved to approve AAAHC for HIPAA and Med Staff By laws 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

2) Dr. Malostovker Contract

Motion: Councilman Fred Fox moved to approve Dr. Malostovker Contract 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

3) Ruth Heinert Contract Diabetes Audit

Motion: Councilman Fred Fox moved to approve the Diabetes Audit Contract with Ruth Heinert. 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

4) Brenda Allard Contract

Motion: Councilman Fred Fox moved to approve the Brenda Allard Contract subject to Legal review. Councilman Robert White seconded the motion.

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

5) Michael Yellowbird Contract

Motion: Councilman Fred Fox moved to approve the Michael Yellowbird Contract subject to negotiations and 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

6) TRANE HVAC Service Agreement

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve the TRANE HVAC Service Agreement 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

7) DMS Imaging Service Agreement

Motion: Councilman Robert White moved to approve the DMS Imaging Service Agreement subject to Legal review. Councilman Mervin Packineau seconded the motion.

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

8) Phillips Radiology Service Agreement (including request limited waiver of sovereign immunity)



Motion: Councilman Mervin Packineau moved to approve the Phillips Radiology Service Agreement subject to (including request limited waiver of sovereign immunity) waiver TAT as governing law and 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

9) INMAR Service Agreement

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve the INMAR Service Agreement subject to Legal review. Councilman Mervin Packineau seconded the motion.

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

10) Resolution: EMHC Staff Quarters Grant Funding Acceptance

Motion: Councilman Mervin Packineau moved to approve resolution no. 23-377-FWF entitled “EMHC Staff Quarters Grant Funding Acceptance to Receive Funding through a P.L. 93-638 Contract with IHS.” 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

11) COHEN -Northwell Pediatric IRB

Motion: Councilwoman Sherry Turner-Lone Fight moved to approve the COHEN -Northwell Pediatric IRB. 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

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

Item deferred.

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

Motion: Councilwoman Monica Mayer moved to approve the presented Life and Limb Requests: (L.C., M.D., F.S., P.M., E.M.). 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

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



1) TR for Heart and Soul Contract

Independent Contract Services Agreement to provide equine-assisted services to clients of the GRRC. The term of this Contract shall be November 1, 2023, to October 31, 2024

Motion: Councilwoman Monica Mayer moved to approve the TR for Heart and Soul Contract subject to Legal review. 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

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

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

Item deferred.

B. Agriculture Leases*

Item deferred.

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

Item deferred.

D. Fort Berthold Land & Livestock - Jessie Baker & Susan Fredericks

Item deferred.

E. James Mossett – Land Exchange Request

Description correction

Motion: Councilman Mervin Packineau moved to approve resolution no. 23-381-FWF entitled “James Mossett – Land Exchange Request” 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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F. Natural Resource Department Safety Awards Banquet

Banquet budget for staff takes place around December 14th.

Motion: Councilman Mervin Packineau moved to approve Natural Resource Department Safety Awards Banquet for \$30K. 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

G. Lease Compliance Office Staffing Request

Item deferred.

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H. Land Exchange - City of New Town – North Segment

Rodeo grounds old trail there

Motion: Councilman Robert White moved to approve resolution no. 23-379-FWF entitled “*Land Exchange - City of New Town – North Segment*” subject to Legal review. Councilman Mervin Packineau seconded the motion.

Vote: 5- Ayes. 2- Not Voting. Motion carried.
Chairman Mark N. Fox – Not Voting
Councilman Cory Spotted Bear – Aye
Councilman Fred Fox – Aye



Councilman Mervin Packineau – Aye
Councilwoman Monica Mayer – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

I. Land Sale - Dennis Pederson Estate – North Segment

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-382-FWF entitled “*Land Sale - Dennis Pederson Estate – North Segment*” 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

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J. Building Purchase - Robert Gorder Estate – North Segment

Old Legal Services. For the Child Support Program. Councilwoman Monica Mayer recommended further negotiations.

Motion: Councilman Mervin Packineau moved to approve Building Purchase - Robert Gorder Estate – North Segment subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion.

Motion withdrawn.

Motion: Councilwoman Monica Mayer moved to authorize further negotiation. 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: Councilwoman Sherry Turner-Lone Fight moved to approve resolution no. 23-383-FWF entitled “*Range Rider Budget Increase*” 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

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K. Ed Hall Land Exchange

Motion: Councilman Fred Fox moved to approve resolution no. 23-378-FWF entitled “*Approval of the Corrected Land Exchange between the Three Affiliated Tribes and Edward H. Hall, Jr.*”. 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

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L. Return To Trust (5)

Motion: Councilman Mervin Packineau moved to approve resolution no. 23-380-FWF entitled “*Return To Trust (5)*” 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 – Not Voting
Councilwoman Sherry Turner-Lone Fight – Aye
Councilman Robert White – Aye

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

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

Oil prices at about \$76/barrel today. State rig count is at 34 with FBIR at 3. Reported meeting with BLM this morning a went over last year’s inspections. EPA was here last week, inspections, will be reviewed next week over Teams.

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B. ROW’s* - *Paul Grady & Harriette Clah*

Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-384-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (T1003A, T1866, T1814, T992A-B, T992A-A, T992A-D, T2151, T991A, T1810, T1242 and Allotment 2143) for the Twin Buttes Gathering System Project Submitted by WPX Energy Williston, LLC.*” Councilman Fred Fox seconded the motion.

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

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

Motion: Councilman Fred Fox moved to approve resolution no. 23-385-FWF entitled “*EOG Mandaree Pipeline OP2 – Utility Corridor*” Councilman Cory Spotted Bear seconded the motion.

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

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



Motion: Councilman Cory Spotted Bear moved to approve resolution no. 23-386-FWF entitled “*Consent to Approval of a Right-of-Way across Tribal land (301-706A-A) for the Mandaree Pipeline Arrow Op 2 Project Submitted by Arrow Pipeline, LLC.*” Councilman Mervin Packineau seconded the motion.

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

Chairman Mark N. Fox – Aye

Councilman Cory Spotted Bear – Aye

Councilman Fred Fox – Aye

Councilman Mervin Packineau – Aye

Councilwoman Monica Mayer – Not Voting

Councilwoman Sherry Turner-Lone Fight – Not Voting

Councilman Robert White – Aye

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

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

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

Item deferred.

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B. TAT Law Enforcement Report – *Nelson Heart Jr., Chief of Police*
Report submitted for the record.

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C. Public Safety – *Phil Packineau, Administrator*
Provided a report and took questions.

D. Public Safety Division of Drug Enforcement Report* - *Gerald White, Jr., Chief & Special Agent Dawn White*

Item deferred.

XX. CULTURAL COMMITTEE: – *Chairman Mark N. Fox*
No Items Forwarded

XXI. EDUCATION COMMITTEE: - *Councilwoman Monica Mayer, Chair*

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A. Susan Paulson and Jennifer Young Bear

Skowisahnish Feminine Cultural Sacredness Funding Proposal. Support the program starting out with community assessment and then development of curriculum. Also, would report to the Education Committee & the Education Director.

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-372-FWF entitled “*Authorization and Approval of Skowisahnish LLC’s Educating and Healing through Holistic Nueta, Hiracca and Arikara Feminine Cultural Sacredness Program*” 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

Discussion: Susan Paulson clarified that it would be a contract Assesment & development with implementation in the seconded year.

XXII. NEW BUSINESS – Tribal Councilman Add Ons

A. Chairman Mark N. Fox – Reserved

B. Chairman Mark N. Fox – Reserved

C. Councilman Cory Spotted Bear – Loren Burr

Loren Burr is deployed with the military and is requesting assistance for vehicle repairs.

Motion: Councilman Cory Spotted Bear moved to approve \$6K from General Fund. 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

D. Councilman Cory Spotted Bear – Reserved

E. Councilman Fred W. Fox – Whirlwind Bull Yellow Bear

Attending LA Skins film festival in Los Angeles for a film concerning the Youth Survival Camp and a trip to Australia for a cultural event. TBC agreed to assist.

F. Councilman Fred W. Fox – Pole Barn for MHA Youth Livestock

Motion: Councilman Fred Fox moved to approve resolution no. 23-391-FWF entitled “Approving the Purchase of a Pole Barn for MHA Youth Livestock”
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. Councilman Mervin Packineau – Children’s Life Insurance - Jessica White Calf

Provided additional information as requested. Councilman Robert White broke down the annual recurring costs.

No Action

H. Councilman Mervin Packineau – Reserved

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I. Councilwoman Monica Mayer – Florence Brady Request

Presented an emergency small loan request.

Motion: Councilman Mervin Packineau moved to approve small loan subject to procedures & recommendations. 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: \$7K loan amount.

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J. Councilwoman Monica Mayer – Revised GMP for Community Building

GMP was increased to (\$85 million) with the addition of the LiveWire solar systems to the plans.

Motion: Councilwoman Monica Mayer moved to approve resolution no. 23-398-FWF entitled “Amending Resolution no. 23-203-FWF “Acceptance of AM A-133 Exhibit A, Amendment 1 Guaranteed Maximum Price (GMP) for the North Segment Community Center in the amount of \$84,041,652.00” 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

Discussion: 22-291-FWF is still under Legal review so the number can still be used. Contractor is Skull Construction.

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• **Hidatsa Hills**

Councilwoman Monica Mayer requesting removal of the Hidatsa Hills Project from the CMO Office to ensure the bills get paid.

Motion: Councilwoman Monica Mayer moved to approve for the Hidatsa Hills Special Project to be run through the North Segment/Natural Resources and the POC for the 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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K. Councilwoman Sherry Turner-Lone Fight – Generator Purchase

Presenting two items a generator invoice & one estimate. \$313,764.00 Invoice from Reindel Electric out of Dickinson for the purchase of 20 generators for elders that live in the country.

Motion: Councilman Robert White moved to approve generator purchase from Reindel Electric from West Segment funds. 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

Recently lost their HVAC person and requesting to bring on company to convert generators to propane and other work needed to convert electrical generators to propane for the HVAC hookup for 50 homes. The type of work includes installing propane gas lines from propane tanks to Standby Generator, Provide and install regulator, black line, and shutoff at each Standby Generator (Regulators at propane tanks shall be provided and installed by others). All pricing is based on installation of 30 ft max trench and piping.

Motion: Councilman Robert White moved to approve the utilization of services from Reindel Enterprise Inc. for the Standby Generator Project for Propane Gas Line Connections from West Segment funds (50 connections for \$250K). 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

L. Councilwoman Sherry Turner-Lone Fight – Fargo Outreach

Jolene Gonzales, Director West Segment Fargo Outreach. We at the Fargo Office, in order to not have to pay taxes on the \$5,000 that was awarded to this office, were planning to utilize West Segments nonprofit status as "West Segment Development Authority" an umbrella company which we would operate under. I have already opened an account under this name with the anticipation of depositing the \$5,000 check that only the Fargo office will have access to. This would be my option A, as it would make it a lot easier to fine tune needs to an exact dollar amount pulling from the account on each occasion as needed. Of course, this account will be completely accountable for every transaction on an Excel Spread Sheet. If this is not acceptable to you at this time, we would like to offer another option, Option S, in which we could purchase gift cards for food and gas and Walmart cards for diapers and personal needs. Please keep in mind that this money is not just going to West Segment members, but that we are going to continue our business-as-usual assisting all our MHA members/relatives.

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 P. Brady, Director

B. Legal* – John Fredericks

1) Resolutions (6) ^[Executive]

2) Hillary Tompkin Contract Amendment ^[Executive]

C. Make Cents²

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

E. Range Unit Issue – Jesse Baker

F. C. Froelich Issue



- G. Ray Taken Alive
- H. Skie Fox Medical Issues

XXV. ADJOURNMENT:

Motion: Councilman Robert White moved to adjourn the meeting. Councilman Mervin Packineau Seconded the motion. Vote: Meeting adjourned at 5:24 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 7th of December, 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 (X) Not Voting

Dated this 7th day of December, 2023

ATTEST:

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

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