

**RESOLUTION #27-368-2014-02
February 10, 2014**

**Special Board Meeting
11 Present**

WHEREAS, the Fort Peck Tribal Executive Board is the duly elected body representing the Assiniboine and Sioux Tribes of the Fort Peck Reservation and is empowered to act on behalf of the Tribes. All actions shall be adherent to provisions set forth in the 1960 Constitution and By-Laws.

CHAIRMAN’S REPORT

- #27-310-2014-02 Approve of the Meeting Agenda.
8 for, none opposed.
- #27-311-2014-02 Approve of the January 27, 2014 Regular Board meeting minutes.
8 for, none opposed.
- #27-312-2014-02 Approve of the Travel Resolution Log.
8 for, none opposed.

CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE

- #27-313-2014-02 **(Prepared Resolution)** Approve the Fort Peck Tribal Library to submit a proposal for an enhancement grant under the Institute of Museum and Library Services (IMLS).
11 for, none opposed.

EDUCATION

- #27-314-2014-02 **(Prepared Resolution)** Authorize the submission of a grant through the National Park Service for funds to build a digitizing method for historic records and to create a program web-site.
11 for, none opposed.
- #27-315-2014-02 Authorize giving a tribal flag to the Frazer Schools.
11 for, none opposed.

ECONOMIC DEVELOPMENT

- #27-316-2014-02 Approve of extending Eric Bruguier’s position for 30 working days as Rail Spur Business Development Specialist.
11 for, none opposed
- #27-317-2014-02 Amend Resolution #27-95-2013-11 regarding site for Wellness Center by changing the land description from SE1/4SW1/4SE1/4 to the Correct Amended land description of E1/2W1/2SW1/4SE1/4.
11 for, none opposed.
- #27-318-2014-02 **(Prepared Resolution)** Approve of supporting Burlington Northern Regional Economic Development’s business opportunity for locating a Railcar Maintenance & Repair Facility business on Fort Peck Reservation and an upgraded rail based industrial park; and directs the Economic Development staff to work with Burlington Northern Regional Economic Development Division to attract and location the Railcar Maintenance & Repair Facility business on Fort Peck Reservation.
11 for, none opposed.
- #27-319-2014-02 Authorize the Fort Peck Tribes to apply for IHS planning grant.
11 for, none opposed.

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FINANCE

- #27-320-2014-02** Approve to send a certified letter to Marvin Youpee Sr. regarding the will services for the Fort Peck Tribes.
11 for, none opposed
- #27-321-2014-02** Approve to re-advertise the Economic Development director position for another two weeks.
11 for, none opposed.
- #27-322-2014-02** An amended motion was made by Dana Buckles to refer the motion back to committee to identify another site for the Sustainable Village homes, 2nd by Roxanne Gourneau.
8 for, 3 opposed.
- #27-323-2014-02** Approve to accept the Independent Contractor Agreement for the purpose of education development with Dr. Joe McGeshick in the amount of \$6,000 over the period of three (3) months and invoices for payment will be submitted to the Education Department director as the work progresses.
11 for, none opposed.
- #27-324-2014-02** Approve to pay for the cost not to exceed \$6,500.00 to install fencing and gates around the tipis on Indian Hills and for the cost to come out of the Range Unit Improvement line item.
9 for, none opposed, 2 absent.
- #27-325-2014-02** Rescind Tribal Resolution #26-441-2012-02 that compels tribal judges to take another qualifying exam.
11 for, none opposed.

LAND

- #27-326-2014-02** Approve of Enrolled Member Renewal leases for Georgie Parenteau (4 tracts), Charles Trinder, Theresa Stovern, Rose Atkinson (2 tracts), and Kim Murray.
9 for, none opposed.
- #27-327-2014-02** A motion was made by Roxanne Gourneau to refer the Enrolled Member New Leases for David Madison and to approve Cancellation of Mary Ann Verwolf's lease no. 2325-2017 a Cancellation lease for Russell B. Wilkins.
7 for, none opposed, 2 absent.
- #27-328-2014-02** Approve Non-Indian Renewal leases for Judy Elletson, and Scott McGowan and to include the following Non-Indian Renewal lease applications that were tabled from the January 8, 2014 Special Board meeting for Jeff Lodahl, Kummerfeld Farms (2 tracts) and Walter Daley.
6 for, none opposed, 3 absent.
- #27-329-2014-02** Approve of home site lease application for Ron & Ruth Jackson for Term 14-38; Sec. 16, T27N-R45E for land described as: SW1/4SE1/4SE1/4SW1/4 at \$25.00 per year.
9 for, 3 opposed.

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- #27-330-2014-02** Approve of amended motion to approve an enrolled Member Renewal lease for A.T. Stafne.
9 for, 1 opposed.
- #27-331-2014-02** An amended motion was made by Roxanne Gourneau to refer the applications for Deacon Magnan and Les Ferguson back to committee, 2nd by Marva Firemoon.
9 for, 1 opposed.
- #27-332-2014-02** Approve of a Lease Rental Extension for Gary Grainger to pay 2014 rentals on or before Feb. 20, 2014 for 30 days.
9 for, none opposed.
- #27-333-2014-02** Authorize the Enterprise to finance the position of Plumber's Apprentice.
11 for, none opposed. .
- #27-334-2014-02** **(Prepared Resolution)** Authorize the Family Violence Resource Center to apply for the FY14 SMART Grant Support for Adam Walsh Act Implementation Grant Program for the amount of \$300,00 to continue the substantially implemented SORNA/Adam Walsh Act to register and monitor all sex offenders on the Fort Peck Reservation and authorize the Chairman A.T, Stafne to sign the application documents as Primary Point of Contact and to authorize Patricia McGeshick as the Alternate Point of Contact.
11 for, none opposed.
- #27-335-2014-02** **(Prepared Resolution)** Authorize the Family Violence Resource Center Grant Application for the FY14 Grant to Encourage Arrest Policy and Enforcement of Protection Orders in the amount of \$300,000 to the Department of Justice Office on Violence Against Women, and authorize the FVRS's request that the Chairman be authorized representative to sign all grant application documents and authorize Patty McGeshick as the alternate representative.
10 for, none opposed, 1 not voting.
- #27-336-2014-02** **(Prepared Resolution)** Authorize the Sexual Abuse Victims Treatment Program (SAVTP) Contract #A12AV01002 to submit the FY14 Meth Project Proposal to the Bureau of Indian Affairs in the amount of \$48,000.00 for the continued services to twenty families.
11 for, none opposed.
- #27-337-2014-02** Approve to retain the services of the "First Amendment to Attorney Contract for retaining the legal services of the Sonosky, Chambers, Endreson & Perry, LLP firm; and agrees to the non-lobbying coalition flat fee of \$2750 per month with an annual expense cap of \$30000 for a total non-lobbying budget of \$36,00 per year in lieu of an hourly rate with a cap; and directs the Chairman and Secretary of the Tribal Council to sign this resolution for and on behalf of the Tribes.
9 for, 2 opposed.

- #27-338-2014-02** Approve retaining the legal services of the Sonosky, Chambers, Sachse, Endreson & Perry, LLP to provide transportation lobby services to the Fort Peck Tribes as part of a coalition of Tribal clients at the flat fee rate (“Tribal Transportation Lobbying Coalition); and approves of the Second Amendment to Attorney Contract and directs the Chairperson to sign the contract for and on behalf of the Tribes; and authorizes the Chairman and the Secretary of the Tribal Council to sign this resolution for and on behalf of the Assiniboine & Sioux Tribes.
9 for, 2 opposed.
- #27-339-2014-02** Approve to accept the recommendation by the ASRWSS Commission to advertise for the vacant ASRWSS position for two weeks.
11 for, none opposed.
- #27-340-2014-02** Approve of the ASRWSS Commission’s recommendation to advertise for the position of Water Maintenance/Mechanic for the Water Treatment Plant and advertise for two weeks in local and national newspapers.
11 for, none opposed.
- #27-341-2014-02** Approve of the ASRWSS Commission’s recommendation to advertise for the position of Water Distribution Pipeline Operator.
11 for, none opposed.
- #27-342-2014-02** Approve of the ASRWSS Commission’s recommendation to advertise for the position of Water System Instrumentation /Network Technician.
11 for, none opposed.

OIL & GAS

- #27-343-2014-02** **(Prepared Resolution)** Authorize the Chairman to request the BIA accept a Categorical Exclusion and a finding of no Significant Impact (“CATEX”) based on appropriate standards and practices to be undertaken by the oil companies s its related THPO documentation and authorize the Chairman to appoint a qualified archeologist and/or cultural expert as approved by the Fort Peck Tribes to be the principal investigator on behalf of the Tribes for the 3-D Seismic Project and IV.) authorize the Chairman to be the direct point of contact with the principal investigator so that the Chairman may temporarily function as the Tribal Historic Preservation Officer.
10 for, none opposed.
- #27-344-2014-02** (Prepared Resolution) Approve the authorization of a \$10 minimum wage hourly rate for -seismic workers per tribal resolution # 27-130-2013-11 dated Nov. 25, 2013.
10 for, none opposed.
- #27-345-2014-02** (Prepared Resolution) Approve to waive the Surface Access Fee.
10 for, none opposed.
- #27-346-2014-02** Request a financial report from Lynn Becker of Fort Peck Energy Company.
10 for, none opposed.
- #27-347-2014-02** **(Prepared Resolution)** Approval to continue receiving the Legislative Bulletin from Sonosky & Chambers at the cost of \$2,400 per month and for the cost to come out of the Legal line item.
10 for, none opposed.

#27-348-2014-02 **(Prepared Resolution)** Authorize the submission of supplemental materials to enhance the original application to participate in the Buy-Back Program in the negotiation process and to enter into a cooperative agreement for implementation of the program on the Fort Peck Reservation.
11 for, none opposed.

#27-349-2014-02 **(Prepared Resolution)** Authorize the HPDP Program to reimburse Ms. Katherine Comtois for round trip travel expenses to consult on the suicide prevention plans.
11 for, none opposed.

#27-350-2014-02 An amended motion was made by Garrett Big Leggins to rescind tribal resolution # 26-1795-2012-12, 2nd by Terry Rattling Thunder.
9 for, 2 opposed.

LAW & JUSTICE

#27-351-2014-02 Authorize Cross-deputization for Roosevelt County Police Officer Patrick O'Connor.
9 for, 2 opposed.

#27-352-2014-02 Allocate funds to hire a Lawyer Judge.
10 for, none opposed.

#27-353-2014-02 An amended motion was made by Roxanne Gourneau to refer the approval of the Branch of Corrections to apply for a \$60,000 Meth Initiative Grant to NEW BUSINESS.
11 for, none opposed.

HEALTH & HUMAN SERVICES

#27-354-2014-02 Approve to support the OPI Wrap Around Services on the Fort Peck Reservation.
9 for, none opposed.

#27-355-2014-02 Approve to confirm an upcoming meeting with the Tribal Council and Senator Jon Tester on February 20, 2014.
9 for, none opposed.

#27-356-2014-02 **(Prepared Resolution)** Authorize the hiring of Florence Fourstar, Terri Adams, Ashten Youpee, and Geraldine Diserly to work for HPDP PCA Program as temporary, part-time employees as of Feb. 6, 2014.
9 for, none opposed, 1 not voting.

#27-357-2014-02 Authorize Ken Smoker to prepared a Service Contract for Dale DeCoteau as the new Suicide Prevention Coordinator for the HPDP Program.
9 for, 1 opposed.

#27-358-2014-02 **(Prepared Resolution)** Authorize the Chairman to sign the attached Preliminary Engineering Services Agreement between the Fort Peck Tribes and Kadrmas, Lee, and Jackson (KLJ) and HPHP will be paying KLH for the services in the amount of \$29,700.00.
9 for, 1 opposed.

#27-359-2014-02 **(Prepared Resolution)** Authorize the Chairman to sign the attached Preliminary Engineering Services Agreement between the Fort Peck Tribes and Kadrmias, Lee, and Jackson and HPDP will be paying KLJ for the services in the amount of \$3500.
9 for, 1 opposed.

#27-360-2014-02 Approve a retirement honorarium to Fort Peck Tribal Head Start bookkeeper Vernita Buckles in the amount of \$500.
10 for, none opposed.

VETERANS/ELDERS & YOUTH

#27-361-2014-02 An amended motion was made by Roxanne Gourneau, 2nd by Marva Firemoon to refer the donations from their travel accounts to assist four Poplar High School students, Jordan Grainger, and Tina Kohl, and Shelly Frederick to enable them to go on a trip to Europe, June 9-18, 2014 back to the VEY committee.
11 for, none opposed.

#27-362-2014-02 **(Prepared Resolution)** Authorize the Chairman or his representative to sign the contract with Rodney Clark, Dakota Hills Engineering and Management, Inc. (DHEM) to produce the RFQ for Architectural and Engineering work for design of the Fort Peck Tribal Veterans Cemetery.
11 for, none opposed. Motion carried.

#27-363-2014-02 Tom Christian made an amended motion, 2nd by Marva Firemoon to refer the recommendations from Ryan Rusche, In-House Counsel, regarding the Veterans' Affairs committee and to accept the re-written Constitution and By-Laws back to committee.
8 for, 3 opposed.

#27-364-2014-02 Roxanne Gourneau made an amended motion, 2nd by Charles Headdress to refer the Sheridan Electric bill in the amount of \$1041.60 for the Ft. Kipp baseball field back to Finance Committee back to the Finance committee.
7 for, 4 opposed. Motion carried.

#27-365-2014-02 Approve of administrative leave for the following: Pearl Hopkins on Feb. 12, 13 & 14; John Weeks for Feb. 13 & 14; Ed Bauer on Feb. 10; Dana Buckles on the morning of Feb. 11; and Stacey Summers on the afternoon of the Feb. 12, 2014, and Rick Kirn for Feb. 3, 2014.
11 for, none opposed. Motion carried.

UNFINISHED BUSINESS

No action taken.

NEW BUSINESS

#27-366-2014-02 A motion was made by Roxanne Gourneau to send this request and the other request for funds for Albert Foote for cultural activities, back to Finance Committee, 2nd by Tom Christian.
10 for, none opposed.

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11 Present**

#27-367-2014-02 **(Off the floor)**
A motion was made by Terry Rattling Thunder to approve the publication of the BRCO meeting on Monday, Feb. 24, 2014 at 7 p.m. at the Brockton Cultural Center, 2nd by Marva Firemoon.
10 for, none opposed.

CERTIFICATION

I, the undersigned Secretary/Accountant of the Tribal Executive Board of the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, hereby certify that the Tribal Executive Board is composed of 12 voting members of whom **11** constituting a quorum were present at a **Special** meeting duly convened this **10th** day of **February, 2014** and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of **10** for.

Secretary Accountant

Chairman/Vice Chairman
Fort Peck Tribal Executive Board