

**RESOLUTION #27-605-2014-04
April 14, 2014**

**Special Board Meeting
10 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

- #27-534-2014-04 Approve of the Meeting Agenda. *10 for, 2 absent.*
- #27-535-2014-04 Approve to amend the motion of the March 24, 2014 Regular Board meeting minutes, delete dates of April 7-10, 2014 of the Clean Up Days. *10 for, 2 absent.*
- #27-536-2014-04 Approve of the Travel Resolution Log. *10 for, 2 absent.*

CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE

- #27-537-2014-04 Approve of amending VIII CCOJ 441 to state that the second and subsequent offenses of cruelty to animals is a Class a misdemeanor. *10 for, 2 absent.*
- #27-538-2014-04 Approve and authorizing amending IX CCOJ 101 with noted language changes. *10 for, 2 absent.*
- #27-539-2014-04 Amend the motion to advertise the position to serve on the Integrated Solutions Board of Directors, Debi Madison to serve until advertisement is filled. *7 for, 3 opposed, 2 absent.*
- #27-540-2014-04 Approve of that after the new Wolf Point Community Hall is finished (approximately June 30), the old Wolf Point Community Hall will be used by the Head Start Program. *10 for, 2 absent.*

EDUCATION

- #27-541-2014-04 Approve the NJOMA resolution #2014-02 to support Forward Funding for Johnson O’Malley. *10 for, 2 absent.*
- #27-542-2014-04 Approve to support the NJOMA resolution #2014-03 to conduct a National Student Count Annually for adequate funding for Johnson O’Malley. *10 for, 2 absent.*
- #27-543-2014-04 Approve to support the NJOMA Resolution #2014-03 to restore JOM funding t the 1995 level of \$24.3 million. *10 for, 2 absent.*
- #27-544-2014-04 Approve to have all the Head Start Centers and classrooms on the reservation secured within 30 days. *10 for, 2 absent.*

ECONOMIC DEVELOPMENT

- #27-545-2014-04 Approve to give Steve Lilley TERO Director’s salary retroactive to March 10, 2014 when they fill the position. *10 for, 2 absent.*
- #27-546-2014-04 Approve of Chairman Stafne to write a letter of invitation to the Eastern Band of Cherokee inviting them to come to Fort Peck during the week of May 16, 2014. *10 for, 2 absent.*

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- #27-547-2014-04** Approve of the FPHA Indian Housing Plan with the TEB reserving the rights to question or make adjustments to his plan before or during the April 14, 2014 Special Board Meeting. *9 for, 1 opposed, 2 absent.*
- #27-548-2014-04** To place Anna Pipe, West end Counselor back to her original west-end location effective today. *8 for, 2 opposed, 2 absent.*
- #27-549-2014-04** **(Prepared Resolution)** Request the USDOL/ETA to officially approve continued provision of FY2014 and 2015 “Section 166” CSP and SYSP INA financial assistance to the Fort Peck Tribes; and that the TEB also requests the USDOL/ETA to continue to formally designate the Fort Peck Indian Reservation as a PY2014-2015 geographical service area in which to operate and provide “Section 166” INA Employment and Training program assistance; and authorize Chairman A.T. Stafne or his officially designated alternate to endorse all official correspondence and documents which relate to the request for assistance from the USDOL/ETA. *10 for, 2 absent.*
- #27-550-2014-04** **(Prepared Letter)** Approve of Tribal Chairman A.T. Stafne to sign the letter developed by the Workforce Development program to The Honorable Jon Tester, United States Senator (Montana) Washington, DC re: The Fort Peck Assiniboine and Sioux Tribes endorsing and calling upon Congress to formally adopt S. 1574, The Indian Employment and Training and Related Services Act of 2013. *10 for, 2 absent.*
- #27-551-2014-04** Approve of the Amendment to the Articles of Incorporation of Fort Peck Manufacturing, Inc. to meet the requirement of the Small Business Administration for Section 8 (a) certification. *10 for, 2 absent.*
- #27-552-2014-04** **(Prepared Letter)** Approve and support FPHA to prepare and sign the standard form letter issued by the United Native American Housing Association (UNAHA) that supports and opposes the following: Support- Unexpended Funds; Opposed – Phasing Out Mutual Help; Opposed- Additional Authority to Suspend or Recapture Funds; Support- Elimination of Specific Federally Mandated Rent Limits; Opposed- Opposition To Using American Community Survey in IHBG Formula; Support–Counted Enrolled Members in IHBG Formula. *10 for, 2 absent.*
- FINANCE**
- #27-553-2014-04** **(Prepared Resolution)** Authorize the Memorandum of Agreement for Public Health Service/ Indian Health Service and Sanitary facilities construction for Fort Peck Housing 2014 Project B1-14-A01 in the amount of \$162,000. *10 for, 2 absent.*
- #27-554-2014-04** **(Prepared Resolutin)** Amend the motion to recognize the following individuals as Assiniboine Council members which includes: Chairman, Lance Fourstar, Vice Chair, Karen Todd; Secretary/Treasurer, Rita Weeks; and Sgt.-at-Arms Phillip Miller, per Assiniboine Council Resolution #08-2014-0, dated March 24, 2014. *10 for, 2 absent.*

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- #27-555-2014-04 Approve to pay \$670.28 for the following Youth Recreation Program which includes: MDU bill for Doug Garfield, \$332.27; and a reimbursement to Doug Garfield, Boxing Coach, for \$113 for boxing coach card purchased and another for \$225.00 for ABF cards purchased for three youth boxers. *10 for, 2 absent.*
- #27-556-2014-04 **(Prepared Resolution)** Authorize the Fort Peck Building Planning Committee to complete construction documents in preparation for a construction start in early July 2014 for the new Wellness Center. *10 for, 2 absent.*
- #27-557-2014-04 Accept the resignation of Councilman Big Leggins from the Integrated Solutions Board of Directors. *9 for, 1 opposed, 2 absent.*
- #27-558-2014-04 Approve the Fort Peck Housing Authority be approved to increase their Wage Loans to \$1500 as they have moved from weekly payrolls to bi-weekly payrolls. *10 for, 2 absent.*
- #27-559-2014-04 Approve to extend the current contract for Dr. Ken Ryan for the time period beginning Jan. 1, 2014 – April 17, 2014. *9 for, 1 not voting, 2 absent*
- #27-560-2014-04 Approve to allow the FHPA BOC to travel at their own convenience whether it is by vehicle or plane. *9 for, 1 opposed, 2 absent.*
- #27-561-2014-04 Approve administrative leave for Councilwoman Summers on Wed. April 2 and 8; Sgt.-at-Arms John Weeks for April 9; and Tom Christian for April 14; Garrett Big Leggins for Friday, March 28, 2014. *10 for, 2 absent.*
- #27-562-2014-04 Approve to look into contracting the BIA Facilities department through a 638 contract. *9 for, 1 opposed, 2 absent.*
- #27-563-2014-04 Approve to re-advertise the TERO Director position, due technicalities in the job description. *9 for, 1 opposed, 2 absent.*
- #27-564-2014-04 **(Prepared Resolution)** Approve to support the 8(a) status for Fort Peck Manufacturing. *9 for, 3 absent.*
- #27-565-2014-04 Approve to select Bill Whitehead as the new Economic Development Director. *(By a show of hands: 5 for, 4 opposed, 3 absent)*
- LAND**
- #27-566-2014-04 Authorize the Economic Development Office to proceed with KLLJ about the Tiger Grant with the Department of Transportation for \$16,000- HPDP will be the responsible tribal department tasked with communicating and working with the Mdewakanton Sioux at Shakopee, MN. *9 for, 3 absent.*
- #27-567-2014-04 **(Prepared Resolution)** Approve the ASRWSS program's request to hire Beaver Creek Archeology out of Bismarck, ND for the amount of \$48,210.00 and authorize the Tribal Chairman

to sign the proposal documents.
9 for, 3 absent.

- #27-568-2014-04** (Prepared Resolution) Approve the ASRWSS program's request for an additional 30 day appointment for Mr. Mathew James from April 7 to May 15, 2014.
8 for, 0 opposed, 4 absent.
- #27-569-2014-04** Approve of purchasing Allotment #3897, surface only for land belonging to Roy James Anderson (1 owner) at the appraised fair market value for a total purchase price of \$41,600.00 for land described as T29N, R50E (Roosevelt) Section 14; SE1/4 (160.00).
9 for, 3 absent.
- #27-570-2014-04** Approve of declaring interest for appraisal at Fair Market Value for Allot. #96-A Surface only from Charles Knowlton (1-landowner) for land described as T28N, R50E, (Roosevelt) Section 18: E1/2 (320.00). *9 for, 3 absent.*
- #27-571-2014-04** Approve Enrolled Member Renewal lease for Roger Flynn for land described as Sec. 24-T27-R44, S1/2; J.D. Anderson for land described as Sec. 5-T32-R55, W1/2NE1/4, SE1/4NE1/4; Jana Nygard, Sec. 4-T27-R52, NW1/4; and Larry Smith, Sec. 30-T33-R45, E1/2, E1/2NW1/4, E1/2SW1/4 for Lots 3 & 4; an enrolled member new leases for Edward Bauer for Sec. 30-T27-R47, W1/2SE1/4NE1/4 and Sec. 30-T27-R47, SW1/4NE1/4; and Non-Indian renewal for Graff Farms for Sec. 18-T33-R48, E1/2NE1/4; and a Cancellation for Darlene Fourstar on Lease No. 2593-2019, due to water charges being too high. *9 for, 3 absent.*
- #27-572-2014-04** Approve of Enrolled Member Renewal Lease (s) for Doug Grandchamp for Sec. 8-T28-R48, NE1/4.
7 for, 1 opposed, 4 absent.
- #27-573-2014-04** (Prepared Resolution) Approve the Specific Authorization No. 2014-01 that is the easements services for Hwy 2 to Northern Boundary Project for the amount of \$134,500, and for Specific Authorization No. 2014-02 for easements services for Brockton area branch lines Project for the amount of \$132,280 for Barlett & West, Bismarck, ND and for the Tribal Chairman to sign the documents. *9 for, 3 absent.*
- #27-574-2014-04** (Prepared Resolution) Approve to purchase of George Banacek's fee land for \$6,000 for the undivided interest in 9.35 farmland; and undivided interest in 20 acres timberland. *9 for, 3 absent.*
- #27-575-2014-04** (Prepared Resolution) Approve of having the Bureau of Indian Affairs proceed with placing the following fee land formerly known as the Marvin J. Toavs property into trust status on behalf of the Assiniboine Sioux Tribes for land described as NE1/4 ¼, Sec. 32, NW1/4, Sec. T39N, R46E, Principal Meridian, Montana containing 30.00 acres more or less. *9 for, 3 absent.*
- #27-576-2014-04** Fiscal Year 2014 funds in the amount of \$195,293.00 and approves of the Natural Resources Office's modified budget and budget narratives. *9 for, 3 absent.*

OIL & GAS

Meetings held, no actions taken.

LAW & JUSTICE

- #27-577-2014-04** (Prepared Resolution) Approve the Fort Peck Tribes P.L. 93-638 Law & Justice Department to submit a FY2015 Indian Highway Safety grant application. *9 for, 3 absent.*
- #27-578-2014-04** (Prepared Resolution) Approve of the Fort Peck Tribes Buffalo Ranch submitting a grant proposal to the Montana Fish, Wildlife and Parks to take the Yellowstone buffalo at the Turner Ranch. *9 for, 3 absent.*
- #27-579-2014-04** Accept \$141,000.00 under the Tribal Management and Development Program funding for Fiscal Year 2014 of the Fish & Wildlife Department P.L. 93-638 Contract No. A12AV01003. *9 for, 3 absent.*
- #27-580-2014-04** Approve of Tom R. Paqelie, Project Manager from the U.S. Department of Veterans Affairs oversee and place on priority running ASRWSS water treatment plant branch line, power lines and telephone lines to the Tribal Veterans Cemetery site. *9 for, 3 absent.*

HEALTH & HUMAN SERVICES

- #27-581-2014-04** (Prepared Resolution) Authorize an extension of 30 days for Vicky Hopkins so that the Financial Specialist job can recruit and screen applications. *8 for, 1 not voting, 3 absent.*
- #27-582-2014-04** (Prepared Resolution) Authorize the hiring of Brandon Young, Karen Yellow Robe, Dakota Christian, and Juanita S. Mercurieff to work for the HPDP Program as temporary, part-time employees, as of March 28, 2014. *9 for, 3 absent.*
- #27-583-2014-04** Approve Natural Resources Department clean up the Toavs property, and to contact Pacific Steel & Hide, Glasgow, MT, for recycling. *9 for, 3 absent.*
- #27-584-2014-04** Approve to immediately stop all activity at the Toavs property until further notice. *6 for, 1 opposed, 1 not voting, 4 absent.*
- #27-585-2014-04** Approve the Natural Resources program fence off the Toavs property. *8 for, 4 absent.*
- #27-586-2014-04** Approve of a 30 day extension for Misty Yellow Hammer as Outreach Worker at the Tribal Health Diabetes Program. *9 for, 3 absent.*
- #27-587-2014-04** (Prepared Resolution) Authorize the submission of an application for a TIGER IV Planning grant to complete the access improvement study and planning design of the old Airport site. *9 for, 3 absent.*
- #27-588-2014-04** (Prepared Resolution) Approve to authorize the development and submission of a USDA Community Facilities application of old

airport off-site infrastructure, and authorize Chairman to sign all document preparation and grant submittals by NADC, Billings, MT. *9 for, 3 absent.*

#27-589-2014-04 **(Prepared Resolution)** Approve of the license for (2) NEW Kinship License and (1) Revoke. *8 for, 1 opposed, 3 absent.*

VETERANS/ELDERS & YOUTH

#27-590-2014-04 Approve tribal Enterprise to repair Wallace “Beanzy” Archdale well and pump. *8 for, 4 absent.*

#27-591-2014-04 **(Prepared Resolution)** Authorize the Chairman to sign the attached Letter of Engagement to accept Amendment No. 001 to allow DSGW to subcontract with EDI to proceed with additional services and Shakopee will provide a grant to the Fort Peck Tribes in the amount of \$750,000.
9 for, 3 absent.

#27-592-2014-04 Approve of the Veterans Affairs Committee budget in the amended amount of \$25,000 for the Code Talkers Honoring and Feed to be held on May 31, 2014. *8 for, 1 opposed, 3 absent.*

#27-593-2014-04 Authorize the disbursement of up to \$500,000 to cover the up-front architectural and engineering and contract development costs for the Fort Peck Veterans Cemetery as per Resolution #26-1999-2013-02. *9 for, 3 absent.*

#27-594-2014-04 Authorize Jonny Lee Stiffarm be included in will writing, along with Sharon Red Thunder and Michelle Buck Elk. *9 for, 3 absent.*

#27-595-2014-04 **(Prepared Resolution)** Request the Sonosky Law Firm to establish a separate billing matter(s) for work relating performed for the Tribes relating to the Wellness Centers to better permit the Tribes to track expenditures associated with the project.
8 for, 1 not voting, 3 absent.

#27-596-2014-04 Approve the recommendation from the ASRWSS Commission to appoint Rick Kirn to the ASRWSS Commission for three years.
8 for, 1 not voting, 3 absent.

#27-597-2014-04 **(Prepared Resolution)** Approve of the Natural Resources Program’s recommendation to accept the noxious weed control funding in the amount of \$10,769,00 for FY2014 proposed projects. *9 for, 3 absent.*

#27-598-2014-04 Approve of the Diabetes Director’s recommendation to appropriate \$60,000 for the FPCC Poplar (\$30,000) and Wolf Point Wellness Centers (\$30,000). *9 for, 3 absent.*

#27-599-2014-04 **(Prepared Resolution)** Accept the prepared budgets as drafted by the Education Department in the amount of \$219,907.00 for the Tribes Higher Education Scholarship Program Continuing Resolution #3. *9 for, 3 absent.*

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#27-600-2014-04 Amend Tribal Resolution #25-2543-2001-07 to accept the revision of the Committee By-Laws for the Veterans' Affairs Committee.
9 for, 3 absent.

UNFINISHED BUSINESS – No Unfinished Business

NEW BUSINESS

#27-601-2014-04 Approve to terminate the administrative leave pay effective today, April 14, 2014 for Vice-Chairwoman Ann Lambert.
8 for, 1 opposed, 3 absent.

#27-602-2014-04 Authorize the Chairman Stafne to write a letter to the Vice-Chairwoman Ann Lambert informing her of the administrative leave being terminated; and she needs to report back to work or resign. *9 for, 3 absent.*

#27-603-2014-04 Authorize IRR to put a culvert in Brockton. *9 for, 3 absent.*

#27-604-2014-04 Approve the Tribal Enrollment Committee's recommendation of their Feb. 25-27, 2014 Enrollment meeting. *9 for, 3 absent.*

#27-605-2014-04 Approve of sending the FPHA report to the Economic Development in Washington, DC. *9 for, 3 absent.*

ADJOURNMENT

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 **10** constituting a quorum were present at a **Regular** meeting duly convened this **14th** day of **April, 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