

**RESOLUTION #27-711-2014-05
May 12, 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

- #27-651-2014-05 Approve of the Meeting Agenda. *8 for, 0 opposed, 4 absent.*
- #27-652-2014-05 The Fort Peck Tribes went on record to oppose the selection of Pete Conway as the Acting Area Director. *8 for, 2 opposed, 2 absent.*
- #27-652A-2014-05 Support the motion to propose the restructuring of the Rocky Mountain Regional Office of the Indian Health Services. *9 for, 0 opposed, 1 not voting, 2 absent.*
- #27-653-2014-05 Approve of changing the May 26, 2014 Regular Board Meeting to Friday, May 23, 2014. *8 for, 0 opposed, 2 absent.*
- #27-654-2014-05 Approve of the April 28, 2014 Regular Board meeting minutes. *10 for, 0 opposed, 2 absent.*
- #27-654A-2014-05 Approve to excuse Vice-Chairwoman Ann Lambert and Councilman Dana Buckles from the May 12, 2014 Special Board meeting. *8 for, 0 opposed, 2 absent.*
- #27-655-2014-05 Approve of the Travel Resolution Log. *10 for, 0 opposed, 2 absent.*

CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE

- #27-656-2014-05 **(Prepared Resolution)** Approve Change Order #4 and #5 for the Phase III Administration Building and authorize the Chairman to sign the change order documents. *10 for, 0 opposed, 2 absent.*

EDUCATION

- #27-657-2014-05 Approve of the Fort Peck Tribal Government curriculum for grades 9-12. *10 for, 0 opposed, 2 absent.*

ECONOMIC DEVELOPMENT

- #27-658-2014-05 Authorize a resolution of support for the Native American Development Corporation (NADC) to develop a business process for a financial holding company. *7 for, 3 opposed, 2 absent.*
- #27-659-2014-05 **(Prepared Resolution)** Authorize the submission of an approximate \$35,000.00 request for the federal assistance to the Bureau of Indian Affairs for funds to be utilized to complete remaining activities associated with proper development and implementation of the Fort Peck Tribal P.L. 102-477 effort and further authorizes Mr. A.T. Stafne, Tribal Chairman or his officially designated alternate to endorse official correspondence and documents which related to this request for federal financial assistance from the BIA. *10 for, 0 opposed, 2 absent.*

FINANCE

- #27-660-2014-05** Approve to have Susie Perry, Acting CFO, to draft a letter to the tribal programs to turn in the necessary paperwork for funding of their grants and budgets. *9 for, 0 opposed, 3 absent.*
- #27-661-2014-05** Approve of the Tribal Office of Environment Protection (OEP) to apply for the State of Montana Petroleum Release Compensation Fund in the amount of \$17,500.00 in one of the mechanism OEP chooses to follow. *9 for, 0 opposed, 3 absent.*
- #27-662-2014-05** Approve of raising the TERO Review Board pay from \$100 per meeting to \$125 per meeting. Funding will come out of the TERO Budget. *9 for, 0 opposed, 3 absent.*
- #27-663-2014-05** **(Prepared Resolution)** Approve payment of the legal invoices submitted by Meyer, Shaffer & Stepan PLLP in the period of February and March 2013 in the amount of \$1,356.65. *9 for, 1 not voting, 2 absent.*
- #27-664-2014-05** **(Prepared Resolution)** Approve payment of the Smith & Doherty invoices in the amount of \$4,000.00 for the month of period April 1-December 31, 2012. *9 for, 0 opposed, 3 absent.*
- #27-665-2014-05** **(Prepared Resolution)** Approve payment of Sonosky, Chambers, Sachse, Endreson & Perry legal invoices amount of \$30,785.83. *9 for, 0 opposed, 3 absent.*
- #27-666-2014-05** Amendment motion to authorize Chairman Stafne to contact Joe Waller, Chief Investigator of OIG to come to Fort Peck to visit with the Fort Peck Tribes regarding the tribal credit scam. *9 for, 3 absent.*

LAND

- #27-667-2014-05** Approve of Enrolled Member New Lease for Stephan Walton (3 tracts), and George Redstone (2 tracts); Approve of Non-Indian New Lease for Levi Fossum; Lease Modification for Ida Youngman (to include Arnold Good Bird – non-tribal member) for land described as Lse. No. 1686-37 change homesite description from NW1/4NE1/4NW1/4 Sec. 1-27-50 to NW1/4NW1/4SW1/4NE1/4 Sec. 4-27-51 due to flooding. *8 for, 0 opposed, 4 absent.*
- #27-668-2014-05** Approve of Two lease Cancellations for Fort Peck Housing described as Ft. Peck Housing Lease. No. 560, as home was paid off and Ft. Peck Housing Lease No. 466, as home was paid off; New Homesite Leases for Terry Gray Hawk, Robert A. Daniels, Marissa Sayettsity, Royce Spotted Bird, Fort Peck Housing and Jacey Four Bear; Approve Homesite Renewal for Julia Young; Business Lease Renewal for Deb Madison, OEP; Approve of Modification of request to re-break 63.74 acres of grass under lease No. 9827-2014; Approve of a Lease Modification for Faith O'Connor to modify lease No. 2420-2017 to delete three (3) oil well sites on 7.65 acres; Approve Enrolled Member Homesite Renewal for Mike Crow for Sec. 7, T27 R51 for Lots 11 and 12, Block 11, Walking Eagle Addition; Enrolled Member New Lease for Richard Jensen for Sec. 12, T27, R47 for Lots 15 & 16, Block 19, 3rd Addition Wolf Point; Approve

Enrolled Member Homesite Modification on Lease No. 1373-2034 to change name from Mike Matthews to Angela Matthews; Approve a Non-Enrolled Member Homesite Modification for Lease No. 1696-2038 to add Bridgette Clark (wife) to Thomas Clark Jr. (husband) Lease. *9 for, 0 opposed, 3 absent.*

- #27-669-2014-05** **(Prepared Resolution)** Approve the action of having the Bureau of Indian Affairs proceed with the placing the described land in trust status on behalf of the Assiniboine and Sioux Tribes. *9 for, 0 opposed, 3 absent.*
- #27-670-2014-05** Authorize Pacific Hide & Recycling checks transfers to the National Resources Office Range Improvement account in the amount of \$2,546.00. *9 for, 0 opposed, 3 absent.*
- #27-671-2014-05** **(Prepared Letter)** Approve of Chairman A.T. Stafne signing the prepared letter to John McClanahan, Program Manager for the Land Buy-Back Program for Tribal Nations, Washington, D.C. *9 for, 0 opposed, 3 absent.*
- #27-672-2014-05** Authorize Chairman A.T. Stafne to sign “8 additional Congressional Letters (TTUC amendments to Map-21 that will be addressed to: Senate Finance Committee, Senate Banking, Housing and Urban Affairs Committee; Senate Banking Subcommittee on Housing Transportation and Community Development; Senate EPW Committee; Senate EPW Subcommittee on Transportation and Infrastructure; House Natural Resources Committee; Housing Transportation and Infrastructure Committee; and House T&I Subcommittee on Highways and Transit. *9 for, 0 opposed, 3 absent.*
- #27-673-2014-05** **(Prepared Resolution)** Approve of a lease modification for Lease No. 5014441115 to include 6,000 square feet addition to Fort Peck Tech Services building to adhere to EDA (funding agency) grant covenants. *9 for, 0 opposed, 3 absent.*
- #27-674-2014-05** **(Prepared Resolution)** The Fort Peck Tribes are committed to maximizing the project efficiency in the best interest of the Tribes, it has reviewed the attached Modification #8 of the Agreement for Engineering Services with Watson Engineering and finds that it is in the best interest of the Project and the Tribes to approve the Watson Engineering’s planning, design, inspection, construction administration and OMR (operation, maintenance and replacement) proposal for services lines between Wolf Point to Frazer to Porcupine Creek, Poplar and Brockton and the Big Muddy Creek in accordance with the Tribes’ Fiscal Year P.L. 93-638 Self-Determination Cooperative Agreement and Fiscal Year 2014/2015. *9 for, 0 opposed, 3 absent.*
- #27-675-2014-05** **(Prepared Resolution)** Authorize the Board of Commissioners of this organization does hereby grant the Project Manager, Tom R. Escarcega, the authority to sign and execute letters of Understanding on behalf of the Fort Peck Tribes. *9 for, 0 opposed, 3 absent.*
- #27-676-2014-05** Approve to Declare Interest in the 5 acres of land and property from Paul Sansaver. *9 for, 0 opposed, 3 absent.*
- #27-677-2014-05** **(Prepared Resolution)** Authorize the HPDP Program to enter into a Consulting Contract as finalized by Ryan Rusche, In-House Counsel,

with Tony Fisher, Pharmacist, and authorize the Chairman to sign all necessary documents and contract.

9 for, 0 opposed, 3 absent.

#27-678-2014-05 **(Prepared Resolution)** Approve the contract with Bernice Williams for the RN position and authorize the Chairman to sign the necessary documents and contract as finalized by In-House Counsel.
6 for, 3 opposed, 3 absent.

#27-679-2014-05 **(Prepared Resolution)** Authorize a contract with Dr. Todd Steinmetz of Bozeman, MT, and authorize the Chairman/Vice-Chairwoman to sign the necessary documents and contract as finalized by In-House Counsel Ryan Rusche to sign documents and contract as finalized by In-House Counsel.
6 for, 3 opposed, 3 absent.

OIL & GAS

#27-680-2014-05 Authorize Enterprise or the TTP to do road work for Jodi Neutgens and Joe Neutgens, and to do this work within 30 days.
7 for, 1 not voting, 4 absent.

#27-681-2014-05 Approve to re-appoint the current VAC Board members until the positions are advertised and filled. *5 for, 2 opposed, 1 not voting, 4 absent.*

#27-682-2014-05 Move the Tribal Identification machine back to the Enrollment Office and have Jackie Weeks, the Tribal Operations Manager to facilitate the move.
7 for, 1 not voting, 4 absent.

#27-683-2014-05 Approve administrative leave for Councilman Dana Buckles for April 30, may 1 & 2; Councilwoman Stacey Summers for May 1 & 2; Grant Stafne and Rick Kirn for May 2; Councilman Tom Christian for May 12 to help out with the services for the late Dawson Firemoon of Frazer.
9 for, 0 opposed, 3 absent.

#27-684-2014-05 **(Prepared Resolution)** Authorize the Office of Environmental Protection to submit an application, budget and work plan to EPA and authorize the Tribal Chairman to sign the application and all related grant forms on behalf of the Fort Peck Tribes in the amount of \$18290 for Underground Storage Tanks and \$8,000 for Leaking Underground Storage Tanks.
9 for, 0 opposed, 3 absent.

LAW & JUSTICE

#27-685-2014-05 **(Prepared Resolution)** Approve and authorize adopting 6 CCOJ 306.
7 for, 0 opposed, 5 absent.

#27-686-2014-05 **(Prepared Resolution)** Approve amending 7 CCOJ 401.
7 for, 0 opposed, 5 absent.

#27-687-2014-05 Approve and adopt Adult Detention Policy and Procedures for the new Adult Detention Center.
7 for, 0 opposed, 5 absent.

#27-688-2014-05 Approve the employment contract for Xanphia Good Track for the position of DUI Court Probation Officer until June 26, 2014.
7 for, 0 opposed, 5 absent.

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- #27-689-2014-05** Approve the employment contract with Talissa Montclair as administrative clerk for the Prosecutor's Office until the end of the fiscal year that ends on September 26, 2014.
7 for, 1 not voting, 4 absent
- #27-690-2014-05** The Law and Justice Committee selects Anna Rose Sullivan as Public Defender. *7 for, 2 not voting, 3 absent.*
- #27-691-2014-05** Amend Resolution #27-631-2014-04 changing \$20/rod to \$0 rod.
8 for, 1 opposed, 3 absent.
- #27-692-2014-05** Approve to transfer drug testing from the Tribal Health to the Tribal Courts. *8 for, 1 opposed, 3 absent.*
- #27-693-2014-05** Approve of the Fort Peck Tribes signing the CIHAND Contract for Services. The total cost for services is \$28,060.00 and one-half (1/2) payment is payable upon approval of contract and balance (1/2) will be payable upon receipt of completed assessment.
8 for, 1 opposed, 3 absent.
- #27-694-2014-05** Amend Resolution #27-635-2014-04 by adding to extend the advertisement for the Lawyer/Judge for an additional 30 days.
8 for, 1 not voting, 3 absent.

HEALTH & HUMAN SERVICES

- #27-695-2014-05** **(Prepared Resolution)** The Fort Peck Assiniboine and Sioux Tribes approves the request for Family Violence Resource Center to submit an application to the Department of Justice, Office on Violence Against Women FY14 Violence Against Women Bakken Region Initiative (Invitation only) in the amount of \$250,000 for a two (2) year project to implement innovative approaches through capacity building and partnerships under Memorandum of Understanding to address the critical needs of victims and hire an advocate coordinator.
9 for, 0 opposed, 3 absent.
- #27-696-2014-05** **(Prepared Resolution)** The Fort Peck Tribes approves the Family Violence Resources Center's submittal of the Family Violence Prevention and Sexual Assault Services/Grants for Domestic Violence Shelters/ Grants to Native American Tribes and Tribal Operations through the Administration for Children and Families, DPHHS and approve of A.T. Stafne, Tribal Chairman as the Tribally Designated Official and Patricia McGeshick as the Program Contact Designee.
9 for, 0 opposed, 3 absent.
- #27-697-2014-05** Approve to tear down the old Riverview Resource Center to make way for the new Family Violence Resource Center (FVRC) building. Target date to demolish the old Riverview Home is June 1, 2014.
9 for, 0 opposed, 3 absent.
- #27-698-2014-05** Approve for the Tribes to help the City of Brockton with their available resources and for Tribal Enterprise to also assist with the lagoon repairs.
9 for, 0 opposed, 3 absent.
- #27-699-2014-05** **(Prepared Resolution)** Approve the hiring of the following temporary part-time PCA workers at the HPDP Program: Curtis Red Eagle, Deona Scott, Winona Longee, Darris Dubois, Rea Starr, Debra

Wright, Sidney Gourneau, Ashta Clark, and Earlene Ackerman.
7 for, 2 not voting, 3 absent.

#27-700-2014-05 Approve the submission of a funding request in the amount of \$120,000 to the Shakopee Tribe for the Equine Therapy Program at HPDP.
9 for, 0 opposed, 3 absent.

#27-701-2014-05 **(Prepared Resolution)** Authorize a second visit travel reimbursement to Ms. Oh out of the HPDP Program.
8 for, 1 not voting, 3 absent.

#27-702-2014-05 **(Prepared Resolution)** Support the renewal of the Sister Nations Empowerment Project and authorize the Chairman/Vice-Chairman to sign any necessary documents or letters of support of the University of Montana. *9 for, 0 opposed, 3 absent.*

#27-703-2014-05 **(Prepared Resolution)** Approve of a 30 day temporary employment extension for Myron Weston as the Assistant Plumber at Enterprise.
9 for, 0 opposed, 3 absent.

#27-704-2014-05 Approve to direct Reese Reddoor, Darin Falcon, Cleo Hamilton, Mike Merideth and Phillip Granbois to report to the Health & Human Services Committee on May 15, 2014 or May 20, 2014 to address the underground water issue in the city of Brockton.
9 for, 0 opposed, 3 absent.

VETERANS, ELDERS, & YOUTH

#27-705-2014-05 Approve an Interconnection Security Agreement and Memorandum of Understanding with the Indian Health Service for an Information Technology security program.
9 for, 0 opposed, 3 absent.

#27-706-2014-05 Accept the written resignation for the following Veterans Affairs Committee members: Wayne Two Bulls, Emerson Young, Jordis Ferguson and Ingrid Firemoon.
9 for, 0 opposed, 3 absent.

#27-707-2014-05 Approve to donate a tribal flag to tribal member Talor T. Toavs of the United States Navy.
8 for, 1 opposed, 3 absent.

#27-708-2014-05 Approve of a 30 day temporary employment extension for Mike Matthews and R.J. Young.
8 for, 1 opposed, 3 absent.

UNFINISHED BUSINESS

#27-709-2014-05 Approve to support Fort Worth Operating Company's Federal Exploratory unit proposal in the BLM and BIA and authorize the Minerals Director to participate in the negotiations.
8 for, 2 opposed, 2 absent.

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NEW BUSINESS

No New Business to be taken care of.

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 **Special** meeting duly convened this **12th** day of **May, 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