

**RESOLUTION #27-1232-2014-10  
October 13, 2014**

**Special Board Meeting  
9 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**

- #27-1167-2014-10 Approve of the Meeting Agenda. *7 for, 0 opposed, 5 absent.*
- #27-1168-2014-10 Authorize a letter be written to the BIA Supt. regarding sending a representative to the Tribal Executive Board meeting when there is a federal holiday.  
*8 for, 0 opposed, 4 absent.*
- #27-1169-2014-10 Approve of the September 22, 2014 Regular Board Meeting and September 30, 2014 (with a correction) Special Board meeting minutes.  
*8 for, 0 opposed, 4 absent.*
- #27-1170-2014-10 Approve of the Travel Resolution Log.  
*9 for, 0 opposed, 3 absent.*

**CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE**

- #27-1171-2014-10 Approve three days of administration leave for Dana Buckles for Oct. 4, Oct. 6 & 10 and Sept. 29; Terry Rattling Thunder and Stacey Summers; John Weeks for Sept. 30 and Oct. 9 & 10; Grant Stafne for Oct. 8; Stacey Summers for Oct. 8; Charles Headdress for Oct. 1-3; Roxanne Gourneau, Charles Headdress and Tom Christian to be excused from today's board meeting.  
*8 for, 0 opposed, 3 absent.*
- #27-1172-2014-10 Restrict the Vice-Chairman and the Secretary Accountant from making or voting on motions at Tribal Executive Board committees and/or Special or Regular full board meetings until this referendum issue can be put on the ballot for the people to vote on during the 2015-2017 Tribal Elections.  
*9 for, 0 opposed, 3 absent.*
- #27-1173-2014-10 **(Prepared Resolution)** Authorize the Chairman to execute a contract with Beaver Creek Archaeology of Bismarck, ND, for cultural resource surveys and final reporting along 171 miles of corridor for \$58,986 and for daily monitoring during construction of \$180 per day with the expectation that the cultural resource surveys, final reports and approvals will be completed before the start of the 2015 construction season.  
*9 for, 0 opposed, 3 absent.*
- #27-1174-2014-10 **(Prepared Resolution)** Authorize amending Resolution #26-2993-2013-09 item 1 (a) to state that all interest of less than five percent (5%) be escheated to the Fort Peck Assiniboine and Sioux Tribes; and authorizes attaching Exhibit A listing all the heirs to the Joseph Clark estate (ID No. 206A003004) to this resolution.  
*9 for, 0 opposed, 3 absent.*

**EDUCATION**

- #27-1175-2014-10 Authorize Rich Peterson and Ramey Escarcega-Growing Thunder to prepare information regarding the sale of the Language & Culture Booklets and Documentary, and the cost to convert the publications into CD-ROM version. *9 for, 0 opposed, 3 absent.*

**ECONOMIC DEVELOPMENT**

- #27-1176-2014-10 Authorize a tribal flag donation to the Brockton School District in care of Roxanne Smith who represents the school also donate a tribal flag to the Wolf Point Schools. *9 for, 0 opposed, 3 absent.*
- #27-1177-2014-10 Approve of Joseph Raining Bird, Chairman; Jo-Ellen Grandchamp, Vice-Chair; and Carolyn Beauchamp-Bauer as Secretary/Treasurer as officers for Oswego Community. *8 for, 0 opposed, 4 absent*
- #27-1178-2014-10 Approve to advertise the caretaker positions for the Fort Kipp and Oswego Community Halls. *9 for, 0 opposed, 3 absent.*
- #27-1179-2014-10 The Tribal Executive Board has identified as priority the construction of a new Dialysis Center through the Joint Venture Construction Program. *9 for, 0 opposed, 3 absent.*

**FINANCE**

- #27-1180-2014-10 Authorize the accounting of the past four years of the Oswego Docket funds and report back to the Tribes October 20, 2014. *9 for, 0 opposed, 3 absent.*
- #27-1181-2014-10 Approve of a flag donation on behalf of the Fort Peck Tribal Code Talkers to All Nations Native American Veterans Memorial in Jefferson, OR, c/o Bill Stam, 3375 Cam Torre Hill, Jefferson, OR 97352. *9 for, 0 opposed, 3 absent.*
- #27-1182-2014-10 Amend tribal resolution #26-1046-2012-06 for the KLJ Master Service Agreement to reflect an additional 3 year approval period rather than a two year period as was stated in the resolution dated June 25, 2012. *8 for, 1 opposed, 3 absent.*
- #27-1183-2014-10 **(Prepared Resolution)** Authorize the Tribal Chairman to sign the attached Kadrmas, Lee and Jackson (KLJ) agreement for the Geotechnical Borings, Analysis and Design recommendations for Phase I of the Old Airport Development project, not to exceed \$17,000, which will be invoiced to Shakopee under the \$750,000 Community Development Grant for the Wellness Center. *8 for, 1 opposed, 3 absent.*
- #27-1184-2014-10 **(Prepared Resolution)** Authorize changing the indirect cost rate to a provisional/final for the next proposal submitted to position the Fort Peck Tribes to negotiate a four year rate cycle. *9 for, 0 opposed, 3 absent.*

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- 27-1185-2014-10** (Prepared Resolution) Authorize the Chairman to sign an extension of the audit engagement with Wholenberg Ritzman & Company, LLC, certified Public Accountants for the FY2014 Tribal Audit.  
*9 for, 0 opposed, 3 absent.*
- #27-1186-2014-1** (Prepared Resolution) Authorize retaining ARM, Inc. to provide accounting services and authorize the Chairman to sign the accounting contract with ARM, Inc.  
*9 for, 0 opposed, 3 absent.*
- #27-1187-2014-10** Authorize to continue sports radio broadcasting of Class B games on the KVCK FM Radio Station for the 2014-15 sports season.  
*8 for, 0 opposed, 4 absent.*
- #27-1188-2014-10** Approve the expenditure of finds in the amount of \$10,000 for the Annual Tribal Education Department Conference.  
*9 for, 0 opposed, 3 absent.*

**LAND**

- #27-1189-2014-10** (Prepared Resolution) Approve the purchase of Robert E. Kelsey fee land described as NW1/4NW1/4, Sec. 5, T27N, R51E, PMM, containing 40,000 acres more or less of farmland. The Fair Market value of this property is \$1,000 per acre for a total of \$40,000; as listed in the appraisal dated Sept. 8, 2014.  
*9 for, 0 opposed, 3 absent.*
- #27-1190-2014-10** (Prepared Resolution) Approve the purchase of Thomas Q. Nichols 40 acres of fee land described as NE1/4SW1/4, NW1/4SE1/4, Sec. 27, T27N, R46E, containing 80.00 acres more or less (with ½ minerals included) at the appraisal price of \$100,000.  
*9 for, 0 opposed, 3 absent.*
- #27-1191-2014-10** Approve of Non-Indian new leases for John Saubak and Kristi Lepper; Approve of Enrolled Member New Homesite lease for Tiffany Atchico; Approve of a Homesite Renewal lease for James McDonald; Cancellation lease for Fort Peck Housing Authority Lse. No. 0498, house is paid off (Payne); Approve of Lease Modification for Maurice Draszt Jr. Lse. No. 1633-2015 to delete homesite, and change from 37.50 to 35.00 acres. *9 for, 0 opposed, 3 absent.*
- #27-1192-2014-10** Approve Homesite Modification for Traci Levay Holt (2 tracts) Lse. No. 928-28 to change name to Chelsea Levay, Lse. No. 930-29 to change name to Jessica Pribbernow, Donald Levay Lse. 1333-14 to change name to Jessica Pribbernow.  
*8 for, 1 not voting, 3 absent.*
- #27-1193-2014-10** Authorize the Tribal Transportation Program to enter into a Memorandum of Understanding (MOU) with the Montana Department of Transportation (MDT) and the Tribal Transportation Program in regards to the SOAR (Safe On All Roads) and authorizes the Chairman to sign the MOU on behalf of the TTP.  
*9 for, 0 opposed, 3 absent.*
- #27-1194-2014-10** Authorize paving the Poplar Airport Access Road, adding it to the current Fort Peck Tribal Roads Priorities List and submitting an updated TTP to FHWA for approval and authorizes the Tribal Chairman to execute necessary documents with FHWA and

Century Paving to complete these updates.  
*9 for, 0 opposed, 3 absent.*

#27-1195-2014-10 Approve of the Tribal Transportation Program's request for a PSA between the Fort Peck Tribes and the Montana Department of Transportation for 17.20 acre expansion to the mining lease area (33.64 total acres) and authorizes the Fort Peck Tribal Chairman to sign the approved lease. *9 for, 0 opposed, 3 absent.*

#27-1196-2014-10 Approve the procurement of the asphalt paving for the two projects estimated at about \$341,000 as a sole source, non-competitive procurement with Century Paving Company.  
*9 for, 0 opposed, 3 absent.*

#27-1197-2014-10 Approve the work delivery order between the Tribal Transportation Program and NECI, Inc., in the amount of \$14,768.00 for the Poplar Airport Road and Paving Project and authorizes the Fort Peck Tribal Chairman to sign the approved work delivery order.  
*9 for, 0 opposed, 3 absent.*

#27-1198-2014-10 Authorize the Chairman to sign all documents pertaining to the contract for the installation of the Frazer and Wiota Pumping Plant.  
*9 for, 0 opposed, 3 absent.*

#27-1199-2014-10 Approve of advertising the sale of the old Petrolane building in Wolf Point.  
*7 for, 2 opposed, 3 absent.*

#27-1200-2014-10 Approve to extend the contract with Nancy's Housekeeping for one month.  
*9 for, 0 opposed, 3 absent.*

## **OIL & GAS**

#27-1201-2014-10 **(Prepared Resolution)** Approve the Right-of-Way lease to MDU for the described tract, having the legal description stated in the attached ROW application at the compensation of \$20 per rod for a term of 25 years.  
*9 for, 0 opposed, 3 absent.*

#27-1202-2014-10 **(Prepared Resolution)** Approve a Right-of-Way to Troy Blount for the above described tract having the legal description stated in the attached ROW application, at compensation of \$0 per rod for a perpetual term so long as the home site exists and authorize the Chairman to execute any necessary letters and/or documents to carry out the foregoing resolution.  
*9 for, 0 opposed, 3 absent.*

## **HEALTH & HUMAN SERVICES**

#27-1203-2014-10 **(Prepared Resolution)** Approve to lease the Sprole House to the HPDP Program at the same rental rate effective October 1, 2014 through September 30, 2015.  
*9 for, 0 opposed, 3 absent.*

#27-1204-2014-10 Approve to advertise the director position at Tribal Transportation Program (IRR) until filled.  
*7 for, 2 opposed, 3 absent.*

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- #27-1205-2014-10 Approve the appointment of Tribal Councilmembers Stacey Summers and Roxanne Gourneau to the Wolf Point Centennial Committee as the Fort Peck Tribal Representatives.  
*9 for, 0 opposed, 3 absent.*
- #27-1206-2014-10 **(Prepared Resolution)** Authorize the Tribal Health Animal Control officers to carry pepper spray.  
*9 for, 0 opposed, 3 absent.*
- #27-1207-2014-10 **(Prepared Resolution)** Authorize an additional 30 working day temporary employment extension for Edna Wetsit as the Medical Assistance Coordinator at Tribal Health.  
*9 for, 0 opposed, 3 absent.*
- #27-1208-2014-10 **(Prepared Resolution)** Authorize a 30 working day temporary employment extension for Tom Escarcega Jr. as the Injury Prevention Coordinator at Tribal Health.  
*9 for, 0 opposed, 3 absent.*
- #27-1209-2014-10 Approve the modification of Special Purpose Assignment Agreement (SPAA) to change the immediate Federal Supervisor to Mr. Garland Stiffarm, Associate Area Director, Office of Tribal Programs, Billings Area Indian Health Service for an extension effective Aug. 1, 2014 to Aug. 31, 2015.  
*9 for, 0 opposed, 3 absent.*
- #27-1210-2014-10 **(Prepared Resolution)** Approve Leslie Red Boy, Stephanie Jackson, Shyann Dupree-Buckles, Julie Ann Mail and Roxanne Morsette to work for HPDP PCA Program as temporary, part-time employees as of Oct. 2, 2014.  
*9 for, 0 opposed, 3 absent.*
- #27-1211-2014-10 **(Prepared Resolution)** Approve to reimburse Dennis and Carol Norman for travel expenses from HPDP to assist in efforts to revive the Harvard Summer Program for Native Americans.  
*9 for, 0 opposed, 3 absent.*
- #27-1212-2014-10 **(Prepared Resolution)** Approve contracts for non-compensated part-time employee contracts for Dr.s Michelle A. Scott, Nathon Granillo, Robin Hoganand, Niki Baumann, Sherry Richardson, Madeline Smith, Misty Hopkins, and Barbara Bakwin as dental assistants.  
*9 for, 0 opposed, 3 absent.*
- #27-1213-2014-10 Approve to share SNEP information (data) on Fort Peck at the State of Reservation Conference.  
*8 for, 0 opposed, 4 absent.*
- #27-1214-2014-10 Accept the Department of Justice, Office on Violence Against Women FY14 Violence Against Women Bakken Region Initiative award to the Family Violence Resource Center award amount of \$250,000 for a two (2) year project to implement innovative approaches through capacity build-ing partnerships under Memorandum of Understanding to address the critical needs to victims and hire an advocate coordinator.  
*8 for, 0 opposed, 4 absent.*
- #27-1215-2014-10 Approve the Family Violence Resource Center's acceptance of the Family Violence Prevention and Sexual Assault Services/Grants Award for Domestic Violence Shelters/Grants to Native American

Tribes and Tribal Organizations through the Administration for Children and Families, DPHHS and approved A.T. Stafne, Tribal Chairman as the Tribally Designated Official and Patricia McGeshick as the Program Contract Designee.

**8 for, 0 opposed, 4 absent.**

**#27-1216-2014-10** Approve to finish construction of the road from the highway to Rose Morsette's approach to her house. **8 for, 0 opposed, 4 absent.**

**#27-1217-2014-10** Authorize Chairman A.T. Stafne to sign the prepared letter of support of the State of Montana's application for the Preschool Development Grant (CFDA #84-419A) to develop and expand preschool education and services to four year olds and their families on Indian lands and other communities in the state of Montana. This letter will be addressed to: Deborah S. Delisle, Assistant Secretary of Elementary and Secondary Education, U.S. Department of Education; and, Mark Greenberg Assistant Secretary for Children and Families, U.S. Department of Human Services. **8 for, 1 not voting, 3 absent.**

**#27-1218-2014-10** Authorize Democratic political candidates to post signs at no charge on the reservation. **8 for, 1 not voting, 3 absent.**

## **LAW & JUSTICE**

**#27-1219-2014-10** Approve to accept the BIA Highway Program overtime grant based on the Fort Peck Tribes application for the federal fiscal year 2015 in the amount of \$80,000. **9 for, 0 opposed, 3 absent.**

**#27-1220-2014-10** Appoint Nikolas Lane Ogle as temporary Corrections Officer at the Adult Branch of Corrections for 90 days. **9 for, 0 opposed, 3 absent.**

**#27-1221-2014-10** Approve the amended motion to authorize drug testing of the Tribal Farm and Ranch personnel as of Oct. 14, 2014. **6 for, 3 opposed, 3 absent.**

**#27-1222-2014-10** Approve of schedule for a Special Board Meeting to approve the budget of Sept. 30, 2013. **9 for, 0 opposed, 3 absent.**

**#27-1223-2014-10** **(Prepared Resolution)** Authorize the use of \$35,000 from the Shakopee grant and \$25,000 from NADC grant to: construct with American Indian Consulting Services (AICS) of Billings, MT, and 2) pay reasonable research, planning, and administrative fees to write a commercial development study and business plan that will be used to attract outside funding for commercial building construction, and that Mr. A.T. Stafne, Tribal Chairman, or his officially designated alternate, are hereby authorized to endorse all official correspondence and documents which pertain to the committee funds. **9 for, 0 opposed, 3 absent.**

## **VETERANS/ELDERS & YOUTH**

**#27-1224-2014-10** Approve a tribal star quilt donation from the FPCC Bookstore for the late Elvis Old Bull, a Crow tribal member and a member of the Montana Indian Athletic Hall of Fame, with Councilwoman Pearl Hopkins to transport and present to the Old Bull family. **7 for, 2 opposed, 3 absent.**

**RESOLUTION #27-1232-2014-10  
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- #27-1225-2014-10      Declare all tribal roads built on trust property as trust roads including roads to private residences; said roads are to be included in the IRR (Tribal Transportation Program) inventory. *9 for, 0 opposed, 3 absent.*
- #27-1226-2014-10      Approve to set aside Oct. 20, 2014 to meet with FPHA BOC and staff to go over the assessment. *9 for, 0 opposed, 3 absent.*
- #27-1227-2014-10      **(Prepared Resolution)** Approve to form a Fort Peck Sub-CDE, LLC, a Montana Limited Liability Company, to receive and distribute \$7.4 million NMTC and establish the following board to oversee Fort Peck Sub-CDE, LLC: Garrett Big Leggins, Rena Williams, Iva Grainger, Sheila Spotted Bull and Maureen Dionne with Jackie Weeks as the Board's staff person.  
*8 for, 1 not voting, 3 absent.*
- #27-1228-2014-10      Authorize \$90,682.78 from Account 6104 which will be an over expenditure of the account, to be reimbursed to the account upon closing of the NMTC. *9 for, 0 opposed, 3 absent.*
- #27-1229-2014-10      Approve of authorizing the use of \$30,000 from Fund 6105 for purchase tables and chairs for community centers.  
*9 for, 0 opposed, 3 absent.*

**UNFINISHED BUSINESS**

- #27-1230-2014-10      Approve of the Fort Peck Tribal Enrollment Committee's recommendation Group 4 -73 Eligibles, 13 Relinquishments, Group 5 - 38 Eligible Associates, 16 Name Changes, 13 Blood Degree Changes; and 8 Ineligibles – less than 1/8<sup>th</sup>.  
*8 for, 0 opposed, 4 absent.*

**NEW BUSINESS**

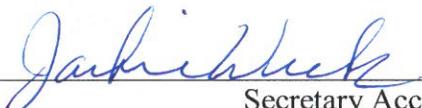
- #27-1231-2014-10      Approve to rescind Resolution #27-1101-2014-09 regarding Johnson house by a roll call vote.  
*7 for, 1 opposed, 4 absent.*
- #27-1232-2014-10      **(Prepared Resolution)** Authorizing the Tribal Attorneys to attempt to pass a Water Marketing Provisions of our Fort Peck Water Rights Compact through Congress. *8 for, 0 opposed, 4 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 9 constituting a quorum were present at a **Special** meeting duly convened this 13th day of **October 13, 2014** and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 9 for.

  
\_\_\_\_\_  
Chairman/Vice Chairman  
Fort Peck Tribal Executive Board

  
\_\_\_\_\_  
Secretary Accountant