

**RESOLUTION #27-1325-2014-11
November 10, 2014**

**Special Board Meeting
12 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

- #27-1280-2014-11 Approve of the Meeting Agenda. *9 for, 0 opposed, 3 absent.*
- #27-1281-2014-11 Approve of the October 27, 2014 Regular Board meeting minutes. *10 for, 0 opposed, 2 absent.*
- #27-1282-2014-11 Approve of the Travel Resolution Log. *9 for, 1 not voting, 2 absent.*

CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE

- #27-1283-2014-11 Approve to hire Eldena Bear Don't Walk as the Tribes Lawyer Judge with salary negotiable. *10 for, 0 opposed, 2 absent.*

EDUCATION

- #27-1284-2014-11 Approve the submission of a letter to the Montana Department of Transportation regarding the upcoming State projects and authorize the Chairman to sign the document. *10 for, 0 opposed, 2 absent.*

ECONOMIC DEVELOPMENT

- #27-1285-2014-11 **(Prepared Resolution)** Authorize the Economic Development Office to apply for the Indian Country Economic Development FY2015 grant to continue the funding of a full-time position in the Econ. Development Office with a budget in the amount of \$65,000; and authorize the Chairman to sign all necessary forms and documents for the submittal of the grant application and to sign the board contract from the State of Montana if necessary. *11 for, 1 absent.*

FINANCE

- #27-1286-2014-11 Amended motion of hiring Paul Klier of Palm Beach Gardens, FL, pending back ground check and to have Mr. Klier appear in person for interview. *12 for, 0 opposed.*
- #27-1287-2014-11 **(Prepared Resolution)** Authorize Ruth Moore, Tribal Credit Manager to request the Fort Peck Agency Office of Special Trustee (OST) grant access for two Tribal Credit employees to the TFAS and TAMMS software program. *11 for, 1 not voting.*
- #27-1288-2014-11 Amend Tribal Resolution #26-3014-2013-10 to allow three short term loans "at any given time" per applicant which can included one personal loan, one co-signed loan, and one emergency loan for the Tribal Credit Program. *12 for, 0 opposed.*
- #27-1289-2014-11 Approve the recommendations by the Tribal Budget Committee for the FY2015 Tribal Budget in the amount of \$14,732,584.00. *12 for, 0 opposed.*
- #27-1290-2014-11 Appoint William Whitehead, Economic Director as the Point Person for the BNSF project for the Fort Peck Tribes. *12 for, 0 opposed.*

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LAND

- #27-1291-2014-11** **(Prepared Resolution)** Approve the updated Spill Prevention Control and Countermeasure Plan, for the Fort Peck Tribal Transportation Program with the authorizing signature of the Chairman.
12 for, 0 opposed.
- #27-1292-2014-11** **(Prepared Resolution)** Amended motion to approve the hiring of a 150 day temporary/ intermittent snow removal crew for the 2014-15 winter season at the hourly rate of \$21.24 to include: Larry Hamilton, Rusty Boxer, Leonard Boxer, Dennis Blount, and Robin Perry.
6 for, 4 opposed, 2 absent.
- #27-1293-2014-11** **(Prepared Resolution)** Accept the #1 RFA in the amount of \$924,522.26 and authorize the Chairman/Vice-Chairwoman to sign the Agreement on behalf of the Fort Peck Tribal Transportation Dept. Program.
12 for, 0 opposed.
- #27-1294-2014-11** Approve an Enrolled Member Renewal for Tracy Hentges for Sec. 6, T26, R45, SW1/4NE1/4 and Sec. 30, T27, R44, pasture in N1/2; Enrolled Member New Lease for Mandy Eder for Sec. 24, T27, R50, E1/2NW1/4SW1/4; Enrolled Member New Homesites for Mandy Eder, Sec. 24, T27, R50, SE1/4NE1/4, NW1/4SW1/4; Jewel Hanna, Sec. 1, T27, R50, SE1/4NE1/4NE1/4SW1/4; Clarice Smoker, Sec. 15, T29, R51, NW1/4SE1/4SE1/4SW1/4, SE1/4SE1/4SE1/4SW1/4; and Marva Runs Through, Sec. 33, T27 R44, Lot 3, Blk 20, Frazer. *12 for, 0 opposed.*
- #27-1295-2014-11** Approve Non-Indian Renewals farm/pasture for Larry Unger, Sec. 2, T30, R45, Lot 2; Martin Stentoft, Sec. 27, T33, R47, S1/2SW1/4 and Sec. 6, T32, R50, SE1/4SE1/4; Kegel Brother, Sec. 32, T33, R45, S1/2SE1/4; and Debbie Matejovsky, Sec. 7, T29, R48, SE1/4, NE1/4. *11 for, 1 absent.*
- #27-1296-2014-11** Approve of Enrolled Member Modifications for the following: Stephan Walton, to change lease No. 2939-2018 to a 10 year business lease; and A.T. Stafne to add 30 acres, N1/2N1/2SW1/4, Sec. 22, T27, R46 to lease No. 2498-2017. *11 for, 1 not voting.*
- #27-1297-2014-11** Approve to amend the motion of a Retirement Incentive each to Vera Iron Man and Chuck Spotted Bird the same amount given as in the past policy.
11 for, 1 opposed.
- #27-1298-2014-11** **(Prepared Resolution)** Authorize the carry over funds in the amount of \$27,730.79 for Special projects N3420 and program funds for 638 Construction Contract No. CTC56T20662 in the amount of \$28,671.73 for the Tribal Water Resources Office until fully expended.
12 for, 0 opposed.
- #27-1299-2014-11** **(Prepared Resolution)** Authorize the Tribal Water Rights Office request for Paul Melbourne to be a Point of Contact for the Fort Peck Tribes with the Bureau of Indian Affairs, as a GSA Excess Property Screener with appropriate consultation of the Tribal Executive Board. *12 for, 0 opposed.*
- #27-1300-2014-11** Authorize the Fort Peck Tribal Chairman to sign a subcontract with the Fort Peck Water Users Association at a fixed price of \$25,363.24.
11 for, 1 not voting.

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#27-1301-2014-11 Approve the Natural Resources Office proposed budget to apply for the Noxious Weed Control Funding from the Bureau of Indian Affairs in the amount of \$17,000. *12 for, 0 opposed.*

#27-1302-2014-11 Approve the Yellowstone Bison Agreement between the Fort Peck Tribes and the Montana Fish and Wildlife Program. *12 for, 0 opposed.*

OIL & GAS

#27-1303-2014-11 **(Prepared Resolution)** Approve the Final Draft Unit Agreement for the Stone Turtle Unit proposed by Fort Worth Operating Company and authorize the Chairman to sign/execute any necessary letters, documents, and/or agreements to carry out the foregoing resolutions. *9 for, 3 opposed.*

#27-1304-2014-11 Approve to pay membership fees in the amount of \$200 to Rocky Mountain Region Inter-Tribal Agriculture Council. *11 for, 1 absent.*

#27-1305-2014-11 Approve another 30 working day temporary employment extension for Joilynn Loves Him as the secretary at the ASWRSS Program. *11 for, 1 absent.*

LAW & JUSTICE

#27-1306-2014-11 Approve the hiring of four temporary adult correctional officers: Levi K. Olson, Jasmine C. DeMarrias, Marcy E. Iron Bear, and Tristan J. Miller. *11 for, 1 absent.*

#27-1307-2014-11 **(Prepared Resolution)** Approve to support this Suicide Prevention grant submission and agree to partner with the University of Washington upon the successful funding of this grant subject to the terms of this resolution. *11 for, 1 absent.*

#27-1308-2014-11 **(Prepared Resolution)** Accept the names and grants tribal arrest authority for Valley County Sheriff's Office under the Reciprocal Cross Deputization Agreement to include: /Sheriff Glen Meier, Under Sheriff Vernone Buerkle, Chief Deputy Matthew Remmich, Deputy Alex Estavez, Deputy Lucas Strommen, Deputy Wayne Shipp and Deputy Christopher Richter to expire on October 31, 2015. All other names submitted by the listed agency prior to this date, and not listed on this resolution are hereby rescinded. *10 for, 2 absent.*

#27-1309-2014-11 **(Prepared Resolution)** Accept the names and grants tribal arrest authority for the Montana Highway Patrol under the Reciprocal Cross Deputization Agreement to include: Sgt. Jeff Kent, MT State Troopers Charles R. Tuggle, Mitchell Willet, David Moon, Derek Werner, Steven Nard, Lynwood Batemen, Seth Adams, Zack Miller, Colleen Timmins, and Derek Schuler. All other names submitted by the listed agency prior to this date, not listed on this resolution are hereby rescinded. *11 for, 1 absent.*

#27-1310-2014-11 **(Prepared Resolution)** Accept the names and grant tribal arrest authority for the Roosevelt County Sheriff's Office under the Reciprocal Cross Deputization Agreement to include: Sheriff Jason Fredericks, Under Sheriff John Summers, Chief Deputy Cory Reum, and Deputies Tim Lingle, Clay McGeshick, Orin Cantrell, William Black Dog, Curtis Holum, Joe Moore, Eugene Culbertson, Eric Nelson, Pat O'Connor and Steve Barr to expire on October 31, 2015. *11 for, 1 absent.*

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- #27-1311-2014-11** **(Prepared Resolution)** Amended motion to accept the names and grants arresting authority for the Wolf Point Police Dept. under the Reciprocal Cross Deputization Agreement to include: Chief Jeff Harada, Lieutenant Brian Erwin, Officers Ryan Michaelson, Alisha Corpron, Mehsin Wehbe, except Joey Olson. All other names submitted by the listed agency prior to this date, and not listed on this resolution are hereby rescinded.
7 for, 5 opposed.
- #27-1312-2014-11** **(Prepared Resolution)** Accept the names and grants arresting authority for the City of Poplar under the Reciprocal Cross Deputization Agreement to include: Police Officer Lowell Boyd and Reserve Police Officer Ray Lamb. All other names submitted by the listed agency prior to this date, not listed on this resolution are hereby rescinded.
11 for, 1 absent.
- #27-1313-2014-11** Approve of a travel reimbursement for travel invoices and expenses for Eldena Bear Don't Walk to attend the interview in Poplar, MT, for the Lawyer Judge position at the Tribal Courts. *11 for, 1 absent.*
- #27-1314-2014-11** **(Prepared Resolution)** Authorize the Fort Peck Community College to initiate a "Work Place Awareness Training" for all tribal employees when the initial plan is complete with new topics to be added as discussion with Tribal Program directors continues.
7 for, 4 opposed, 1 absent.
- #27-1315-2014-11** **(Prepared Resolution)** Approve to grant the aforementioned Right-of-Way to MDU at zero dollars (\$0) compensation for the Poplar Airport Redevelopment Project – Phase I with the attached right of way application and maps. *8 for, 1 not voting, 3 absent.*
- #27-1316-2014-11** **(Prepared Resolution)** Approve to grant the aforementioned Right-of-Way to the City of Poplar at zero dollars (\$0) compensation for the Poplar Airport Redevelopment Project with the attached ROW Application and maps. *9 for, 0 opposed, 3 absent.*
- #27-1317-2014-11** **(Prepared Resolution)** Authorize the Chairman to sign the attached Kadmas, Lee and Jackson agreement for the plat for roadways, utilities and MIR lots in Phase I of the Old Airport Redevelopment project, not to exceed \$23,500 which will be invoiced to Shakopee Tribe under the \$750,000 Community Development Grant for the Wellness Center.
10 for, 0 opposed, 2 absent.

HEALTH & HUMAN SERVICES

- #27-1318-2014-11** Authorize a 30 working day temporary employment extension for Matthew Olson as the Community Health Representative.
8 for, 0 opposed, 4 absent.
- #27-1319-2014-11** **(Prepared Resolution)** Authorize the HPDP/Suicide Prevention Program to be the central control of data pertaining to, organizing of, gathering and storing of all information pertaining to suicidal incidents, in their efforts to prevent, educate, and manage cases for long term care, which will help develop strategies to improve health care and promote healthier life styles.
8 for, 0 opposed, 4 absent.

VETERANS/ELDERS & YOUTH

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- #27-1320-2014-11 **(Prepared Resolution)** Approve of the Family Violence Resource Center to apply for the FY15 SMART grant in the amount of \$321,629 to continue as a Substantially Implemented Tribe and authorize the Chairman to sign the grant award documents as Primary Point of Contact and further authorize Patty McGeshick as the Alternate Point of Contact.
8 for, 0 opposed, 4 absent.
- #27-1321-2014-11 Approve a monetary donation to the Culbertson Food Bank in the amount of \$1,000 to come out of the Council Meeting item expense.
10 for, 0 opposed, 2 absent.

UNFINISHED BUSINESS

- #27-1322-2014-11 **(Prepared Resolution)** Amended motion to defer this for six months authorize the waiving of the 2014 lease payment in the amount of \$28,000 for Fort Peck Tech.
10 for, 0 opposed, 2 absent.
- #27-1323-2014-11 The Fort Peck Tribes and the Burlington Northern enter into an agreement which they acknowledge that all documents, analysis, records, statements, etc.. (the "Confidential Information") provided by the Disclosing Party and marked on the face of each and every page as "Confidential" are confidential and subject to the provisions of this Agreement. This agreement shall expire as of the date that is one year after the effective date. *11 for, 1 absent.*

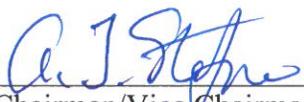
NEW BUSINESS

- #27-1324-2014-11 Approve to extend the suspension of the Fort Peck Inc. Board of Directors until the next full board meeting of November 24, 2014.
11 for, 1 absent.
- #27-1325-2014-11 Approve of donating \$300 to the Great Falls Benefis Hospital for meal tickets for tribal members. *11 for, 1 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 12 constituting a quorum were present at a **Special** meeting duly convened this 10th day of **November, 2014** and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 12 for.



Chairman/Vice Chairman
Fort Peck Tribal Executive Board



Secretary Accountant