

**RESOLUTION #28-0846-2016-06
June 27, 2016**

**Regular 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

#25-0808-2016-06 Approve of the Meeting Agenda.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-absent, Chapman-yes, Shields-absent, Summers-yes, Gourneau-absent, Bauer-yes, Hopkins-yes, Crow Belt-yes. **9 for, 0 opposed, 3 absent (TC, DB, RG)**

#28-0809-2016-06 **(Prepared Resolution)** The Fort Peck Tribal Executive Board, the Bureau of Indian Affairs, and the Governor's Office declared a state of emergency exists on Fort Peck Reservation due to the severe windstorm and heavy rain that occurred on the Fort Peck Reservation on June 24, 2016, which caused extensive damage to public and private property and is causing severe hardship for members of the Assiniboine and Sioux Tribes; recovery from this incident is ongoing and will require an extended commitment of personnel and equipment, and; the Fort Peck Tribal Executive Board directs all programs/departments having personnel and/or equipment that is in operation either during the weekend, evening, and days of operation develop a cuff account with documentation that can be submitted for disaster reimbursement.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-absent, Chapman-yes, Shields-absent, Summers-yes, Gourneau-absent, Bauer-yes, Hopkins-yes, Crow Belt-yes. **9 for, 0 opposed, 3 absent (TC, DB, RG)**

#28-0810-2016-06 Approve of the June 13, 2016 Special Board meeting minutes and June 14, 2016 Recessed Special Board meeting minutes.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-absent, Stafne-yes, Buckles-absent, Chapman-absent, Shields-absent, Summers-yes, Gourneau-absent, Bauer-yes, Hopkins-yes, Crow Belt-yes. **8 for, 0 opposed, 4 absent (TC, TRT, DB, MC)**

#28-0811-2016-06 Approve of the Travel Resolution Log.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-absent, Stafne-yes, Buckles-absent, Chapman-absent, Shields-absent, Summers-yes, Gourneau-absent, Bauer-yes, Hopkins-yes, Crow Belt-yes. **8 for, 0 opposed, 4 absent (TC, TRT, DB, MC)**

CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE

#28-0812-2016-06 **(Prepared Resolution)** The Tribal Executive Board hereby designates and authorizes Mr. Floyd G. Azure, Tribal Chairman, or his designated alternate representative, to endorse all official correspondence and documents which related to the Tribes' submission of the aforementioned BIA NABDI feasibility study application, to provide any additional information which may be requested or required from the Bureau of Indian Affairs and to endorse any reciprocal Offer of Grant/Financial Assistance Award" which may be tendered by the U.S. Department of the Interior, Bureau of Indian Affairs to the Fort Peck Assiniboine and Sioux Tribes.

Roll call vote: Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-yes, Buckles-absent, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (DB, AS)**

EDUCATION

Meeting held, no action taken.

ECONOMIC DEVELOPMENT

Meeting held, no action taken.

FINANCE

#28-0813-2016-06 Authorize Chairman Azure to sign the prepared letter regarding the Fort Peck Tribes support of House Bill (HB) 38 that would exempt the Fort Peck Tribes from the Affordable Care Act employer mandate.

Roll call vote: Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-yes, Buckles-absent, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (DB, AS)**

#28-0814-2016-06 Authorize the Head Start program to pay Anderson's Alphabet U Invoice # 6580099 PO # 1031154 for 35 Head Start graduation sashes from HEAD START Dept. No 4301/444301 Line Item No. 4044.

Roll call vote: Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-yes, Buckles-absent, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **11 for, 1 absent (DB)**

#28-0815-2016-06 Authorize to pay Poplar Public Schools in the amount of \$123.62 for the bill they were charged for.

Roll call vote: Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-yes, Buckles-absent, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **11 for, 1 absent (DB)**

#28-0816-2016-06 Approve to hire Michael Redstone for the position of Fish and Game Commissioner for the Frazer District.

Roll call vote: Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-yes, Buckles-absent, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **11 for, 1 absent (DB)**

#28-0817-2016-06 Authorize an emergency loan in the amount of \$4,000 to the Oswego Community Organization for youth carnival tickets and swimming passes, with no interest, the \$3,000 will be reimburse to the Fort Peck Tribes pending the receipt of their Docket money.

Roll call vote: Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-yes, Buckles-absent, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins -yes, Crow Belt-yes. **12 for, 0 opposed**

LAND

#28-0818-2016-06 Amended motion to recommend the CFO Randall Redpath, Ms. Majel Russell, and Human Resources Director to evaluate, and recommend wages for employees.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (TC, AS)**

#28-0819-2016-06 Authorize the probate for Claudette J. Chase estate 5% or less interest is reverted back to the Tribes. Will be given back to mother, Diane Chase by gift deed.

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Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (TC, AS)**

#28-0820-2016-06 Approve Application for Enrolled member renewal for Michael Doney; Business Lease Renewal for the Church of Jesus Christ of Latter Day Saints. And also Pioneer Resources Inc.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (TC, AS)**

#28-0821-2016-06 Authorize for a negotiated sale for Fort Peck Allot. No 2665.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (TC, AS)**

#28-0822-2016-06 Approve to honor existing land control documents used for conservation.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (TC, AS)**

#28-0823-2016-06 Authorize to pay the invoice in the amount of \$88,512.58, presented by Escarcega for Bartlett & West for professional services

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-no, Bauer-yes, Hopkins-yes, Crow Belt-yes. **9 for, 1 opposed (RG), 2 absent (TC, AS)**

#28-0824-2016-06 Authorize to pay the Pioneer Research for three invoices from the months of January, February, and March 2016. Each for the amounts of 558.38 for the total amount of \$1,675.14.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (TC, AS)**

#28-0825-2016-06 Allow the sale of bottle rockets starting June 15, 2016.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (TC, AS)**

#28-0826-2016-06 Authorize to purchase a 12x20 ft. building from RZ Welding in Miles City, MT for \$6,000.00. They will deliver and set up as little as 2 weeks from the time the order is placed. This building is needed for the Poplar Roll-Off site to house the Gate Keeper.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (TC, AS)**

#28-0827-2016-06 **(Prepared Resolution)** Approve the action of having the Bureau of Indian Affairs proceed with placing the described fee land in trust status that was purchased by the Fort Peck Tribes from Valerie L. Smith.

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Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (TC, AS)**

#28-0828-2016-06 (Prepared Resolution) Approve of the action of having the Bureau of Indian Affairs proceed with placing the described fee land in trust status that was purchased from Mark Shumway.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (TC, AS)**

#28-0829-2016-06 (Prepared Resolution) Under the authority of 25 CFR 151.10(a) the Fort Peck Tribes is directing the Bureau of Indian Affairs to place fee land into trust described as the south 45 ft. of Lot 3 and the North 36 ft. of Lot 4, Block 2, Subdivision of Trinity Hospital Association's First Addition to Wolf Point, Roosevelt County, Montana according to the official map or plat on file in the Office of the Clerk and

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (TC, AS)**

#28-0830-2016-06 (Prepared Resolution) Under the authority of 25 CFR 151.10(a) the Fort Peck Tribes is directing the Bureau of Indian Affairs to place fee land into trust described as the NW1/4NWE1/4 of Sec. 5, T27N, R51E from Robert Kelsey into trust for the beneficial use of the Assiniboine & Sioux Tribes to consolidate ownership to increase land base for economic development.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (TC, AS)**

#28-0831-2016-06 Accept the three (3) amendments to the Land Use Policy.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **10 for, 2 absent (TC, AS)**

OIL & GAS

#28-0832-2016-06 Approve of a no cost extension for the Native American Business Advisor Grant from the Montana Department of Commerce Office of Indian Country Economic Development for the fiscal year 2017.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **11 for, 1 absent (TC)**

#28-0833-2016-06 Approve to work with the University of Montana, Missoula to prepare suicide prevention press releases.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **11 for, 1 absent (TC)**

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#28-0834-2016-06 Approve the temporary appointment of Joilynn Bad Hawk to fill the Administrative Assistant position in the Veterans Department.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **11 for, 1 absent (TC)**

#28-0835-2016-06 Authorize to purchase Allotment #3450, surface only, at the Fair Market Value of \$79,200.00 per acre from Gary Robinson, who owns a full 1/1 interest (360.00 acres) interest in the property for land described as T33N, R45E (Daniels) and T34, T31N, R50E (Roosevelt) surface only

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **11 for, 1 absent (TC)**

#28-0836-2016-06 Authorize Enrolled Member Renewal lease for Darryl Crowley, Faith O'Connor, Audrey Kirn, and Joleen Kirn, Linda Nielsen, Marlene Smith, Donald Urbaniak and Roxanne Gourneau.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-not voting, Bauer-yes, Hopkins -yes, Crow Belt-yes. **10 for, 1 not voting (RG), 1 absent (TC)**

#28-0837-2016-06 Approve Enrolled Member Homesite Lease for Roxanne Gourneau for land described as Term: 16-40, Sec. 21, T27N, R47N, and Enrolled Member New lease for AT Stafne for land described as Term: 16-20, Sec. 20, T27N, R47N, Enrolled Member New Homesite Lease for Betty Martell for land described as Term: 16-40 Lot 5, Blk 3, in the NE1/4 of Section 7-25-51, Poplar; and Modification for Integrated Solutions Limited Partnership to modify the name to HCP-ILP, LLC on Lease No. 1688-38.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-not voting, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-not voting, Bauer-yes, Hopkins-yes, Crow Belt-yes. **9 for, 2 not voting, (RG, GS), 1 absent (TC)**

#28-0838-2016-06 Approve to pay lodging, per diem, and expenses for Melina Healey & assistant to host a "Reservation School Experiences" July 14-19, 2016 for the amount of \$,801.50, \$4,501.50 expended from Education Account #3211-5060 and \$2,000.00 from Education #1311-5060.

Roll call vote: Headdress-no, Christian-absent, Rattling Thunder-no, Stafne-yes, Buckles-yes, Chapman-no, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-no. **7 for, 4 opposed (LH, TRT, MC, LCB), 1 absent (TC)**

LAW & JUSTICE

#28-0839-2016-06 Approve 12 temporary Corrections Officers to permanent. There are six for adult corrections and six for Juvenile corrections.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. **11 for, 1 absent (TC)**

#28-0840-2016-06 Approve the promotion of Sophie Martell to Lead Correctional Officer on a permanent status, and allow her to keep her years of continual service.

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Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. *11 for, 1 absent (TC)*

#28-0841-2016-06 Review the job description of process server, with an upgrade.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. *11 for, 1 absent (TC)*

#28-0842-2016-06 Approve of having the Tribes attorney write a letter to USDA's APHIS in regards to having them work with the Tribes Turtle Mountain Buffalo on finding a positive solution to relocating Brucellosis-free Bison to the Fort Peck Reservation's Quarantine Facility for further monitoring.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. *11 for, 1 absent (TC)*

#28-0843-2016-06 Authorize Tribal Credit Loan Specialist employees Michael Redstone and Noah Pino emergency loan waivers.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. *11 for, 1 absent (TC)*

#28-0844-2016-06 Approves the appointment extension of Lonnie Headdress to the State and Tribal Economic Development Commission (STED) for a term of 3 years – July 1, 32016 to June 30, 2019, and Rodney Miller Economic Development Program Director included in the appointment.

Roll call vote: Headdress-not voting, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. *10 for, 1 not voting (LH), 1 absent (TC)*

#28-0845-2016-06 **(Prepared Resolution)** Approve the prepared resolution stated that on the evening of June 24, 2016, a severe windstorm with heavy rain that occurred on the Fort Peck Indian Reservation caused extensive damage to public and private property and is causing hardship and many members of the Fort Peck Tribes have sustained damage to tribally-owned residences and recovery from this assistance from FEMA is needed to conduct a Preliminary Damage Assessment for public infrastructure and individual assistance, Be It Further Resolved, that copies of this resolution be filed with Montana Disaster & Emergency Division, the Governor's Office and Bureau of Indian Affairs.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. *11 for, 1 absent (TC)*

HEALTH & HUMAN SERVICES

#28-0846-2016-06 Authorize \$100,000 to allow our DES Coordinator Rusty Boxer to organize a work group together to work on the roofs of senior citizens, widows' homes to get them properly repaired and get reimbursed by FEMA.

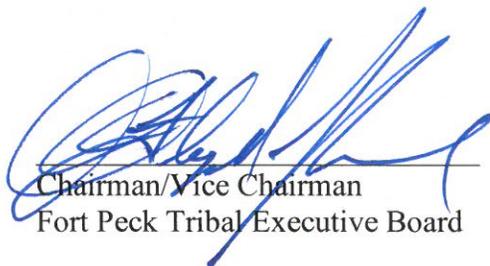
Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-yes. *11 for, 1 absent (TC)*

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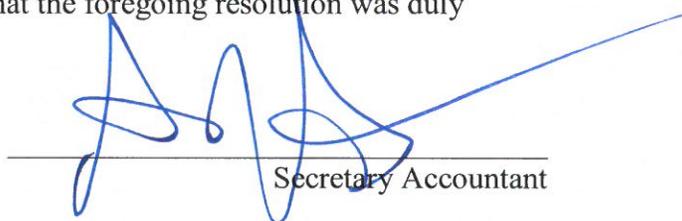
Regular Board Meeting
12 Present

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 **Regular** meeting duly convened this 27th day of **June, 2016** 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