

**RESOLUTION #28-1169-2016-09  
September 26, 2016**

**Regular Board Meeting  
11 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**

**#28-1136-2016-09** Approve of the Meeting Agenda.

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

**#28-1137-2016-09** Authorize the Fort Peck Tribes to assist the City of Brockton, paying their water and garbage disposal.

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

**#28-1138-2016-09** Authorize Iris (Sissy) Anders to go to all tribal programs to register the tribal employees who are not registered for the upcoming 2016 election.

**Roll call vote:** Headdress-absent, Christian-yes, 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 (LH)**

**#28-1139-2016-09** Authorize administrative leave for tribal employees, Sept. 28-30, 2016. Tribal employees must turn in a signed leave slip from their program directors 4 drivers for TTP, 2 drivers to take 2 bales of hay, and 2 drivers taking wood.

**Roll call vote:** Headdress-absent, 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, 2 absent (LH, TC)**

**#28-1140-2016-09** Donate \$2,000 out of Miscellaneous Line Item 1001-4044 with the check payable to the Fort Peck DAPL organizers (Marlena Starr or Cheryl Bighorn-Savior) to help with paying for fuel, and transporting materials and supplies needed at the Standing Rock Sacred Stones camp site.

**Roll call vote:** Headdress-absent, 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, 2 absent (LH, TC)**

**#28-1141-2016-09** Approve of the September 12, 2016 Special Board meeting minutes.

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

**#28-1142-2016-09** Approve of the Travel Resolution Log.

**Roll call vote:** Headdress-absent, 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, 2 absent (LH, TC)**

**CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE**

**#28-1143-2016-09 (Prepared Resolution)** Authorize the 2016 Per Capital Distribution schedule: Close of acceptance of enrollment applications, Oct. 14, 2017; Enrollment Committee recommendation, Oct. 20, 2017; Tribal Executive Board meeting, Oct. 24, 2016; BIA assignment of enrollment numbers, Nov. 11, 2016; Address Changes and Custody Documents, Nov. 15, 2016; Enter new enrollees in Progeny System, Nov. 18, 2016; Merge Black Mountain with Progeny Database, Nov. 22, 2016.

**Roll call vote:** Headdress-absent, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-absent, Hopkins-yes, Crow Belt-yes. **8 for, 4 absent (LH, TC, AS, EB)**

**#28-1144-2016-09 (Prepared Letter)** Authorize a prepared letter signed by Chairman Azure to the Honorable Ryan Zinke requesting Ryan Zinke (R) vote “no” during the House Committee on Natural Resources markup of H.R. 5780, the Utah Public Lands Initiative on September 21 and 22, 2016.

**Roll call vote:** Headdress-absent, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-absent, Hopkins-yes, Crow Belt-yes. **8 for, 4 absent (LH, TC, AS, EB)**

**EDUCATION**

**#28-1145-2016-09** Authorize acceptance of the P.L. 93-638 contract to conduct a Geotechnical Evaluation for the Poplar, Ancillary Facility and authorize the Chairman to sign the contract documents.

**Roll call vote:** Headdress-absent, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-absent, Hopkins-yes, Crow Belt-yes. **8 for, 1 not voting (TC), 3 absent (LH, TC, EB)**

**#28-1146-2016-09** Suspend the request to advertise the hiring of Education Board members until the final is corrected by the Education Director. There will be a correction of the Constitutional & By-Laws.

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

**#28-1147-2016-09** Amend Resolution #28-1072-2016-09 to include the Communities of Oswego, Brockton, Riverside and Nashua.

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

**ECONOMIC DEVELOPMENT**

**#28-1148-2016-09** Approve of a contract with RJS. The contract would run from October 1, 2016 and will continue in effect until September 30, 2016 or until terminated by either party upon thirty (30) days written notice to the other party, by certified mail or personal delivery.

**Roll call vote:** Headdress-absent, Christian-yes, Rattling Thunder-no, Stafne-absent, Buckles-yes, Chapman-not voting, Shields-yes, Summers-yes, Gourneau-yes, Bauer-absent, Hopkins-yes, Crow Belt-yes. **7 for, 1 opposed (TRT), 1 not voting (MC), 3 absent (LH, GS, EB)**

**#28-1149-2016-09** Authorize the CFO develop an overtime policy as needed for key personnel.

**Roll call vote:** Headdress-absent, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-absent, Gourneau-yes, Bauer-absent, Hopkins-yes, Crow Belt-yes. **8 for, 4 absent (LH, TC, SS, EB)**

**FINANCE**

**#28-1150-2016-09** Authorize the Assiniboine & Sioux Language Restoration Program (411665) to carry-over the balance of \$45,627.27 into the next fiscal year.

**Roll call vote:** Headdress-absent, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-absent, Gourneau-yes, Bauer-absent, Hopkins-yes, Crow Belt-yes. **8 for, 4 absent (LH, TC, SS, EB)**

**#28-1151-2016-09** Allow Roger White to go forward with the non-profit design to pursue funding.

**Roll call vote:** Headdress-absent, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-absent, Gourneau-yes, Bauer-absent, Hopkins-yes, Crow Belt-yes. **8 for, 4 absent (LH, TC, SS, EB)**

**#28-1152-2016-09** Authorize a waiver for Ruth Moore for new trust loan.

**Roll call vote:** Headdress-absent, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-absent, Gourneau-yes, Bauer-absent, Hopkins-yes, Crow Belt-yes. **8 for, 4 absent (LH, TC, SS, EB)**

**#28-1153-2016-09** Authorize Chairman Azure to issue a letter to pow-wow committees, sun dances, churches and revivals that they must submit receipts and reports of expenditures spent from the FY 2016 \$5,000 donations they received from the Fort Peck Tribes by October 31, 2016 in order to be eligible to receive FY 2017 donations or contributions from the Fort Peck Tribes.

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

**#28-1154-2016-09** Approve of 3% COLA for Fort Peck Tribal Employees.

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

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**#28-1155-2016-09** Set aside \$20,000 for emergency plumbing, heating and electrical costs to put under Maureen Dionne's program during the winter months from October to April 15, 2017.

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

**LAND**

**#28-1156-2016-09** Approve the modification approve amending the resolution to change from Fiscal year 2016 to 2017.

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

**#28-1157-2016-09** **(Prepared resolution)** Approve the recommendation from the ASRWSS Commission to Land committee to purchase the ½ ton truck from Fox Ford for the amount of \$23,400.

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

**#28-1158-2016-09** Approve of the Tribal Chairman to sign the, above described Project Specific Agreements between the TTP/IRR Program and the Montana DOT, on behalf of the Fort Peck Tribes. In regards to the CORS project initiated by the Fort Peck Tribes Transportation. The PSA covers the specifics of the construction of a Continuously Operation referenced station at the MDT Wolf Point facility.

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

**#28-1159-2016-09** Approve of the RFA in the amount of \$40,000 to be signed by the Chairman on behalf of the TTP/IRR Program.

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

**#28-1160-2016-09** Authorize an Addendum No. 4 to the Services Contract with Newfields Companies LLC for the completion of Phase 1 environmental site assessments in the amount of \$21,095.00; and, that the Chairman is authorized to sign this contract Addendum No. 4 on behalf of the Fort Peck Assiniboine and Sioux Tribes.

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

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**#28-1161-2016-09** Declare interest for an appraisal for land described as: Owner of Record: James and Eileen Scrivner Living Trust T27N, R45E, Sec. 34: E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , Parcel #2 COS #381, 251.901 acres; Sec. 35: N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , 60.000 acres; Sec. 36: W $\frac{1}{2}$ NW $\frac{1}{4}$  (less 5 acres), NE $\frac{1}{4}$ NE $\frac{1}{4}$ , 115.000, T26N, R45E, Sec. 2: NE $\frac{1}{4}$ SE $\frac{1}{4}$ , 40 acres.

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

**#28-1162-2016-09** Add Road 1068 to the Roads Inventory List. The 60 feet of Right-of-Way is owned by Kevin Luckow.

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

**#28-1163-2016-09** Declare interest in exchanging 2/3 interest in Allot. No. 5139 and one third (1/3) interest in Allotment No. 206-5140. Landowner: Larry Smith.

**Roll call vote:** Headdress-absent, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-absent, Hopkins-yes, Crow Belt-no. **8 for, 1 opposed (LCB), 3 absent (LH, TC, EB)**

**#28-1164-2016-09** Declare interest in three (3) seven (7) forty (40) acres tracts described as Allot. No. 206-920, Allot No. 206-5140, and Allotment No. 5139, landowner Larry Smith.

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

**#28-1165-2016-09** Purchase Allotment No. 206-5140 described as 1/1 interest Surface Only in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 17; N $\frac{1}{2}$ NE $\frac{1}{4}$ , Section 18, both in T27N, R47E., Principal Meridian Montana, containing 160.00 acres, more or less. Landowner: Larry Smith.

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

**#28-1166-2016-09** **(Prepared Resolution)** Approve of pay raise of \$2.00 per hour for Water Treatment Plant and Distribution personnel and this will encompass the pay raise, overtime and the stand by pay of \$25.00 per day.

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

**#28-1167-2016-09** Authorize Enrolled Member Renewal leases for Darlyn Grainger/Lori Nordwick Rakstad; Authorize Non-Enrolled Member Renewal leases for Shawn Sibley, Aaron Nordwick, Daniel Dewitt; Authorize Business lease for Blue Sky Ministries Church.

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

**#28-1167A-2016-09** Approve of the payment to Hilde International, Boston, Massachusetts in the amount of \$10,000 to be paid out of the interest account of ASRWSS.

**Roll call vote:** Headdress-absent, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-NO, Bauer-absent, Hopkins-yes, Crow Belt-yes. **8 for, 1 opposed (RG), 3 absent (LH, TC, EB)**

**OIL & GAS**

**#28-1168-2016-09** Authorize issue a check payable to Mary Plante in the amount of \$675.12. Plante will reimburse the Fort Peck Tribes \$255.00 for the per diem spent while on travel delegation to the No Kid Hungry in Indian Country Summit at the Holiday Inn Express; Browning, MT; Sept. 28, 2016, 8:30-4:00 p.m. Travel days are Sept. 27 & 29, 2016.

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

**#28-1169-2016-09** **(Prepared Resolution)** Approve of granting a Right-of-Way to enrolled Tribal Member Alan Manning across an existing gravel road on Tribal Tract T6243, described in more detail on the attached ROW form (form BAO 391), for a term of 50 years and \$0 compensation, including approval of transferring the ROW to an assignee (loan entity), and authorize the Chairman to sign any necessary documents and/or letters to carry out the foregoing resolution.

**Roll call vote:** Headdress-absent, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-no, Bauer-absent, Hopkins-yes, Crow Belt-yes. **8 for, 1 opposed (RG), 3 absent (LH, TC, EB)**

*Meeting rescheduled September 27, 2016*