

**RESOLUTION #28-1293-2016-10  
October 24, 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**

**#28-1257-2016-10** Approve of the Meeting Agenda.

**Roll call vote:** Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-absent, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-absent, Bauer-absent, Hopkins-yes, Crow Belt-absent. **7 for, 0 opposed, 5 absent (TC, AS, EB, RG, LCB)**

**#28-1258-2016-10** Request the Bureau of Indian Affairs the use of a BIA housing unit for meth rehab on the Fort Peck Reservation.

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

**#28-1259-2016-10** Approve of the October 10, 2016 Special Board meeting minutes.

**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-absent. **9 for, 0 opposed, 3 absent (TC, AS, LCB)**

**#28-1260-2016-10** Approve of the Travel Log.

**Roll call vote:** Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-absent, Buckles-yes, Chapman-yes, Shields-yes, Summers-not voting, Gourneau-not voting, Bauer-absent, Hopkins-not voting, Crow Belt-absent. **5 for, 0 opposed, 3 not voting, 4 absent (TC, GS, EB, LCB)**

**CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE**

**#28-1261-2016-10** Authorize a buffalo donation to the Red Eagle Presbyterian Church for their 144<sup>th</sup> Annual Dakota Presbyterian Church mission meeting that will be held in August 2017.

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

**EDUCATION**

**#28-1262-2016-10** Authorize the Sonosky, Chambers, Sachse, Endreson & Perry Law Firm to submit an amicus brief that tribal employees while on tribal business are protected from suit.

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

**ECONOMIC DEVELOPMENT**

**#28-1263-2016-10** **(Prepared Resolution)** The Fort Peck Tribal Executive Board has selected the following individuals to comprise, but not limit, the basis of the Fort Peck CEDS Planning Committee: Rodney Miller, Tribal Economic Development Manager; Maureen Dionne, Tribal Economic Planner; Ken Ryan, Tribal Economic Development Specialist; Natasha Knowlton, Tribal Economic Development Specialist; Garrett Big Leggins, Tribal P.L. 102-477 Program Director; Tom Lipko, Manager, West Electronics; Paul Finneccum, USDA/BIA Agricultural Outreach; Tori Matejovsky, Manager, Great Northern Development Corporation; Garrett Smith, Manager, Fort Peck Tech Services, Inc.; Susie Perry, Fort Peck Manufacturing; Debbie Madison, Tribal Environmental Protection Office Director; Forrest Smith, Tribal Minerals Office Director; Melvin "Terry" Rattling Thunder, Tribal Executive Board; Myrna Walking Eagle, Tribal Natural Resource Program Director; Barry Bighorn, Tribal Employment Rights Office (TERO) Director; Robbie Magnan, Tribal Fish and Game Program Director; Dr. Robin Bighorn, Fort Peck Housing Authority Director; Dale Four Bear, Spotted Bull Treatment Program Director; Lance Fourstar, Chairman, Wolf Point Community Organization; Haven Gourneau, Fort Peck Community College; Cameron Martell, Tribal Youth Program Director; Local Native American Business Association (NABA) small business participants; Chairman, Poplar Community Organization; Arnie Bighorn, Tribal Water Office Director; Ken Smoker, Jr., HPDP Program Director; Johnny Bearcub-Stiffarm – Community Member, Lonnie Headdress, Tribal Executive Board member.

**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-absent. **10 for, 0 opposed, 2 absent (TC, LCB)**

**#28-1264-2016-10** Authorize to sign the "Independent Contract Agreement" with Joseph R. McGeshick to purchase 50 copies of "The History of Montana's Hi-Line: Its Land and People" for the sum of \$500 using Miscellaneous Line Item 1001-4044.

**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-absent. **10 for, 0 opposed, 2 absent (TC, LCB)**

## **FINANCE**

**#28-1265-2016-10** Authorize that all individuals traveling on the Fort Peck Transit be seated while the bus is in motion.

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

**#28-1266-2016-10** Approve a change in the employee pension plan to utilize the forfeiture funds to fund the corrections for employees who were not allocated the 6.2% retirement funds.

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

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**#28-1267-2016-10** Request the BIA Area Office to extend the due date for current and future 638 quarterly FFR SF 425 be changed to reflect a submission date of 30 days after the end of each fiscal quarter.

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

**#28-1268-2016-10** Appoint Fred Bighorn as the East End Credit committee member with Melissa Melton Buckles as the alternate.

**Roll call vote:** Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-absent, Buckles-not voting, Chapman-yes, Shields-absent, Summers-yes, Gourneau-yes, Bauer-absent, Hopkins-yes, Crow Belt-absent. **6 for, 1 not voting (DB), 5 absent (TC, GS, AS, EB, LCB)**

**#28-1269-2016-10** Approve to invest CDARS at Independence Bank at the amount of \$6,034,442.23 – APY: 47% for 26 weeks.

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

**#28-1270-2016-10** Authorize the following Tribal Officials to initiate disbursements and receive information on tribal accounts: Floyd Azure, Chairman; Charles Headdress, Vice-Chairman, Jackie Weeks, Tribal Operations Officer, Randall Redpath, Chief Finance Officer, Anthony Shields, Secretary Accountant.

**Roll call vote:** Headdress-yes, Christian-not voting, Rattling Thunder-yes, Stafne-absent, Buckles-yes, Chapman-yes, Shields-not voting, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-absent. **8 for, 2 not voting (TC, AS), 2 absent (GS, LCB)**

**LAND**

**#28-1271-2016-10** Approve Right-of-Way to Nemont Telephone crossing three streets to provide fiber-optics for Fort Peck Housing Authority.

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

**#28-1272-2016-10** Approve administrative leave for Councilwoman Gourneau and Councilwoman Summers for Oct. 11 & 12; Grant Stafne, Oct. 18, 19, 20 & 21; Leonard Crow Belt, Oct. 20-26, 2016.

**Roll call vote:** Headdress-yes, Christian-absent, Rattling Thunder-absent, Stafne-absent, Buckles-yes, Chapman-yes, Shields-yes, Summers-absent, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-absent. **7 for, 0 opposed, 5 absent (TC, TRT, GS, SS, LCB)**

**#28-1273-2016-10** Authorize to purchase Allotment #3483 surface only at the Fair Market Value of \$230.00 per acre or \$36,650.00 from Denise Grainger, who own an undivided ½ (159.36 acres) interest in the property (9-landowners).

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

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#28-1274-2016-10 Approve of Enrolled Member Homesite leases to Kenneth Smoker Sr., and Willis McClammy.

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

#28-1275-2016-10 Authorize Non-Enrolled Member Renewal Leases for Wade Traeholt, Herb Sand, Tade Inc., - B&M Inc., and Stacey Stangeland; Authorize Enrolled Member Renewal Leases for Dale Four Bear and Iris Balbinot; Authorize Non-Enrolled Member Renewal Leases for Scott Toavs and Milo Mattelin; Approve Cancellation of Lease No. 2885-18 containing 80 acres of pasture; no longer needs this pasture; Authorize Non-Enrolled Member Renewal Leases for Daley Ranch LLC-Walt Daley.

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

**OIL & GAS**

No motions from this committee.

**LAW & JUSTICE**

#28-1276-2016-10 Authorize the Fort Peck Department of Law and Justice to apply for \$5,000 Highway Safety grant that will be used to pay for Fort Peck Tribes DOLJ overtime and authorize the Chairman to sign applicable documents.

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

#28-1277-2016-10 The Fort Peck Tribal Executive Board will apply for public assistance (*State of Montana Project Application for State Financial Assistance Project Application No. MT-01-16*) in the amount of \$34,936.50 contingent upon Governor Bullock declaring the Fort Peck Indian Reservation area a disaster.

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

#28-1278-2016-10 Approve acceptance of the \$20,700.00 BIA Safety Grant.

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

#28-1279-2016-10 Approves to accept the names of Deputy Amari Black and Deputy James Stacy tribal arrest authority under the Reciprocal Cross deputization agreement.

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

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- #28-1280-2016-10** The Branch of Corrections will adopt the new classification on Tribal pay scale done by Ms. Hopkins, and place corrections employee's in their proper steps according to their continued years of service within the corrections department.

**Roll call vote:** Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-absent, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-absent. **10 for, 0 opposed, 2 absent (GS, LCB)**

**HEALTH & HUMAN SERVICES**

- #28-1281-2016-10** Approve of Sonosky, Chambers, Sachse, Endreson & Perry annual renewal of attorneys contracts (100.3) with the Fort Peck Tribes 1.) a general counsel services contract; (2) a contract to represent the Tribes in the pending litigation concerning non-Indian waters rights; and (3) a contract to provide services on self-determination contracts, the ASRWSS project and transportation matters.

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

- #28-1282-2016-10** Approve to purchase annual bus tickets from the Fort Peck Tribes Transportation Department for the Tribally Enrolled Children to attend the respective schools of their choice on the Fort Peck Assiniboine & Sioux Reservation.

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

- #28-1283-2016-10** Authorize handicap parking spaces, cuts in the sidewalks in front of Phase III and automatic doors for handicapped and disabled tribal members.

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

- #28-1284-2016-10** Approve and accept the award for FY 17 in the amount of \$91,996 from the Dept of HHS for Children and Family Violence Prevention and Services Grant with funding level based on recent census population count.

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

- #28-1285-2016-10** Approve of the Red Bird Woman Center's request temporary appoint Gwen Gourneau effective July 11, 2016 and to pay retroactive from that date and therefore until the Meth Social Worker position has been permanently filled.

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

**VETERANS/ELDERS & YOUTH**

- #28-1286-2016-10** The Fort Peck Tribal Executive Board will submit a deferral letter for FY 2017 regarding the Tribal Veterans Cemetery in Poplar, MT; with the letter addressed to George D. Eisenbach, Jr., Director, Veterans Cemetery Grants Program; Department of Veterans Affairs, National Cemetery Administration; Washington, DC; (Federal Application Identified MR-13-14); and authorizes the Chairman to sign the letter.

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

- #28-1287-2016-10** The Fort Peck Tribal Executive Board approves of the Fort Peck Tribes Personal Care Assistant (PCA) Program to receive additional funding through the Direct Care Worker funding by submitting their application for Direct Care wage page for FY 2017, and that the Fort Peck Tribal Executive Board does hereby authorize the disbursement of the home payment to the PCA employees who meet the criteria and authorize the Chairman/Vice-Chairman to sign the necessary documents.

**Roll call vote:** Headdress-yes, Christian-not voting, Rattling Thunder-not voting, Stafne-absent, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-absent, Bauer-yes, Hopkins-yes, Crow Belt-absent. **5 for, 2 opposed (AS, SS), 2 not voting (TC, TRT), 3 absent (GAS, RG, LCB)**

- #28-1288-2016-10** Approve to purchase a 2007 JLG 2030ES Electric Scissor Lift with non-marking tires for the amount of \$5,805.00; this purchase will be taken out of Maintenance Line Item 1341.

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

- #28-1289-2016-10** Approve to select Robert McAnally as temporary Assiniboine Sioux Rural Water Supply System (ASRWSS) Project Manager from Oct. 31 to November 11, 2016.

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

- #28-1290-2016-10** The Tribal Executive Board approves of the Agreement between Montana State University Nursing Program and the Tribes and authorizes the Chairman/Vice-Chairman to sign any necessary paperwork.

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

- #28-1290A-2016-10 (Prepared Resolution)** The Fort Peck tribes approves use of its currently available \$28,000.00 in state ICED Tribal Business Planning Grant funds to assist the Fort Peck Inc. in development of a new Business Plan and a contemporary Tribal economic development marketing, promotion and website update activity; and, that the Tribal Executive Board officially designates and authorizes Mr. Floyd Azure, Tribal Chairman, or his designated alternate representative to endorse all official documents and

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correspondence which relate to the submission of this aforementioned \$28,000.00 ICD Tribal Business Planning Grant application to the State of Montana.

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

**UNFINISHED BUSINESS**

No motions out of this committee.

**NEW BUSINESS**

**#28-1291-2016-10** Authorize to pay the processing fee quoted at \$800.00 for two buffalo for Danny Lindsay.

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

**#28-1292-2016-10** Approve the Fort Peck Tribal Enrollment Committee's recommendation for 58 Group 4, Full Membership; 5 Name Changes, 3 Relinquishments, 16 Group 5, Associate Members, 11 Blood Degree Changes, 1 Ineligible.

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

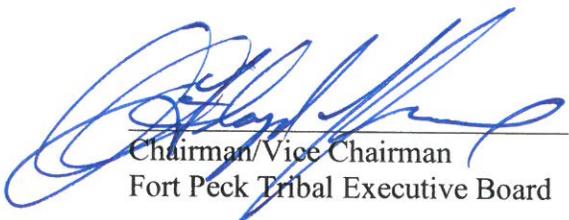
**#28-1293-2016-10** Approve of the Resolution Log.

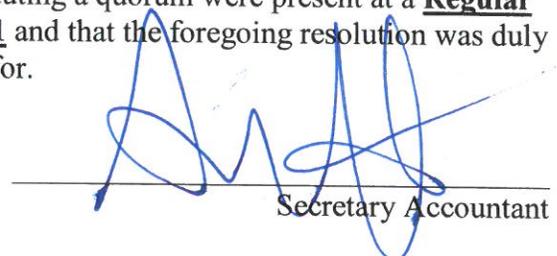
**Roll call vote:** Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-absent, Buckles-yes, Chapman-yes, Shields-yes, Summers-yes, Gourneau-yes, Bauer-yes, Hopkins-yes, Crow Belt-absent. *10 for, 2 absent (GS, LCB)*

**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 **11** constituting a quorum were present at a **Regular** meeting duly convened this **24th** day of **October, 2011** and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of **11** for.

  
Chairman/Vice Chairman  
Fort Peck Tribal Executive Board

  
Secretary Accountant