Resolution #28-1478-2016-12  
Regular Board Meeting  
December 27, 2016  
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

#28-1431-2016-012  Approve of the Meeting Agenda.


#28-1432-2016-12  Authorize a $25,000 grant to the New Life Mission to assist with hot meals, to meet the additional demands of the facility, combat hunger, and the elements of weather; and to look for more grants in 2017.


#28-1433-2016-12  Approve of the December 26, 2016 Regular Board meeting minutes.


#28-1434-2016-12  Approve of the Travel Resolution Log.


#28-1435-2016-12  (Prepared Resolution) Authorize the administrative duty of the Benefits Office to send written notice to the OPM Tribal Desk notifying the OPM FEHB the Fort Peck Tribes desire to cancel their affiliation with FEHB and authorize the Chairman/Vice-Chairman to sign any necessary documents.


CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE

#28-1436-2016-12  Approve the Brockton/Riverside Community Organization to pay out the $200.00 out of the available funds of $34,111.26 to the 152 approved applicants on the list, and when the $100,000 becomes available.

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#28-1437-2016-12  Approve the Brockton/Riverside Community Organization draw down the invested $100,000.00 as the loss will $1360.00 and to go forth and pay out the rest of the remaining of the $300.00 out of the $500.00 and turkey to the approved list of 152 applicants.


EDUCATION

#28-1438-2016-12  The Fort Peck Tribes agree to realize goals and actions identified in comprehensive strategic plans to expand and sustain a SOC in accordance with Section 2.2 “Required Activities” of the Funding Opportunity Announcement; and, the project is an eligible activity under the System of Care guidelines, the project has not been designed to require SAMHSA funding on a reoccurring basis and there are no other funds to address the needs identified in the project; the Fort Peck Tribal Executive Board hereby authorizes Chairman to provide a Letter of Commitment to the Montana Office of Public Instruction.


#28-1439-2016-12  The Fort Peck Tribal Executive board hereby designates RJS & Associates, Inc. to lead the grant writing efforts in conjunction with the Fort Peck Cultural Resources Department and hereby designates and authorizes the Honorable Mr. Floyd Azure, Tribal Chairman, or his designated alternate representative, to endorse all official correspondence and documents which related to the Fort Peck Tribes’ submission of the aforementioned Access to Historical Records – Major Initiatives Preliminary Proposal Grant Application to provide any additional information which may be requested or required from the National Records Administration, and to endorse any reciprocal “Offer of Grant/Financial Assistance Award” which may be tendered by ten National Records Administration to the Fort Peck Assiniboine and Sioux Tribes.


#28-1440-2016-12  The Fort Peck Tribal Executive Board hereby designates RJS & Associates Inc., to lead the grant writing efforts in conjunction with the Fort Peck Cultural Resources Department and that the Fort Peck Tribal Executive Board hereby designates and authorizes the Honorable Mr. Floyd Azure, Tribal Chairman, or his designated alternate represented, to endorse all official correspondence and documents which related to the Fort Peck Tribes submission of the aforementioned. Access to Historical Records – Major Initiatives Preliminary Proposals Grant Application to provide any additional information which may be requested or required from the National Records Administration, and to endorse any reciprocal “Offer of Grant/Financial Assistant Award” which may be tendered by the National Records Administration to the Fort Peck Assiniboine & Sioux Tribes.
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#28-1441-2016-12 Application to the Department of Justice for up to eight (8) purpose areas under the FY '17 CT"YAS competition; and that the Fort Peck Tribal Executive Board hereby designates RJS & Associates, Inc., to lead the grant writing efforts in conjunction with the aforementioned departments.


**ECONOMIC DEVELOPMENT**

#28-1442-2016-12 Approves of directing Tribal legal counsel Ms. Majel Russell to research, analyze the status of land and provide a narrative summary of available business tax exemptions, incentives and other related factors to on-Reservation investment and economic development inducements to interested external investors.


#28-1443-2016-12 If a hot water heater/furnace is repairable, it must be repaired before a new one is purchased.


#28-1444-2016-12 The Fort Peck Tribal Executive Board recognizes the “Da’kota Owizan Sioux Star Quilts,” a business owned by Delwayne First, Fort Peck Sioux tribal member.


#28-1445-2016-12 Approve of the recommendation to supplement the salaries of Luanne Brown, Intake Specialist, Grade 10/step 1, $17.87; Sunee Erickson, Margaret Big Leggins, Julie Christian, all Program/Case Managers, Grade 12/step 4, $25.90; Garrett Big Leggins, Director, Grade 13/step 1. $24.98 for the Fort Peck Tribes multi-year Public Law 477 Consolidated Tribal Employment & Training Plan, 2016-2019. *Effective October 1, 2016.*

FINANCE

#28-1446-2016-12 Rescind Resolution #28-1400-2016-12 that authorized the Fort Peck Tribes go on a weekly payroll.

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

#28-1447-2016-12 Amend the motion there will be no more payroll advances allowed the Mondays and Tuesdays during payroll week, with no exceptions, but to include emergencies.

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

#28-1448-2016-12 Approve of postponing the Regular full board meeting from Dec. 26 to Dec. 27, 2016.


#28-1449-2016-12 Approve of contracts for the following: 2016-12-001 (12/1/2016) Trail of Tears Construction, Resolution N/A, 2016-12-002 (12/5/2016) Tribal Health Dr. Anthony Fisher, Resolution #28-1243-2016-10, 2016-12-003 (12/6/2016) ASRWSS R,Y, Enterprises LLC, Resolution N/A, 2016-12-004 (12/6/2016) SBRRC Volunteers of America, Resolution N/A.


##28-1450-2016-12 Amend Resolution #28-1429-2016-12 by changing the job title of bookkeeper to administrative assistant.


#28-1451-2016-12 Approve payment of the legal invoices in the amount of $15,808.19 for legal invoices for various accounts for October 2016.


LAND

#28-1452-2016-12 The Fort Peck Tribal Executive Board does hereby: Renounce its inheritance of the less than five percent interests of trust property on the Fort Peck Reservation owned by decedent, Orlando Moses Young Jr., Indian Identification No. 206U013653 (Probate P. 0001 38495 IP) in favor of the decedent’s mother Sarah Three Stars, an eligible heir, as required by 43 CFR Part 30; That a copy of this Resolution shall be presented to the
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Office of Hearings and Appeals, Department of the Interior at his office at 2718 Montana Avenue, suite 300, Billings, Montana 59101.


#28-1453-2016-12  Reaffirm Resolution #28-0532-2016-03.


#28-1454-2016-12  Authorize the expenditure of $7,800.50 by the Education Department for the educational benefit of the children in school on the Fort Peck Reservation.


#28-1456-2016-12  Approve the FY 2017 Natural Resources proposed budget for application for noxious weed control funding from the Bureau.


#28-1457-2016-12  Authorizes Fort Peck’s appraised amount offer of $423,000 (Four hundred and twenty thousand dollars) for fee land owned by Chad and Heidi Taylor in Valley County, Montana. The subject property is located 1 mile south of Oswego. Chad and Heidi Taylor will be contacted by the Fort Peck Tribes Natural Resources Offer about this offer.


#28-1458-2016-12  Declare interest for appraisals for the following lands: surface only, Allot. No. 76: Nancy Black Duck, deceased, surface only, Allot. No. 256, John Crazy Dog, deceased and surface only, Allot. No. 2236: William Owns Pipe, deceased.


#28-1459-2016-12  Declare interest for an appraisal for the following lands: Allotment No. 1136-A: Albert Bad Hawk, deceased, Allotment No. 1569: Mary Owens Bad Hawk, deceased; Allotment No. 2153: Jacob Bad Hawk, deceased;
Allotment No. M1569-B: Mary Owens Bad Hawk, deceased; Allotment No. M2153-A: Jacob Bad Hawk, deceased.

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

### #28-1460-2016-12 (Prepared Resolution)
The Fort Peck Tribal Executive Board disclaim the Tribal inheritance of trust or restricted land from the Estate of Dennis Wayne Longtree, as found in Probate No. P 000a 41139 IP as follows: All interests of less than five percent (5%) on 54 tracts located on Fort Peck Reservation to Margaret Longtree Olson, sister of Dennis Wayne Longtree, Decedent. All funds due and owing to the Decedent Dennis Wayne Longtree’s JIM Account on his date of death to Margaret Longtree Olson, sister of Dennis Wayne Longtree. That a copy of this Resolution shall be presented to Administrative Law Judge R.S. Chester, in the Office of Hearings and Appeals, Department of the Interior at his office at 2718 Montana Avenue, suite 300, Billings, Montana 59101. That the Chairman and Secretary of the Fort Peck Tribal Executive Board are hereby authorized to sign this Resolution on behalf of the Fort Peck Tribal Executive Board.

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

### #28-1461-2016-12
Approve payment of Bio-West Invoices #16446405 through #164113 for the period January 1, 2015 for professional services rendered for the Big-Muddy Creek instream flow claim; and the Fort Peck Tribal Executive Board authorize payment from Fund 3819, Account 5040, Water Rights Services.


### #28-1462-2016-12
Approve of Enrolled Member Homsite Renewal leases for: Stephen Walton, and approve of Enrolled Member Renewal leases for James Helmer, Richard Kim, Thomas Flynn, and Russell B. Wilkins; Approve of Non-Enrolled Member Renewal leases for Landon Olfert, Dale M. Andersen, James Gartsied and William Reddig.


### #28-1463-2016-12
Approve the cancellation of leases due to downsizing (Lease No. 3040-2019 160 acres farmland NE¼ Sec. 12-28-51 and Lease No. 3043-2019; 465.00 acres 384 acres farmland & 81 acres pastureland Sec. 28-28-52 W1/2, SE¼.

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#28-1464-2016-12  Authorize Jourdan Hoops do all of the Tribal Executive Board’s travel.

10 for, 2 absent (AS, RG)

OIL & GAS

#28-1465-2016-12  Select Ben Buckles as Radio Manager with first alternate Sean Bighorn; second alternate Megan Gourneau.

8 for, 2 not voting (DB, PH), 2 absent (AS, RG)

LAW & JUSTICE

#28-1466-2016-12  Adopt an amendment to 17 CCOJ 108 stating that it is a Class A misdemeanor to refuse to take a chemical test of his/her blood, breath, or urine for the purpose of determining any measure amount or detected presence of alcohol or drugs in the person’s body, as set forth in the attachment document.

11 for, 1 absent (RG)

#28-1467-2016-12  The Fort Peck Tribal Executive Board adopts 17 CCOJ 107-A.

11 for, 1 absent (RG)

#28-1468-2016-12  The Fort Peck Tribal Executive Board adopts 7 CCOJ 433 as set forth.

11 for, 1 absent (RG)

#28-1469-2016-12  Authorize the Fort Peck Tribes Chairman to sign the JFA between the Water Resource Office and USGS.

11 for, 1 absent (RG)

HEALTH & HUMAN SERVICES

#28-1470-2016-12  Approve Tammi Eagle Boy, Riggins Smith, Kyro Brown, Deserea Rowe, and Colleen Romero, to work for HPDP PCA Program as temporary part time employee as of December 13, 2016.
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#28-1471-2016-12  Authorize compensation of $3.00 per hour for approximately 864 hours extending from October 19, 2016 to March 16, 2017 for the Enrollment Officer and Enrollment Data Technician positions to be paid from the Per Capita Account.


VETERANS/ELDERS & YOUTH

#28-1472-2016-12  Authorize a budget modification in the amount of $2,800.00 to Addendum No. 4 to the Services Contract with Newfields Companies LLC for the completion of Phase 1 environmental site assessment; and, that the Chairman is authorized to sign the budget modification to contract Addendum No. 4 on behalf of the Fort Peck Assiniboine and Sioux Tribes.


#28-1473-2016-12  Authorize the establishment of a tribal budget in the amount of $52,821.00 for no longer than months, to cover the SOARNA employees from October 1, 2016 through April 30, 2017 and once the SOARNA funds are released Tribal funding will no longer be needed.


#28-1474-2016-12  Approve to add 3 miles of the buffalo ranch road to the BIA road inventory system.


UNFINISHED BUSINESS

#28-1475-2016-12  Accept $10,000 from the Bureau of Indian Affairs for the Fish & Game for fencing wages.


#28-1476-2016-12  Extend another 30 working days for Errol Yellow Hammer.

NEW BUSINESS

#28-1477-2016-12 (Prepared Resolution) Authorize the approval to submit the HIP FY2016/2017 Work Plan, the Annual Performance Report, and a signed letter of support by the Tribal Chairman.


#28-1478-2016-12 Approve of the Resolution Log.


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 Regular meeting duly convened this 27th day of December 2017 and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 12 for.

[Signature]
Secretary Accountant

Chairman Vice Chairman
Fort Peck Tribal Executive Board