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.

CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE

#28-1543-2017-02 Authorize administrative leave for Terry Rattling Thunder for today, Jan. 30, and Feb 1; Authorize administrative leave for the TERO Director for Jan. 25, 2017.

7 for, 5 absent (DB)

EDUCATION

Meeting held, no action from this committee.

ECONOMIC DEVELOPMENT

#28-1544-2017-02 (Prepared Resolution) The Fort Peck Tribes accept Public Law 93-638 funding available from the BIA per Continuing Resolution #2 for FY 2017 in the amount of $2,089,294.00.


#28-1545-2017-02 (Prepared Resolution) The Tribal Executive Board authorizes the approval of the NABA Sub-recipient Agreement with Great Northern Development Corporation and for the Chairman/Vice-Chairman to sign all documents associated with the agreement.


#28-1546-2017-02 (Prepared Resolution) Authorize the request of the Great Northern Development Corporation and for the Chairman/Vice-Chairman to sign a letter of support as such.


#28-1547-2017-02 (Prepared Resolution) The Fort Peck Tribal Executive Board officially designates and authorizes Mr. Floyd Azure, Tribal Chairman, or his designated alternate representative, to endorse all official documents and correspondence which relate to the submission of the aforementioned Rural Business Development Grant (RBDG) application to the United States Department of Agriculture (USDA), to provide such additional information which may be requested or required from the USDA and to endorse any reciprocal “Offer of RDBG Grant/Financial Assistance Award” document which may be tendered by the United States Department of Agriculture (USDA) to the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation.


#28-1548-2017-02 The Fort Peck Tribal Executive Board approves of a letter of support for the Super-B Trucking/highway Over the Road Trucking Status from Plentywood to Culbertson to Poplar, Montana and have the Tribal Chairman, Floyd Azure sign the letter and all supporting documents.

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#28-1549-2017-02 The Fort Peck Tribal Executive Board approves to move on with the original plans on the construction of the Fort Peck Tribal Wellness Center. Amend motion to ceiling of $15 million and to hire a construction manage next week.


FINANCE

#28-1550-2017-02 Approve of the following contracts: 2017-01-001: SBRRC NISHNAABE Consulting LLC, No resolution, Assist SBRRC on a project basis tbd by both parties; 2017-01-002: Tribal Health, Rachel Harp, BSN dba Montana Foot Fare Nurse, LLC, No resolution, provide foot care; 2017-01-003: WIOA Jolene Crosswhite, No resolution, contract renewal, train staff and help implement "Project Assist." 2017-01-004: OEP, Larry Brooks, dba WATERS, No resolution, Assist in water sample testing; 2017-01-005: Central Administration, American Indian Consulting Services, Resolution 28-1482-2017-1, Train staff on record curating; 2017-01-006: SBRRC, Addiction Consulting Group Inc., No resolution, Consulting on substance abuse.


#28-1551-2017-02 (Prepared Resolution) Authorize amending the Financial Policies, Section 2 Payroll, 2.1.1. Time and Attendance to state, "A Payroll Timesheet Form will be submitted to the Central Payroll Office no later than 1:00 p.m. on the Friday after the completion of the pay period.


#28-1552-2017-02 (Prepared Resolution) Authorize amending the Financial Policies, Section 10 Travel, 10.5.1 Refunds and Reimbursements to state, "If the traveler cannot repay for amount in full, a referral will be made to have payroll deductions made within four or few installments to liquidate the amount due. If the amount is less than $100.000, the traveler must pay the amount in full.


#28-1553-2017-02 (Prepared Resolution) Authorize amending the Financial Policies, Section 10 Travel, 10.4.1 Mileage While in TDY Status to add an airline baggage amount limit to not exceed $50.00 base fee.


#28-1554-2017-02 Authorize the Certificate of Deposit Account Registry Service (CDARS) account placement with Independence Bank, Poplar, MT, for the amount of $7,000,000.00 with the date of placement on Jan. 25, 2017.

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9 for, 3 absent (TC, DB, RG)

#28-1555-2017-02  (Prepared Resolution) Authorize a thirty-day extension for Dewayne Hamilton as the Community Health Representative for the Tribal Health Department.


#28-1556-2017-02  Approve of the contracts and grants: Contract #2017-01-007 (Grant Writing), RJS Association; 2017-01-008 Adult Corrections, Brian Healy dba BH Construction; 20107-01-009 (HPDP), Car Reck, RDH; 2017-01-010 (HPDP), Diedri Durocher, RDH; 2017-01-011 Tribal Health (Joseph E. Reyling, DD); 2017-01-012 HIP (Trail of Tears Construction).


#28-1557-2017-02  Approve to pay the legal invoices in the amount of $52,783.31 for invoices for various accounts for November/December 2016 to Sonosky, Chambers, Sachse, Endreson & Perry.


#28-1558-2017-02  The Fort Peck Tribal Executive Board adopts the “Fort Peck Tribes Record of In-Kind Contributions.”


#28-1559-2017-02  Adopt the “Biweekly Time and Effort Report for Employees paid from Multiple Funds.


#28-1560-2017-02  (Prepared Resolution) Affirm Resolution # 1483-1992-09 authorizing placing the per capita payments for children in Foster Home Placement and those in custody proceedings in Tribal courts in their respective IIM account.


#28-1561-2017-02  (Prepared Resolution / Vikki Halverson) Approves of the deadline of one year, December 1st, 2017; one week before the next per capita check is printed.


#28-1562-2017-02  Accept the low bid of $15,000 for a snow plow for the Fish and Game Department; with the funding to come out of 1001-5362.

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The Fort Peck Tribal Executive Board supports the TIRES ACT for improving road safety and authorizes the Chairman to write a Letter of Support to U.S. Senator Steve Daines (MT), 310 N. Center, Hardin, MT 59034.


LAND

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, Franklin Miller Whitright, in favor of Willard Gilbert Miller, brother and eldest sibling, an eligible heir, as required by 43 CFR Part 30. That a copy of this Resolution shall be presented to the 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.


The Fort Peck Tribal Executive Board authorizes the release of the requested information (report) by the FSA about tribal legal descriptions of land affected by the Land Buy Back Program.

Roll call vote: Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-yes, Buckles-absent, Chapman-yes, Shields-yes, Summers-yes, Gourneau-no, Bauer-yes, Hopkins-yes, Crow Belt-yes. 10 for, 1 opposed (RG), 1 absent (DB)

The Fort Peck Tribal Executive Board authorizes a 10 year developmental lease with YDOC Land & Livestock LLC regarding Tract T1682 & Tract 1683-A within the boundaries of the Fort Peck Irrigation District. YDOC will incur the cost to install a center pivot irrigation system, close the abandon irrigation ditch, bring 3 phase power to the pivot point and install a booster pump. The project will cost $156,581.00. YDOC agrees to pay $16.00/acre for the first 5 years and $32.00/acre for the next 5 years of a 10 year develop lease. YDOC will pay the irrigation water tax and the cost of electricity to operate the pivot and run the booster pump.

Roll call vote: Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-yes, Buckles-absent, Chapman-yes, Shields-yes, Summers-yes, Gourneau-no, Bauer-yes, Hopkins-yes, Crow Belt-yes. 10 for, 1 opposed (RG), 1 absent (DB)

Approve of the ASRWSS Commission’s recommendation to the Land Committee to approve of paying the BIA invoices for the years 2014, 2015, 2016 in the amount of $31,770.56.

Roll call vote: Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-yes, Buckles-absent, Chapman-yes, Shields-yes, Summers-yes, Gourneau-no, Bauer-yes, Hopkins-yes, Crow Belt-yes. 10 for, 1 opposed (RG), 1 absent (DB)

Approve of an exchange with Ross Sansaver for 2 acres of land in 40 acres of which the Tribe owns 2 acres of land. He wants to exchange for interest he owns in another 40 40 acres, he owns 1/10 of 4 acres.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-absent, Chapman-yes, Shields-absent, Summers-absent, Gourneau-not voting, Bauer-yes, Hopkins-yes, Crow Belt-no. 6 for, 1 opposed, (LCB), 1 not voting (RG), 4 absent (TC, DB, AS, SS)
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#28-1569-2017-02
Express interest in Allot No. 3376; Anton Emil. Deceased; surface only, an undivided 2/9 interest in the SW1/4, Sec. 14 T31N, R45E, NE1/4, Sec. 22, T30N, R49E, and NE1/4SE1/4, Sec. 27, T30N, R45E, Principal Meridian, Montana, containing 360.00 acres, more or less. Tribes own 44% interest in this tract (3 co-owners; Agricultural lease No. 1987-2017, lessee, Dave Weiferich, 160.00 acres of pastureland @ $4.00 per acre of $640.00 annually; Range Unit No. 62, Permittee, Fort Peck Tribes Buffalo Ranch, 160.00 acres in the NE1/4, Sec. 22, T30N, R49E, 59.00 AUM or $1,085.60 annually; Range unit No. 83, Permittee, James Anderson Family Living Revocable Trust, 40.00 acres in the NE1/4SE1/4, Sec. 27, T30N, R54e, AUM or $202.40 annual.

8 for, 1 opposed (RG), 2 absent (TC, DB)

#28-1570-2017-02
Approve of Enrolled Member Homesite Renewal for Verbena Savior, and Richard Young; Approve of Cancellations for Fort Peck Land Owners Association, Renee Fettig, Clay Young, and Patricia Klotz.

10 for, 2 absent (DB, AS)

#28-1571-2017-02
Approve of Enrolled Member Renewals for Andrea Trottier, Jana Nygard (2 tracts), and John Nygard; Approve of Non-Enrolled Member Renewal for Roger Nygaard.

9 for, 1 opposed (RG) 2 absent (DB, AS)

#28-1572-2017-02
(Prepared Resolution) Disclaim the Tribal interest of trust or restricted land from the Estate of Joyce Faye Tootoosis, (Probate 000137239 IP). All interest of less than five (5) percent (%5) on three (3) tracts located on Fort Peck Reservation to Joyce A. Casillas, 206U005410 of Joyce Faye Tootoosis, decedent. All interests of greater than five (5) percent on twelve (12).

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

#28-1573-2017-02
Declare interest in Allot. No. 2795: Theresa Necklace, deceased: surface only: a full 1/1 interest in the E1/2, Sec. 34, T32N, R53E, Principal Meridian Montana, containing 320.00 acres. (Owner, Linda Melbourne), Agricultural lease No. 1033591519, Lease, Anthony Johnson, 320.00 acres of pastureland.

10 for, 2 absent (TC, DB)

#28-1574-2017-02
Declare interest in farm land in Valley County, T32N, R44E, MPM, Section 23, NE1/4SW1/4, NE1/4SE1/4 for $50,000.00. Owners are Susan and Percy Kegel, Peerless, MT.

9 for, 1 opposed, (RG), 2 absent (TC, DB)

#28-1575-2017-02
Allow our Natural Resources Director, Myrna Walking Eagle to negotiate a price with Mr. Diane Lee Atchinson, Sioux Falls, SD. (Land: T27N, R49E, M.P.M, Sec. 4, SW1/4NW1/4, SW1/4SW1/4, 80.00 acres, more or less and T27N, R49E, M.P.M., Section 4, NW1/4SW1/4, 40.0 acres, more or less x 1/3 interest).
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#28-1576-2017-02  Allow our Director to negotiate for land description: T29N, R46E, Sec. 34 El/2, 320 acres farm land at $600/acre, 118 acres of grassland at $360/acre. Owner: Maureen Hader.


#28-1577-2017-02  Declare interest and request an appraisal for land description NE1/4, Section 29-28N-46E, 143.41 acres cropland at $500-$600, currently in alfalfa grass mix and 17.01 acres of range land at $150 to $250/acre. Also 1/27 interest in Sec. 6-28-46E willing to sell, along with the above said tract. Owners are Ted & Joy Toavs.


OIL & GAS
Meetings held, but no action from this committee.

LAW & JUSTICE

#28-1578-2017-02  Rescind Resolution #28-1523-2017-01.


#28-1579-2017-02  Authorize the JDC program to promote Gina Jones-Haumpy into the sergeant positions retaining the years/steps already served.


#28-1580-2017-02  (Prepared Resolution) Approve the submittal of the FY 2018 STEP grant application.


#28-1581-2017-02  (Prepared Resolution) Approve that the Fort Peck Tribal Executive Board does hereby adopt 17 CCOJ 244, Partner and family member assault, as set forth in the attached document and repeals the current 7 CCOJ 244 and 245 and edits any subordinate references in the Comprehensive Code of Justice.


#28-1582-2017-02  (Prepared Resolution) Amend 17 CCOJ 131 as set forth herein: Sec. 131. Safety belt use required, (a) any person operating a motor vehicle shall wear the safety belt assembly in a properly adjusted and securely fastened manner, (b) No person shall operate a motor vehicle unless all passengers are either wearing a safety belt assembly or are securely fastened into a approve child restraint system as set forth in Section 130(a) of this Title.
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10 for, 2 absent (DB, MC)

#28-1583-2017-02  Approves the promotion and adjusted wage scale for Amber Black Dog to a Grade 11, Step 4 and authorizes she retain her 8 years of service.

10 for, 2 absent (DB, MC)

#28-1584-2017-02  (Prepared Resolution) Authorize the preparation and submission of a Family Treatment Healing to Wellness Court application to the Substance Abuse and Mental Health Services Administration (SAMHSA), Department of Health and Human Services (DHSS) under funding opportunity number TI-7-004 (CFDA #93.243); and that the Fort Peck Tribal Executive Board hereby designates and authorizes the Honorable Mr. Floyd G. Azure, Tribal Chairman, or his designated alternate representative, to endorse all official correspondence and documents.

10 for, 2 absent (DB, MC)

#28-1585-2017-02  Appoint Jennifer Cross as a Special Tribal Prosecutor for the Fort Peck Tribes.

10 for, 2 absent (DB, MC)

#28-1586-2017-02  Appoint Nathan St. Goddard as a Special Judge for the Fort Peck Tribes.

9 for, 3 absent (DB, MC, AS)

HEALTH & HUMAN SERVICES

#28-1587-2017-02  Authorize changes to the Fort Peck Tribal Health Medical Assistance Travel Assistance Policy.


#28-1588-2017-02  Approve adding the position of Codes Biller/Billing Assistant to the organizational structure of the Spotted Bull Recovery Resource Center, and approves that the federal classification of the Codes Biller/Billing Assistant at GS-7 level.

9 for, 3 absent (DB, MC, AS)

#28-1589-2017-02  (Prepared Resolution) Approve of extending a contract with Courage Crawford.

9 for, 3 absent (DB, MC, AS)

#28-1590-2017-02  Approve to adopt the Indian Health Service Title 38 Special Salary rate table GS-0610, Nurse Effective January 8, 2017.
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VETERANS, ELDERS & YOUTH

#28-1591-2017-02 (Prepared Resolution) Approve the Enrollment Committee recommendations for enrollment, name changes, blood degree changes and relinquishments: 10 Group 4, Full Membership, 9 Group 5, Associate Members, 17 Name Changes, 5 Blood Degree Changes, 4 Relinquishments.


#28-1592-2017-02 (Prepared Resolution) Authorize the SAVTP Contract # A16AV00012 request to modify Sexual Abuse Victims Treatment Program Contract # A16AV00012/A12AV01002 is requesting approval of modification to the FY16 Statement of Work, Budget and Budget narrative previously awarded to SAVTP by the Bureau of Indian Affairs using the FY16 carry over funds in the amount of $500,060.09.


#28-1593-2017-02 (Prepared Resolution) Approve of Red Bird Woman Centers request to accept the grant award of $32,580.00 from DHHS - ACF 175-17 Title IV-B Subpart 1 Program Document #G-16-PLMTCWSS to continue services to families.


#28-1594-2017-02 Authorize the purchase of a snow plow with the purchase to come out of the contingency line item #1001-5362 for the amount of $7,026.00.


#28-1595-2017-02 Authorize the P.L. 102-477 program to allocate $15,000 in 477 carry-over funds to the Fort Peck Community College to assist the college with funding for the ABE (Basic Adult Education).


#28-1596-2017-02 Approve of donating the Poplar School District telephone system models 1120 and 1140 that are no longer used by the Fort Peck Tribes because they are obsolete and no longer compatible with the Tribes new phone system.


#28-1597-2017-02 Extend the appointment of Elisha Gray Hawk for another 30 days.

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#28-1598-2017-02  
Extend an invitation to the new Secretary of Education Betsy DuVos.

10 for, 2 absent (DB, AS)

UNFINISHED BUSINESS

#28-1599-2017-02  
Authorize the Adult Corrections Department to pay the TERO Tax; Tribes will reimburse.

9 for, 3 absent (TC, TRT, DB)

#28-1600-2017-02  
Authorize the hair follicle drug testing.

8 for, 4 absent (TC, TRT, DB, RG)

#28-1601-2017-02  
Authorize sending the lawsuit against the Make It Right Foundation to Tribes' lawyers.

8 for, 4 absent (IRT, DB, AS, RG)

#28-1602-2017-02  
Approve to advertise the position of the Election Supervisor.

7 for, 5 absent (TC, TRT, DB, MC, RG)

#28-1602A-2017-02  
(Prepared Resolution) Approve of raising the money limit from $125,000.00 to $200,000.00 by amending the contract with Health Systems Analytics.

9 for, 3 absent (TRT, DB, RG)

NEW BUSINESS

#28-1603-2017-02  
Approve of the Resolution Log.

7 for, 5 absent (TC, TRT, DB, MC, RG)

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 Recessed Special meeting duly convened this 14th day of February, 2017 and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 11 for.
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Chairsman/Vice-Chairman
Fort Peck Tribal Executive Board

Secretary Accountant