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

#28-1684-2017-03 Approve of the Meeting Agenda.


#28-1685-2017-03 Approve of the March 13, 2017 Special Board meeting minutes.


#28-1686-2017-03 Approve of the Travel Resolution Log.


CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE

No actions from this committee.

EDUCATION

#28-1687-2017-03 (Prepared Resolution) Authorize and approve the mandated application by the Fort Peck Housing Authority for funding Fort Peck Warrior’s Center, to the United States Department of Veteran Affairs Notice of Funding Availability as published in the Federal Register, Vol. 81, No. 247, pub. Friday, December 23, 2016, pp 94487-94494, to be submitted by April 4, 2017.


ECONOMIC DEVELOPMENT

#28-1688-2017-03 (Prepared Resolution) Approve of the Memorandum of Agreement for Public Health Service/Indian Health Service and Sanitary Facilities construction for Fort Peck Tribal Housing 2017 Project /BI-17-A29 for the amount of $440,000; and authorizes the Chairman to sign the MOA.
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#28-1690-2017-03  (Prepared Resolution) Authorize RJS and Associates, Inc. to lead the preparation and submittal of a grant proposed for FTA funding with the Fort Peck Tribal Transit program as the lead agency; and, authorizes the Chairman (for his designee) to endorse all official re and post award correspondence and documents related to the grant application.


#28-1691-2017-03  (Prepared Resolution) The Fort Peck Tribes pay interest current on loan #57177 and extend the maturity date to July 01, 2017 and authorizes the Chairman/Vice-Chairman to sign any and all loan documents related to this obligation.

Roll call vote: Headdress-yes, Christian-absent, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-no, Summers-no, Gourneau-no, Bauer-no, Hopkins-yes, Crow Belt-yes. 7 for, 4 opposed (AS, SS, EB, RG), 1 absent (TC)

FINANCE

#28-1692-2017-03  Approve of the following contracts: 2017-03-001, 3/6/2017 HPDP; Lisa Miller DBA Lite House 777 - Provide mental health services; 2017-03-002, 3/6/2017 HPDP; Duane Jeanotte-Provide assistance in maximizing program revenue. 2017-03-003, 3/14/2017 Minerals Geomon Consulting - Conduct research and perform analysis consulting.

Roll call vote: Headdress-yes, Christian-not voting, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-no, Summers-no, Gourneau-no, Bauer-no, Hopkins-yes, Crow Belt-yes. 7 for, 2 not voting (TC, SS) 2 opposed (AS, RG), 1 absent (MC)

#28-1693-2017-03  (Prepared Resolution) Authorize the submission of the 638 contract grant request for the East Poplar Unit ground water investigation project in the amount of $100,000 for the FY 2017 and 2018 and authorize the Tribal Chairman to sign all related contract documents.

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#28-1694-2017-03
Authorize $20,000 out of contingency line item #1001-5362 to financially assist the Poplar Volunteer Fire Department buy a used fire truck. The Fort Peck Tribes will have access to this Fire Truck.


#28-1695-2017-03
(Prepared Resolution) Authorize amending the Financial Policies, Section 5 Procurement, 5.11.3 authorization for Charges Above the Maximum Allowed to state, “Any cellular charges under $100 must be paid in full.

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

#28-1696-2017-03
(Prepared Resolution) Authorize $2,500.00 be given to all powwow committees on the Fort Peck Reservation with the stipulation that the previous year receipts must be presented before the current year $2,500.00 be given to the pow-wow committees.


#28-1697-2017-03
Authorize the Department of Corrections to pay last year’s 2016 fiscal year bills $33,015.22.


#28-1698-2017-03
Approve of Contract #2017-03-004 NADP/Univ. of Illinois, Provide data and technical support.


LAND

#28-1699-2017-03
(Prepared Resolution) The Fort Peck Tribal Executive Board directs the Bureau of Indian Affairs to place the following land in trust under the authority of 25 CFR 151.10(a), to place the described fee property in trust for the beneficial use of the Assiniboine and Sioux Tribes to consolidate ownership to increase land base for economic development.


#28-1700-2017-03
(Prepared Resolution) The Fort Peck Tribal Executive Board hereby approves directing the Bureau of Indian Affairs, under the authority of 25 CFR 151.10(a), to place the described fee property in trust for the beneficial use of the Assiniboine and Sioux Tribes to consolidate
ownership to increase land base for economic development. Township 31 North, Range 43 East, M.P.M., Section 23: 5/8 NE¼, Section 24: SW¼; S½ SE¼; NW¼ SE¼ Section 30: Lots 1, 2, and 3; E½ NW¼; NE¼ SW¼.


#28-1701-2017-03  (Prepared Resolution) The Fort Peck Tribal Executive Board under the authority of 25 CFR 151.10(a) directs the Bureau of Indian Affairs to place this land into trust (76 acres) for the beneficial use of the Assiniboine and Sioux Tribes to consolidate ownership to increase land base for economic development - Township 27 North, Range 44 East, M.P.M., Section 28: SW¼ NW¼, NW¼ SW¼, Section 29: SE¼ NE¼, SW¼ NE¼, N ½ SE¼, And more particularly described on Doc. No. 474504, Misc. File No. 20530.


Roll call vote: Approve to purchase three (3) Wolf Point from The Lambert Revocable Living Trust from Kathy J. Buckles, Trustee for the sum total of $19,4304.

#28-1703-2017-03 Declare Interest and requests an appraisal for land (304.91 acres) owned by Diane Lee Atchison for land described as: T27N, R47E, M.P.M., Section 7: W½ SE¼, Lots 3, 4, 7, 8, 9, 11, 12.


#28-1704-2017-03 Approve declaring interest in to request an appraisal for land (tract No. 5252) described as surface only: an undivided ½ interest in the NE1/4, NW1/4, Sec. 34, T33N, R47E, Principal Meridian, Montana, containing 320.00 acres more or less. The Fort Peck Tribes own an undivided ½ interest in the property, and there is a pending agricultural lease.


#28-1705-2017-03 Approve the purchase of Allotment #3793, surface only, at the Fair Market Value of $70,470.00 or $220.00 per acre from Landowner: Marian Hohman, who owns a full 1/1 interest (320.32 acres) interest in the property: the legal description is NE1/4SE2/4, NE1/4SW1/4, NW1/4SE1/4, SE1/4NE1/4, SE1/4SE1/4 Lots 1 and 2, Sec. 2, T30N, R41E, Principal Meridian, Montana, containing 320.32 acres more or less.

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#28-1706-2017-03  Approve Enrolled Member Renewal Lease for Arthur Grey Bull and James D. Holen; Approve Enrolled Member New Homestie Lease for Angeline Red Thunder, Jeff Stump, and Jesse DeMarrias.


#28-1707-2017-03  Approve Non-Enrolled Member Renewal Lease for John Rogene.


#28-1708-2017-03  Approve to amend Resolution #28-1658-2017-03 by changing the amount of $15,000 to $10,000.


#28-1709-2017-03  Authorize purchase of land owned by Brent Toavs for land with the legal description of:


#28-1710-2017-03  (Prepared Resolution) Authorize the Fort Peck Tribal Chairman to sign a letter of support for the Federally Recognized Tribal Extension Program Grant, which is under the USDA National Institute of Food and Agriculture, and also support the Fort Peck Reservation Extension Office to continue to provide services and information to the residents of the Fort Peck Reservation.


#28-1711-2017-03  Authorize the adoption to reclassify the Administration Officer (TTP) position at the Final Classification Determination of GS 5½-12 at $21.24 per hour or $44,179.20 per annum; and authorize acceptance of the job position description for the Transportation Planner position at the Final Classification Determination of GS 11, Step 1, $17.71 per hour or $36,836.70 per annum.


#28-1712-2017-03  (Prepared Resolution) The Tribal Executive Board of the Assiniboine and Sioux Tribes respectfully requests that the Secretary of State, as the representatives of the United States, trustee for the lands and waters of the Fort Peck Indian Reservation and ASRWSS facilities, approve an alternative route for the Keystone XL Pipeline at a location further downstream from the ASRWSS intake and the Fort Peck Indian Reservation in the Keystone permit approval; and be it further resolved
that if an alternative round is not approved, the Executive Board of the Assiniboine and Sioux Tribe requests the Secretary of the Interior to schedule and conduct such meetings with the Secretary of State, Keystone, the Tribes, EPA and Interior as necessary to reach agreement on the protective measures, permit conditions, liabilities and funding by Keystone related to prevention, detection, clean up, restoration and provision for alternative water supplies, as needed, in the event of an oil sand crude spill into the Milk or Missouri Rivers at the currently proposed Keystone crossings.


OIL & GAS

#28-1713-2017-03 (Prepared Resolution) Approve authorizing Contract Modification #10 with Watson Engineering for Fort Peck Reservation Rural Water Project; and authorize Chairman Azure to sign Modification #10 to the Agreement for Engineering Services with Watson Engineering in furtherance of the Tribes objectives to advance the 2023 completion of the Assiniboine an Sioux Rural Water Supply System.

Roll call vote: Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-absent, Summers-yes, Gourneau-no, Bauer-no, Hopkins-yes, Crow Belt-yes. 7 for, 2 opposed (EB, RG), 1 not voting (AS), 1 absent

#28-1714-2017-03 (Prepared Letter) The Fort Peck Tribal Executive Board approves the Chairman of the Assiniboine and Sioux Tribes of the Fort Peck Reservation to express the Tribes support by signing the prepared letter for the nomination of Judge Neil Gorsuch to serve on the United States Supreme Court and by doing so join a number of other tribes and tribal organizations from across the country, including the Fort Belknap Tribes and the Confederated Salish and Kootenai Tribes of Montana.

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

#28-1715-2017-03 The Fort Peck Tribal Executive Board approves acceptance of the submitted bid from Will’s Office World (WOW) for the amount of $10,551.00 with trade in of Human Resources old copier.

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

LAW & JUSTICE

#28-1716-2017-03 The Fort Peck Tribal Executive Board opposes HB 571 and HB 522.

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#28-1717-2017-03 (Prepared Resolution & Prepared Letter) The Fort Peck Tribal Executive Board, exercising its sovereign rights under Public Law 93-638, Indian Self-Determination Education & Assistance Act, as amended, has determined that enrolling the tribal detention officers to the Montana Law Enforcement Academy is in the best interests of the Assiniboine and Sioux Tribes; and that it will meet or exceed the requirements set forth in the said Public Law 93-638 contract; and The Fort Peck Tribal Executive Board authorizes the Tribal Chairman sign the prepared letter that will be sent to Stella Corbin, Awarding Official, BIA, Rocky Mountain Regional Office, Billings, MT.


#28-1718-2017-03 (Prepared Resolution) Approve probation officers having the authority to arrest supervised offenders upon the probation officer being certified by the Fort Peck Department of Law and Justice in Arresting and Handcuffing Techniques, Defensive Tactics and the Use of Pepper Spray and Tasers.


#28-1719-2017-03 (Prepared Resolution) The Fort Peck Tribal Executive Board does hereby approves adopting 6 CCOJ 840 stating that SORN A compliance officers have the authority to arrest as set out in the statute Arresting and Handcuffing Techniques, Defensive Tactics and the Use of Pepper Spray and Tasers.


#28-1720-2017-03 The Fort Peck Tribal Executive Board does hereby adopt CCOJ 422 as set forth in the statute Protection of government officials, employees and law enforcement officers and repeals 7 CCOJ 433.

Roll call vote: Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-no, Summers-yes, Gourneau-no, Bauer-no, Hopkins-yes, Crow Belt-yes. 9 for, 3 opposed (AS, EB, RG)

#28-1721-2017-03 (Prepared Resolution) Approve to adopt 7 CCOJ 135 of the Comprehensive Code of Justice as set forth in the statute setting out the appropriate law for regulating lighting equipment on a vehicle.

Roll call vote: Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-no, Summers-yes, Gourneau-no, Bauer-no, Hopkins-yes, Crow Belt-yes. 9 for, 3 opposed (AS, EB, RG)

#28-1722-2017-03 (Prepared Resolution) The Fort Peck Tribal Executive Board supports the Fort Peck Tribal Court policy to utilize TAP to input and retrieve data for sex offender registration, criminal bookings, arrest warrants, fingerprint based inquiries, and to list people on probation, on the do-not-drive list, people who are banished, people against whom there are OOP or TRO, and also to input final orders for custody, domestic violence, VAWA defendants and felony drug convictions.
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Roll call vote: Headdress-yes, Christian-yes, Rattling Thunder-yes, Stafne-yes, Buckles-yes, Chapman-yes, Shields-no, Summers-yes, Gourneau-yes, Bauer-no, Hopkins-yes, Crow Belt-no. 9 for, 3 opposed (AS, EB, LCB)

#28-1723-2017-03  (Prepared Resolution) Approve submittal of the FY 2018 Indian Highway Safety grant application.


#28-1724-2017-03  (Prepared Resolution) Approve the payment of $13,960.48 to Armacost Trane Service Company for past due FY 16 bills.


#28-1725-2017-03  Authorize Tribal Chairman Floyd Azure to sign the prepared letter to the Valley County Commissioners regarding Satellite Election Office in Frazer.


HEALTH & HUMAN SERVICES

#28-1726-2017-03  (Prepared Resolution) Authorize an additional 30-day appointment for Clarice Longtree as the Vocational Rehabilitation Counselor.


#28-1727-2017-03  (Prepared Resolution) Approve Latoya Deserly, Billy Joel Escarcega and Misha Cloke to work for HPDP PCA Program as temporary, part-time employees, as of March 6, 2017.


#28-1728-2017-03  (Prepared Resolution) Approve Michelle Buckles and William Yellow Owl to work for HPDP PCA Program as temporary, part-time employees as of March 14, 2017.


#28-1729-2017-03  (Prepared Resolution) Approve of Red Bird Woman accepting the grant award of $27,421.00 from DHHS-ACF FY 15-17 title IV-B subpart 1 program Document # G-17PLMTCWSS to continue services to families.
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#28-1730-2017-03 (Prepared Resolution) Approve of Red Bird Woman Center request to accept grant award of $38,902.00 from CHHS-ACF FY 15-17 Title IV-B subpart 1 program Document # G-17PLMTFPSS to continue services to families.


#28-1731-2017-03 (Prepared Resolution) Amend the TSHIP Policies and Procedures Manual, page 3 Item II, Eligibility Criteria A.3 be amended to include VA health care services as a disqualification for TSHIP.


VETERANS/ELDERS & YOUTH

#28-1732-2017-03 Authorize the Assiniboine Council withdraw the amount of sixteen thousand, eight (8) hundred and forty eight (8) dollars ($16,848.000) from the JA9456375 account held with the United States Department of the Interior, Office of Special Trustee.


#28-1733-2017-03 Approve the recognition of Bre Hollow Horn and Kaci Wallette as official Executive Board Members of the Fort Peck Assiniboine Council.


#28-1734-2017-03 Direct the Sonosky law firm to research possible litigation against Darryl Crowley regarding diversion and blockage of natural water flows at Box Elder that causes periodic hazardous flooding conditions on Hwy. 2.


#28-1735-2017-03 (Amended Prepared Resolution) Approve of the amended ASRWSS Draft Resolution “2017 Modification of Wetlands Contract with Joe Elliott, PhD.; for the amendment change is in the third WHEREAS where the clause “cost proposal,” will be replaced with “contract.”
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#28-1736-2017-03 (Prepared Resolution) Authorize the James E. Shanley Tribal Library to submit their proposal for Basic grant under the Institute of Museum and Library Services (IMLS) program which will provide basic public library services to people living on the Fort Peck Reservation.


UNFINISHED BUSINESS

No motions at this time.

NEW BUSINESS

#28-1737-2017-03 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 March 2017 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