

**RESOLUTION #1727-2011
February 14, 2011**

**SPECIAL BOARD MEETING
10 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 in behalf of the Tribes. All actions shall be adherent to provisions set forth in the 1960 Constitution and By-Laws and Public Law #449;

CHAIRMAN'S REPORT

- 1650-2011-02** Accept the Spotted Bull Recovery Resource Center Organizational Chart with the understanding that employees must understand they have to reapply for positions. *9 for, 0 opposed, 2 absent.*
- 1651-2011-02** **(Substitute Motion)** Accept the contract with Traci Henderson as Tribal Health Director for two years at Spotted Bull Treatment Center, subject to legal review by Ryan Rusche. *8 for, 2 opposed, 2 absent.*
- 1652-2011-02** Direct Indian Health Service to maintain the Diabetic Coordinator position as it once was. *9 for, 0 opposed, 1 not voting, 2 absent.*
- 1653-2011-02** Approve travel delegation to Helena, Montana, Feb. 14, 15, & 16, 2011. *9 for, 0 opposed, 3 absent.*
- 1654-2011-02** Approve of the Travel Resolution Log. *9 for, 0 opposed, 3 absent.*

CONSTITUTIONAL REFORM / RESOLUTIONS / LEGISLATIVE

- #1655-2011-02** The Fort Peck Tribes agrees to pay for the funeral bills for **Harry Beauchamp III** (deceased - \$1,877.19), and **Dennis Beauchamp** (deceased - \$1,847.58) in the total amount of \$3,724.77 to Clayton-Stevenson Memorial Chapel - contingent on if the deceased are enrollable with the Fort Peck Tribes. If the deceased aren't enrollable then Harry Beauchamp II (father) will reimburse for funeral expenses. *6 for, 0 opposed, 1 not voting, 5 absent.*

LANGUAGE & CULTURAL RESTORATION

- #1656-2011-02** Approve of the **Assiniboine Council** of Jan. 29th with Mason Runs Through Jr., Chairman; Sandra White Eagle, Secretary/Treasurer; with Jonny Lee Stiffarm, George Redstone, Henry Flynn and Kris Fourstar, Patty Pipe and Ron Moccasin Sr., as executive committee members. *7 for, 0 opposed, 5 absent.*
- #1657-2011-02** Approve to concur with the **Assiniboine Council budget submitted.** *7 for, 0 opposed, 5 absent.*
- #1658-2011-02** Recognition of **Mason Runs Through Jr.**, as the replacement of the outgoing Chairman (Lance Fourstar) on the Language and Restoration Planning Committee. *8 for, 0 opposed, 4 absent.*
- #1659-2011-02** **Amend Resolution #1772-2009-05** to include road maintenance department 638 contract. *7 for, 0 opposed, 5 absent.*

LAW & JUSTICE

- #1660-2011-02 **(Prepared Resolution)** Travel delegation approved for: **Lt. James Summers** to Brady/Giglio training for law enforcement March 17, 2011 in Billings, MT; 2. **Angela Matthews** to FBI MDT Crimes Against Children, March 1-3, 2011 in Denver, CO; and 3. **Doug Marottek and Joray Four Bear** to Basic Crash Investigation, Feb. 28-March 4, 2011, in Butte, MT. *8 for, 0 opposed, 4 absent.*
- #1661-2011-02 **Travel delegation** approved for **Councilman Charles Headdress** so that he may attend the IN-MED Board of Directors meeting, Feb. 21-23, 2011, at Grand Forks, ND. *8 for, 0 opposed, 4 absent.*
- #1662-2011-02 **Travel delegation** approved for **Councilman Charles Headdress** to a Benefis Hospital meeting, Feb. 24-26, 2011, Great Falls, MT. *8 for, 0 opposed, 4 absent.*
- #1663-2011-02 Administrative leave approved for: **Councilman Tom Christian** Feb. 16-18, (*Personal leave to Canada*); **Councilman Stoney Anketell** Feb. 7-8, 2011 *Sick leave*; **Councilman Darryl Red Eagle** Feb. 7-8, *Sick leave*; John Weeks, Feb. 18 & 24 (doctor's appt.); Rick Kirn to be excused from the Feb. 28, 2011 Regular Board Meeting and March 7-11 for personal reasons. *8 for, 0 opposed, 4 absent.*
- #1664-2011-02 To direct the **Red Lodge School**, Red Lodge, MT, to change their **mascot** name from Red Skins to another name that is not derogatory/demeaning to Native Americans. *7 for, 0 opposed, 1 not voting, 4 absent.*
- #1665-2011-02 **Travel Delegation** request approved for **Stacy Crawford** March 15-18, 2011, Scottsdale, AZ, to attend a Multi-Discipline Team Academy meeting. *8 for, 0 opposed, 4 absent.*

FINANCE

- #1666-2011-02 **(Prepared Resolution)** Approve of paying **Smith & Doherty invoice #5364** for the months of Oct. and Nov. 2010 in the amount of \$1,428.90. *8 for, 0 opposed, 4 absent.*
- #1667-2011-02 **(Prepared Resolution)** Approve of **Sonosky, Chambers, Sachse, Endreson & Perry** law firm invoices for the Month of November, 2010, in the amount of \$57,278.75. *8 for, 0 opposed, 4 absent.*
- #1668-2011-02 Approve of a travel delegation for **Mike Todd** who will represent the Center for Native Health Partnerships program to attend the Montana-Wyoming Tribal Leaders Council, Planting Seeds of Hope, Feb. 10, 2011, at 222 North 32nd Street, Suite 401 Billings, MT. *8 for, 0 opposed, 4 absent.*
- #1669-2011-02 **(Prepared Resolution)** Approve the **Fort Peck Tribal Credit Program's** request to increase the Credit Committee's pay from \$78.75 to \$100.00 a day with Mileage accrual of .50 a mile. *8 for, 0 opposed, 4 absent.*
- #1670-2011-02 Approve of authorizing **Minerals director** to pursue collection of all past utility taxes with the assistance of Ryan Rusche, In-House attorney. *8 for, 0 opposed, 4 absent.*

- #1671-2011-02 Authorize **13 payroll advances** with the full amount to be reimbursed by the next pay period; this action will rescind all previous actions re: payroll advances. *7 for, 0 opposed, 1 not voting, 4 absent.*
- #1672-2011-02 Approve to **waive driver's license requirements** for labor positions that are not required to drive a tribal or government vehicles - for all tribal programs. *7 for, 1 opposed, 4 absent.*
- #1673-2011-02 To open **SBTC 24/7** until the end of March 2011 for those that need lodging. *8 for, 0 opposed, 4 absent.*

NATURAL RESOURCES / LAND

- #1674-2011-02 Approve of **Darin Falcon's travel requests** to (1) Billings, MT for **Larry Hamilton** and co-driver to retrieve 160H grader with plow wing installed. 2 days during week of January 31-Feb. 4; and (2) approve of a trip for **Dale Robertson** to Minot, ND, Jan. 28, 2011 to retrieve building materials for old Poplar airport renovation. *7 for, 0 opposed, 5 absent.*
- #1675-2011-02 **(Prepared Resolution)** Approve to affirm priority list updates to the **ARRA IRR Transportation Improvement Plan** and the FY 2011 Construction season project list; And authorize the Fort Peck Tribal Chairman and/or Vice-Chairman to sign the approved resolution the updates the ARRA IRR Transportation Improvement Plan and the FY2011 Construction season project list. *7 for, 0 opposed, 5 absent.*
- #1676-2011-02 **(Prepared Resolution)** Authorize a **Joint Funding agreement with the USGS** in the amount of \$148,000 And authorize the Chairman to sign on behalf of the Tribes. *7 for, 0 opposed, 5 absent.*
- #1677-2011-02 Approve of a **travel delegation** for: 1. **Vina Smith** to San Francisco, CA to attend NSTA conference; 2. **Debi Madison** to Denver, CO, to attend Missouri River Recovery Implementation; Feb. 14-18, 2011; 3. **Jeanne Spaur** to Missoula, MT, to attend Montana Chapter, The Wildlife Society Conference, Feb. 22-25, 2011. *7 for, 0 opposed, 5 absent.*
- #1678-2011-02 Approve of an **emergency declaration** for the Fort Peck Tribes, concurrent with Roosevelt County. *7 for, 0 opposed, 5 absent.*
- #1679-2011-02 **(Prepared Resolution)** Approve of **Modification # 13** for Contract # CTC56T20673, dated Jan. 25, 2011, which provides funding authorized by CR #2 of 2011 and authorizes. *7 for, 0 opposed, 5 absent.*
- #1680-2011-02 **(Prepared Resolution)** Accept funding of the **RFA** for \$1,057,962.35 from FHWA funds and authorize Chairman to sign the RFA. *7 for, 0 opposed, 5 absent.*
- #1681-2011-02 **(Prepared Resolution)** Approve an IRR delegation to the Tribal/BIA Transportation Symposium, Rocky Mountain Region on April 4-8, 2011. *7 for, 0 opposed, 5 absent.*

- #1682-2011-02 **(Prepared Resolution)** Approve to authorize the **Natural Resources Program** to utilize the FY 2010 Administrative Fees \$8,841.25 carry-over for salaries and fringe benefits in FY 2011. *7 for, 0 opposed, 5 absent.*
- #1683-2011-02 **(Prepared Resolution)** Authorization to add to **Range Unit 83**: T5292, described as the SW1/4SW1/4 of Sec. 32-30-54; T5280, described as the SW1/4SE1/4 of Sec. 32-30-54; T6245, described as the SE1/4NE1/4 of Sec. 5-29-54; T641-A, described as the NE1/4SE1/4 of Sec. 5-29-54; T5261, described as the NE1/4NE1/4 of Sec. 35-30-54. *7 for, 0 opposed, 5 absent.*
- #1684-2011-02 **(Prepared Resolution)** Authorize **Rae Jean Belgarde** and Ms. **Michelle Posselt**, Dental Hygienist, to meet with the Shakopee Mdewakanton Sioux Community, Feb. 4 -7, 2011. Minneapolis, MN, to find out the requirements and conditions for the use of Shakopee Mdewakanton Sioux Community a mobile dental trailer for youth use. *7 for, 0 opposed, 5 absent.*
- #1685-2011-02 Authorize the **Health Promotion/Disease Prevention (HPDP)** program to advertise six-months for a third-party Medical Claims Billing Specialist. *7 for, 0 opposed, 5 absent.*
- #1686-2011-02 Approve of an **Enrolled Member New Homesite** leases for **Brandy Jackson, Fort Peck Housing, Tracy Hentges, Fort Peck Housing: Business Lease Modification** lease for **Debbie Johnson** for land described as: Lse. No. 1346-2019 to delete Lot 7; Approve of a **New Business Lease** for **Craig Cain** and **Louis Youpee**; Approve of a **Homesite Renewal** for **Louis Youpee**. *7 for, 0 opposed, 5 absent.*
- #1687-2011-02 **Number reserved**
- #1688-2011-02 Approval given for the two **IRR travel delegations**: 1. **Leroy Headdress**, Feb. 10, 2011, to Billings, MT to pick up supplies for construction season; 2. **Dale Robertson**, for two dates Jan. 25, 2011, and Feb. 11, 2011; for two trips to pick up construction supplies for old Poplar airport. *7 for, 0 opposed, 5 absent.*
- #1689-2011-02 Approve of the **FPWUA 638 Construction Money Plan**. *7 for, 0 opposed, 5 absent.*
- #1690-2011-02 **(Prepared Resolution)** to amend the **(Fort Peck) Tribes' Indian Self-Determination Act operation, maintenance and replacement (OM&R) contract (No. CTC56T206K1)** with the Office of Facilities, Management and Construction (OFMC) to operate on the contract on the Federal Fiscal Year, to request increased appropriations for the performance of OM&R functions for the Assiniboine and Sioux Rural Water System, and for other purposes; and To direct the Chairman to request increased funding from OFMC for the direct program base operations and Contract Support Costs (CSC); and To direct the Chairman to authorize the Tribes' ASRWSS to negotiate with OFMC to secure any and all available OM&R funds and CSC funds as can be made available for to the Tribes for the full operation of the Tribes; Water Treatment Plant and related facilities and to sign the contract modification to the OM&R contract; and, That the Fort Peck Tribal Executive Board directs the Chairman and Secretary to sign this resolution. *7 for, 0 opposed, 5 absent.*

#1691-2011-02 **(Prepared Resolution)** Approve of a **travel delegation** to Bismarck, ND, Feb. 21-25, 2011 for a seminar that deals with the important issues of land and/or easement acquisition. **7 for, 0 opposed, 5 absent.**

#1692-2011-02 Approve of a **travel delegation** to attend either: 1. **Keepseagle v. Vilsack**, Feb. 15, 2001, at 3:00 p.m., Little Bighorn College Student Union, 1 Forestry Lane, **Crow Agency, MT**; 2. **Keepseagle v. Vilsack**, Feb. 16, 2011 at 12:30 p.m., Hilton Garden Inn Great Falls, 2520 14th Street, **Great Falls, MT**. **7 for, 0 opposed, 5 absent.**

NATURAL RESOURCES / MINERALS

#1693-2011-02 Approve of a travel delegation for OEP to Denver, CO, March 14-18, 2011, to attend the Tribal Leaders Summit and the Regional Operations Committee (ROC). **7 for, 0 opposed, 5 absent.**

#1694-2011-02 Approve of a travel delegation for Jeanne Spaur to Denver, CO, Feb. 27-March 1, 2011 to meet on TEK presentation. **7 for, 0 opposed, 5 absent.**

#1695-2011-02 Approve of a travel delegation for OEP, March 7-11, 2011, Lewistown, MT, to attend flood plain manager's meeting. **7 for, 0 opposed, 5 absent.**

#1696-2011-02 **(Prepared Resolution)** that the Tribal Executive Board authorize the Memorandum of Understanding between the Montana Board of Oil and Gas and the Office of Environmental Protection to formalize working arrangements on surface and subsurface issues regarding injection and oil and gas wells on the reservation; and authorize the Chairman to sign on behalf of the Fort Peck Tribes contingent upon the recommendation of the Tribes in-house counsel Ryan Rusche. **7 for, 0 opposed, 5 absent.**

ECONOMIC DEVELOPMENT

#1697-2011-02 **(Prepared Resolution)** Approve prepared resolution to sign a Memorandum of Agreement between the Tribes and FPCC that designates this property and finalizes this Agreement. **7 for, 0 opposed, 5 absent.**

#1698-2011-02 **(Prepared Resolution)** Approve prepared resolution that the Indian Health Service, the Bureau of Indian Affairs, and the Tribes' Indian Reservation Roads (IRR) Program have access to expertise, programs, technical assistance and financial resources that can assist in alleviating these physical infrastructures that serve the governmental corridor that not only encompasses FPCC's main campus in Poplar, but also the headquarters of both the Indian Health Service and IRR. **7 for, 0 opposed, 5 absent.**

#1699-2011-02 **(Prepared Resolution)** Approve the task order to KLJ Engineering to oversee the code compliant upgrades of Fire Protection and Security installation set forth in "Task Order #1, to A&S Diversified's west office space in the amount not to exceed \$33,730.10 and authorizes the Chairman to sign the Task Order Agreement. **7 for, 0 opposed, 5 absent.**

#1700-2011-02 Approve of a travel delegation for the Tribal State Agreements Oversight Commission (TSAOC) to Red Wing, MN, March 2-4, 2011, for three Commissioners, Helen Ricker, Bob McAnally and Michelle Trottier and to include the Gaming Oversight Commissioners. *7 for, 0 opposed, 5 absent.*

HEALTH & HUMAN SERVICES

#1701-2011-02 Authorize Tribal Health Director, Gary J. Melbourne to submit a Non-publication request to the Fort Peck Journal to omit the publication of individual(s) being charged with the offense of aggravated disorderly Conduct (suicide attempts). *7 for, 0 opposed, 5 absent.*

#1702-2010-02 Approve of travel delegation for Linda Melbourne to Billings, MT, March 9, 2011, for ATR training; and Approve of travel delegation for Diabetic Outreach Workers to Albuquerque, NM, March 27 – 31, 2011. *7 for, 0 opposed, 5 absent.*

#1703-2011-02 **(Prepared Letter)** Approval to recommend Elizabeth Rink for tenure as an Associate Professor at Montana State University. *6 for, 0 opposed, 1 not voting, 5 absent.*

#1704-2011-02 Approve amended change in travel delegation dates for Councilman Stoney Anketell to New Orleans, LA, from Feb. 27-Mar. 2, 2011 *to Feb. 25 to March 4, 2011* to attend the 4th Annual Tribal Casino Hotel Development & Infrastructure Conference. *6 for, 0 opposed, 1 not voting, 5 absent.*

#1705-2011-02 Approve of the five contracts with the Health Promotion Disease Prevention (HPDP) program. *6 for, 0 opposed, 1 not voting, 5 absent.*

#1706-2011-02 **(Prepared Resolution)** Approve of the Fort Peck HPDP Wellness Program to investigate services provided by all Tribal Programs to determine whether the services provided are eligible for third party reimbursement and report the findings to the Health and Human Services committee. *7 for, 0 opposed, 5 absent.*

#1707-2011-02 **(Prepared Resolution)** To approve of Teresa N. Brockie, RN, MSN PhD (c), a member of the White Clay Nation from the Fort Belknap Indian Reservation, student at John Hopkins University and a fellow at the National Institutes of Health to implement the “Historical and Contemporary Factors Influencing the Lives of Reservation Based Native American Youth: Non-Lethal Suicidal Behavior Study, NA_00039213.” *5 for, 0 opposed, 2 not voting, 5 absent.*

#1708-2011-02 Enter into a contract with the Chairman’s signature with Dr. Green DDS to provide oversight to the HPDP dental hygienist. *Kenny Smoker will write prepared resolution. *7 for, 0 opposed, 5 absent.*

#1709-2011-02 Approve of a travel delegation for Councilman DeCoteau for Friday & Saturday, Feb. 11-12, 2011 to meet with the Turtle Mountain Chairman about FEMA trailers. *7 for, 0 opposed, 5 absent.*

#1710-2011-02 Authorize the Education Department’s request to change the College Travel Assistance Program amount from \$100.00 up to \$150.00. *7 for, 0 opposed, 5 absent.*

#1711-2011-02 Authorize the Education Department to change the Completion Award amount for GED recipients from \$25.00 up to \$50.00. *7 for, 0 opposed, 5 absent.*

VETERANS / ELDERS / YOUTH

#1712-2011-02 Direct Tribal Express and their board of directors to allow tribal senior citizens 60 yrs. of age and older to get free reverse osmosis water up to 15 gallons a month by means of a ration card, and another location will be found for tribal elders from the west end of the reservation until ASWRSS water is delivered. *7 for, 0 opposed, 5 absent.*

#1713-2011-02 Direct Enterprise to change their way of billing for roll-off dumpsters for all of the roll-off sites that the Tribes are responsible for maintaining. The billing will start from the date of purchase for 30 days. *7 for, 0 opposed, 5 absent.*

#1714-2011-02 The Tribal Executive Board is requesting 100 FEMA surplus trailers and to designate Chairman A.T. Stafne as the contact person for these surplus trailers and to authorize signatory authority to Chairman A.T. Stafne to sign whatever documents are necessary. *7 for, 0 opposed, 5 absent.*

#1715-2011-02 Approve of a travel delegation for Wilfred Lambert and Reese Reddoor, Feb. 15-16-17, 2011 to Helena, MT, to attend Environmental Enforcement Training. *7 for, 0 opposed, 5 absent.*

#1716-2011-02 (1) Approve of the Fort Peck Tribes going on record to support the Action for Eastern Montana/Senior Companion Program in their request asking that last year's one time grant award offered through the Corporation for National & Community Service become permanent; and to authorize Chairman A.T. Stafne to sign the prepared letter addressed to Jackie Girard, Corporation for National & Community Service; and (2) that the Fort Peck Tribes is in favor of keeping the Action for Eastern Montana/Senior Citizen's Program and that this TEB action of support will be communicated through Councilman Frank Smith to Representative Denny Rehberg's office. *7 for, 0 opposed, 5 absent.*

#1717-2011-02 Authorize a letter of intent from El Domy Group and to have the El Domy Group work with Walter White Tail Feather, from the Economic Development office. *7 for, 0 opposed, 5 absent.*

#1718-2011-02 To discuss PTAC position at full board, Feb. 14, 2011. *7 for, 0 opposed, 5 absent.*

#1719-2011-02 **(Prepared Resolution)** Authorize the Native American Development Corporation (NADC- PTAC) to seek funding and facilitate in coordination with the Fort Peck Tribes. *7 for, 0 opposed, 5 absent.*

#1720-2011-02 Approve travel delegation for Chelly Harada, VA Coordinator, to Helena, MT, Feb. 15-17, 2011. *7 for, 0 opposed, 5 absent.*

#1721-2011-02 Approve of Open delegation for the Family Violence Resource Center (FVRC) and any other program wishing to attend the following: 1. U.S. DOT Initiative "Call Taker Training for Child Abduction Cases" on March 10-11, 2011 in Kalispell, MT; To

Albuquerque, NM, to attend National Victim Assistance Academy on March 14-18, 2011, Billings, MT, for Tribal and Justice Leaders Conference as presented under SORNA Team for Adam Walsh Act requirements. *7 for, 0 opposed, 5 absent.*

#1722-2011-02

Authorize the use of land description (2) NW1/4NE1/4 NE1/4 NW1/4 Section 1, T27N, R50E-(1) NE1/4NE1/4NE1/4NW1/4 Section 1, T27N, R50E-(3) NE1/4NW1/4NE1/4NW1/4 Section 1, T27N, R50E, Containing 7.5 Acres (990FT x 330 ft), located near the old Hope Ranch Site; for construction of a Tribal Government structure, specifically the ASRWSS, "Rural Water" offices and authorizes the Rural Water program to construct the facility. *7 for, 0 opposed, 5 absent.*

UNFINISHED BUSINESS

#1723-2011-02

Approve of the January 24, 2011 Regular Board meeting minutes. *7 for, 0 opposed, 5 absent.*

NEW BUSINESS

#1724-2011-02

(Substitute Motion) Authorize April Youpee-Roll to represent the legislative interests of the Fort Peck Tribes, conduct legislative and legal research on a six month probation to negotiate the salary when legal counsel reviews the contract. *5 for, 2 not voting, 5 absent.*

#1725-2011-02

Authorize a cadastral survey of the cemeteries across the reservation. *7 for, 0 opposed, 5 absent.*

#1726-2011-02

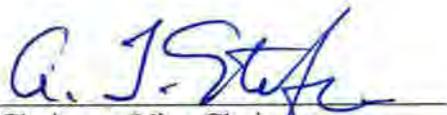
Approve to submit application for grant for F.M. Public Radio Station. *7 for, 0 opposed, 5 absent.*

#1727-2011-02

Approve of the Resolution Log. *7 for, 0 opposed, 5 absent*

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 10 constituting a quorum were present at a Special meeting duly convened this 14th day of February, 2011 and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 10 for.


Chairman/Vice Chairman,
Fort Peck Tribal Executive Board


Secretary Accountant