

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

- #25-2123-2011-05 Approve of the May 9, 2011 Special Board meeting minutes as amended. **11 for, 1 absent.**
- #25-2124-2011-05 Approve of the Travel Resolution Log. **11 for, 1 absent.**

CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE

Meeting held, no action taken.

LANGUAGE & CULTURAL RESTORATION

- #25-2125-2011-05 Approve prepared resolution with the correction of the "Therefore be it resolved," regarding wells and sewer systems for Dennis Big Horn, Faron Jones, Maurice Draszt, Lucy Granbois, Victoria Bauer. **11 for, 1 absent.**

LAW & JUSTICE

- #25-2126-2011-05 Approving authorizing legal counsel Ryan Rusche to take action on the temporary order to restrain & notice of hearing case #TRO 041-11 Kermit Boyd, Petitioner vs. Fort Peck tribal Credit Program & Staff members, respondent. **8 for, 1 not voting, 3 absent.**
- #25-2127-2011-05 Approve prepared resolution regarding Title VII, Criminal Offenses, Chapter 4, and Section 408 Privacy in communications. **7 for, 2 opposed, 1 not voting, 2 absent.**
- #25-2128-2011-05 Approve the budget adjustment for Youth Service Accounts #3358, 4040, 4180, 4510, 5061, & 5210. **10 for, 1 not voting, 1 absent.**
- #25-2129-2011-05 Approve Selection committee recommendation of Sheila Lonz, Kalani Huetras, Drew Acheson, Challenge Crawford, and David Dale for Police Officer positions. **11 for, 1 absent.**

FINANCE

- #25-2130-2011-05 Approve to donate one buffalo a year for three years to the Poplar Schools for a project to development healthier lifestyles and for the Chairman to sign the letter of support for the grant application. **10 for, 2 absent.**

NATURAL RESOURCES/LAND

- #25-2131-2011-05 Request from the state that they work with trust landowners on this particular project and to facilitate the needs of Mr. Spotted Bird, Mr. Big Horn and any other land owners that have a problem with the Highway project named the "Brockton East Project." **8 for, 4 absent.**
- #25-2132-2011-05 Recommend all persons installing septic systems and drain fields pass a Ft. Peck Tribal sanitation construction facility examinations to certify all contractors/persons. **8 for, 4 absent.**

- #25-2133-2011-05 Chairman to request Keeps Eagle people to come to Fort Peck and allow people from here to ask them questions regarding suit. The visit will be advertised in the Journal. **8 for, absent.4**
- #25-2134-2011-05 Authorize reimbursement of \$770.00 to Michael Doney from IRR interest account for purchase of a tractor tire. **9 for, 1 not voting, 2 absent.**
- #25-2135-2011-05 Transfer the IRR Yellow Hammer situation to the Vice-Chairwoman to resolve the situation. **9 for, 1 not voting, 2 absent.**
- #25-2136-2011-05 Authorize payment to Herman Red Elk for the bills following bills: Clifton Cheek, \$55; Marvin Youpee \$664.00. **6 for, 3 opposed, 1 not voting, 2 absent.**
- #25-2137-2011-05 Approve Non-Indian Renewal for Brandon Reddig. **9 for, 1 not voting, 2 absent.**
- #25-2138-2011-05 Approve Enrolled Member Cancellation for June Clark and Kim Johnson business lease; and Theresa Stovern. **10 for, 2 absent.**
- #25-2139-2011-05 Approve Members New Lease for Tiana Smoker; and Brockie Standing. **11 for, 1 absent.**
- #25-2140-2011-05 Approve to send back to the Land Committee on Wednesday, the Lease Modification for Lucille Holen and to give Committee final approval. **8 for, 3 opposed, 1 absent.**
- #25-2141-2011-05 Approve the Natural Resources Program requesting authorization to apply for the FY2011 MT Noxious Weed Trust fund grant in the amount of \$7,500.00. **11 for, 1 absent.**
- #25-2142-2011-05 Approve the prepared resolution whereas Terrance & Leslie Gourneau Sr. have been allocated Range Unit Nos. 67, 90 & 91 for the permit period 2003-2012 and Mrs. Gourneau has requested her name be removed from her current grazing permits for Range Units 67, 90 & 91 and Whereas the Natural Resources Program is recommending to modify Terrance & Leslie Gourneau Sr.'s grazing permits by removing Leslie Gourneau. **11 for, 1 absent.**
- #25-2143-2011-05 Approve the P.L. 93-638 Contract No. CTC56T20687, Natural Resources Program for FY2011. **10 for, 2 absent.**
- #25-2144-2011-05 Approve Prepared Resolution #1380-2003-2, dated February 21, 2003 approving grazing privileges for the 2003-2012 permit period of Range Unit 71 to Roberta Boyd, and Whereas, the Roberta Boyd has an allocation of 419 AUMs, equivalent to 76 head for 5.5 months, in Range Unit 71 and whereas Roberta Boyd has requested to assign Range Unit 71 to Darlynn Grainger and Whereas Marlene Smith and Darlynn Grainger have agreed to modify Darlynn Grainger's grazing permit to add 316 AUMs, and to issue Marlene Smith a grazing permit for the 103 AUMs in Range unit 71, for the remainder of the permit period, 2003-2012. **7 for, 3 opposed, 1 not voting, 1 absent.**
- #25-2145-2011-05 Approve the prepared resolution to accept the funding amounts for the following P.L. 93-638- Contracts: CTC56T20691, CTC56T20687, CTC56T20692, CTC56T20689, CTC56T20690, (CTC56T20676-needs to be negotiated) & Grants: GTC56T20636, GTC56T20638. **11 for, 1 absent.**

#25-2146-2011-05 Approve prepared resolution to initiate a Change Order February, in the amount of \$3,717.00 with Century Paving to remove the shoulder gravel from the contract and an additional of a tapered asphalt shoulder leveling course to address the constructability of the shoulder gravel detail in the plans because of steep ditches throughout most of the Box Elder to Blair Project. **11 for, 1 absent.**

#25-2147-2011-05 Approve prepared resolution of Change Order #2 is \$3,105.60, changing the contract price with this is \$1,123,688.56 to furnish and install 2" PVC Conduit in Type 1 and 3 Crossings, with Chairman's signature. **11 for, 1 absent.**

NATURAL RESOURCES/MINERALS

#25-2148-2011-05 Approve the fence posts, cattle guards and anything else on the Brockton East Highway construction project removed because of the new Right of Way stay with the operator of that fence. **10 for, 2 absent.**

#25-2149-2011-05 Accept the resolution as presented and written by our in house counsel. Tribal Employment Rights Ordinance. Sec. 509. Criteria for Indian contract preference certification. To receive certification as a firm eligible for Indian preference an applicant must satisfy all of the following criteria: (d) Residence. The entity must have its principal of business on or near the Fort Peck Reservation. *This provision may be waived when the firm has met the criteria above and TERO and the Review Board are satisfied that the firm is bona fide and is not attempting to circumvent the requirements of this chapter.* **8 for, 1 opposed, 1 not voting, 2 absent.**

#25-2150-2011-05 Authorize payment to Smith & Doherty in the amount of \$1,480.83. **10 for, 2 absent.**

#25-2151-2011-05 Authorize payment in the amount of \$55,145.67 to Sonosky, Chambers, Endreson & Perry, LLC. **9 for, 1 opposed, 2 absent.**

#25-2152-2011-05 Approve Councilwoman Donna Buckles-Whitmer to be excused from the board meeting on Monday to attend a meeting in Washington DC. **10 for, 2 absent.**

#25-2153-2011-05 Accept the prepared resolution to allow Minerals Office to engage the services of Johnson Geophysical Inc. by executing a Confidentiality Agreement to view seismic data. **9 for, 3 absent.**

#25-2154-2011-05 Accept the prepared resolution to allow the Minerals Department to apply for an IEED grant FY2012. **9 for, 3 absent.**

ECONOMIC DEVELOPMENT

#25-2155-2011-05 Approve the prepared resolution to allow Nemont to request that BIA allow negotiations with allottees without getting appraisal first. **8 for, 2 not voting, 2 absent.**

#25-2156-2011-05 Approve the prepared resolution to authorize Ms. Jackie Weeks apply for the Indian Community Development Block Grant for \$1.1 million be submitted to the Department of Housing and Urban Development for Indian Community Development Block Grants funds for construction of the Wolf Point Community Cultural Center. **10 for, 2 absent.**

- #25-2157-2011-05 Authorizes the community services program install a modem in the Senior Citizens meals complexes if requested.
9 for, 3 absent.

HEALTH & HUMAN SERVICES

- #25-2158-2011-05 Approve of the prepared resolution that states the recommended establishment of a contract with Rodney Robinson to provide transitional SBTC Program Director Services until a permanent Program Director is hired and trained at an all-inclusive rate of \$3750.00 per five (5) days for up to six (6) months as a temporary tribal employee of the Ft. Peck Tribes with changes that state with a minimum of 10 days a month not to exceed 15 days for up to six months. **9 for, 1 not voting, 2 absent.**
- #25-2159-2011-05 Approve two renewals for Regular/Emergency License and Kinship License. **10 for, 2 absent.**
- #25-2160-2011-05 Approve HPDP department to advertise and recruit for two (2) third party biller positions. **10 for, 2 absent.**
- #25-2161-2011-05 Allow HPDP to advertise for the continuation of mental health services, temporary positions for the summertime. **10 for, 2 absent.**
- #25-2162-2011-05 Request Ryan Rusche to draft a contract with Alter-Care.
10 for, 2 absent.
- #25-2163-2011-05 Advertise for 4 positions at the swimming pool. **10 for, 2 absent.**

VETERANS, ELDERS & YOUTH

- #25-2164-2011-05 Approve the classification of the Program Director Grade 15, Step 3 of Spotted Bull Treatment Center to modify the qualifications to a Master's Degree. **8 for, 4 absent.**
- #25-2165-2011-05 Approve 30 day appointment for Mike Young and Bernie Moran for swimming pool to pump the pool. **9 for, 3 absent.**

UNFINISHED BUSINESS

- #25-2165A-2011-05 Establish an interim of Board of Directors for Fort Peck Inc. until such time as the Articles of Incorporation is duly adopted, advertise those positions, and authorize the Vice-Chairperson to appoint the interim.
6 for, 3 opposed, 3 absent.
- #25-2166-2011-05 Approve the prepared resolution in regards to Title VII Section 224, Stalking to include electronic communications, paragraph A. the word intentionally is being inserted, subparagraph 2. **11 for 1 absent.**
- #25-2167-2011-05 Approve the prepared resolution regarding Title VII, Criminal Offenses, Chapter 4, Section 446 public intoxication and Section 447 loitering. **8 for, 3 opposed, 1 absent.**
- #25-2168-2011-05 Approve the prepared resolution regarding Title V, 5 Section 506-A Permanency planning and Section 605-B Permanency Hearing.
11 for, 1 absent.
- #25-2169-2011-05 Approve the prepared resolution regarding Title IX, Youth Code Chapter 5, Section 506 Dispositional procedure.
10 for, 1 not voting, 1 absent.

- #25-2170-2011-05 Approve Title IX Youth Code, Chapter 10 Emancipation. **8 for, 1 opposed, 1 not voting, 2 absent.**
- #25-2171-2011-05 Approve the prepared resolution regarding Title X, Family Code, Chapter 1, Section 104-A Petitions for customary adoptions. **10 for, 2 absent.**
- #25-2172-2011-05 Approve the prepared resolution regarding Title X, Family Code, Chapter 1, Section 113 Confidentiality. **10 for, 2 absent.**
- #25-2173-2011-05 Approve the prepared resolution regarding Title XI, Probate and Guardianship, Chapter 3, Section 201 Definitions. **10 for, 2 absent.**
- #25-2174-2011-05 Approve the prepared resolution regarding Title XVII, Highways, Chapter 1, Section 107 DUI and Section 108 Chemical, blood, breath or urine. **10 for, 2 absent.**
- #25-2175-2011-05 Approve the prepared resolution in regards to title XVII, Highways, chapter 1, section 133 parking in restricted areas. **10 for, 2 absent.**
- #25-2176-2011-05 Approve the prepared resolution in regards to by Administrative policy for handling complaints against attorneys and lay advocates. **10 for, 2 absent.**
- #25-2177-2011-05 Enrolled Member new homesite: Colleen Clark, Sylvia Long Knife, Russell and Bertha Wilkins. **10 for, 2 absent.**
- #25-2178-2011-05 Reaffirm \$250.00 from Tony Shields & \$250.00 from John Weeks travel line item -\$500 total for the Badland Singers to attend a pow-wow. **10 for, 2 absent.**
- #25-2179-2011-05 Declare interest to purchase lot and negotiate with owner (Terry Rafatto). **10 for, 2 absent.**

NEW BUSINESS

- #25-2180-2011-05 Approve of the Resolution Log. **10 for, 2 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 11 constituting a quorum were present at a Regular meeting duly convened this 23th day of May, 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