

**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, and

**CHAIRMAN'S REPORT**

968-2010-07 Approve of the July 12, 2010 Special Board Meeting minutes as corrected. *9 for, 0 opposed, 3 absent.*

969-2010-07 Approve of the Travel Resolution Log. *9 for, 0 opposed, 3 absent.*

**CONSTITUTIONAL REFORM/RESOLUTION/LEGISLATIVE**

970-2010-07 Approve administrative leave for Tom Christian for August 10-15 to bring children home. *8 for, 1 not voting, 0 opposed, 3 absent.*

971-2010-07 Appoint Donna Buckles-Whitmer to a new OST Workgroup. *8 for, 1 not voting, 0 opposed, 3 absent.*

972-2010-07 Amend the action taken on Friday, July 16, 2010 approving the Joint Venture Agreement terms proposed by Apollo and to propose Section 6.0 be reduced to 4.2% cost additional to actual costs and Section 10 remain as presented in the original JV agreement. *9 for, 0 opposed, 3 absent.*

**LANGUAGE AND CULTURAL RESTORATION**

973-2010-07 Nominate Anthony Shields as representative and Dale DeCoteau as alternate of the Fort Peck Tribal Government to serve on the New FPCC-Native Nations Broadband Task Force. *9 for, 0 opposed, 3 absent.*

974-2010-07 Approve to hire Michael Cooper and two additional staff as funds allow and to be continue to hire staff if they need to be replaced for as long as the Poplar pool is open. *9 for, 0 opposed, 3 absent.*

**LAW & JUSTICE**

975-2010-07 Approve of the \$500 funding request from Three Buffalo Sundance for their Sundance, July 20-25. *8 for, 1 not voting, 0 opposed, 3 absent.*

976-2010-07 **(Prepared Resolution)** Accept the bid of Mary Swift of the Rosebud Sioux Tribes/Office of the Attorney General for the background investigations to include adjudication for the Department of Law & Justice and Branch of Corrections. *8 for, 0 oppose, 4 absent.*

977-2010-07 Approve of hire James Bighorn and Sarah Figueroa as Assistant Prosecutors and to advertise the third position. *8 for, 0 opposed, 4 absent.*

978-2010-07 Appoint Mary Azure to the position of Assistance Prosecutor until advertised and filled. *8 for, 0 opposed, 4 absent.*

979-2010-07 **(Prepared Resolution)** Approve of the Selection Committee's recommendation of Lowell Boyd Jr. and Tony Torralba for the position of Police Officer, Department of Law & Justice. *8 for, 0 opposed, 4 absent.*

**RESOLUTION #1024-2010-07**  
**July 26, 2010**

**REGULAR BOARD MEETING**  
**11 Present**

Board members Donna Buckles-Whitmer and Tom Christian; Elaine Boyd of the Tribal Law & Justice Department; and legal staff from the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation and Sonosky, Chambers, Sachse, Endrenson & Perry LLP; and to authorize the Chairman to execute the final negotiated contract(s) and take all other steps necessary to complete this process; and to approve the above with corrections. *8 for, 0 opposed, 4 absent.*

981-2010-07 Approve of a travel delegation to attend the DOJ, OJP, BHS, BIA, UCR training in Albuquerque, NM, September 20-25, 2010. *8 for, 0 opposed, 4 absent.*

**FINANCE**

982-2010-07 **(Seven Signature Resolution)** Approve the Seven Signature Resolution authorizing \$500 to Les Ferguson to take a team of youth to the Big Sky Basketball Games, July 16-18, 2010. *8 for, 0 opposed, 4 absent.*

983-2010-07 Approve to select Pernell and Associates to develop and submit the 2011 IDC to do the FY2011 IDC Cost Proposal in the amount of \$5,000. *8 for, 0 opposed, 4 absent.*

984-2010-07 **(Seven Signature Prepared Resolution)** Approve the submissions of the Partnerships Active in Communities to achieve Health Equity Grant through the Office of Minority Health, and supports continuing efforts of the Fort Peck "The You Know Project". *8 for, 0 opposed, 4 absent.*

985-2010-07 **(Seven Signature Resolution)** Approve of the Economic Development and Housing Prepared Resolution where the TEB authorizes the Director of FPHA to expedite the process for securing the units and authorizes the Director to sign the final contract for modular homes. *7 for, 0 opposed, 5 absent.*

986-2010-07 **(Seven Signature Prepared Resolution)** Accept the rebuttal Draft Letter to Craig Genzlinger, P.E., from the Law Offices of Sonosky, Chambers, Sachse, Endreson & Perry LLP re: Fort Peck Tribes BIA Route No. 1 Project (Box Elder to Blair ARRA Project). *7 for, 0 opposed, 5 absent.*

987-2010-07 Approve to fly the tribal flag half-mast for April Follet. *6 for, 1 not voting, 0 opposed, 5 absent.*

**NATURAL RESOURCES/LAND**

988-2010-07 Approve to set up interviews of the two applicants for the Project Manager IRR Program through the Human Resources Office prior to July 26 before the council meeting. *7 for, 0 opposed, 5 absent.*

989-2010-07 Declare no interest in Roberta Boyd Beverage Sale Proposal. *7 for, 0 opposed, 5 absent.*

990-2010-07 **(Prepared Resolution)** Authorize the addition of the listed parking lots to the IRR Road Priority List and for the IRR Program to construct a parking lot within the described tracts of land. *8 for, 0 opposed, 4 absent.*

991-2010-07 Offer the Indian Reservation Roads (IRR) Program Manager Position to Darren Falcon at \$50.00 an hour as well as health insurance for him and his family. *7 for, 1 not voting, 0 opposed, 4 absent.*

**RESOLUTION #1024-2010-07**  
**July 26, 2010**

**REGULAR BOARD MEETING**  
**11 Present**

- 993-2010-07                   **(Seven Signature Agreement)** Authorize OEP to submit a Leaking Underground Storage Tank (LUST) grant application, budget and work plans to OEP and authorize the Tribal Chairman to sign the application and all related grant forms on behalf of the Fort Peck Tribes in the amount of \$14,732.00. *9 for, 0 opposed, 3 absent.*
- 994-2010-07                   **(Seven Signature Resolution)** Authorize the submission of an application to the OIEED for funding for the GIS Center and for the Chairman to sign the appropriate paperwork necessary to execute the grant application. *9 for, 0 opposed, 3 absent.*
- 995-2010-07                   **(Seven Signature Resolution)** Authorize to donate \$500.00 to Ta'Leigha Martell to attend the Seeds of Hope Conference, with this amount to come out of the Veterans, Elders & Youth Committee line item. *10 for, 0 opposed, 2 absent.*
- 996-2010-07                   **(Substitute Motion)** Refer the prepared resolution regarding the Oil & Gas Development back to Minerals Committee. *10 for, 0 opposed, 2 absent.*

**ECONOMIC DEVELOPMENT**

- 997-2010-07                   Authorize the Fort Peck Housing Authority to utilize the Fort Peck Tribes Human Resources Grievance process pending establishment of the Fort Peck Housing Authority Commission. *9 for, 2 opposed, 1 absent.*
- 998-2010-07                   Approve Robin Bighorn the authority to decide on in and out-of-state travel and to report to the Economic Development Committee. *8 for, 2 not voting, 2 absent.*
- 999-2010-07                   **(Seven Signature)** Approve the donation of \$500 to youth consisting of 5<sup>th</sup> & 6<sup>th</sup> graders, coached by Jeremy Azure, Sr., representing the Fort Peck Tribes traveling to the Big Sky State Games, Billings, MT, July 16-19, with the funding to come from the Veterans, Elder Youth line item. *11 for, 0 opposed, 1 absent.*
- 1000-2010-07                  **(Seven Signature Prepared Resolution)** Approve of a Direct-Hire agreement with Ron Robertson that will reflect an addendum to the agreement that if he is requested to come to the Fort Peck Indian Reservation that he will be reimbursed as needed under the GSA federal guidelines. *7 for, 1 opposed, 2 not voting, 2 absent.*
- 1001-2010-07                  **(Seven Signature Prepared Resolution)** Temporarily assign Leroy Headdress to the newly created IRR Construction Manager position pending the position being advertised and filled, and to compensate him for extra unpaid duties he has done retroactive back to March 31, 2010 when he started. *8 for, 2 not voting, 2 absent.*
- 1002-2010-07                  **(Seven Signature Prepared Resolution)** Authorize and approve the application by Head Start for the funds currently available under the Administration for Children and Families Early Learning Mentor Coaches program (due July 19, 2010) NOFA HHS, HHS-2010-ACF-OHS-ST-0120 and authorize Tribal Head Start to perform the actions and authorities necessary to formally apply for such funding, and to work with an external consultants and trainers to develop the necessary mentoring, training, and curriculum development program. *10 for, 0 opposed, 2 absent.*
- 1003-2010-07                  Approve of Mervyn Shields to sit on the Tribal-Federal Work Group to help shape the final decision and balance the competing interests. *9 for*

HEALTH & HUMAN SERVICES

- 1004-2010-07                   **(Prepared Resolution)** Approve the following SDS non-funded projects as follows: 1. Brockton CSC Sewer Water Services - \$100,000; 2. Frazer Lagoon Improvements - \$1,790,000; 3. Frazer CWT Water Treatment - \$305,184; 4. Individual Water Renovations - \$136,000; 5. Fort Peck As-Builts - \$100,000; 6. O&M Equipment - \$100,000; 7. NE Poplar Individual Water Service - \$100,000. *8 for, 0 opposed, 2 absent.*
- 1005-2010-07                   **(Seven Signature Prepared Resolution)** Approve of the Sexual Abuse Victim Treatment Program to extend an additional 30 day appointment of the Meth Outreach Worker Michelle Trottier to August 18, 2010 or until filled. *8 for, 0 opposed, 2 absent.*
- 1006-2010-07                   Approve of the Foster Home Licensing Program recommendation for (3) Renewal Licenses, and (2) New Licenses. *9 for, 0 opposed, 3 absent.*
- 1007-2010-07                   **(Seven Signature)** Authorize negotiation of the contract between the Fort Peck Tribes and BAO of Indian Health Service for FY2011 in the amount of \$1,576,619.00 for operation of the Fort Peck Tribal Health Department. *8 for, 0 opposed, 4 absent.*
- 1008-2010-07                   Approve of a travel delegation July 22-28, 2010 for Head Start Coalition plus Consolidation at Rapid City, SD. *8 for, 0 opposed, 4 absent.*
- 1009-2010-07                   **(Prepared Resolution)** Authorize a letter to the Congressional delegation and the prepared resolution as signed. This prepared resolution is for "A Resolution Approving a Partnership Between the Fort Peck Tribes and the Native American Development Corporation to Support Tribal Economic Capacity Building & Technical Assistance. *8 for, 0 opposed, 4 absent.*
- 1010-2010-07                   Approve of a travel delegation to Billings, MT, July 27-28, 2010 to hand deliver some HIP documents. *4 for, 4 opposed, 4 absent.* Chairman breaks the tie in favor of.

VETERANS/ELDERS/YOUTH

- 1011-2010-07                   Approve to move forward with the joint venture between Integrated Solutions, Apollo Inc., and ASDC on construction of jail. *7 for, 0 opposed, 5 absent.*
- 1012-2010-07                   Approve to send Chelly Harada to Service Office School, Great Falls, MT, July 29-31, 2010 and to include meals and mileage only. *7 for, 0 opposed, 5 absent.*
- 1013-2010-07                   **(Prepared Resolution)** Approve of the development and submission of an approximate \$225,000.00 BSTF Category 1 project application for financial assistance to the State of Montana, Big Sky Economic Development Trust Fund to help complete this transaction on behalf of the Fort Peck Tech Services, Inc. Of the noted \$225,000.00 sum, the BSTF would provide \$150,000.00, while the Fort Peck Tribes are responsible for providing a matching sum of \$75,000.00. *7 for, 0 opposed, 5 absent.*
- 1014-2010-07                   (Prepared Resolution) Approve of the development and submission of an approximate \$225,000.00 BSTI Category I project application for financial assistance to the State of Montana, Big Sky Economic

**RESOLUTION #1024-2010-07**  
**July 26, 2010**

**REGULAR BOARD MEETING**  
**11 Present**

A.T. Stafne, Tribal Chairman, or the Vice-Chair to endorse all official documents. *8 for, 0 opposed, 4 absent.*

- 1015-2010-07                    **(Substitute Motion)** Allow Finance Committee authority upon submission of budget to allow \$200 out of the Veterans, Elders, & Youth Committee line item to the Lord's Table, c/o Danny Lindsey for camp meetings and other church related expenses. *9 for, 0 opposed, 3 absent.*
- 1016-2010-07                    **(Prepared Resolution)** Approve of the use and application of its \$70,000.00 in Program Year 2010 Montana State Indian Country Economic Development (ICED) Program financial resources as a contribution towards the overall \$150,000.00 required to participate with Buchman Research in completing the prototype model of the new Universal Healthier Helmet product. *8 for, 0 opposed, 4 absent.*
- 1017-2010-07                    **(Prepared Resolution)** Request USDA Rural Development Grant a 3-month extension from July 31 to October 31, 2011. *8 for, 0 opposed, 4 absent.*
- 1018-2010-07                    Approve of the midterm and final payment in the amount of \$7,000 for Margaret Marsh, FNP, as defined in the Nurse Practitioner Employment Agreement. *8 for, 0 opposed, 4 absent.*
- 1019-2010-07                    **(Prepared Resolution)** Approve of the Nurse Practitioner Employment Agreement with Margaret Marsh FNP, effective July 24, 2010, for 1 year. *8 for, 0 opposed, 4 absent.*

**UNFINISHED BUSINESS**

- 1020-2010-07                    Appoint Darren Falcon as IRR Program Manager on August 30, 2010. *9 for, 0 opposed, 3 absent.*

**NEW BUSINESS**

- 1021-010-07                    Accept the results of the secret ballot voting to terminate Lafon Copenhaver. *8 for, 0 opposed, 1 not voting, 3 absent.*
- 1022-2010-07                    **(Prepared Resolution)** The Fort Peck Tribal Executive Board hereby accept \$11,919 for GTC56T2063 and authorize submission of the budget for the funds, and authorize the Chairman to sign all award documents. *9 for, 0 opposed, 3 absent.*
- 1023-2010-07                    Approve \$200 donation to Markel Blount, the only Native American on the All State Babe Ruth team. They will be leaving for the Regional in Idaho Falls, Idaho, Aug. 1-7, 2010. *8 for, 0 opposed, 4 absent.*
- 1024-2010-07                    Accept the Resolution Log.

**ADJOURN**

**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 26th day of July, 2010 and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 11 for.

  
Secretary Accountant