

**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**

- #25-2402-2011-08 Approve of the July 25, 2011 Regular Board Meeting minutes.  
*11 for, 0 opposed, 1 absent.*
- #25-2403-2011-08 Approve of the Travel Resolution Log.  
*8 for, 0 opposed, 4 absent.*

### **CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE**

- #25-2404-2011-08 Approve selection of Judy Johnson as Election Supervisor for the Fort Peck Tribes 2011-2013 Tribal Elections.  
*7 for, 0 opposed, 5 absent.*
- #25-2405-2011-08 **(Prepared Resolution)** Authorize use of PES & S Services in the amount of \$10,492.00 for Election 2011, and authorize the Chairman to sign the service agreement. *8 for, 0 opposed, 4 absent.*

### **LANGUAGE & CULTURAL RESTORATION**

Meeting held, but no actions taken.

### **LAW & JUSTICE**

- #25-2406-2011-08 To restrict the hunting licenses to five antelope Licenses for one year. *9 for, 1 opposed, 2 absent.*
- #25-2407-2011-08 Authorize to give the old police officer's house at Ft. Kipp to Danni Red Bull due to the astronomical repair costs for the Fort Peck Tribes. Ms. Red Bull will be responsible for her own repairs.  
*9 for, 0 opposed, 3 absent.*

### **FINANCE**

- #25-2408-2011-08 Approve of travel delegation for Amber Iron Bear and her son Dennis Red Eagle to attend the Direct Service Tribes 8<sup>th</sup> Annual National meeting to accept an award on behalf of former Councilman Darryl Red Eagle's behalf. The DST will find money to send for Amber and Dennis.  
*10 for, 0 opposed, 2 absent.*
- #25-2409-2011-08 Extend Ron Moccasin's position for another 30 days as a Transportation driver for Fort Peck Transit Dial a-Ride.  
*10 for, 0 opposed, 2 absent.*
- #25-2410-2011-08 Authorize the Tribal Water Resource Office to pay the dues for the Missouri River Association of States and Tribes (MoRAST) in the amount of \$1,250.00 and for

the tribes to participate as a voting, dues paying member with a position on the Board of Directors, with appropriate consultation of the Tribal Executive Board.

*10 for, 0 opposed, 2 absent.*

**#25-2411-2011-08**

**(Prepared Resolution)** Approve payment of the Sonosky, Chambers, Sachse, Endreson & Perry invoices in the Amount of \$43,186.92 for the month of April 2011.

*10 for, 1 not voting, 0 opposed, 1 absent.*

#### **NATURAL RESOURCES/LAND**

**#25-2412-2011-08**

Approve of an Enrolled Member New Homesite for Quincy S. Crow; Approve of a Non-Indian Cancellation for Russell Zimmerman Lse. No. 9079-12, retiring, sickly, effective 12/31/11. *11 for, 0 opposed, 1 absent.*

**#25-2413-2011-08**

**(Prepared Resolution)** Approve of the 30-day extension of Austin Spotted Bird as the temporary Road Inventory Technician for the IRR Program, Transportation Planning Department; and to authorize the Fort Peck Tribal Chairman and/or Vice-Chairman to sign the approved resolution.

*11 for, 0 opposed, 1 absent.*

**#25-2414-2011-08**

**(Prepared Resolution)** Approve the Fairweather and South 6<sup>th</sup> Street plans design by NECI for the IRR Program; and authorize the Fort Peck Tribal Chairman to sign the approved plans and the approved resolution.

*10 for, 0 opposed, 2 absent.*

**#25-2415-2011-08**

Approve of the Fort Peck Tribes participation in the Joint Application for Proposed Work in Montana's Streams, Wetlands, Flood plains, and Other Water Bodies and approve of the Chairman to sign.

*11 for, 0 opposed, 1 absent.*

**#25-2416-2011-08**

**(Prepared Resolution)** Approve to authorize the Indian Reservations Roads (IRR) program to spend money from IRR interest account to have an employee "Flood Relief Recognition" Dinner. *11 for, 0 opposed, 1 absent.*

**#25-2417-2011-08**

**(Prepared Resolution)** Authorize the Chairman to sign off on the completed North Park Road Plans.

*10 for, 1 not voting, 1 absent.*

**#25-2418-2011-08**

**(Prepared Resolution)** Authorize to amend IRR's request to amend #25-1818-2011-03 from 10 hour shifts 5 days a week to 12 hour shifts 7 days a week, for the crusher crew throughout the FY 2011 Construction Season.

*10 for, 1 not voting, 1 absent.*

#### **NATURAL RESOURCES/MINERALS**

**#25-2419-2011-08**

**(Prepared Resolution)** Authorize the Manning Lake Wetlands Tribal Wildlife Refuge to apply for Federal Migratory Bird Salvage and Educational permits and authorizes the Chairman to sign all related documents. *10 for, 1 not voting, 1 absent.*

- #25-2420-2011-08 Authorize the request from the Manning Lake Wetlands Tribal Wildlife Refuge to extend current intern Kayla Lambert's appointment on through the fall field season, and authorizes the Chairman to sign all related documents. *10 for, 0 opposed, 2 absent.*
- #25-2421-2011-08 **(Prepared Resolution)** Authorize request from the Manning Lake Wetlands Tribal Wildlife Refuge to Partner with Montana Department of Transportation to identify and determine the feasibility of potential wetland mitigation projects, and authorizes the Chairman to sign all related documents. *10 for, 1 not voting, 1 absent.*
- #25-2422-2011-08 **(Prepared Resolution)** Approve of the Natural Resources Program budget modification for the amount of \$1,549.92 for Fiscal Year 2011 by moving \$1,189.92 from Out-of-State travel to In-State travel; and \$360.00 from Non-Capitalized Equipment to training. *11 for, 0 opposed, 1 absent.*
- #25-2423-2011-08 **(Off the Floor -Prepared Resolution)** The Fort Peck Tribes accepts the grant funding in the amount of \$50,000.00 from the DEMD and authorize the Chairman to sign any necessary contracts or documents with the Department of Energy and Mineral Development Pertaining to the grant award. *10 for, 0 opposed, 2 absent.*

## **ECONOMIC DEVELOPMENT**

- #25-2424-2011-08 Approve of a letter of support from the Fort Peck Tribes for a community/wellness center for the Poplar using FPHA tax credits; with authorization for the Chairman to draft and send a letter to the Montana Board of Housing. *10 for, 0 opposed, 2 absent.*
- #25-2425-2011-08 Authorize the Fort Peck Tribes in-house counsel Ryan Rusche to enter into negotiations with the State of Montana about a new Class III Tribal-State Gaming Compact; and to authorize Chairman A.T. Stafne to sign the prepared letter by in-house counsel Ryan Rusche to The Honorable Brian Schweitzer, Governor of Montana. *11 for, 0 opposed, 1 absent.*
- #25-2426-2011-08 Authorize the Chairman to write a letter authorizing the in-house council Ryan Rusche to notify the state of Montana that the Fort Peck Tribes want to go forward in negotiating the state diesel tax. *11 for, 0 opposed, 1 absent.*
- #25-2427-2011-08 Approve of administrative leave for Councilman Kim for Friday, August 5, so he may attend a meeting and include Tom Christian from the Regular Board meeting, July 25, 2011. *11 for, 0 opposed, 1 absent.*

**HEALTH & HUMAN SERVICES**

- #25-2428-2011-08**                    **(Prepared Resolution)** Approve of prioritizing the following non-funded SDS projects: Frazer Lagoon Improvements Est. Cost: 1,790,000; Frazer CWT Water Treatment, Est. Cost: 305,164; Individual Water Renovations, Est. Cost: 136,000; Fort Peck As-Built, Est. Cost: 100,000; O&M Equipment, Est. Cost: 100,000; NE Poplar Individual Water Service, Est. Cost: 100,000. *9 for, 0 opposed, 3 absent.*
- #25-2429-2011-08**                    Approve of Anthony White Cloud, Fort Peck Tribes Adult Corrections; and Jason L. Wise Spirit, Fort Peck Tribes Juvenile Corrections; to attend the Basic Officer Training Program Class No BCOTP 105/072. August 9 through September 21, 2011; at the United States Indian Police Academy, Federal Law Enforcement Training Center (FLETC), in Artesia, New Mexico.  
*9 for, 0 opposed, 3 absent.*
- #25-2430-2011-08**                    Approve of a 2-year continuation of the Memorandum of Agreement for Ken Hull, effective August 1, 2011, ending upon the effective date of a personnel order that reassigns, retires, otherwise separates the Officer from the USPHS, or upon a revision of the MOA. *9 for, 0 opposed, 3 absent.*
- #25-2431-2011-08**                    Approve of request to bring a hydrologist from Billings to assess the water at Brockton; \$34,000 from community donation. *9 for, 0 opposed, 3 absent.*
- #25-2432-2011-08**                    Amend Resolution #25-2383-2011-07 by making the following changes: Whereas, the Indian Health Service Sanitation and Engineering priority list identified new houses constructed by individual tribal Housing as a work priority; and Whereas, the HHS Committee recommend repair for sewer and/or water system impacted by flood damage replace water/sewer systems for new housing constructed on the work priority. *9 for, 0 opposed, 3 absent.*
- #25-2433-2011-08**                    **(Prepared Resolution)** Approve of the Prepared Resolution for the 2012 Low-Income Home Energy Assistance Program proposal, and budget in the amount of \$1,350,477.  
*8 for, 1 not voting, 3 absent.*
- #25-2434-2011-08**                    **(Prepared Resolution)** Approve the FY2012 CSBG refunding proposal and budget for the period October 1, 2011 through September 30, 2012. *9 for, 0 opposed, 3 absent.*
- #25-2435-2011-08**                    Approve of the Memorandum of Agreement entered into by the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation (Tribes); the Bureau of Indian Affairs (BIA); and the Montana Department of Public Health and Human Services, Child and Family Services Division (CFS).  
*9 for, 0 opposed, 3 absent.*

#25-2436-2011-08            **(Prepared Resolution)** Approve of the ISA #8614 with the State of Montana, Office of Public Instruction, for a Mental Health Wrap-around facilitator and authorize the Chairman /Vice-Chairman to sign all necessary agreement.  
*9 for, 0 opposed, 3 absent.*

**VETERANS/ELDERS & YOUTH**

#25-2437-2011-08            Acceptance of Pearl Hopkins resignation as Chairperson of the Tribal Credit Committee effective July 28, 2011 and to advertise her position. *10 for, 0 opposed, 2 absent.*

#25-2438-2011-08            Approve of Wrap Around Facilitator position for HPDP Frazer School Project with OPI.  
*10 for, 0 opposed, 2 absent.*

#25-2439-2011-08            Approve mileage reimbursement for Margaret Marsh for trip to write grant. *10 for, 1 opposed, 1 absent.*

#25-2440-2011-08            Approve the contract with Dr. Sally George Wright as the Mental Health worker for HPDP and to provide moving expenses. *11 for, 0 opposed, 1 absent.*

#25-2441-2011-08            Extend the employment for 30 days for Jim Youpee, Shanni Moran, Alysa Shields, Bernard Moran, Mike Young, and Alison Greybull, *10 for, 1 not voting, 1 absent.*

#25-2442-2011-08            **(Prepared Resolution)** Approve to make an offer to Mr. Ruffatto to purchase building and lot.  
*11 for, 0 opposed, 1 absent.*

#25-2443-2011-08            That the Fort Peck Tribes ask for a precise clear definition from Pete Conway, IHS area director, about the difference between advocating and lobbying in relation to federal employees and that a resolution(original or copy-whatever is required by the IHS ) be sent to Mr. Conway.  
*11 for, 0 opposed, 1 absent.*

#25-2444-2011-08            Approve of extending Nanette Hamilton for 30 days as Program Assistant for the food Distribution Program.  
*11 for, 0 opposed, 1 absent.*

#25-2445-2011-08            Approve to appoint Henry Buck Elk as Brockton Senior Feeding Site Delivery employee for 30 days.  
*10 for, 1 not voting, 1 absent.*

#25-2446-2011-08            The Fort Peck Tribes will restrict the 2011 Pheasant Hunting season for non-tribal persons to one (1) month, opening at sunrise Saturday, October 8, 2011 and closing at sundown on Sunday, November 6, 2011, and in addition, Pheasant Hunting for non-tribal persons south of U.S. Highway 2 running the length of the Ft. Peck Reservation is strictly prohibited due to Habitat destruction caused by the flooding. *9 for, 1 opposed, 2 absent.*

#25-2447-2011-08            Approve of the Fort Peck Housing Authority Board of Commissioners to amend Resolution #01-11-01, to allow FPHA employees to apply for a \$1,000 loan with the Fort

Peck Tribal Credit Program, providing that the employees has three (3) years of employment with the Fort Peck Housing Authority, and a list of employee's date of Hire will be submitted to the Tribal Credit Program. *6 for, 5 opposed, 1 absent.*

#25-2448-2011-08

**(Prepared Resolution - 2)** Approve of the submission of Young Native American Men and Their Intention to Use Family Planning Services article to the American Journal of Men's Health. *8 for, 3 opposed, 1 absent.*

#25-2449-2011-08

**(Prepared Resolution)** Approve of the Department of Economic Development's request for authorization to make a proposal to the Office of Indian Energy and Economic Development (IEED) through its Native American Business Development Institute (NABDI); and the TEB authorizes the Chairman to sign the NABDI grant application to update the wind feasibility study. *11 for, 0 opposed, 1 absent.*

#25-2450-2011-08

Approve of paying Dickinson Wright PLLC invoice No. 770483 for the total amount of \$30,861.00. *11 for, 0 opposed, 1 absent.*

#### **UNFINISHED BUSINESS**

No actions taken

#### **NEW BUSINESS**

#25-2451-2011-08

**(Substitute motion)** Place Lori Smoker as the Administrative Assistant in the Tribal Health You Know Project and authorize the Chairman to have the final say and to sign the contract. *7 for, 0 opposed, 5 absent.*

#25-2452-2011-08

Approve of administrative leave for Tony Shields and Robert Welch for August 10, 11, & 12; and Rick Kim for August 18 & 19, 2011. *11 for, 0 opposed, 1 absent.*

#25-2453-2011-08

Approve of the Resolution Log. *11 for, 0 opposed, 1 absent.*

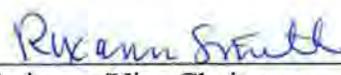
**ADJOURNMENT**

Motion to 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 **Special** meeting duly convened this 8th day of August, 2011 and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 11 for.

  
Secretary Accountant

  
Chairman/Vice Chairman  
Fort Peck Tribal Executive Board