

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

~~#25-2550-2011-09~~ Approve to reaffirm all resolutions pertaining to animal control.
7 for, 0 opposed, 1 not voting, 4 absent.

~~#25-2551-2011-09~~ Approve of the Regular Board meeting minutes, with corrections.
8 for, 0 opposed, 4 absent.

~~#25-2552-2011-09~~ Approve of the Travel Resolution Log.
8 for, 0 opposed, 4 absent.

CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE

No Actions Taken

LANGUAGE & CULTURAL RESTORATION

~~#25-2553-2011-09~~ **(Seven Signature Prepared Resolution)** Approve the attached contract for facilitation services with Kabotie Consulting, not to exceed \$8,000 for facilitation services for the HDPD program.
8 for, 0 opposed, 1 not voting, 3 absent.

~~#25-2554-2011-09~~ Approve to utilize the Meeting Line item and/or the Donation Line item to pay for the honoring of the young Badland Singers for taking first place at the United Tribes Pow-wow.
9 for, 0 opposed, 3 absent.

LAW & JUSTICE

~~#25-2555-2011-09~~ **(Prepared Resolution)** The Tribal Executive Board has reviewed the Fiscal Year 2012 Budget for Tribal Court Contract No. CTC56T20691 in the amount of \$316,617.00 and does hereby authorize and approve of funds set out in the attached budget.
9 for, 0 opposed, 3 absent.

#25-2556-2011-09 **(Prepared Resolution)** Approve of Fort Peck Tribes Law & Enforcement fiscal year 2012 budget in the amount of \$2,067,198.00. *9 for, 0 opposed, 3 absent.*

~~#25-2557-2011-09~~ **(Prepared Resolution)** That the Tribal Executive Board has reviewed the proposed \$19,622.00 carry over budget and narrative from the Fort Peck Tribal Court P.L. 638 Contract and authorizes this amount be carried over into Fiscal Year 2012 to pay for the cost of the October, 2011 Montana-Wyoming Tribal Court and Judges Annual Meeting and Training Conference.
8 for, 0 opposed, 4 absent.

~~#25-2558-2011-09~~ Authorize to follow the recommendation of In-House Attorney Ryan Rusche for a resolution authorizing attorneys to request reconsideration of credit program tort claim.
8 for, 0 opposed, 4 absent.

FINANCE

- #25-2559-2011-09 Approve payment of Sonosky, Chambers, Endreson, and Perry Law firm for Month of July 2011, in amount of \$42,572.08; and to mandate all programs go through the In-house Counsel for legal matters. *8 for, 0 opposed, 4 absent.*
- ~~#25-2560-2011-09~~ Approve of entering into a contract with the Sonosky, Chambers, Endreson & Perry Law firm for the time period of August 2010 to September 2012. *5 for, 2 opposed, 1 not voting, 4 absent.*
- ~~#25-2561-2011-09~~ Approve paying the Dickinson Wright, PLLC legal invoice for the month of July, 2011 in the amount of \$3,937.15. *7 for, 1 opposed, 1 not voting, 3 absent.*

NATURAL RESOURCES/LAND

- ~~#25-2562-2011-09~~ Approve lease cancellation: Robert Pinkerton Homesite lease # 1286-2033; Approve of Verbena Savior Business Lease; Approve New Lease for Alfred Pipe Homesite Lease; Approve of Enrolled Member Renewal for Lucille Holen; Approve of Enrolled Member New Homesite Lease for Teresa Buck Elk; Non-Indian Renewal for Wade Traeholt (4 tracts), Robert Hagadone (2 tracts), and Larry Stensland (3 tracts). *7 for, 0 opposed, 5 absent.*
- ~~#25-2563-2011-09~~ Approve of Enrolled Member Cancellation Lease for Douglas Grandchamp for land described as Lse. No. 1076-2019, put in business lease. *8 for, 0 opposed, 4 absent.*
- ~~#25-2564-2011-09~~ Approve of a no cost 25 Year Business Lease for HDPD Program to set up a trailer in Ft. Kipp SW1/4NW1/4NW1/4SW1/4 Term: Jan. 1, 2011 thru Dec. 31, 2036. Sec. 26-28N, 54E (land can also be used by various Tribal Programs to serve community activities.) Kenny Smoker, Jr. to sign the lease. *7 for, 0 opposed, 5 absent.*
- ~~#25-2565-2011-09~~ Authorize In-House Attorney Ryan Rusche to represent tribal employee Fish & Wildlife director, Robbie Magnan in a court case with funding to come out of the legal expense line item. *5 for, 2 opposed, 5 absent.*
- ~~#25-2566-2011-09~~ **(Prepared Resolution)** Approve of submitting an application for a TIGER II Grant of approximately \$4,000,000 for the Wolf Point South Side Streets between 1st and 6 Avenues south of Fairweather Street to the Lagoon; and that TIGER II pre-application and final application be submitted to the US Department of Transportation by October 3, and October 31st respectively; and to authorize the Tribal Chairman to authorize any documents required to submit these applications by the required deadline. *8 for, 0 opposed, 4 absent.*
- ~~#25-2567-2011-09~~ Approve administrative leave for Charles Headdress for Fri., Sept. 23, Wed., Oct. 5 & Thurs., Oct. 6; Sgt.-at-Arms John Weeks, Fri., Sept. 23 & Mon. Oct. 3; Councilwoman Pearl Hopkins excused from the Sept. 26, 2011 Regular Board meeting to attend funeral; and Donna Buckles-Whitmer from the Sept. 26, 2011 Regular Board Meeting. *7 for, 0 opposed, 1 not voting, 4 absent.*

~~#25-2568-2011-09~~

(Prepared Resolution) Authorize the Tribal Water Resource Office request for Budget Adjustment from Contract No. 403801 (CTC56T20664 FY 10/01/2007 – 9/30/2010 to Contract 403818 (CTC56T20686 FY 10/01/2010 – 9/30/2012) with appropriate consultation of the Tribal Executive Board.
7 for, 0 opposed, 1 not voting, 4 absent.

~~#25-2569-2011-09~~

(Prepared Resolution) Authorize the projected carry-over and budget modification of \$123,946.92 from Fiscal Year 2010 into Fiscal Year 2011/12 by the Tribal Program administered by the Tribal Water Resource Office. *8 for, 0 opposed, 4 absent.*

~~#25-2570-2011-09~~

(Prepared Resolution) Authorize the Tribal Water Resource Office request for authorization for the Renewal of FY2011-2012 P.L. 93-638 Funds in the amount of \$133,404.00 with attached budget and budget narrative, with no changes to the Statement of Work, for Contract #CTC56T20686 (Contract Period 10/01/2010 – 9/30/2013) with appropriate consultation of the Tribal Executive Board.
8 for, 0 opposed, 4 absent.

~~#25-2571-2011-09~~

(Prepared Resolution) Approve under Public Law 93-638 Contract # CTC56T20686 the BIA 93-638 Water Resources Office is requesting an extension of Fred Bighorn's One Year staggered term, John Doney Sr. – 3 year Term; Morris Tattoo – 2 Year Term. Fred Bighorn – 1 Year Term. The Fort Peck Tribes Water Resource Office will advertise for one year and two year terms, upon expiration in July 2012; and to authorize the Water Resource Office to extend Fred Bighorn's One Year term to July 2012.
8 for, 0 opposed, 4 absent.

~~#25-2572-2011-09~~

(Prepared Resolution) Authorize the Water Resource (Commissioners) monitoring and regulating Fort Peck Montana Water Compact, and Tribal Water Code.
8 for, 0 opposed, 4 absent.

~~#25-2573-2011-09~~

(Prepared Resolution) Approve and directs that a TIGER III grant proposal be submitted for BIA Route 1 – Wiota to Wolf Point in the amount of about \$12,000.00 and that the TIGER III pre-application and final application be submitted to the US Department of Transportation by October 3, and October 31st respectively and to authorize the Tribal Chairman to sign the approved resolution and to approve any documents required to submit these applications by the required deadlines.
8 for, 0 opposed, 4 absent.

~~#25-2574-2011-09~~

(Prepared Resolution) Approve of contract modification #18 for the Road Maintenance Program in the amount of \$23,618.00 and to authorize the chairman to sign the modification.
9 for, 0 opposed, 3 absent.

~~#25-2575-2011-09~~

(Prepared Resolution) Approve of the BIA providing technical assistance to the Tribes in developing P.L. 93-638 contract proposal and to authorize the Tribal Chairman to sign the resolution and to sign any documents required to submit the application. *9 for, 0 opposed, 3 absent.*

~~#25-2576-2011-09~~ Authorize to refer the bill change effective October 1, 2011, that is being assessed by NorVal Electric Cooperative to all meters that are located on Fort Peck reservation trust lands to the In-House Attorney Ryan Rusche for review.
9 for, 0 opposed, 3 absent.

~~#25-2577-2011-09~~ **(Off the Floor)** Declare interest in the Hot Plant & Gravel Crusher, available through the Rocky Mountain Regional Equipment Pool. *7 for, 0 opposed, 1 not voting, 4 absent.*

NATURAL RESOURCES/MINERALS

~~#25-2578-2011-09~~ Approve to write a letter to Secretary of Interior, Schweitzer, local and regional B.I.A. is not fulfilling their fiduciary trust responsibilities concerning the development of oil and gas on Fort Peck Indian Reservation. *8 for, 0 opposed, 4 absent.*

#25-2579-2011-09 **(Prepared Resolution)** Authorize the Head Start to apply for a one-time funds in the amount of \$72,000.00 from the OHS/ American Indian Alaskan/Native Program for health & safety improvements. *8 for, 0 opposed, 4 absent.*

~~#25-2580-2011-09~~ Approve AD Atley to work on approach to Hollow Ranch and to include bus route at no cost to the Tribes.
8 for, 0 opposed, 4 absent.

~~#25-2581-2011-09~~ Request permission by letter from BNSF for emergency repair and A&S underpass. *9 for, 0 opposed, 3 absent.*

~~#25-2582-2011-09~~ To have IRR Program to look into railing 1 mile east of A&S crossing – where the Missouri River runs right up to BIA Route #1 – for safety purposes. *9 for, 0 opposed, 3 absent.*

ECONOMIC DEVELOPMENT

~~#25-2583-2011-09~~ Approve to authorize a settlement and release with Greg Bad Hawk to pay back \$6,700. He will settle for \$1,000.00 and direct Attorney to draft release agreement.
4 for, 0 opposed, 4 not voting, 4 absent.

~~#25-2584-2011-09~~ Approve to buy flowers for Tribal elder, Gladys Jackson funeral.
8 for, 0 opposed, 4 absent.

~~#25-2585-2011-09~~ Authorize a \$20,000 line of credit to the Boys & Girls Club that is reimbursable through OJP Grant 21019423.
7 for, 0 opposed, 5 absent.

~~#25-2586-2011-09~~ Approve the selection of John Doney Jr., as the Fort Peck Tribes representative of record service on the Montana Inter Tribal Telecommunications Consortium (MITTC).
7 for, 0 opposed, 5 absent.

~~#25-2587-2011-09~~ **(Seven Signature Prepared Resolution)** That the Fort Peck Tribes accept the P.L. 93-638 S.A.V.T.P. Contract CTC6T20688 Meth Initiative funding available from the Bureau of Indian Affairs Fort Peck Agency for FY2011 in the amount of \$115,000.00 to establish a Youth Safe House and accepts the transfer of BIA

government Quarters #64 and 65; and that FY2010 carryover funding in the amount of \$114,700.00 may be used in support of the Youth Safe House Project.

7 for, 0 opposed, 5 absent.

~~#25-2588-2011-09~~

Authorize Gratech Company, LTD concept to rebuild the railroad spur. *8 for, 0 opposed, 4 absent.*

#25-2589-2011-09

(Off the Floor – Prepared Resolution) That the Fort Peck TEB hereby approves to request an extension of the performance period for USDA – Rural Development grant #31-043-8002926323 in the amount of \$50,000 until November 30, 2011.

8 for, 0 opposed, 1 not voting, 3 absent.

HEALTH & HUMAN SERVICES

~~#25-2590-2011-09~~

(Prepared Resolution) That the Fort Peck Tribes accepts the P.L. 93-638 I.D.E.A. Grant CTC56T20641 Meth Initiative Funding available from the Bureau of Indian Affairs Agency for FY2011 in the amount of \$22,589.00 and extends the term date to September 30, 2012. *8 for, 0 opposed, 4 absent.*

#25-2591-2011-09

(Prepared Resolution) Approve to re-contract the Scholarships, Johnson O'Malley, and the Jobs Replacement and Training programs for a three-year contract term, from October 1, 2011 to September 30, 2014, with the correction that the amounts be included in the revised prepared resolution.

8 for, 0 opposed, 4 absent.

#25-2592-2011-09

Approve of a home site lease for Eugene Jay Crowe (no land description provided). *9 for, 0 opposed, 3 absent.*

#25-2593-2011-09

(Prepared Resolution) Approve of contract with Georgia Traux, Dental Hygienist from October 2011 to Sept. 2012.

9 for, 0 opposed, 3 absent.

#25-2594-2011-09

(Prepared Resolution) Approve of employing Wayne Little Crow as an employee of the HPDP program effective Sept. 26, 2011. *9 for, 0 opposed, 3 absent.*

#25-2595-2011-09

(Prepared Resolution) Approve of hiring Shannon Dionne to provide medical, mental health, dental, billings and administrative support services to HPDP Program; and that Shannon Dionne will be an employees of the HPDP Program effective September 27, 2011. *9 for, 0 opposed, 3 absent.*

#25-2596-2011-09

(Prepared Resolution) Authorize the Tribal Health You Know Program to submit the article Condom Use Intention Among Young Native American Men to the Journal of Social Science medicine. *5 for, 4 opposed, 2 not voting, 1 absent.*

VETERANS/ELDERS & YOUTH

~~#25-2597-2011-09~~

Approve to donate a buffalo to honor the Badland Singers. *8 for, 0 opposed, 4 absent.*

RESOLUTION #25-2612-2011-09
September 26, 2011

Regular Board Meeting
9 Present

- #25-2597A-2011-09 Approve to sponsor the KVCK Radio for one year to broadcast basketball, softball, football, etc. in the amount of \$1,170.00.
5 for, 2 opposed, 5 absent
- ~~#25-2598-2011-09~~ Approve to donate funds from travel funds (Peter Dupree, Pearl Hopkins, Tony Shields, Leonard Crow Belt, and Sgt. -at-Arms John Weeks) of \$200.00 each, payable to the Frazer School's Native American Week activities they are planning.
9 for, 0 opposed, 3 absent.
- ~~#25-2599-2011-09~~ Approve the SAVTP's FY2012 budget for SAVTP Scope of Work Contract at \$152,347.00 for personnel salaries and operating expenses. *9 for, 0 opposed, 3 absent.*
- ~~#25-2600-2011-09~~ Approve the Employment contract for Bryson Myers, which has gone through the process of Ryan Rusche and Dr. Ken Ryan in Human Resources.
7 for, 0 opposed, 2 not voting, 3 absent.
- ~~#25-2601-2011-09~~ Authorize that Councilman Stoney Anketell be excused from the September 26, 2011 Full Board meeting.
8 for, 0 opposed, 4 absent.
- ~~#25-2602-2011-09~~ **(Prepared Resolution)** Approve of the intradepartmental MOA between SBTC and the HPDP program for billing of services provided by the HPDP Program. *8 for, 0 opposed, 4 absent.*
- ~~#25-2603-2011-09~~ **(Prepared Resolution)** Approve of the contract with Acadia/Altracare Mental Health Center and the Fort Peck Tribes administered under the HPDP Program.
8 for, 0 opposed, 4 absent.
- #25-2604-2011-09 **(Prepared Resolution)** Authorize a prepared letter and application prepared by Kenneth Smoker Jr., Health Programs Specialist for the Fort Peck Wellness Program, requesting support for a subcontract NIH grant application entitled "Building Capacity and Assessing Research Priorities in a Multi-Tribal Rural Network," Funding will be in the amount of \$412,713 for the period from April 1, 2012 through March 30, 2015; Ken Smoker will manage the subcontract, supervise three research assistants, participate in trainings, coordinate with tribal leadership in the research regulation conversations, and participate in the dissemination activities.
8 for, 0 opposed, 4 absent.
- #25-2605-2011-09 **(Prepared Resolution)** That the TEB authorizes Tribal Enterprise to provide In-Kind services for dirt work needed to assist the Economic Development/Energy Office in completing the installation of GSHPs (Ground Source Heat Pumps) before the ground freezes.
8 for, 0 opposed, 4 absent.
- ~~#25-2606-2011-09~~ **(Prepared Resolution)** The TEB authorizes the Chairman to sign the attached Consultant Contract between the Fort Peck Tribes and Redstone L.L.C. to provide expert assistance, supervision of Tribal Industries In-Training, and the successful completion of the GSHP Project.
8 for, 0 opposed, 4 absent.

RESOLUTION #25-2612-2011-09
September 26, 2011

Regular Board Meeting
9 Present

~~#25-2607-2011-09~~

(Prepared Resolution) The TEB authorizes the Chairman to sign the attached Consultant Contract between the Fort Peck Tribes and Gradient Geophysics, Inc. **8 for, 0 opposed, 4 absent.**

#25-2608-2011-09

(Prepared Resolution) the TEB authorizes the Chairman to sign the attached Consultant Contract between the Fort Peck Tribes and Jeff Birkby. **8 for, 0 opposed, 4 absent.**

UNFINISHED BUSINESS

~~#25-2609-2011-09~~

(Off the Floor) The Fort Peck Tribal Executive Board approve the Tribal Court request to purchase two (2) FEMA trailers in the amount of \$17,500.00 and payment shall be made from tribal funds authorized under the FY201 Tribal Court Budget. **8 for, 0 opposed, 4 absent.**

NEW BUSINESS

~~#25-2610-2011-09~~

(Off the Floor) Approve the HIP director to pay the cost of the water and sewer line expansion out of the HIP budget and submit the cost to the IHS Regional Office. **9 for, 0 opposed, 3 absent.**

~~#25-2611-2011-09~~

(Off the Floor Prepared Resolution) The Fort Peck Tribes approve the Annual Funding Agreement for FY2012, Contract No. CTC56T20676, Real Estate Appraisals, and is mutually agreed upon for any revisions made on said contract. **8 for, 0 opposed, 4 absent.**

~~#25-2612-2011-09~~

Approve of the Resolution Log. **9 for, 0 opposed, 3 absent.**

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 9 constituting a quorum were present at a **Regular** meeting duly convened this **26th** day of **September, 2011** and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 9 for.


Chairman/Vice Chairman
Fort Peck Tribal Executive Board


Secretary Accountant