

**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**

#25-2613-2011-10 Approve of the September 26, 2011 Special Board meeting minutes. *8 for, 0 opposed, 4 absent.*

#25-2614-2011-10 Approve of the Travel Resolution Log. *8 for, 0 opposed, 4 absent.*

**CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE**

#25-2615-2011-10 Approve the selection of Fred Bighorn as Tribal Credit Committee member for 30 days. *7 for, 1 not voting, 0 opposed, 4 absent.*

**LANGUAGE & CULTURAL RESTORATION**

*No committee action.*

**LAW & JUSTICE**

#25-2616-2011-10 Approve to donate a buffalo for the Wolf Point School Indian Club. *8 for, 0 opposed, 4 absent.*

#25-2617-2011-10 Approve to retain Pat Smith Firm to represent the Tribes in the event that Ryan has conflict of issue with the case filed by Lucille Holen against the Tribe. *8 for, 0 opposed, 4 absent.*

#25-2618-2011-10 Approve to contract the Fiscal Year 2012 funding for DUI Court. *8 for, 0 opposed, 4 absent.*

**FINANCE**

#25-2619-2011-10 **(7 Signature Prepared Resolution)** The Fort Peck Tribes accepts the one-time carry-over funding available from the Bureau of Indian Affairs Fort Peck Agency for P.L. 93-638 Law Enforcement Services Contact CTC56T20692 in the amount of \$15,849.00 and funding will be utilized per the attached Budget and Budget Narrative. *7 for, 0 opposed, 5 absent.*

#25-2620-2011-10 **(7 Signature Prepared Resolution)** the TEB authorizes the submission of the CEDS document and adopts this document as the official CEDS document of the Fort Peck Assiniboine and Sioux Tribes. *8 for, 0 opposed, 1 not voting, 3 absent.*

#25-2621-2011-10 Approve the proposed FY2012 Tribal Budget in the amount of \$13,511,879.00. *8 for, 0 opposed, 4 absent.*

#25-2622-2011-10 Approve to rescind the resolution of the action taken on Sept. 26 that hired by employment contract with Brison Meyers through

- Chris Four Star's Program in Tribal Health as employment contract procedures was not followed properly. *8 for, 0 opposed, 4 absent.*
- #25-2623-2011-10 Approve to donate 1,000 feet of airport fencing to FPCC for use for college motor pool. *8 for, 0 opposed, 4 absent.*
- #25-2624-2011-10 Approve to rescind all resolutions designating Chauncey Whitright to represent the Fort Peck Tribes on Little Bighorn matters and to appoint Curley Youpee, Fort Peck Cultural Resource Director, as the Tribes' official representative and to authorize the Chairman to write a letter to Chauncey concerning this matter. *8 for, 0 opposed, 4 absent.*
- #25-2625-2011-10 Approve the carry-over of \$438,921.64 of the FY11 Building Fund into the FY2012. *8 for, 0 opposed, 4 absent.*
- #25-2626-2011-10 **(Prepared Resolution)** Approve of the Consultant Agreement Contract with Dr. Kermit Smith, effective August 2011 through Sept. 30, 2012. *8 for, 0 opposed, 4 absent.*
- #25-2627-2011-10 **(Prepared Resolution)** Approve the Native American High School Summer School Program has been granted a one-year funding extension of their Science Education Partnership Award at Harvard Medical School and the Fort Peck Reservation Schools has collaborated in this program for the last nine years; the grant processes stipulate that the tribal governing body may withdraw their authorization for the collection and analysis of this information at any time; and that the Fort Peck Tribes fully support and approve the collection of this information and report the collected information to the Fort Peck Tribes. *8 for, 0 opposed, 4 absent.*

**NATURAL RESOURCES/LAND**

- #25-2628-2011-10 Approve the Fort Peck Tribes support the concept of the Montana Cowboy Hall of Fame project to obtain Wolf Point as the designated site for the MCHF & WHC. *7 for, 0 opposed, 5 absent.*
- #25-2629-2011-10 Approve Enrolled Member Homesite for Channing Smith; Enrolled Member Renewals for Clyde Perry (4 tracts), and Richard Kim. *6 for, 0 opposed, 1 not voting, 5 absent.*
- #25-2630-2011-10 Approve Non-Indian Renewals for John A. Toavs (2 tracts); Gary Handran (4 tracts). *6 for, 1 opposed, 5 absent.*
- #25-2631-2011-10 Approve \$200 (each from Councilman Crow Belt, Christian, Dupree, and Sgt.-at-Arms John Weeks travel line item) to attend the Women of Color Conf., Oct. 20-23, 2011, in Charlotte, NC. *8 for, 0 opposed, 4 absent.*
- #25-2632-2011-10 Approve of Enrolled Member Renewals Lease for Tracy Hentges (3 tracts); JR. Anderson (3 tracts); Jeff Strauser (1 tract); Dennis Tyrell (1 tract); Approve Non-Indian Renewal Leases for Donald H. Gray, James Gartside, Aaron Nordwick (2 tracts) and Kaare

Gaustad; Enrolled Modification for Vickie Bisbee to modify Lse. No. 667 to change name to Vicky as father is deceased; Enrolled Member Cancellation lease for Carolyn Rusche as she cancelled Lse. No. 936-13 to decrease herd. **8 for, 0 opposed, 4 absent.**

**#25-2633-2011-10**

Approve of Johnny Doney's request to do a reservation wide fly over to document to effects of the Flood of 2011; the cost of \$800.00 will be split between OEP, Water Resources Office and Natural Resources Program.  
**8 for, 1 not voting, 3 absent.**

**NATURAL RESOURCES/MINERALS**

**#25-2634-2011-10**

**(Prepared Resolution)** The Fort Peck Tribal Executive Board authorizes the Chairman to sign a Right-of-Way lease agreement to be drafted by the In-House Attorney between the Fort Peck Tribes and MDU for encumbrance the lands described as Allotment #260 T6049, Allotment #206 TR5057, Allotment #206 T 5057A, and Allotment #206 6110.  
**9 for, 0 opposed, 3 absent.**

**#25-2635-2011-10**

**(Prepared Resolution)** Approve as presented the prepared resolution re: Water Well Testing prior to Exploratory Drilling Samson Oil and Gas USA Montana, Inc. and Fort Peck Energy Company, LLC. **9 for, 0 opposed, 3 absent.**

**#25-2636-2011-10**

**(Prepared Resolution)** Approve as presented the prepared resolution for Approval of Letters of Support for Temporary Spacing Units; and to approve and authorize such letters of support to be signed by the Chairman; and to authorize the Chairman to execute any and all letters, agreements or other documents that may be necessary to implement the actions described in this resolution. **8 for, 0 opposed, 4 absent.**

**#25-2637-2011-10**

**(Prepared Resolution)** Approve of Missouri River Bed Leasing Pursuant to an Indian Mineral Development Act Exploration Agreement; and approves the Chairman executing the Project Development Agreement or any other documents necessary to carry out and implement this resolution, once the Tribes; Minerals Department Director and the Tribes' legal counsel have recommended its execution; and to add other companies as they become known. **8 for, 0 opposed, 4 absent.**

**ECONOMIC DEVELOPMENT**

**#25-2638-2011-10**

Authorize the request of U of Chicago NORC to come on to the reservation to conduct verification of addresses needed for the studies. **8 for, 0 opposed, 4 absent.**

**#25-2639-2011-10**

Approve emergency transport for a veteran for surgery and referral in amount of \$550.00 (approximately) after the fact travel.  
**7 for, 1 opposed, 4 absent.**

**#25-2640-2011-10**

Approve to add the qualified wholly-owned to amend the Resolution #25-21499-05 of the TERO regulations.  
**8 for, 0 opposed, 4 absent.**

#25-2641-2011-10      **(Prepared Resolution)** Approve of A&S Building renovation in the amount of \$18,952.00; and authorize the Chairman to sign the contract between the Fort Peck Tribes and KLJ; and that the funding for these services is made available from the insurance money paid to the tribes. *7 for, 2 opposed, 3 absent.*

#25-2642-2011-10      **(Prepared Resolution)** Approve “A Resolution authorizing the Boys & Girls Club of the Ft. Peck Reservation to participate and accept funding on behalf of the community from the Department of Justice, Office of Justice Programs to support the Boys & Girls Clubs of America’s programs for Youth.”  
*8 for, 0 opposed, 4 absent.*

**HEALTH & HUMAN SERVICES**

#25-2643-2011-10      **(Prepared Resolution)** Approve of the Sanitation application for David Madison for a septic tank and well for land described as: Sec. 13 T28N-R46E, PMM, SW1/4SW1/4SW1/4.  
*7 for, 0 opposed, 5 absent.*

#25-2644-2011-10      **(Prepared Resolution)** Approve budget for Colon Cancer Research Coordinator position and the advertisement to initiate the selection process. *9 for, 0 opposed, 3 absent.*

#25-2645-2011-10      Approve selection of Dr. Ken Ryan as the Fort Peck Tribes representative of record to serve on the Smithsonian Native American Repatriation Review Committee.  
*9 for, 0 opposed, 3 absent.*

#25-2646-2011-10      Approve of a judicial review by Ryan Rusche on a Motion and Order to Vacate. *9 for, 0 opposed, 3 absent.*

#25-2647-2011-10      **(Prepared Resolution)** Approve of amending FY2012 LIHEAP plan of operation by raising the maximum component from \$6,000 per household to \$9,000 per household. *9 for, 0 opposed, 3 absent.*

#25-2648-2011-10      Authorize to extend the temporary employment of Tyra Scott as file clerk for the LIHEAP Program.  
*9 for, 0 opposed, 3 absent.*

#25-2649-2011-10      **(Prepared Resolution)** Approve amending Resolution #833-2010-06 as the names of the housing recipients have changed; and to authorize to use the remaining contract funding in the amount of \$7,117.46 by the P.L. 93-638 HIP Contract in support of contract and Assistant deliverables. *9 for, 0 opposed, 3 absent.*

**VETERANS/ELDERS & YOUTH**

#25-2650-2011-10      Approve of administrative leave for Councilman Peter Dupree, Oct. 5 & 6; Charles Headdress from the Full Board meeting, Oct. 10, and Pearl Hopkins, October 11, 2011.  
*7 for, 0 opposed, 2 not voting, 3 absent.*

#25-2651-2011-10      Authorize a donation of \$1,000 out of line item 1001-4044 to the Lord’s Table to butcher and process two buffalos.  
*9 for, 0 opposed, 3 absent.*



**RESOLUTION #25-2672-2011-10  
October 10, 2011**

**Special Board Meeting  
10 Present**

- #25-2652-2011-10 Authorize MDT to maintain approach 418.  
*9 for, 0 opposed, 3 absent.*
- #25-2653-2011-10 Direct FPHA and IRR to work together on the request assistance from FPHA and IRR to install fences around the homes of Rita Long Chase, Myrna Charbonneau, Roberta Garfield, Pearl Nation, Donna Gudgel, and Patricia Walters. FPHA/IRR to get this task done. *9 for, 0 opposed, 3 absent.*
- #25-2654-2011-10 Approve of IRR Program in providing gravel for Dr. Robinson at his trailer. *9 for, 0 opposed, 3 absent.*
- #25-2655-2011-10 Direct the FPHA commissioners to stop using the Poplar 12-Plex as a transitional unit and to restore what the original intent of the 12-Plex is for – which the provision of safe living quarters for elders. *9 for, 0 opposed, 3 absent.*
- #25-2656-2011-00 Establish a resident counselor for the Poplar 12-Plex to be available during working hours. *9 for, 0 opposed, 3 absent.*
- #25-2657-2011-00 **(Seven Signature Resolution)** Approve of donating \$70.00 out of the Meeting Expense Line Item payable to Lois Red Elk; from this \$70.00, \$20.00 will be used to pay Michael Turcotte, and \$50 will be used to pay Kenny Comes Last for book cover art he did.  
*9 for, 0 opposed, 3 absent.*
- #25-2658-2011-10 Authorize putting Red Tipi Children on Fort Peck Tribes website that can be downloaded free of charge subject to the release and/or permission of the authors. *9 for, 0 opposed, 3 absent.*
- #25-2659-2011-10 Authorize Robbie Magnan, director of the Tribal Fish & Wildlife program to donate packaged and/or harvested buffalo meat for the Red Tipi Children project luncheon/banquet.  
*9 for, 0 opposed, 3 absent.*
- #25-2660-2011-10 Authorize the use of roll-off dumpster from Enterprise to the old SBTC and authorize the Economic Development Department to pay for this. *9 for, 0 opposed, 3 absent.*
- #25-2661-2011-10 Approve of a \$2,000.00 donation to the Poplar Schools for purchase of a digital electronic sign pending the identification of funds. *9 for, 0 opposed, 3 absent.*
- #25-2662-2011-10 Authorize IRR to send a truck driver to take back equipment to the Rocky Boy Program, October 10, 2011. *8 for, 1 opposed, 3 absent.*
- #25-2663-2011-10 **(Prepared Resolution)** Approve inclusion of Tribal minerals and lands in temporary and permanent spacing units and the communitization of Tribal minerals and lands in and adjoining the Big Muddy South Project and Big Muddy North Project areas, which will ensure the Tribes will not be spaced out of any production pursuant to the exploration drilling; and that the Tribal Executive Board hereby approves the Chairman to execute any and all letters, agreements or other documents that may be necessary to implement the actions described. *9 for, 0 opposed, 3 absent.*

#25-2664-2011-10                      Establish a Fort Peck Law and Justice Police Commission.  
*8 for, 1 opposed, 3 absent.*

**UNFINISHED BUSINESS**

#25-2665-2011-10                      Authorize the HPDP to provide a \$15,000 retention fund to Margaret Marsh, Physician Assistant, as incentive to remain working with the Fort Peck Tribes.  
*8 for, 0 opposed, 1 not voting, 3 absent.*

#25-2666-2011-10                      **(Prepared Resolution)** Authorize the Chairman to sign the contract for \$44,000 with Kadrmass, Lee & Jackson to conduct the engineering design for a new roof, new siding and a new mechanical system; funding is currently available through the Tribes' Building Renovation line item.  
*8 for, 1 opposed, 3 absent.*

#25-2667-2011-10                      **(Seven Signature Prepared Resolution)** Approve of the contract support claim of the BIA.  
*9 for, 0 opposed, 3 absent.*

#25-2668-2011-10                      Approve of the Tribal Enrollment Committee recommendations from the Tribal Enrollment Committee meetings held on Sept. 27, 28 & 29, 2011: Fifty (50) Group 4 – Eligibles; Two (2) relinquishments from the Fort Peck Assiniboine & Sioux Tribes; Twenty-one (21) name changes; Sixteen (16) Group 5 1/8<sup>th</sup> Associate Members – Eligible; Twenty-two (22) Blood Degree changes.  
*9 for, 0 opposed, 3 absent.*

#25-2669-2011-10                      **(Off the Floor)** Authorize the Bureau of Indian Affairs to correct the blood quantum of one enrolled tribal member.  
*9 for, 0 opposed, 3 absent.*

**NEW BUSINESS**

#25-2670-2011-10                      **(Prepared Resolution- Off the Floor)** Authorize the Tribal Chairman to sign all documents authorized by the Water Commissioners and ratified by the Tribal Executive Board, Sampson Oil and Gas USA Montana, Inc., Water Permit Application, for point of diversion at T28N, R55E Sec., 20, Tract No. 542-A, for the purpose of Oil and Gas well drilling and completion operations, estimated 500 gpm/20 ac/ft. and with a maximum of 500gpm/100 ac/ft/yr through Sept. 30, 2012 with appropriate consultation of the Tribal Executive Board.  
*9 for, 0 opposed, 3 absent.*

#25-2671-2011-10                      **(Seven Signature Prepared Resolution- Off the Floor)** the TEB approves and consents to (i) the Transaction and any assignment between FPEC and Fort Worth of Tribal oil and gas leases in the Wolf Block and Block A, which FPEC and Fort Worth are in discussion to finalize the details of an d as such substantially depicted the map attached as Exhibit A hereto, (II) execute the Tribal oil and gas leases in favor of Fort Worth in the Wolf Block pursuant to the Fort Worth Resolution in a timely manner, (iii) direct al lfunds received from the BIA as refunds of the lease

bonuses and the annual rental payments submitted by FPEC to acquire the leases rescinded pursuant to the October 10, 2011 letter promptly to FPEC upon receipt, and (iv) take any additional action as necessary to facilitate and implement the actions contemplated in this Resolution, including actively pursuing the BIA to approve the Tribal oil and gas leases to Fort Worth in the Wolf Block as soon as possible so that the Tribes may receive the benefit of the lease bonus and rental monies timely. *10 for, 0 opposed, 2 absent.*

#25-2672-2011-10

Approve of the Resolution Log. *9 for, 0 opposed, 3 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 10 constituting a quorum were present at a **Special** meeting duly convened this 10th day of October, 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