

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

- #25-2490-2011-09 Approve of the Special Board meeting minutes with corrections. *9 for, 0 opposed, 1 not voting, 2 absent.*
- #25-2491-2011-09 Approve of the Travel Resolution Log. *10 for, 0 opposed, 2 absent.*

CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE

- #25-2492-2011-09 Reaffirm the employment contract, as negotiated, and authorize the Chairman to execute the contract and any other documents necessary to confirm the agreement of the Tribal Executive Board and the attorney. *8 for, 2 opposed, 2 absent.*
- #25-2493-2011-09 Approve administrative leave: Frank Smith, Sept. 16, Democratic Convention, Wheeler Meetings, Sept. 18-20, Crow and Northern Cheyenne, Sept. 26; Charles Headdress, Aug. 3-Sept. 1 & 9, 2011 for medical. *9 for, 0 opposed, 3 absent.*

LANGUAGE & CULTURAL RESTORATION

- #25-2494-2011-09 Approve administrative leave for Rick Kim, Aug. 26 & 29, 2011. *8 for, 0 opposed, 1 not voting, 3 absent.*

LAW & JUSTICE

- #25-2495-2011-09 **(Prepared Resolution)** The Fort Peck Tribes hereby approves of re-contracting the Bureau of Indian Affairs for the 93-638 Contract Number CTC56T20689 for Fiscal Year 2012 at 2011 funding levels and no changes to the statement of work. *7 for, 0 opposed, 1 not voting, 4 absent.*
- #25-2496-2011-09 Approve appointing Ruth Jackson to the Roosevelt County Board of Health. *8 for, 0 opposed, 4 absent.*
- #25-2497-2011-09 Authorize cross-deputization of William Norgaard, and Mark D. Whalen. *10 for, 0 opposed, 2 absent.*

FINANCE

- #25-2498-2011-09 Approve of the audit contract with Wahlenberg, Ritzman & Co., LC. *11 for, 0 opposed, 1 absent.*

NATURAL RESOURCES/LAND

- #25-2499-2011-09 **(Prepared Resolution)** Approve the request by the IRR Program to pay Kathy Shields for the flagging work she did for the (IRR) Program during flooding. The amount of payment (\$24.00 x 10 hours) is No other individual will be paid or hired until a policy is developed. *9 for, 1 opposed, 1 not voting, 1 absent.*

- #25-2500-2011-09 Approve of a Business Lease for the City of Poplar; Approve of an Enrolled Member Renewal lease for Brad Bender for three (3) tracts; Approve of Lease Enrolled Members homesite leases for Dani Red Bull, Thomas Walton, and Fort Peck Housing; Lease Cancellation for Betty Campbell; Approve of two (2) Lease Modifications for Fort Peck Housing. *9 for, 0 opposed, 3 absent.*
- #25-2501-2011-09 **(Prepared Resolution)** That the Tribal Executive Board accepts and approves the Environmental Assessment of Three Exploratory Wells, as reviewed and recommended by the Tribes' Minerals Department, and to authorize a letter from the Chairman requesting expedited approval by the Bureau of Land Management (Miles City) and the Bureau of Indian Affairs (Regional and Fort Peck Agency); and approves the Chairman to execute any and all letters or other documents that may be necessary to implement the actions described in this Resolution. *9 for, 0 opposed, 3 absent.*
- #25-2502-2011-09 **(Prepared Resolution)** Approve of the budget proposed by the Natural Resources Program for Fiscal Year 2012 at the amount of \$325,780.00 with the Bureau of Indian Affairs. *11 for, 0 opposed, 1 absent.*
- #25-2503-2011-09 **(Prepared Resolution)** Approve of the Natural Resources recommendation to utilize the Range Administrative Fees, collected in 2012, to support Natural Resources Program salaries for FY2012. *10 for, 0 opposed, 2 absent.*
- #25-2504-2011-09 **(Prepared Resolution)** that the Tribal Executive Board accepts the Natural Resources Program recommendation to accept the Montana Noxious Weed Trust Fund Grant in the amount of \$7,500.00 for Fiscal Year 2012; and approves modification of the Natural Resources Program budget. *10 for, 0 opposed, 2 absent.*

NATURAL RESOURCES/MINERALS

- #25-2505-2011-09 Approve administration leave to John Weeks, Thursday and Friday, Sept. 1 and 2; administrative/personal leave for Councilman Thomas Anketell, Aug. 30-Sept. 9, 2011. *11 for, 0 opposed, 1 absent.*
- #25-2506-2011-09 Approve of the Tribal Enrollment Committee recommendations for the following: 78 (seventy eight) Group 4 Eligibles; 1 (one) Change of Tribal Affiliation; 3 (three) Relinquishments from Fort Peck Tribes; 25 (twenty five) Name changes; 43 (forty three) Group 5-1/8th -Associate members-Eligibles (who are 1/8 and over but less than 1/4; 31 (thirty one) -Blood Degree changes; 3 (three)-Ineligibles-Less than 1/8; 1 (one) Denial for one associate member to become a full member of the Fort Peck Tribes. *11 for, 0 opposed, 1 absent.*
- #25-2507-2011-09 Approve of a 30-day extension for Elise Young to work in the Travel Department. *11 for, 0 opposed, 1 absent.*
- #25-2508-2011-09 Authorize the Chairman to write a letter of support to Senator Tester, who is nominating Eloise Cobell for a congressional award. *9 for, 1 opposed, 1 not voting, 1 absent.*

ECONOMIC DEVELOPMENT

- #25-2509-2011-09 Approve payment to Michael DeHues in the amount of \$1,200 for services rendered. *11 for, 0 opposed, 1 absent.*
- #25-2510-2011-09 Approve of a Negotiating Team (Diesel tax), consisting of Forrest Smith, Kathy Greenwood, Frank Smith, and Ryan Rusche. *9 for, 0 opposed, 3 absent.*
- #25-2511-2011-09 **(Prepared Resolution)** Approve the extension of the High Office of Indian Energy and Economic Development grant up until Sept. 20, 2011 through December 1, 2011. *9 for, 0 opposed, 3 absent.*
- #25-2512-2011-09 **(Prepared Resolution)** Approve the awarding of the 2011 Paving Project ID Number C56-varies, under the Contract Identification and number Contract #FP-IRR-2011-01; Route 1 – A&S Loop Turning Widening Frazer Bike Pedestrian Path; Fort Kipp Bike Pedestrian Path; North Park Road, and Miscellaneous patching, to Century Companies, Inc., and authorize the Fort Peck Tribal Chairman and Vice-Chairman to sign the Notice of Award, & the fully executed Agreement, & granting Darin Falcon, P.E. authority to sign the Notice of Proceed; and to authorize the Chairman and/or Vice-Chairman to sign the prepared resolution. *8 for, 0 opposed, 1 not voting, 3 absent.*
- #25-2513-2011-09 **(Prepared Resolution)** Authorize the request by the IRR Program to create and advertise a position for Equipment Maintenance Mechanic, at the wage scale of a Grade 12 Step 1 and to authorize the Chairman/ Vice-Chairman to sign the approved resolution. *10 for, 0 opposed, 2 absent.*
- #25-2514-2011-09 **(Prepared Resolution)** Authorize the IRR Program to keep Austin Spotted Bird and Phillip Granbois III hired until the positions they temporarily fill are advertised and filled permanently; and authorize the Chairman/Vice-Chairman to sign this resolution. *10 for, 0 opposed, 2 absent.*
- #25-2515-2011-09 **(Prepared Resolution)** Approve the PSA between the Fort Peck Tribes and the Montana Department of Transportation. *10 for, 0 opposed, 2 absent.*

HEALTH & HUMAN SERVICES

- #25-2516-2011-09 Approve the request for the Family Violence Resource Center to extend the appointment of Suzanne Turnbull as the temporary employee Prosecutorial Advocate for additional 90 days to allow time for her to acquire the Data Universal Numbering System and Register with Central Contractor Registration. *10 for, 0 opposed, 2 absent.*
- #25-2517-2011-09 **(Prepared Resolution)** Approve of the Family Violence Resource Center request to extend the 30 day appointment of Brittani Myrick as the contracted position of the Counseling and Faith Based Services to Crime Victims in Indian Country Project. *10 for, 0 opposed, 2 absent.*

- #25-2518-2011-09 **(Prepared Resolution)** Approve of the request to advertise the Advocate position in the Grant to Tribal Government Project of which the term of employment shall not exceed Dec. 31, 2011. *10 for, 0 opposed, 2 absent.*
- #25-2519-2011-09 Approve the creation of two personal care attendants for the HPDP Program to be administered by the director of Personal Care Attendant. *9 for, 0 opposed, 3 absent.*
- #25-2520-2011-09 Approve the additional duties assignment with compensation of as re-classified rate for Donnell Buckles, Director Personal Care Assistant Program. *9 for, 0 opposed, 3 absent.*
- #25-2521-2011-09 Approve to support the application for a project to improve American Indian and Alaska Native Health to be submitted by the U of Washington. *9 for, 0 opposed, 3 absent.*
- #25-2522-2011-09 Approve to have the HPDP Program, Dr. Kermit Smith, to review death certificates to extract data which will be useful to classify death causes among tribal members. *8 for, 1 opposed, 3 absent.*
- #25-2523-2011-09 Ratifying the selection of Board of Directors of hiring Neil Taylor as the Tribal Education Director with Coy Weeks as alternate. *8 for, 2 not voting, 2 absent.*
- #25-2524-2011-09 Approve to bring back some recreational trailers here to the Fort Peck Reservation. *10 for, 0 opposed, 2 absent.*
- #25-2525-2011-09 **(Prepared Resolution)** That the Fort Peck TEB appoints the following 2011 Election Commission: Frazer Commissioner, Florence Buck; Oswego Commissioner, Patty Stump; Wolf Point I Commissioner, Karen Todd; Wolf Point II Commissioner, Althea Iron Cloud Jackson; Poplar I Commissioner, Carl Failing; Poplar II Commissioner, Myrna Charbonneau; Brockton/Riverside Commissioner, Maurice Bighorn; Fort Kipp Commissioner, Martha Black Dog. *10 for, 0 opposed, 2 absent.*

VETERANS/ELDERS & YOUTH

- #25-2526-2011-09 Approve flow chart for SBTC organizational chart. *8 for, 0 opposed, 4 absent.*
- #25-2527-2011-09 **(Prepared Resolution)** Approve of Foster Home Licensing Program's recommendations for (3) Renewal Regular/Emergency Licenses. *8 for, 0 opposed, 4 absent.*
- #25-2528-2011-09 **(Prepared Resolution)** Approve of Head Start's request to submit a Refunding Application for the 2012-2013 program year in the amount of \$1,815,107.00. *8 for, 0 opposed, 4 absent.*
- #25-2529-2011-09 Authorize the Chairman to sign a letter of invitation to see a demonstration of a new project the Fort Peck Tribes is undertaking using new technology to access better information quicker for economic development and other purposes. *10 for, 0 opposed, 2 absent.*
- #25-2530-2011-09 Authorize the Chairman to work with Tom Firemoon regarding the transportation vehicle and transporting employees once hired.

10 for, 0 opposed, 2 absent.

- #25-2531-2011-09 Allow Mr. Patrick Pipe to look into/establish a Big Brother/Big Sister Program. *10 for, 0 opposed, 2 absent.*
- #25-2532-2011-09 Approve the nominations of Bob Fourstar, Ken Ryan, And Loretta Bearcub, to the Burial Preservation Board. *11 for, 0 opposed, 1 absent.*
- #25-2533-2011-09 Approve of extending the temporary appointment of Tyra Scott as temporary file clerk for the Tribal Elders Program for another 30 days. *8 for, 0 opposed, 4 absent.*
- #25-2534-2011-09 Select Neil Taylor as the Fort Peck Tribes member of record to the Montana Advisory Council on Indian Education (MACIE). *9 for, 0 opposed, 3 absent.*
- #25-2535-2011-09 Approve selections of Wayne Two Bulls as the Fort Peck Tribes representatives and David Boyd as alternate to serve on the Governor's Office State of Montana Board of Veterans. *9 for, 0 opposed, 1 not voting, 2 absent.*
- #25-2536-2011-09 **(Prepared Resolution)** Authorize the Chairman to sign the attached services agreement between the Fort Peck Tribes and Mr. Greg Bad Hawk (TERO certified) to remove trees and shrubs from the rail spur area; and this consultant agreement shall not exceed a total of \$15,606, and will expire after 60 days from the date of signing this document. *11 for 0 opposed, 1 absent.*
- #25-2537-2011-09 **(Prepared Resolution)** Authorize the Chairman to sign the services agreement between the Fort Peck Tribes and Sylvester Moran and this consultant agreement shall not exceed \$1,000 and the duration of the agreement is for 60 days from the date of signing the services agreement. *11 for, 0 opposed, 1 absent.*
- #25-2538-2011-09 Approve to establish an Information Technology (I-T) department with two (2) I-T Services Technicians (help desk) with the attached budget – pending the receipt of oil lease monies. *9 for, 0 opposed, 1 not voting, 2 absent.*
- #25-2539-2011-09 **(Prepared Resolution)** The Fort Peck Tribes accepts the project funding in the amount of \$414,503.00 to t be used by the P.L. 93-638 HIP Contract to complete the projects listed and for administrative costs in administering the contract and project completion. *11 for, 0 opposed, 1 absent.*

UNFINISHED BUSINESS

- #25-2540-2011-09 **(Prepared Resolution)** Approve the request by the IRR Program to pay their employees more than 80 hours per pay period, at straight pay, through the duration of the 2011 Construction Season; and to authorize the Chairman/Vice-Chairman to sign the approved resolution. *10 for, 0 opposed, 2 absent.*
- #25-2541-2011-09 **(Prepared Resolution)** Authorize the Chairman to execute a contract with St. Clair Construction, Inc. of Alberton, MT, for construction of the WTP to Wolf Point pipelines for \$4,888,091; and authorize the

RESOLUTION #25-2549-2011-09
September 13, 2011

Special Board Meeting
11 Present

Chairman to execute a contract with Engineered Fluids of Centralia, Illinois for construction of the WTP to Wolf Point pump station for \$279,259. *7 for, 4 opposed, 1 absent.*

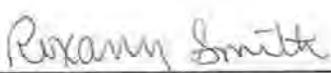
- #25-2542-2011-09 **(Prepared Resolution)** Approve of the Award of Wolf Point to Frazer Pipeline Project; and that the Executive Board authorizes the Chairman to execute a contract with St. Clair Construction of Alberton, MT for construction of the Wolf Point to Frazer pipelines for \$6,119,851. *11 for, 0 opposed, 1 absent.*
- #25-2543-2011-00 Approve to amend the Veterans Affairs Committee By-Laws. *9 for, 2 opposed, 1 absent.*
- #25-2544-2011-09 Approve to supplement Tribal Health Medical Travel Acct., 411003 6010 in the amount of \$20,000. *9 for, 0 opposed, 3 absent.*
- #25-2545-2011-09 Approve to accept the consultant of Falmouth Institute with the lowest bid of \$5,560.00. *8 for, 0 opposed, 4 absent.*
- #25-2546-2011-09 **(Off the Floor)** Approve to amend the motion to declare a state of emergency on behalf of the Fort Peck Tribes based on the reported trends, and request technical and financial assistance for an outside review to assist with combating the alcohol and substance abuse epidemic, hereby authorize the Chairman to sign the letter formally requesting the expedition of these services. *9 for, 0 opposed, 3 absent.*
- #25-2547-2011-09 Recognize Patty McGeshick, who has been chosen to serve on the Task Force on Research on Violence Against American Indian and Alaskan Native Woman for a term of two years. *9 for, 0 opposed, 3 absent.*

NEW BUSINESS

- #25-2548-2011-00 **(Prepared Resolution)** The Fort Peck Tribes were awarded \$36,936.00 for Integrated Resource Management Planning funds and hereby accepts the funding. *9 for, 0 opposed, 3 absent.*
- #25-2549-2011-00 Approve of the Resolution Log. *9 for, 0 opposed, 3 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 **Special** meeting duly convened this 12th day of **September, 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