

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

- #25-2668-2011-10 Approve of the Regular Board meeting minutes with corrections.
9 for, 0 opposed, 3 absent.
- #25-2669-2011-10 Approve of the Travel Resolution Log. *9 for, 0 opposed, 3 absent.*

CONSTITUTIONAL REFORM/RESOLUTIONS/LEGISLATIVE

- #25-2670-2011-10 The Tribal Executive Board authorizes the Tribal Chairman to write a letter of sympathy and condolences to the family, extended family and the Blackfeet Tribal Nation regarding the recent death of Eloise Cobell, and to authorize flowers be sent to her funeral.
9 for, 0 opposed, 3 absent.
- #25-2671-2011-10 Approve to pay KVCK \$450.00 out of Election Line Item for broadcast of the Tribal Elections on Election night on Oct. 29, 2011.
9 for, 0 opposed, 3 absent.
- #25-2672-2011-10 Approve of \$150.00 from Councilman Anketell's travel account to Michael Azure with the check payable to Alice Melbourne; this funding is for meals for four days, for a cross-country meet, Bozeman, MT.
9 for, 0 opposed, 3 absent.

LANGUAGE & CULTURAL RESTORATION

No committee actions taken.

LAW & JUSTICE

- #25-2673-2011-10 Authorize Special Act Awards and \$300.00 each to Thena Epps and Elaine Boyd. *8 for, 1 opposed, 1 not voting, 2 absent.*

FINANCE

- #25-2674-2011-10 Approve of the creation of the Senior Accounting Specialist position in the Fort Peck Tribes Division of Administration of Financial Management to strengthen this department.
10 for, 0 opposed, 2 absent.
- #25-2675-2011-10 **(Prepared Resolution)** Approve payment of Sonosky, Chambers, Sachse, Endreson & Perry invoices in the amount of \$20,434.26 for the month of August 2011. *9 for, 0 opposed, 1 not voting, 2 absent.*
- #25-2676-2011-10 **(Prepared Resolution)** The Fort Peck Tribal Executive Board hereby accepts the P.L. 93-638 I.D.E.A. Meth Initiative from the BIA Fort Peck Agency for FY 2012 in the amount of \$10,000.
9 for, 0 opposed, 1 not voting, 2 absent.

NATURAL RESOURCES/LAND

- #25-2677-2011-10 **(Prepared Resolution)** Approve Modification #6 to the Agreement for Engineering Services with Watson Engineering, the Tribes having executed the FY2011 and ARRA Annual Funding Agreements between the Tribes and U.S. Bureau of Reclamation. *8 for, 2 opposed, 2 absent.*
- #25-2678-2011-10 **(Prepared Resolution)** Approve the Chairman writing to the Tribes' BIA Contracting Officers to request a conforming amendments be made to the Tribes' OM&R contract with OFMC consistent with this resolution. *9 for, 0 opposed, 1 not voting, 2 absent.*
- #25-2679-2011-10 **(Prepared Resolution)** Approve the prepared resolution to authorize the Fort Peck Tribes Chairman to sign the JFA between the Water Resources Office and USGS. *10 for, 0 opposed, 2 absent.*
- #25-2680-2011-10 **(Prepared Resolution)** Authorize the Tribes In-House legal Counsel to accept the FY11 Attorney Fee funding in the amount of \$56,000, for private legal assistance in the on-going water rights adjudication before the Montana Water Court. *10 for, 0 opposed, 2 absent.*

NATURAL RESOURCES/MINERALS

No actions taken.

ECONOMIC DEVELOPMENT

- #25-2681-2011-10 Authorize \$100.00 from each of the following council members travel accounts (total: \$800.00)- Anthony Shields, Thomas Anketell, Charles Headdress, Frank Smith, Leonard Crow Belt, Pearl Hopkins, John Weeks, and Rick Kirm-to the Poplar School cross-country team (Lane Headdress, Kyle Olson, Jeremy Harrington, Alex Lone Bear, Chris LeMay, Alicia Ayers, Bryton Red Boy, and Kacie Youngman), with the check payable to Kayleen Headdress. The 2011 State Cross country meet will be held Oct. 20, 21, & 22, 2011 at Missoula, MT. *9 for, 0 opposed, 3 absent.*
- #25-2682-2011-10 Approve of fourteen (14) lease cancellations submitted by Fort Peck Housing Authority due to lease requirements for the proposed Tax Credit Housing Development. *9 for, 0 opposed, 3 absent.*
- #25-2683-2011-10 Approve of four (4) lease modifications submitted by Fort Peck Housing Authority due to lease requirements for the proposed Tax Credit Housing Development. *10 for, 0 opposed, 2 absent.*
- #25-2684-2011-10 Approve of twenty-four (24) New Lease Applications submitted by Fort Peck Housing Authority for the proposed Tax Credit Housing Development. *10 for, 0 opposed, 2 absent.*
- #25-2685-10 **(Prepared Resolution)** Approve of the Minerals Office prepared resolution entitled "Surface Use Agreements, Terms, Conditions and Compensation fort Worth Operation Company, LLC; and that the Fort Peck Tribes hereby approve the Chairman, Vice-Chairman to execute any and all surface agreements, letters, assignments, rights-of-way and revocable permits for surface use for the benefit of Fort Worth Operating Company, LLC, to implement and maintain this Project as described in this Resolution. *8 for, 2 0 opposed, 2 absent.*

**RESOLUTION #25-2703-2011-10
October 24, 2011**

**Regular Board Meeting
10 Present**

- #25-2686-2011-10 Approve of administrative leave for Robert Welch, Friday, October 21, and Charles Headdress for the Regular Board meeting, October 24, 2011. *9 for, 1 not voting, 2 absent.*
- #25-2687-2011-10 **(Prepared Resolution)** Approve that all persons and companies wishing to do business with the Fort Peck Tribes must provide a sign “Authorization of Release of Information” which will be considered as part of the due diligence in conducting a background check and includes enrolled Tribal members; and this resolution amends Resolution #25-2588-2011-09 to clarify the Tribal government’s responsibilities regarding the maintenance and operation of its infrastructure and to inform all parties of the requirements regarding Resolution #25-2588-2011-09; and the TEB establishes a 30-day timeline for the completion of the business plan referenced in #25-2588-2011-09, beginning on the date of passage of this resolution. *10 for, 0 opposed, 2 absent.*

HEALTH & HUMAN SERVICES

- #25-2688-2011-10 Approve travel delegation for Victor Perry, Herman Pipe Sr., and Abigail Reddoor to attend an Elder Circle Connecting with Standing Rock reservation, compiling history for next generations @ Prairie Knights Casino meeting room, Oct. 14-16, 2011. *10 for, 0 opposed, 2 absent.*
- #25-2689-2011-10 Approve of temporary appointment for Joni McClammy for the Secretary/ Receptionist position at the Spotted Bull Treatment Center until it is filled, and that this temporary appointment will begin Friday, Oct. 21, 2011. *9 for, 0 opposed, 3 absent.*
- #25-2690-2011-10 Approve of promotion of two positions within the Tribal Health program: Chief Certified Hemodialysis Technician with Advanced Delegation Duties & Bio-Med Technician, Grade 13, salary: \$23.54 per hour or \$48,963.20 per annum; Certified Hemodialysis Technician with Advanced Delegation Duties, Grade 11, Step 2, Salary: \$20.62 per hour or \$42,889.60 per annum. *9 for, 0 opposed, 3 absent.*
- #25-2691-2011-10 **(Prepared Resolution)** Approve of the SAVTP request to accept the Continuing Resolution funding amount of \$12,442 for the Sexual Abuse Victims Treatment Program. *9 for, 0 opposed, 3 absent.*
- #25-2692-2011-10 **(Prepared Resolution)** Approve of receiving the Low-Income Home Energy Assistance Program contract, for the period Sept. 1, 2011 through Aug. 31, 2012, for the purpose of providing supplemental energy benefits to eligible low-income households. *9 for, 0 opposed, 3 absent.*

VETERANS/ELDERS & YOUTH

- #25-2693-2011-10 Request a definition from Yvette Roubideaux, National Indian Health Service about the health care received at the Fort Peck Assiniboine and Sioux Reservation is health care received here at Ft. Peck a treaty right or is health care discretionary based upon funding available? The Tribal Executive Board also authorizes the Tribal Chairman to write and sign the letter that will be sent to Yvette Roubideaux. *10 for, 0 opposed, 2 absent.*

- #25-2694-2011-10** **(Prepared Resolution)** The Tribal Executive Board approves of the Election Commission's recommendation of the following individuals as judges: **Frazer** – Cordelia Kathryn Talks Different, Marla Jackson, and Lynette Brown, Alternate: Sharlene Beston, Security – Floyd Ackerman Sr.; **Oswego** – Darla Paine, Lowell Standing, Alternate – JoEllen Grandchamp, Security – Jim McDonald; **Wolf Point I** – Kyle Red Dog, Jackie White, Miles Jackson, and Willard Miller, Alternate – Catherine Shields, Security – Troy Owens; **Wolf Point II** – Theresa Iron Cloud, Joe Neutgens, Billie Jo Begay, and Lori Weeks, Alternate – Open at the discretion of the Election Commissioners, Security – Phillip Miller; **Poplar I** – Leta Melbourne, Debbie Bruner, Sherman Boxer, Cheryl Boyd, and Vera Iron Man, Alternate – Sharon Boxer, Security – Deacon Magnan; **Poplar II** – Vivian Lindahl, George Ferguson, Naomi Montclair, Candace Spotted Bird, Marvin Failing, Alternate – Dorrance Boyd Steele, Security – Cody Eagleman; **Brockton/Riverside** – Adrian Spotted Bird, Darrell Todd, Sr., Pam Bighorn, Vernita Bear, Alternate – Stephanie Melbourne, Security – David Adams, **Fort Kipp** – Judges – Natalie Long Hair, Darla Belgarde, Sharon Buck Elk, Ashton Youpee, Alternate – Raquel Bets His Medicine, Security – Derrick Longhair. *10 for, 0 opposed, 2 absent.*
- #25-2695-2011-10** Approve and authorize and direct the Chairman to Execute Change Order 2, RSCI proposes to modify the contract by increasing the contract price by \$434,922 to \$27,050,871 and extends the contract schedule by 121 days, not including the days for raw water delay, as summarized. *First vote was 5 for, 5 opposed, 2 absent.*
Chairman Stafne breaks the tie: Final - 6 for, 5 opposed, 1 absent.
- #25-2696-2011-10** **(Prepared Resolution)** Authorize the Fort Peck Tribal Chairman to sign the Water Resource Office acceptance of Modification #1, funds in the amount of \$9,211.00 for Contract No. 56T20686 for Fiscal Year 2011-2012.
10 for, 0 opposed, 2 absent.
- #25-2697-2011-10** **(Prepared Resolution)** That the Fort Peck Tribal Executive Board approve of the budget and budget narrative proposed by the Natural Resources Program for FY2012 with the Bureau of Indian Affairs.
10 for, 0 opposed, 2 absent.
- #25-2698-2011-10** Authorize to change Donna Chase's 80 acres of fee land to trust and request OEP (Debi Madison) or Environmental Health (Ken Hull) to do and pay for an Environmental Assessment. *10 for, 0 opposed, 2 absent.*
- #25-2699-2011-10** Approve of paying \$1,986.00 from the TEB's meeting expense line item to the Brockton School District 55-55F with the Education Department to reimburse this amount back to the TEB's meeting expense line item. Check payable to the Brockton School District 55-55F.
10 for, 0 opposed, 2 absent.
- #25-2700-2011-10** **(Prepared Resolution)** Approve of the Natural Resources Program recommendation to approve continued employment of Kelley Hentges, until November 15, 2011, utilizing FY2011 Range Administrative Fees.
10 for, 0 opposed, 2 absent.

UNFINISHED BUSINESS

No unfinished business – no action taken.

NEW BUSINESS

#25-2701-2011-10

(Prepared Resolution – Off the Floor) That the TEB approves and consents to (i) the Transaction and any assignments between FPEC, Samson, FWOC and Wolf of Tribal oil and gas leases in the Wolf Block and Block A, which FPEC, Samson, FWOC and Wolf are in discussion to finalize the details of and as such substantially depicted on the map attached as Exhibit A-3 heretoe, (ii) execute the Tribal oil and gas leases in favor of FWOC and Wolf in the Wolf Block pursuant to the Fort Worth Resolution in a timely manner. (iii) direct all funds 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 lease 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. *9 for, 0 opposed, 3 absent.*

#25-2702-20110-10

Support the Montana/Wyoming Tribal Leaders Association and Native American Development Corporation concerning endeavors to acquire the James F. Battin Federal Building and Courthouse through GSA excess property program. *10 for, 0 opposed, 2 absent.*

#25-2702A-2011-10

(Prepared Resolution-Off the Floor) The Fort Peck TEB hereby authorizes to accept the prepared budget as drafted by the Fort Peck Tribes Education Department. *9 for, 0 opposed, 3 absent.*

#25-2703-20110-10

Approve of the Resolution Log. *10 for, 0 opposed, 2 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 10 constituting a quorum were present at a **Regular** meeting duly convened this 24th day of **October, 2011** and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 10 for.


Secretary Accountant


Chairman/Vice Chairman
Fort Peck Tribal Executive Board