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**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING NO. 28
September 25, 2001**

01. CALL TO ORDER:

Chairman Hall called the meeting to order at 11:20 a.m., and asked all present for a silent prayer.

02. ROLL CALL: Councilman Gillette, Councilman Phelan Chairman Hall, Councilman Wells, Councilman Wolf, Councilman Spotted Bear. A quorum was established with six members present. Councilman Phelan arrived at 11:41 a.m.

03. APPROVAL OF AGENDA:

Councilman Wells motioned to approve the agenda as amended. Seconded by Councilman Gillette.

VOTE: 5 Ayes, 0 Nays, 2 Abstentions, 0 Absent. Motion carried.

04. USDA RESOLUTION #01-235MWJR:

Councilman Gillette motioned that the Tribal Business Council approve a loan with the U.S. Department of Agriculture in the amount of \$2,507,000 to be used for the construction of a community building in the North Segment of the Three Affiliated Tribes. Seconded by Councilman Wolf.

DISCUSSION: The principal terms of which are that the loan is amortized over 30 years at an annual interest rate of 4.8750%, with the final loan documents subject to approval of the Tribal Business Council.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.

05. ENROLLMENT RESOLUTION #01-236MWJR:

Councilman Wells motioned that the Tribal Business Council officially approves the enrollment of the following four applicants: Joni Bolman, Danielle DeLa Rosa, Desiree De La Rosa and Braydon Shobe Sanderson. Seconded by Councilman Wolf.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.

06. LETTER OF INTENT: GARY PHELAN:

Councilman Phelan motioned to approve a letter of intent to enroll children of Gary Phelan from the Crow Agency, Montana. Seconded by Councilman Gillette.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.

07. **CIRCLE OF LIFE:**

A. Karmen Fox

Councilman Wolf motioned to hire Karmen Fox as an Anti Alcohol and Drug Coordinator for the White Shield area, not to exceed \$19,000. Seconded by Councilman Wells.

DISCUSSION: The schedule and method of payment is: 20 hours per week @ \$10 per hr= 20X52 wks+ \$10,400. Mileage costs RT from White Shield to New Town+ 124 miles X 52 wks @.345 + \$6,448.00 \$20 per follow upX50+\$1,000. Mileage for follow up work+ \$1,000, NTE \$19,000, expires on October 1, 2002.

VOTE: 5 Ayes, 0 Nays, 1 Abstention, 1 Absent. Motion carried.

B. Nelrene Yellow Bird:

Councilman Wolf motioned to hire Nelrene Yellow Bird as a consultant for the White Shield area, not to exceed \$7,000. Seconded by Councilman Wells.

DISCUSSION: The schedule and method of payment is: 10 hrs per week @\$20 per hr = \$200 per week X 32 Weeks = \$6,400.00 @ 124 Mi = 992 Mi 992 Miles @ .345 = \$342.24, NTE \$7,000, expires on May 31, 2002.

VOTE: 6 Ayes, 0 Nays, 0 Abstention, 1 Absent. Motion carried.

08. **INTERNATIONAL PROJECTS GROUP INC:**

Councilman Wells motioned to extend expenses for Richard Thompson so that he is able to attend the community meetings to explain the International Project Group, IPG. Seconded by Councilman Gillette.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. Motion carried.

09. **INTERTRIBAL COUNCIL ON UTILITY POLICY: (COUP)**

Councilman Fox motioned to direct the Legal Department to prepare a resolution that commits the tribe for membership, remit payment of \$500 membership fee, and slots for Tribal Business Council members to appoint two delegates to join the Intertribal Council on Utility Policy. Seconded by Councilman Wolf.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. Motion carried.

10. **KUTAK ROCK LLP: BOND COUNSEL 300 HOMES:**
Councilman Wolf motioned to authorize Kutak Rock LLP to act as a Bond Counsel, NTE \$85,000 for the proposed issuance of \$20-25 Million in federally tax exempt revenue bonds for the construction and/or rehab of scattered single family dwelling units on Fort Berthold Reservation. Seconded by Councilman Wells.
- VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. Motion carried.
11. **TWIN BUTTES SCHOOL EXPANSION RESOLUTION #01-237MWJR:**
Councilman Wells motioned to approve the Tribal School Demonstration Project 1999 to contribute no more than 50% of the total planning, design and construction costs amounting to potentially \$2,500,000 dollars for the Twin Buttes school, is contingent upon the availability of tribal funds at the time of funding. Seconded by Councilman Spotted Bear.
- VOTE: 5 Ayes, 1 Nay, 1 Abstention, 1 Absent. Motion carried.
12. **SMALL LOAN/BUSINESS DEVELOPMENT GRANT: LEO LOCKWOOD**
Councilman Wells motioned to approve a \$3,500 business development grant and \$3,500 Small Loan Program, subject to the requirements of the Business Development Program and the Small Loan Programs. Seconded by Councilman Gillette.
- VOTE: 5 Ayes, 0 Nays, 2 Abstentions, 0 Absent. Motion carried.
13. **PERSONNEL MATTERS:** Closed Session
A. Ada White Lightning
B. Dr. Babcock
14. **JODY FOX HOMEOWNERSHIP LOAN:**
Councilman Spotted Bear motioned to approve a First Time Home Buyer Loan of \$10,000 to Jody Fox. No second. Motion failed.
15. **HIGHWAY RESOLUTION #01-238MWJR:**
Councilman Fox motioned to request that the North Dakota State Dept. of Transportation and the local Mountrail County roads department make the improvements mentioned including: 1) a flashing yellow or red light at the intersection;

2) Rumble strips on the state and county roads that intersect State Highway No. 23; 3) a larger stop sign on the Van Hook county road and 5) a lower speed limit of 45 mph for at least 300 yards in each direction from the intersection. Seconded by Councilman Phelan.

DISCUSSION: The intersection is historically very hazardous and there is a need for several relatively inexpensive safety improvements. Making these improvements to the North Dakota Highway #23 and ND Highway #8 Junction would reduce traffic accidents, injuries and save lives of those who travel on the roadway of the Fort Berthold Reservation.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. Motion carried.

16. **HUNTING AND FISHING PROCLAMATION:**

DEER GUN SEASON:

Councilman Gillette motioned to approve a Deer Gun Proclamation for 2001-2002 Season. Seconded by Councilman Phelan.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. Motion carried.

17. **HUNTING NOTICE: (access)**

Councilman Fox motioned to reaffirm Resolution No. #00-02DSB, Item #15, that states: *Access for the purposes of hunting on tribal lands located within a range unit will be pursuant to the Game and Fish Department of the Three Affiliated Tribes and Chapter 18 of the Code of Laws of Three Affiliated Tribes, known as the Game and Fish Code, and in accordance with Resolution 96-157DSB, which reads: Locks on gates preventing access to Tribal lands for the purpose of hunting are prohibited.* Seconded by Councilman Phelan.

DISCUSSION:

The Legal Department will prepare notices indicating that access to hunting on range units is permitted pursuant to Resolution No. 00-02DSB. Also, permittees who do not follow provisions and violate the Ordinance may affect their ability to maintain/retain a range units and other farm pasture leases in future years.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. Motion carried.

18. **HOME LOAN PROGRAM:**

Councilman Spotted Bear motioned to approve Jodie Fox as a First Time Home buyer program waiver of the 150 mile radius requirement. Seconded by Councilman Fox.

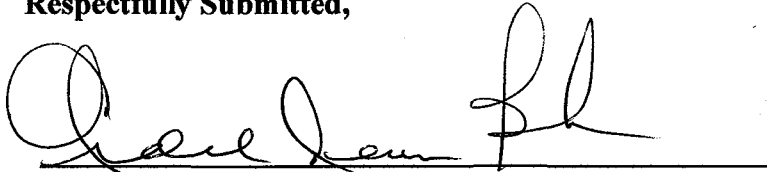
VOTE: 6 Ayes, 0 Nays, 1 Abstention, 0 Absent. Motion carried.

19. ADJOURNMENT

Councilman Gillette motioned to adjourn the meeting at 6:05 p.m.
Seconded by Councilman Phelan.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

Respectfully Submitted,



Ardel Jean Baker, Recording Secretary
Tribal Business Council
Three Affiliated Tribes

11-08-01

Date



Marcus Wells, Jr. Executive Secretary
Tribal Business Council
Three Affiliated Tribes

11-8-01

Date

ATTEST:

Tex G. Hall, Tribal Chairman
Tribal Business Council
Three Affiliated Tribes

Date