



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
MEETING NO. 04-01-NH  
NOVEMBER 10, 2004  
10:27 a.m.**

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**CALL TO ORDER:**

Chairman Tex G. Hall called the meeting to order at 10:27 a.m. Invocation by Roy Bird Bear. The newly elected council members were sworn in by Roy Bird Bear.

**ROLL CALL:**

Members present: Chairman Tex G. Hall, Councilman Daylon Spotted Bear, Councilman Frank White Calfe, Councilman Marcus Wells, Jr. Councilman Malcolm Wolf, Councilman Mervin Packineau, and Councilman Nathan Hale. A quorum was established with seven members present.

**01. APPROVAL OF THE AGENDA:**

Councilman Spotted Bear moved for approval of the agenda as presented. Councilman Wells seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, Not voting. Motion carried.

**02. RESOLUTION NO. 04-01-NH, EXECUTIVE COMMITTEE SELECTION**

Councilman Wells moved for approval of a Resolution entitled, "Executive Committee Selection." Councilman Spotted Bear seconded the motion.

*Vice-Chairman Marcus Wells, Jr.  
Treasurer Frank White Calfe  
Secretary Nathan Hale*

**ROLL CALL VOTE:** Chairman Tex G. Hall, [No] Councilman Daylon Spotted Bear [Yes] Councilman Frank White Calfe [Yes] Councilman Marcus Well, Jr. [Yes] Councilman Malcolm Wolf [Yes] Councilman Mervin Packineau [No] Councilman Nathan Hale [Yes]. Motion carried.

Point of Order: 15 minute break...

**04. ORDER OF BUSINESS RESOLUTION NO. 04-02-NH:**

Councilman Wells moved for approval of a Resolution entitled, "Order of Business." Councilman Spotted Bear seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**05. VALERIAN THREE IRONS FINANCIAL REQUEST:**

Councilman Wells moved for approval of a higher education grant to Valarian Three Iron in the amount of \$6,000 and a student loan of \$4,000. Councilman White Calfe seconded the motion.



Councilman Wells amended his motion to, "make an exception to the Higher Education Grant Policy and award Valerian Three Irons an education grant of \$6,000, and \$4,000 educational loan. Councilman White Calfe seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**06. HIGHER EDUCATION GRANT PROGRAM:**

Councilman Wells moved for approval to transfer \$100,000 to the Higher Education Budget and to include it in the FY-05 budget. Councilman White Calfe seconded the motion.

*All policies and procedures of agenda items will become part of the packet for the Tribal Business Council Meetings.*

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**07. RESOLUTION NO. 04-03-NH, "BALANCED FY-2005 GENERAL FUND BUDGET WITH PROVISION FOR TRIBAL MEMBERSHIP INPUT."**

Councilman White Calfe moved for approval of a Resolution entitled, "Balanced FY-2005 General Fund Budget with Provision for Tribal Membership Input." Councilman Wells seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**08. STEVE SALVESON RESIGNATION:**

Councilman White Calfe moved for approval to accept the letter of resignation from Steve Salveson, effective December 10, 2004, and to appoint Frank Henry as Acting Comptroller until the position is filled. Councilman Packineau seconded the motion.

Councilman White Calfe amended his motion to include the following language, "ensure that all proper exiting procedures be followed, that all documents are secure, prior to Steve Salveson exiting the position." Councilman Packineau concurred with the amendment.

VOTE: 6 Ayes, 1 Nay, 0 Abstentions, 0 Not voting. Motion carried.

**09. SMALL LOANS:**

Councilman Wells moved for approval of a recommendation to approve the following educational loans Councilman Packineau seconded the motion.

Courage Zephier	July 7, 2004	\$2,500.00
Katherine Young Bear	June 9, 2004	\$2,000.00
Roger Bird Bear	July 28, 2004	\$2,000.00
Anita Green	July 30, 2004	\$2,000.00
Cindy Packineau	August 4, 2004	\$2,000.00
Tiffany Auclair	August 25, 2004	\$2,000.00
Ellen Wilson	May 24, 2004	\$2,000.00
Louis Azure	June 1, 2004	\$2,000.00
Kelly Foote	June 9, 2004	\$2,000.00
Dunelle Many Ribs	August 10, 2004	\$2,000.00



Sara Parker	August 31, 2004	\$2,000.00
Denise Good Bird	August 9, 2004	\$2,000.00
Jillian Red Fox	August 3, 2004	\$1,100.00
<b>TOTAL</b>		<b>\$29,600.00</b>

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

10. **RESOLUTION NO. 04-04-NH, SMALL LOAN PROGRAM FINANCIAL REQUEST:**

Councilman White Calfe moved for approval of a loan of \$300,000 to the Small Loan Program \$150,000 paid immediately and the remaining balance paid by February 2005. Councilman Packineau seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

11. **WHITE SHIELD VETERANS DAY:**

Councilman Packineau moved for approval of a \$1,000 financial request to the White Shield Veterans Day Pow-wow. Councilman White Calfe seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

12. **MANDAREE PARENTS FOR EDUCATION:**

There was no action taken by the Tribal Business Council regarding this issue.

13. **HIRE OF SUPERVISING PHYSICIAN:**

Councilman Packineau moved for approval of a contract with Dr. Vern Harchenko as the Supervising Physician. Councilman Spotted Bear seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

14. **WIND ENERGY UPDATE:**

Councilman Wells moved for approval of the Wind Energy Site relocation cost not to exceed \$\$41,875.00. Councilman Packineau seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

15. **HEADSTART BUS REQUEST:**

The Head start Program was directed to submit a report to the Tribal Business Council on the condition of the schools busses. [Year, mileage, condition, cost estimates from vendors, etc.]

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

16. **CLARICE BIG BACK – EDUCATIONAL LOAN:**

Councilman Wells moved for approval of a \$5,000 Higher Education loan for Clarice Big Back, based on her graduate work and expertise, that this would be an exception to the policy. Councilman Packineau seconded the motion.



VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

17. **MAVIS YOUNG BEAR:**

Richard Mayer and Barlow Wells were directed to come to a monetary agreement with Mavis Young Bear for writing the Vocational Rehabilitation Grant while she was on leave.

18. **CIRCLE OF LIFE CONSULTANT AGREEMENT, LINDA GILLETTE:**

Councilman Hale moved for approval to renew the consultant agreement between Linda Gillette and the Circle of Life, not to exceed \$20,000. Councilman White Calfe seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

19. **RESOLUTION NO. 04-05-NH, U.S. DISTRICT COURT CONTRACT FOR PROBATION SERVICES:**

Councilman Packineau moved for approval of a Resolution entitled, "United States District Court Councilman Hale seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

20. **RESOLUTION NO. 04-06-NH, AUTHORIZATION FOR THE NATURAL RESOURCE COMMITTEE TO GIVE PREFERENCE TO TRIBAL HOUSING FOR TRIBALLY OWNED SIMPLE FEE LOTS:**

Councilman White Calfe moved for approval of a Resolution entitled, "Authorization for the Natural Resource Committee to Give Preference to Tribal Housing for Tribally owned, fee-simple lots." Councilman Wells, Jr. seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

21. **RESOLUTION NO. 04-07-NH, AUTHORIZATION FOR TRIBAL HOUSING DIVISION TO PURCHASE TWO LOTS FROM FRITZ BIRD BEAR:**

Councilman Hale moved for approval of a Resolution entitled, "Authorization for Tribal Housing Division to purchase two lots from Fritz Bird Bear." Councilman Packineau seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

22. **RESOLUTION NO. 04-08-NH, AUTHORIZATION FOR TRIBAL HOUSING DIVISION TO DEMOLISH TRIBALLY OWNED BUILDINGS/STRUCTURES ON TRIBAL LOTS:**

Councilman Wolf moved for approval of a Resolution entitled, "Authorization for Tribal Housing Division to Demolish Tribally Owned Buildings/Structures on tribal lots." Councilman Hale seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

23. **RESOLUTION NO. 04-09-NH, EXTENSION OF CONSULTANT AGREEMENT**



**FOR LORI PEMBERTON TO PROVIDE LOAN ORIGINATION:**

Councilman Hale moved for approval of a consultant agreement between Lori Pemberton and the Tribal Housing Division in the amount of \$16,800. Councilman Packineau seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**24. RESOLUTION NO. 04-10-NH, HOUSING DIVISION AUTHORITY TO APPLY FOR OTTO BREMER FOUNDATION:**

Councilman Packineau moved for approval of a Resolution entitled, "Tribal Housing Authority to Apply for Otto Bremer Foundation." Councilman Hale seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**25. RESOLUTION NO. 04-11-NH, AUTHORIZATION AND APPROVAL OF THE TRIBAL HOUSING DIVISIONS POLICIES AND PROCEDURES:**

Councilman Wolf moved for approval of a Resolution entitled, "Authorization and approval of the Tribal Housing Divisions Policies and Procedures," subject to legal review. Councilman Packineau seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not voting. Motion carried.

**26. ACKNOWLEDGEMENT OF MERVIN PACKINEAU AS VICE-CHAIRMAN OF INTERTRIBAL MONITORING ASSOCIATION:**

The Tribal Business Council congratulated Councilman Mervin Packineau for his position of Vice-Chairman of the Intertribal Monitoring Association.

**27. RESOLUTION NO. 04-12-NH, SETTLEMENT OF FEDERAL TRUST RESPONSIBILITY CASE:**

Councilman Packineau moved for approval of a Resolution entitled, "Settlement of Federal Trust Responsibility Case, Three Affiliated Tribes versus Norton." Councilman White Calfe seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**28. MAVIS YOUNG BEAR SETTLEMENT:**

For the Record: The CEO, Richard Mayer and Mavis Young Bear came to an agreement to compensate Mavis Young Bear for 301.5 hours, for a total amount of \$ \_\_\_\_\_.

**30. RECESS MEETING:**

The meeting was recessed at 6:30 p.m. and will convene on November 22, 2004.



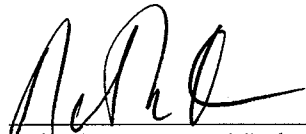
CERTIFICATION

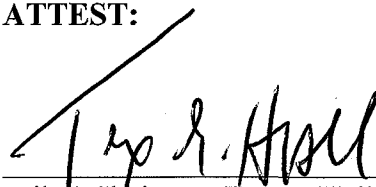
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum 7 were present at the Regular Meeting thereof duly called, noticed, convened and held on the 10<sup>th</sup> day of November, 2004; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 0 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Chairman [] Voting.    [] Not voting.

Dated this 10<sup>th</sup> day of November, 2004.

ATTEST:

  
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Tribal Secretary, Nathan Hale  
Tribal Business Council,  
Three Affiliated Tribes

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