



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NOVEMBER 22, 2004
10:30 P.M.**

RECONVENE MEETING AND INVOCATION:

Chairman Tex G. Hall reconvened the meeting at 10:17 a.m. Invocation by Rose Marie Mandan.

ROLL CALL:

[Members present:] Chairman Tex G. Hall, Councilman Frank White Calfe, Councilman Marcus D. Wells Jr., Councilman Malcolm Wolf, Councilman Mervin Packineau, and Councilman Nathan Hale. [Member absent:] Councilman Daylon Spotted Bear. A quorum was established with six members present. Others present: Attached list of names.

01. APPROVAL OF THE AGENDA:

Councilman Hale moved for approval of the agenda as amended. Councilman Packineau seconded the motion.

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

02. ELDER OPPOSITION TO LOCATION OF CONSTRUCTING FOUR BEARS C-STORE BY MUSEUM:

Councilman Wells moved for approval to have a Special Meeting between the Four Bears Community, tribal elders, Four Bears Casino, and Museum staff to work out the issues regarding the location of the Four Bears C-Store. Councilman Hale seconded the motion with the following language added to the motion.

“that all construction ceases until the Special Meeting is held on December 1, 2004, at the Four Bears Community Center.” Councilman Hale concurred with the amendment.

VOTE: 5 Ayes, 1 Nay, 0 Abstentions, 0 Not voting. Motion carried.

The meeting was recessed from 1:00 p.m. to 1:37 p.m. for lunch with a celebration for the "Three Affiliated Tribes Health Facility Compensation Act."

03. CHAIRMAN'S REPORT:

December 7, 2004 Tribes new grazing rate 2005 on that date. This meeting is open to the public to comment on the grazing rates. The meeting will be conducted by a professional moderator and recorded by a court reporter. Chairman will meet with Bill Benton regarding the budget for the Great Plains. Chairman Hall will contact Debbie Clark. Paul Danks will work with Superintendent's staff to draft an agenda.

S.1146 Bill Passage

Twin Buttes School \$4M approval

Interpretative Center \$417,000.00

ANNOUNCEMENTS:

MHA Systems December 1, 2004 Meeting at the Aberdeen Area Office, Indian Health Service in Bismarck, North Dakota December 1, 2004 Indian Gaming Hankinson, S.D.



04. HA THOMPSON MAINTENANCE AGREEMENT:

Councilman Wolf moved for approval to defer this agenda item until the December 9, 2004 Meeting, and include other facilities that was mentioned.

Councilman White Calfe seconded the motion.

Councilman Wolf amended his motion to include language, continue to operate under the old contract until a new contract is executed. Councilman White Calfe concurred with the amendment.

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

05. TREASURERS REPORT:

A. Software Training Casino

B. 401K Proposal [Deferred until December 9, 2004]

C. TREASURERS ASSISTANT:

Councilman White Calfe moved for approval to hire Delphine Baker as the Treasurer's Assistant at \$22.60 per hour and paid from the Treasurer's Staff Budget. [\$54.00 per hour.] Councilman Wells seconded the motion.

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

06. RESOLUTION NO. 04-13-NH, /rescind Resolution No. 03-294-RP|AUTHORITY TO EASTERN SEGMENT REPRESENTATIVE TO OVERSEE THE ARICKARA

Councilman White Calfe moved for approval of a Resolution entitled, "Authority to Eastern Segment Representative to oversee the Arickara Multi Purpose Cultural Center." Councilman Hale seconded the motion.

Councilman White Clafe amended his motion to include, "being a non-paid position as Piject Director, until additional funding is secured." Councilman Hale concurred with the amendment.

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

07. RESOLUTION NO. 04-14-NH, AMEND RESOLUTION NO. 02-073, ROTATION OF THE INDIAN COMMUNITY BLOCK GRANT FUNDING (CDGB)

Councilman Wells moved for approval of a Resolution entitled, "Rotation of the Indian Community Block Grant Funding." Councilman Hale seconded the motion.

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

FY-05	Four Bears & Mandaree
FY-06	Four Bears & Mandaree
FY-07	Twin Buttes
FY-08	Lucky Mound
FY-09	New Town
FY-10	White Shield



08. **RESOLUTION NO. 04-15-NH, SUPPORT OF FORT BERTHOLD HEALTHY PEOPLE IN HEALTHY COMMUNITIES, TRIBAL INVOLVEMENT GRANT FOR THE LEWIS & CLARK BICENTENNIAL.**

Councilman Packineau moved for approval of a Resolution entitled, Support of Fort Berthold Healthy Communities, tribal Involvement Grant for the Lewis and Clark Bicentennial." Councilman Hale.

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

09. **INSUBORDINATION FEDERAL PROGRAMS MANAGER:**

Chairman Hall said he allowed discussion from the floor because it dealt with the Constitution. In the future, the CEO will send a memorandum clarifying that employees will not be asked to speak in any manner at Tribal Business Council Meetings, unless it is regarding the issue at hand, in regards to their program or whatever they're discussing.

10. **RESOLUTION NO. 04-16-NH, REQUEST TO SECRETARY OF HEALTH AND HUMAN SERVICES TO MODIFY P.L. 93-638 CONTRACT NO. HHS-I241-2005-0010:**

Councilman Packineau moved for approval of a Resolution entitled, "Request to Secretary of Health and Human Services to Modify P.L. 93-638, Contract No. HHA-1241-20050010. Councilman Wells seconded the motion.

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

11. **RESOLUTION NO. 04-17-NH, HEADSTART PURCHASE OF BUSES:**

Councilman Wells moved for approval to purchase 3 buses with wheel chair lifts for the Head Start Program, in the amount of \$30,000 to come from the FY-05 General Fund that will be reimbursed upon successful approval of their Head Start allocation. Councilman Wolf seconded the motion.

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

12. **RESOLUTION NO. 04-18-NH, "APPOINTMENT OF THE TRIBAL BUSINESS COUNCIL COMMITTEES, NOVEMBER, 2004."**

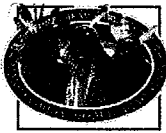
Councilman Wells moved for approval of a Resolution entitled, Appointment of the Tribal Business Council Committees, November 2004. Councilman White Calfe seconded the motion. [Show each committee]

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

13. **VERDELL SMITH FBCC**

This item will be deferred until the next meeting.

NOTE: Councilman Packineau left the meeting to attend a Community Meeting in his district.



14. **NATURAL RESOURCES COMMITTEE:**

A. **RESOLUTION NO. 04-19-NH, ESLEY THORNTON, SR. LAND EXCHANGE.**

Councilman White Calfe moved for approval of a Resolution entitled, "Esley Thornton, Sr. Land Exchange. Councilman Wells seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

Esley Thornton, Sr. is working on six photos and on January 13, 2005, Tribal Business Council photos will be taken.

B. **RESOLUTION NO. 04- 20-NH, AUTHORIZATION FOR TRIBAL HOUSING DIVISION TO APPLY FOR A GRANT WITH SHAKOPEE M'DEWAKANTON SIOUX TRIBE.**

Councilman White Calfe moved for approval of a Resolution entitled, Authorization for Tribal Housing Division to Apply for a Grant with Shakopee M'dewakanton Sioux Tribe. Councilman Hale seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 2 Not voting. Motion carried,

17. **INDIAN HEALTH SERVICE REPORT:**

The Service Unit Director gave a statistical report regarding the Minne-Tohe Clinic.

18. **RESOLUTION NO. 04-21-NH, NATURAL DISASTER:**

Councilman Wells moved for approval to amend Resolution No. 04-141-MWJR. Not only Natural Fire, add tornados and tribal FEMA Director, retroactive from June 1, 2004, agreed to a \$10,000 line item from the General Fund. Councilman White Calfe seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

19. **UNIVERSITY OF MARY-MASTER PROGRAM:**

Councilman Wells moved for approval to direct the Human Resources Director to draft an Incentive Educational Degree Program, for employees attending classes and receiving a degree, keeping in mind that attending classes doesn't interfere with present position to include past graduating students retroactive in the draft. Councilman White Calfe seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

20. **RESOLUTION NO. 04-22-NH, TRIBAL CHAIRMAN'S HEALTH BOARD:**

Councilman Wells moved for approval of a Resolution entitled, American Indian and Alaska Native Pediatric. Councilman seconded the motion.

VOTE: 4 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried



21. The meeting will be recessed until Wednesday, November 24, 2004 at 10:00 a.m.

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 a **Regular** Meeting thereof duly called, noticed, convened and held on the 22 day of November, 2003; that the foregoing Minutes were amended and duly adopted at such meeting by the affirmative vote of 7 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Chairman [] Voting. [] Not voting.

Dated this 22 day of NOVEMBER, 2004.

ATTEST:

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

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