



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
MEETING NO. 05-03-NH
FEBRUARY 15, 2005**

CALL TO ORDER:

The meeting was called to order by the Vice-Chairman, Marcus D. Wells, Jr. at 10:25 a.m. Invocation said by Councilman Wolf.

ROLL CALL:

Members Present: Councilman Marcus D. Wells, Jr., Councilman Daylon Spotted Bear, Councilman Frank White Calf, Councilman Malcolm Wolf, Councilman Mervin Packineau and Councilman Nathan Hale. A quorum was established with six members present. Chairman Tex G. Hall arrived at 10:45 a.m. All seven members were then present at the meeting.

APPROVAL OF THE AGENDA:

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

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

01. RIBAIL, STAUFFER & ASSOCIATES AUDIT FY-04:

Councilman Hale moved for approval of the proposal from Ribail, Stauffer & Associates for \$170,000, to do the FY-04 Three Affiliated Tribes Financial Audit. Councilman White Calf seconded the motion.

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

02. HARLEY GOOD BEAR SMALL LOAN:

Councilman Packineau moved for approval of a \$2500 loan, subject to the policies and procedures of the Small Loan Program. Councilman White Calf seconded the motion.

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

03. FINANCIAL REQUEST CALEY FOX, KYLEEN FITZSIMMONS:

Councilman Spotted Bear moved for approval of a \$1,000 grant each for Caley Fox and Kyleen Fitzsimmons to travel to Rome visit the Pope. Councilman White Calf seconded the motion.

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

04. ROAD MAINTENANCE FORMULA COMMITTEE:



Councilman White Calf moved for approval to appoint Nathan Hale as the delegate to the Road Maintenance Formula Committee with Doyle Bell as the alternate; and direct the legal department to draft the Resolution. Councilman Spotted Bear seconded the motion.

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

**New Town Water Agreement:
Parity Act Update:
Lake Levels Amend or Adopt**

05. LEWIS & CLARK BICENTENNIAL CORPORATE RESOLUTION FOR SIGNATURES STANDARD BNC BANK:

Councilman Packineau moved for approval to accept the corporate standard level from the BNC Bank with the signatory authority being Brenda Dvorak, Chairman Tex G. Hall and Councilman Frank White Calf.

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

06. RESOLUTION NO. 05-22-NH, BEACON ISLAND:

Councilman Wolf moved for approval of a Resolution entitled, "Beacon Island." Councilman Packineau seconded the motion.

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

07. GOVERNOR'S CONSERVATION RESOLUTION:

Councilman Wells moved for approval to support the Governors Resolution entitled, "Conservation Resolution," with the following amendments, "and The Fort Berthold Indian Reservation, which includes the Indian communities of Twin Buttes, Mandaree and Parshall area." Add after the Whereas, Indian Tribes Missouri River have reserved water rights. Councilman Packineau seconded the motion.

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

08. RESOLUTION NO. 05-23-NH, OPPOSING MARCH 7, 2005 CANADIAN BORDER OPENING "Mad Cow:"

Councilman Packineau moved for approval of a Resolution entitled, TAT Tribe to oppose and ask the Secretary of Agriculture to continue to keep the border of Canada closed until all systems are in place regarding the "Mad Cow Disease." Councilman Wolf seconded the motion.



Councilman Packineau amended is motion to include language, "calls on other tribes and states to oppose the opening of the Canadian Border. Councilman Wolf concurred with the amendment.

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

09. RESOLUTION NO. 05-24-NH, NOMINATION OF ED HALL INDIAN RESERVATION ROADS PROGRAM FUND DISTRIBUTION:

Councilman White Calf moved for approval to appoint Edward H. Hall as the Tribal Regional Representative Bureau of Roads, RR Program. Councilman Packineau seconded the motion.

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

10. RESOLUTION NO. 05-25-NH, AUTHORIZATION OF USDA GRANT FORMS AND RESOLUTIONS FOR THE WHITE SHIELD AND TWIN BUTTES LAGOON PROJECTS:

Councilman Packineau moved for approval of a Resolution as amended entitled; "Authorization of USDA Grant Forms and Resolutions for the White Shield and Twin Buttes Lagoon Projects." Councilman Hale seconded the motion.

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

11. RESOLUTION NO. 05-26-NH, AUTHORIZATION TO APPLY FOR ANA GRANT FOR THE PURPOSED OF DEVELOPING A COMPREHENSIVE TRIBAL LAW AND ORDER CODE:

Councilman Packineau moved for approval of a Resolution entitled, "Authorization to apply for ANA Grant for the Purpose of developing a comprehensive Tribal Law and Order Code." Councilman Hale seconded the motion.

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

12. FORMAL PAYMENT PROCESS FOR PHASE I OF THE DREAM CATCHER PROGRAM AND RATIFICATION OF ALL PRIOR PAYMENTS AND DRAW REQUESTS:

Councilman White Calf moved for approval that the Tribal Business Council desires to formally ratify, recognize, acknowledge, and accept all draw requests, lien waiver and contractor's statements submitted to the tribal housing to date, and alleviate any confusion regarding the validity of the signatures and requests for payment; and request the Fort Berthold Development Corporation to designate Board President, Fred Fox, or other board members designated, to sign off on all projects and draw requests of the Fort Berthold Development



Corporation, to include and draw requests and documents for the Dream Catcher Program. Councilman Hale seconded the motion.

For the Record: Councilman Hale stated, he did not mention Connie Wilkinson's name, but said, "Those that are involved."

For the Record: Chairman Hall stated for the Record, that "Fort Berthold Development Corporation has a 21/2 Million dollar credit, they're a stand alone company, and don't get or owe any money to the Tribe."

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

13. RESOLUTION NO. 05-27-NH, APPROVAL OF AN ARCHITECTURAL AND ENGINEERING CONTRACTOR A & E LAKE SAKAKAWEA CASINO:

Councilman Hale moved for approval of an Architectural and Engineering Contractor for the Lake Sakakawea Casino. Councilman White Calf seconded the motion.

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

14. RESOLUTION NO. 05-28-NH, POLICE OFFICER CODE OF CONDUCT INTO CONTRACT:

Councilman White Calf moved for approval of a Resolution entitled, "Code of conduct into Contract." Councilman Spotted Bear seconded the motion.

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

**15. RESOLUTION NO. 05- 29-NH, TRAFFIC SAFETY BUDGET APPROVAL:
Councilman White Calf moved for approval of a Resolution entitled, "Supplement Budget of \$12,600 for Traffic Safety." Councilman Packineau seconded the motion.**

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

16. RESOLUTION NO. 05-30-NH, TAT FIELD CLINIC ADDITIONAL FUNDING:

Councilman moved for approval of a Resolution entitled, "Additional Funding for TAT Field Clinics in the amount of \$258,321. Councilman seconded the motion.

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

17. RESOLUTION NO. 05-31-NH, TERO PROGRAM FY-05 BUDGET APPROVAL:

Councilman Hale moved for approval of a Resolution entitled, "Approval of the FY-05 Budget for the Tribal Employment Rights Office." Councilman Packineau seconded the motion.



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

18. H.A. THOMPSON & SONS:

Councilman Spotted Bear moved for approval of a LINC Service Proposal with H.A. Thompson & Sons Heating and Cooling Maintenance Contract. Councilman Hale seconded the motion.

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

19. RESOLUTION NO. 05-032-NH, AUTHORIZATION OF THE AGING SERVICES :

Councilman Spotted Bear moved for approval of a Resolution entitled, "Authorization of the Aging Service grant application to U.S. Administration on Aging." Councilman Hale seconded the motion.

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

20. CONSULTANT AGREEMENT BETWEEN 477 AND UNITY RIDERS:

Councilman White Calf moved for approval of a consultant agreement between 477 Program and Unity Riders for \$25,000, to be paid from the 477 Budget. Councilman Hale seconded the motion.

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

21. RESOLUTION NO. 05-33-NH, FOUR BEARS CASINO AND LODGE TRIBAL GAMING ENTERPRISES BOARD:

Councilman moved for approval to accept the By-Laws of the Tribal Gaming Enterprises. Councilman seconded the motion.

Four Bears: Judy Brugh
Mandaree Lloyd Vigen
Parshall Jason Two Crow
New Town: Dr. Monica M. Mayer
White Shield: Election will be held
Twin Buttes:

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

22. CONSULTANT AGREEMENTS FOUR BEARS CASINO AND LODGE GENERAL MANAGERS:

Councilman Packineau moved for approval of five year contracts with Spencer Wilkinson in the amount of \$117,000 per year; and Patrick Packineau in the amount of \$78,000 per year. Councilman Hale seconded the motion.

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



23. HORACE PIPE CONSULTANT REFINERY PROJECT:

Councilman Packineau moved for approval to make the first payment of \$5600 for one month consultant agreement until its finalized. Councilman Hale seconded the motion.

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

24. DOWN PAYMENT HOUSING ASSISTANCE, FORT BERTHOLD HOUSING BY-DOWN:

Councilman Hale moved for approval to make a request to the Fort Berthold Housing Authority and the Dream Catcher Program to find funding for Barlow Wells [\$xx]and Delphine Baker [\$XXX] with their down payments for housing assistance. Councilman Packineau seconded the motion.

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

25. MEETING RECESSED:

The meeting was recessed at 5:33 p.m. and will reconvene tomorrow, February 16, 2005.


CERTIFICATION

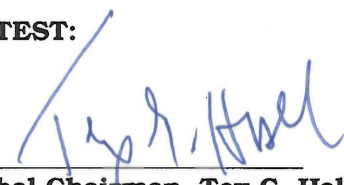
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum 7 were present at the Continuation Meeting thereof duly called, noticed, convened and held on the 14th day of March , 2005; 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 [X] Voting. [] Not voting.

Dated this 14th day of March, 2005.

ATTEST:


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


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