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**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
CONTINUATION MEETING NO. 05-05-NH
FEBRUARY 17, 2005**

RECONVENE MEETING:

Vice-Chairman Marcus D. Wells, Jr., called the meeting called to order at 10:15 am. Invocation by Councilman Frank Whitecalfe.

ROLL CALL:

Members present: Councilman Daylon Spotted Bear, Councilman Frank Whitecalfe, Councilman Marcus D. Wells Jr., Councilman Malcolm Wolf, Councilman Nathan Hale, Councilman Mervin Packineau.

Members absent: Chairman Tex G. Hall [Travel Washington, D.C.]

AGENDA ADD-ONS:

The following items were added to the agenda. WIC Director-[Councilman Wells, Jr] Roads Department [Councilman Hale] Business Licenses- [Councilman Spotted Bear], North Lights Security-[Councilman Wolf]

01. HIRE OF WIC DIRECTOR:

Personnel Matter

02. SALARY INCREASE ADJUDICATING OFFICER

Personnel Matter

03. ROADS MAINTENANCE REQUEST-NH

Personnel Matter

04. NORTHERN LIGHTS SECURITY GUARD REQUEST:

Councilman Wolf moved for approval to propose changes to the indirect cost proposal to include the new square footage of the Northern Lights building to fund two security guards at approximately \$42,000 with 50% paid from the General Fund and 50% funded in the indirect cost proposal; and to work with Councilman Wolf and Councilman Whitecalfe. Councilman Packineau seconded the motion.

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

05. BUSINESS LICENSES APPLICATION FOR BUSINESS:

Councilman Packineau moved for approval of nine [9] Business Licenses and Liquor Licenses with the Three Affiliated Tribes, Legal Department. Councilman Hale seconded the motion.

1. Highway 8 Convenience on/off sale of Beer/Wine and Liquor-Twin Buttes
2. Poppa Joes' Stop & Go-Mandaree
3. Happy's Place-Parshall
4. Dakota Fire Extinguishers-Minot
5. White Shield Ree Store-White shield
6. Cedrick's- White Shield



7. Marshall Investments-Minneapolis
8. Smoke Shop & Retail-New Town

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

06. RESOLUTION NO. 05-38-NH, PARSHALL RESOURCE CENTER:

Councilman Hale moved for approval to support the \$252,000 which is a \$102,000 increase from the FY-05 draft budget for the Parshall Resource Center and the Parshall Detox. Councilman Packineau seconded the motion.

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

07. PARSHALL DETOX AND PARSHALL RESOURCE CENTER MERGER:

Councilman Packineau moved for approval of a reorganization merger between the Parshall Resource Center and the Parshall Detox Center and to set a date in the near future. Councilman Hale seconded the motion.

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

08. TRIBAL BUSINESS COUNCIL MEETING DATES:

Councilman White Calf moved for approval to honor, acknowledge and respect the Four Bears words to, "that the Tribal Business Council meets in a timely manner for the Fort Berthold Indian Reservation. Councilman Spotted Bear seconded the motion.

Councilman White Calf amended his motion to "all other six segments."
Councilman Spotted Bear concurred with the amendment.

VOTE: 4 Ayes, 2 Nays, 0 Abstentions, 0 Not voting. Motion carried.

09. CODE OF ETHICS:

Councilman Hale moved for approval to forward Resolution No. 02-204-MWJR to the Legal Department for review and to bring the draft to the March 10, 2005 Regular Council meeting for action. Councilman Spotted Bear seconded the motion.

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

10. TRIBAL MOTOR POOL:

Councilman White Calf moved for approval to have the Treasurer, MHA Holding Company and Fort Berthold Development go forward with a plan to put into operation a Tribal Motor Pool at the "West Dakota gas station" initially owned by the Fort Berthold Development Corporation. Councilman Packineau seconded the motion.

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



11. PARSHALL DAYCARE:

Councilman Packineau moved for approval of grant the start up funds of \$50,000 to the Parshall Daycare and the White Shield Daycare. Councilman White Calf seconded the motion.

DISCUSSION: The Treasurer and the CEO will reestablish the funds in the budget.

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

12. ANA INTERPRETATIVE CENTER/TOURISM PROGRAM:

Scott Eagle updated the Tribal Business Council on the Interpretative Center.

13. DR. HARCHENKO CHIEF MEDICAL OFFICER:

- Mental Health needs additional staff
- Physical Therapist versus pain pills
- Customer Service

14. RESOLUTION NO. 05-39-NH, FORT BERTHOLD COMMUNITY COLLEGE, DOMESTIC VIOLENCE GRANT:

Councilman Packineau moved for approval of a Resolution entitled, "Domestic Violence Grant." submitted for student services by the Fort Berthold Community College. Councilman Hale seconded the motion.

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

15. RESOLUTION NO. 05-40-NH, ECONOMIC DEVELOPMENT ADMINISTRATION

Councilman Packineau moved for approval of a Resolution entitled, "Authorization for FY 2005 Economic Development Administration Grant." Councilman Hale seconded the motion.

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

16. RESOLUTION NO. 05-41-NH, ZONING RESOLUTION:

Councilman White Calfe moved for approval of a Resolution entitled, "Zoning & Building Permit Authorization Authority Delegated to Duly Tribally Chartered Segment Boards." Councilman Hale seconded the motion.

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

17. WAKE CLARITY:

Cynthia Danks gave a presentation on burial costs. She will be meeting with Garrison and Beulah mortuaries regarding these costs. She will then give a more informed report and recommendations for the Tribal Business Council.



18. RESOLUTION NO. 05-42-NH, TWIN BUTTES CUSTOM HOMES COMPLIANCE CORRECTIVE ACTION PLAN:

Councilman Spotted Bear moved for approval of a Resolution entitled, "Compliance Corrective Action Plan for the Twin Buttes Custom Homes. Councilman Frank Whitecalfe seconded the motion.

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

19. RESOLUTION NO. 05-43-NH, TRIBAL REQUEST TO CONTRACT QUARTERS MANAGEMENT:

Councilman Hale moved for approved of an amended Resolution entitled, "Tribal Request to Contract Quarters Management." Councilman White Calf seconded the motion.

VOTE: 5 Ayes, 0 Nays, 1 Abstention, 0 Not voting. Motion carried.

20. RESOLUTION NO. 05-44-NH, REORGANIZATION OTFM OFFICER PLACEMENT TO FORT BERTHOLD AGENCY:

Councilman Hale moved for approval of a Resolution entitled, "Request two positions from the Office of Trust Management be assigned to the Ft. Berthold Agency. Councilman Whitecalfe seconded the motion.

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

21. RESOLUTION NO. 05-45-NH, DOMESTIC VIOLENCE PROGRAM:

Councilman Spotted Bear moved for approval of a Resolution entitled, Grant application for Domestic Violence Program in the amount of \$55,596. Councilman Hale seconded the motion.

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

Councilman White Calfe moved for approval to authorize the CEO and the Treasurer to look for \$50,000 [JTAC funds] that was previously granted to the Domestic Violence Program and use some of the funds to repair the building. Councilman Packineau seconded the motion.

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

22. RESOLUTION NO. 05- 46-NH ACOUSTICAL MATERIAL FOR MANDAREE COMMUNITY BUILDING.

Councilman Hale moved for approval of a Resolution entitled, "Acoustical Material for Mandaree Community Center, subject to availability of funds." Councilman Packineau seconded the motion.



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

23. RESOLUTION ACOUSTICAL & PANEL INSTALLATION \$30,000:

Councilman Hale moved for approval of a motion to research which garages were previously selected but not constructed to get them finished and with the remaining balance of the \$100,000 to put toward the acoustical and panels for the six segments. Councilman Packineau seconded the motion.

DISCUSSION: Councilman Hale amended his motion to, "exclude Northern Lights, and include White Shield." Councilman Packineau concurred with the amendment.

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

24. DONATION OF BUFFALO TO FORT BERTHOLD INDIAN CELEBRATIONS:

Councilman Hale moved for approval to donate a buffalo to the Twin Buttes Celebration Committee. Councilman Packineau seconded the motion.

Councilman Hale amended his motion to include a donation of one buffalo to each of the six celebrations and ½ buffalo to each of the six war bonnet dances. Councilman Packineau concurred with the amendment.

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

25. RESOLUTION NO. 05-47-NH, CELESTE WITHAM LAND PURCHASE:

Councilman Spotted Bear moved for approval of the land purchase, exclusive of mineral rights from Celeste Witham, 301-U000494 for a cash consideration of \$117,000, utilizing funds from the Docket 350G Land purchase account and authorizes the Chairman of the Tribal Business Council, its Secretary, and the Superintendent of the Fort Berthold Agency, the Area Director, and Commissioner of Indian Affairs to prepare all documents and to do all things necessary to transfer title of the land to the United States of America in trust for the Three Affiliated Tribes of the Fort Berthold Indian Reservation, to wit: Allot. No. 492A, a 1/1 interest within NE1/4 in Section 09, T150N. R90W., Fifth Principal Meridian, North Dakota containing 160.00, acres more or less, which has an actual value of \$93,600.00; and Allot. No. 492A-E, a 1/1 interest within SW1/4SE1/4 in Section 07, T150N.,R90W., Fifth Principal Meridian, North Dakota containing 40.00, acres more or less, which has an actual value of \$23,400.00. Councilman White Calf seconded the motion.

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



26. RESOLUTION NO. 05-48-NH LAND EXCHANGE TED LONE FIGHT III:

Councilman Spotted Bear moved for approval of the exchanges of land between the Three Affiliated Tribes and Ted Lone Fight III, exclusive of minerals, held in trust by the United States of America for the Three Affiliated Tribes and lands held in trust status by the United States for Theodore Lone Fight III, 301-U2791, hereby authorizes the Chairman of the Tribal Business Council, its Secretary, and the Superintendent of the Fort Berthold Agency, the Area Director, and Commissioner of Indian Affairs to prepare all documents and to do all things necessary to exchange lands for which title is to be transferred to the Tribe and Theodore Lone Fight III, et al under the terms and conditions stated below. Councilman Hale seconded the motion.

Theodore Lone Fight III, et al

Allotment No. 3058, all his interest within the N1/2NW1/4 Section 11,
T148N.,R93W.,

Containing a total of 120.00 acres valued at \$18,000.00

Tribal Land:

Allotment No. T1800, all their interest within Lot 1&2, SE1/4Ne1/4 Section 04,
T148N. R93W. containing a total of 98.70 acres valued at \$17, 026.00.

The Tribe will pay the difference of \$974.00.

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

27. ALLOCATION OF ELDER HOME:

Councilman Wolf moved for approval to allocate an elder unit for Mary Elk in the North Segment and to allocate an elder unit in the Four Bears Area for Geraldine Wounded Face. Councilman Packineau seconded the motion.

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

28. RETURN OF TAT EQUIPMENT, WASTE MANAGEMENT, ROADS, & FIGURE FOUR:

Councilman Spotted Bear moved to have CEO contact the Figure Four Ranch and TEC Industries and locate equipment [*Four Bears Waste Management Back Hoe from the Figure Four Ranch. Roads Department's Track Hoe/Back Hoe from TEC Industries that was left at Skunk Bay*], and to collect any rental fees. Councilman Hale seconded the motion.

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

29. FORT BERTHOLD HIGH SCHOOL AFTER PROM REQUEST-

Councilman Packineau moved for approval to grant \$300 for all high school on the Fort Berthold Indian Reservation to subsidize costs for their After Prom Dance. Councilman Hale seconded the motion.



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

30. RESOLUTION NO. 05-49-NH, FBCC LIBRARY SERVICES:

Councilman Hale moved for approval of a Resolution entitled, "FBCC Library Services, Fort Berthold Community College." Councilman seconded the motion.

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

31. ADJOURNMENT:

Councilman Packineau moved for approval to adjourn the meeting at 4:20 p.m. Councilman Whitecalfe seconded the motion.

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

CERTIFICATION

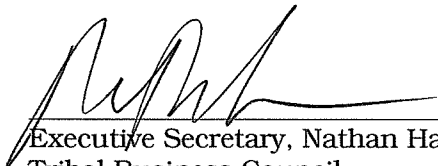
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum 7 were present at the **Continuation Meeting** thereof duly called, noticed, convened

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 [] Voting. [] Not voting.

Dated this 14th day of March, 2005.

ATTEST:



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

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