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**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
CONTINUATION MEETING NO. 05-08-NH  
MARCH 21, 2005**

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**CALL TO ORDER:**

Chairman Tex G. Hall convened the meeting at 10:10 a.m.

**ROLL CALL:**

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

**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. DETENTION CENTER START-UP GRANT:**

Councilman Wells moved for approval of a Contract for Jerry Balker, Consultant Agreement, training and setting up a testing system will be paid from the Start-up Grant. Councilman Whitecalfe seconded the motion.

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

**03. HIRING OF CORRECTIONAL OFFICERS - DETENTION CENTER:**

Councilman Wells moved for approval to hire Gloria Huff, Eugene Swift Elk, Paul Fox, Tina White Horn, and Lisa White Bear as Correctional Officers, subject to policies and a background check. Councilman Packineau seconded the motion.

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

**04. INDIAN POLICE ACADEMY TRAINING:**

Councilman Packineau moved for approval to support Mark Fox' letter to Jerry Trujillo at the Indian Police Academy requesting training for TAT staff members employed with the Detention Center. Councilman Whitecalfe seconded the motion.

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

**05. APPROVAL OF MINUTES - FEBRUARY 15, 16, 17, 2005**

Councilman Packineau moved for approval of the Minutes of February 15, 2005 Minutes as amended. Councilman Hale seconded the motion.

Amendments:

- Page two lake level update
- Strike bullets on No. 4
- Item 17 should be made more clearly. They are paying on a loan from the tribe and completing paying off a loan from the tribe.



- Councilman Wells stated he has been waiting for a number of resolutions that is down for Legal review for two weeks or more. He needs them back and signed immediately.
- Under Item No. 28 Don Yellow Bird was elected to the Tribal Gaming Enterprise Board.

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

Councilman Wells moved for approval of the Minutes of February 16, 2005 as amended. Councilman Whitecalfe seconded the motion.

Amendment:

- The clinic need more space for patients.

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

Councilman Wells moved for approval of the Minutes of February 17, 2005 as amended. Councilman Hale seconded the motion.

DISCUSSION: Councilman Wells said the resolutions he is looking for are printed in these minutes: The Code of Ethics were discussed and the Executive Secretary was directed to make sure that the Code of Ethics are brought back to the business council to review.

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

06. **PERSONNEL MATTERS: Executive Session**

07. **TAT FY-05 SALARY INCREASE BUDGET FREEZE:**

Councilman Whitecalfe moved for approval to freeze any salary increase requests from departments which are funded by the General Fund; Federal Program salary increase requests will be handled on a case by case by showing adequate funds in their Program budget; with this directive in held in place until the financial report is received, and a final plan is reviewed and approved. Councilman Packineau seconded the motion.

DISCUSSION: The Executive Secretary was directed to do a chronological search on segment staff hour wages and to bring back a report.

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

08. **ADOPTION OF ORDINANCE PROVIDING STATUTORY AUTHORIZATION FOR THE ACQUISITION SALE, CONVEYANCE TRANSFER, EXCHANGE AND ENCUMBERANCE OF TRIBAL LANDS ACQUIRED IN FEE FOR PUBLIC PURPOSES:**

Councilman Wolf moved for approval, not to adopt the Resolution as presented, and refer this issue to the Constitution Revision Committee, and for purposes of Northern Lights Housing sub-division homeowners, that Tribal Housing Division to enter into a lease hold mortgage. Councilman Hale seconded the motion.



VOTE: 4 Ayes, 1 Nay, 0 Abstention, 0 Not voting. Motion carried.

09. **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION**  
**FY-05: [Mandaree - Twin Buttes]**

Councilman Wells moved for approval of a Resolution entitled, "Follow-up and failure to achieve the CDBG FY-04. Councilman Hale seconded the motion.

**DISCUSSION:**

The TBC Passed a Resolution to refute the CDBG ratings of Mandaree and Four Bears applications. The tribe needs to strategize and submit an appeal to get results. Tribal audits are timely so that's not an issue now. The Tribe needs to get support from Congressmen, and support from the Fort Berthold Housing Authority. Councilmen Wells and Hale will keep the TBC apprised of any legal suits

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

10. **BOYS AND GIRLS CLUB:**

Councilman Wells moved for approval of the FY05 funding request of \$284,590 for the Boys and Girls Club which is the same level of FY-04 and taken within the budget which is the contingency fund of the budget. Councilman Packineau seconded the motion.

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

11. **SOCIAL SERVICE RELOCATION:**

Councilman Wells moved for approval to purchase as soon as possible, a modular home that will provide accommodations for the Social Service personnel. Councilman White Calfe seconded the motion.

Councilman Wells amended his motion to have "Twin Buttes Custom Homes design the office space."

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

The CEO was authorized to get the basement of the KDU ready to transfer the rest of staff who occupy the bottom offices of the Audrey Hall Davy building.

12. **HILLTOP TRAILER COURT:**

Councilman Packineau moved for approval to purchase the appraisal at \$67,000 lots right by the high school and trailer court, with the management to be assigned to the Tribal Housing Division, with the purchase to come out of the contingency fund. Councilman Hale seconded the motion.

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

13. **ADJOURNMENT:**

Councilman Wells moved for approval to adjourn the meeting at 3:00 p.m. Councilman Hale 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 and held on the 19<sup>th</sup> day of May, 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 19<sup>TH</sup> day of May, 2005.

**ATTEST:**

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

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