



**THREE AFFILIATED TRIBES
SPECIAL TBC MEETING
MEETING NO. 05-20-NH
SEPTEMBER 20, 2005**

CALL TO ORDER:

The meeting called to order by Vice-Chairman, Councilman Marcus Wells Jr. at 11:00 p.m.

Invocation by Councilman Wolf.

ROLL CALL:

Members Present: Vice-Chairman Marcus D. Wells Jr., Councilman Daylon Spotted Bear, Councilman Frank White Calfe, and Councilman Nathan Hale. A quorum was established with five members present.

Members Absent: Councilman Packineau, (Travel) and Chairman Hall (Travel)

01. APPROVAL OF AGENDA

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

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

02. RESOLUTION 05-136-NH "APPROVAL OF APPLICATIONS FOR GRANT FROM THE UNITED STATES, DEPARTMENT OF AGRICULTURE (USDA) RURAL DEVELOPMENT (RD) IN THE AMOUNT OF \$942,500.00 FOR THE FOUR BEARS INTAKE EXTENTION PROJECT.

Councilman Spotted Bear moved to approve a Resolution entitled, "Approval of Applications for Grant From the United States, Department of Agriculture (USDA) Rural Development (RD) in the Amount of \$942,500.00 for the Four Bears Intake Extention Project, which rescinds Resolution No. 05-99-NH. Councilman Whitecalfe seconded the motion.

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

03. RESOLUTION NO. 05-137-NH "APPROVAL OF APPLICATION FOR A GRANT FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) RUAL DEVLOPMENT (RD) IN THE AMOUNT OF \$1,000,000.00 FOR THE WHITE SHIELD INTAKE EXTENSION PROJECT."

Councilman Hale moved to approve of a Approval of Application for a Grant from the United States Department of Agriculture (USDA) Rual Devlopment (RD) in the Amount of \$1,000,000.00 for the White Shield Intake Extension Project." Councilman Wolf seconded the motion.

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



04. NATURAL RESOURCE DEPARTMENT/KYLE BAKER

Councilman Spotted Bear moved for approval to have a background check conducted on Wind River Associates; Wes Martell and Orville St. Clair for the safe guarding of the Three Affiliated Tribes Energy Program. Councilman Whitecalfe seconded the motion.

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

05. INDIAN HEALTH SERVICE – BERNIE FOX DRAINFIELD:

Councilman Hale moved for approval to send a reference to the Indian Health Services to replace a drainfield and excavate a well for Bernie Fox. Councilman Wolf seconded the motion.

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

06. TRIBAL HOUSING/CONNIE WILKINSON:

Report on the status of the Colonial Homes that were damaged in the move.

07. CONSULTANT AGREEMENT BETWEEN TRIBAL HOUSING AND MICHAEL ORVIK:

Councilman Whitecalfe moved for approval of a consultant agreement between Tribal Housing and Michael Orvik at \$40.00 an hour, not to exceed \$5,120.00 for two weeks. Councilman Spotted Bear seconded the motion.

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

08. TRIBAL HOUSING CONSULTANT AGREEMENT FOR LORI G. PEMBERTON

Councilman Whitecalfe moved for approval of an additional increase of \$500.00, for Lori Pemberton, not to exceed \$3,300.00 a month, effective October 1, 2005 through the term of contract expiring on April 2006. Councilman Hale seconded the motion.

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

09. EDUCATIONAL LOAN/ASHLEY STAPLES:

Councilman Whitecalfe moved for approval of an educational loan of \$2,500 for Ashley Staples, with a 2% repayment plan after she finishes school. Councilman Spotted Bear seconded the motion.

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

10. LAWN MOWERS FOR SEGMENTS

Councilman Hale moved for approval to purchase lawn mowers for each segment to tend to the lawns and yards; with the elders organization contribution of **\$1,500 for each segment**) to take care of the elders' yards,



for a total of \$3,250.00 from each of the Segments that will be paid out of the FY-2006 General Fund Budget. Councilman Spotted Bear seconded the motion.

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

11. SIGNATURE EVENT-CONSULTANT AGREEMENT/FRED BAKER

Councilman Spotted Bear moved to approve Brenda Dvorak to hire Fred Baker as a consultant for the Lewis & Clark Signature Event, with his fees paid out of a grant. Councilman Whitecalfe seconded the motion.

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

12. BOYS & GIRLS CLUB/ JARRETT BAKER

Councilman Whitecalfe moved for approval of an advance of \$24,500.00 to the Boys and Girls Club for FY 2006. Councilman Spotted Bear seconded the motion.

Discussion: Councilman Spotted Bear said that he did a second to the motion with the understanding that the advance of \$24,500.00 is included in the allocation for FY 2006 and will be reimbursed to the tribe. Councilman Hale asked for clarification about employee status as far as permanency, and what will happen with their status in the coming years of employment..

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

**13. FORT BERTHOLD DEVELOPMENT CORPORATION
Informational**

14. TWIN BUTTES CUSTOM HOMES/ CONSULTANT AGREEMENT FOR JOHN MELK

Councilman Spotted Bear moved approve consultant payment to John Melk in the amount of \$4,000.00 and reimburse the \$1,880.00 for his airline ticket he bought to visit the Corporation. Councilman Hale seconded the motion.

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

15. RESOLUTION 05-138-NH "BEAVER CREEK CASINO AGREEMENT ON FINANCING FOR CASINO PROJECT." Steve Kelly will write the appropriate legal wording in the Resolution.

Councilman Spotted Bear moved to approve a Resolution No. 05-138-NH, with the inclusion of the following language, "that the Project be an obligation of the LSA, and not an obligation of the Three Affiliated Tribes; and include, "LSA will purchase the gaming machines for the tribe." Councilman Hale seconded the motion.



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

16. NELSON HEART/NATURAL RESOURCE DEPARTMENT

A request for a lease pasture for Nelson Heart was referred to the Natural Resource Committee Meeting that will be held at September 21, 2005.

17. JERRY NAGEL/Informational

18. FOUR BEARS REORGANIZATION:

Councilman Whitecalfe moved for approval to authorize Lester Crows Heart to work with Councilman Wolf regarding hauling water and the water hauling truck. Councilman Spotted Bear seconded the motion.

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

19. REORGANIZE AND COMPENSATION FOR EXECUTIVE SECRETARY OFFICE:

Councilman Hale informed the Tribal Business Council that he will be evaluating his staff with the Records Management. All Tribal Business Council Meeting minutes are approved and posted in the MHA Times, and all Committee meetings are completed and approved. He said that although the majority of the resolutions are signed, there are still some that don't have signatures. He will bring a proposal to upgrade staff if they have an excellent evaluation.

20. ADJOURNMENT:

Councilman Whitecalfe moved for approval to adjourn the meeting at 1:15 p.m. Councilman Hale seconded the motion.

VOTE: 5 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 6 were present at the SPECIAL Meeting thereof duly called, noticed, convened and held on the 21 day of November, 2005; that the foregoing Minutes were amended and duly adopted at such meeting by the affirmative vote of 6 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Chairman [] Voting. [] Not voting.

Dated this 21 day of November, 2005.

ATTEST:



Handwritten signature of Nathan Hale in black ink.

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

Handwritten signature of Tex G. Hall in blue ink.

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