



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING NO. 06-07-NH
FEBRUARY 13, 2006**

RECONVENE MEETING:

The meeting was reconvened at 12:45 p.m. by Vice-Chairman Marcus D. Wells, Jr.

ROLL CALL: Members present: Vice-Chairman, Marcus D. Wells, Jr., Councilman Daylon Spotted Bear, Councilman Frank Whitecalfe, Councilman Mervin Packineau, and Councilman Nathan Hale.
Members absent: Chairman Tex G. Hall, (travel) and Councilman Malcolm Wolf. (meeting)

01. REAFFIRM THE AGENDA:

- Add Buffalo Project under NRC
- H. MHA Holding Company Dissolved
- Four Bears Elders Home – Sadie Mann (MWJR)
- J. Carla Clarke Purchase of mobile home

RESERVE ADD-ONS: Packineau Whitecalfe

02. RESOLUTION NO. 06-26-NH, BEAVER CREEK CASINO

Councilman Wells moved for approval of a Resolution entitled, “Acknowledgement of Interim non-Tribal Loan and Approval of Fin.”
Councilman Whitecalfe seconded the motion.

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

03. DISTRICT TRIBAL JUDGE CONTRACT:

Councilman Whitecalfe moved for approval to extend El-Marie Conklin’ contract as the District Tribal Chief Judge with full interim authority until this matter is considered by full council.
Councilman Spotted Bear seconded the motion.

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

**04. RESOLUTION NO. 06-27-NH-MHA BUFFALO ENTERPRISES, INC.
DISSOLVED AND TRANSFERRED TO THREE AFFILIATED TRIBES:**

Councilman Hale moved for approval to dissolve the MHA Buffalo Enterprises Inc. and transfer ownership of all assets and liabilities of MHA Buffalo Enterprises to the Three Affiliated Tribes.
Councilman Whitecalfe seconded the motion.

Discussion: This action rescinds TBC Resolution No. 03-266-RP

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

05. TRIBAL HOUSING – ELDER HOMES:

Councilman Spotted Bear moved for approval a budget amendment of \$58,000 to replace units that were damaged by natural disaster, which were specifically built for elders in the segments: (1) Four



Bears, (2) White Shield, (2) for Twin Buttes, (2) Parshall and to work with the Legal Department in recouping insurance money. Councilman Whitecalfe seconded the motion

DISCUSSION:

Tribal Housing staff stated they had a run in with TERO regarding not applying fees which would have been an extra cost to the tribe. The director also stressed to the members the units is not free and clear title, and won't be free, its \$150 per month.

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

06. TRIBAL HOUSING - RESOLUTION NOT TO PURCHASE MOBILE HOME FROM CARLA CLARKE:

At the last motion made in January a directive was given to Tribal Housing to purchase the mobile home from Carla Clarke at \$22,000. Councilman Hale reiterated when the full council makes a motion to purchase as was in this case, it should be processed as soon as possible and not scrutinized.

07. BUREAU OF INDIAN AFFAIRS/TRIBAL POLICE CAPTAIN:

Councilman Whitecalfe moved for approval to appoint Nelson Heart, Sr., as the Tribal Police Captain at the same rate of pay he received as the Criminal Investigator and directed him to develop a memorandum of understanding with the Bureau of Indian Affairs. Councilman Packineau seconded the motion.

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

08. RESOLUTION NO. 06-28-NH,

Councilman Spotted Bear moved for approval of a Resolution entitled, " Councilman Whitecalfe seconded the motion.

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

**09. APPROVAL OF MINUTES:
November 21, 2005:**

Councilman Hale moved for approval of the November 21, 2005 Minutes of the Tribal Business Council. Councilman Spotted Bear seconded the motion.

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

November 23, 2006

Councilman Hale moved for approval of the November 23, 2005 Minutes of the Tribal Business Council as amended. Councilman Packineau seconded the motion.

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

December 2, 2005

Councilman Hale moved for approval of the December 2, 2005 Minutes of the Tribal Business Council, with amendments. Councilman Spotted Bear seconded the motion.



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

January 13, 2006:

Councilman Hale moved for approval of the January 13, 2006 Minutes of the Tribal Business Council. Councilman Spotted Bear seconded the motion.

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

10. NATIONAL SCENIC BY-WAYS:

Informational – Dawn Charging

12. PERSONNEL ITEMS: Executive Session

13. RESOLUTION NO. 06-29-NH, FBCC LIBRARY GRANT:

Councilman Spotted Bear moved for approval of a Resolution entitled, “FBCC Library Grant.” Councilman Packineau seconded the motion.

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

14. WHITNEY BELL REQUEST FOR ADMINISTRATIVE LEAVE CPA CERTIFICATION:

Councilman Spotted Bear moved for approval to put the Vice-Chairman in charge while Whitney Bell is on training. Councilman Packineau seconded the motion.

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

15. 2006 INDIAN GAMING MEMBERSHIP DUES:

Councilman Packineau moved for approval to direct Spencer Wilkinson, Jr. to pay for the membership dues and to take out of the monthly draw from the Casino. Councilman Whitecalfe seconded the motion.

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

15. CIRCLE OF LIFE PROGRAM POLICIES AND PROCEDURES

Councilman Spotted Bear moved for approval of a Resolution entitled, “Circle of Life Policy and Procedure Handbook.” Councilman Whitecalfe seconded the motion.

DISCUSSION: Councilman Hale stated that Program Directors should be required to present their agenda items and be available to answer any questions the Council may have. The maker of the motion and second were withdrawn until Belinda Beston arrives at the meeting.

16. RESOLUTION NO. 06-30-NH, TWIN BUTTES CUSTOM HOMES:

Councilman Packineau moved for approval of the Resolution entitled, “Removal of Twin Buttes Custom Homes from the ownership of MHA Enterprises, Inc.” Councilman Spotted Bear seconded the motion.

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



17. **RESOLUTION NO. 06-31-NH, TWIN BUTTES WATER SOURCE GRANT APPLICATION
USDA:**

Councilman Hale moved for approval of the Resolution entitled, "Twin Buttes Water Source Loan-Grant Application for Fort Berthold Rural Water." Councilman Spotted Bear seconded the motion.

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

18. **RESOLUTION NO. 06-32-NH, MANDAREE LAGOON PROJECT – PHASE ONE:**

Councilman Hale moved for approval of the Resolution entitled, "Mandaree Lagoon Project-Phase One." Councilman Spotted Bear seconded the motion.

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

19. **RESOLUTION NO. 06-33-NH, CIRCLE OF LIFE POLICY AND PROCEDURE
HANDBOOK:**

Councilman Hale moved for approval of the Resolution entitled, "Circle of Life Policy and Procedure Handbook." Councilman Packineau seconded the motion.

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

20. **ENROLLMENT CLERK:**

Councilman Whitecalfe moved for approval to rescind the February 10, 2006 action "to re advertise Enrollment Clerk position, as Nathaniel Mayer was hired in that position permanently. Councilman Packineau seconded the motion.

DISCUSSION: The original motion was made in error as he was already hired permanently.

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

21. **ENROLLMENT CLERK, SALARY INCREASE:**

Councilman Whitecalfe moved for approval of a salary increase for Nathaniel Mayer from \$9.00 to \$11.00, as rated by the Human Resources Administrator.

Councilman Packineau seconded the motion.

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

22. **TRIBAL TOURISM PROGRAM-DAWN CHARGING:**

Councilman Hale moved for approval of the ratification of Executive Committee Minutes in which Dawn Charging was hired as the Tourism Director. Councilman Whitecalfe seconded the motion.

DISCUSSION: The Tribal Business Council needs to ratify Executive Committee Minutes of August 2, 2005 and September 20, 2005. Staff hired to work in the Tourism Program are: Scott Eagle, Sherry Gillette, and Crissy Friday and Dawn Charging. Kerry Libby was hired to raise \$100,000 - Karen Patz was hired by the Lewis and Clark Signature Event. AMEND: Back to September 15, 2005.



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

23. **RESOLUTION NO. 06-34-NH FSA REVENUE:**

Councilman Whitecalfe moved for approval of a Resolution entitled, "Authorization and preservation for FSA Revenue." Councilman Hale seconded the motion.

DISCUSSION: Paul Danks was directed to put language in the proper format.

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

24. **CORP OF ENGINEERS GRANT- CULTURAL PRESERVATION, CONSULTANT AGREEMENTS:**

Councilman Whitecalfe moved for approval of (2) consultant agreements, 1) Brandon Crows Breast, at \$1500 per month and 2) Perry Brady, at \$1500 per month beginning on October 1, 2005 and ending September 30, 2006; for a total of \$20,000 per consultant. Councilman Packineau seconded the motion.

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

25. **TEK INDUSTRIES.**

Councilman Hale moved for approval to hire Ed Hall as a consultant to work on the street lightning. Councilman Packineau seconded the motion.

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

26. **ADJOURNMENT:**

Councilman Whitecalfe moved for adjournment at 4:17 p.m. Councilman Hale seconded the motion.

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

NEXT TBC MEETING IS MARCH 09, 2006:

Agenda items: Legal Items

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 Continuation Meeting thereof duly called, noticed, convened and held on the 20 day of March, 2006; that the foregoing Minutes were amended and duly adopted at such meeting by the affirmative vote of 5 members; 0 members opposed; 0 members abstained; 0 Members not voting.

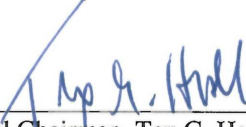
Chairman [] Voting. [] Not voting.

Dated this 20 day of March, 2006.



ATTEST:


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


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

