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**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING NO. 06-23-NH
AUGUST 24, 2006**

CALL TO ORDER:

In the absence of Chairman Hall, Vice-Chairman-Marcus D. Wells, Jr., called the meeting to order at 10:30 a.m.

ROLL CALL:

Members present: Chairman Tex G. Hall, [1:45 p.m.] Councilman Daylon Spotted Bear, Councilman Marcus D. Wells, Jr., Councilman Malcolm Wolf, Councilman Mervin Packineau, and Councilman Nathan Hale. A quorum was established with six members present. Chairman Hall arrived at 1:45 p.m., which made all members present.

01. APPROVAL OF THE AGENDA:

Councilman Hale moved for approval of the six agenda items. Councilman Whitecalfe seconded the motion. 1) REQUEST FOR MILITARY LEAVE- CASEY HALL; 2) RESOLUTION NO. 06- 107-NH – BEAVER CREEK CASINO, DALE LITTLE SOLDIER; 3) TAT FY-06 BUDGET UPDATE; 4) STAUFFER’S RECOMMENDATION TO RIF NON-ESSENTIAL STAFF; 5) REINSTATEMENT OF THREE PERMANENT EMPLOYEES. (38) (39) (40) 6) ACCEPTANCE TO LAY-OFF TEMPORARY EMPLOYEES; 7) RECESSION OF TUNIKA 1 MILLION DOLLAR LOAN; **8) TIME LINE FOR SUBMITTAL OF FY-07 BUDGET**

VOTE: 6 Ayes. Motion carried.

02. REQUEST FOR MILITARY LEAVE- CASEY HALL:

Councilman Hale Wells moved for approval of a request from Casey Hall for Military Leave in accordance with the TAT Personnel Policy Handbook; “Military Leave.” Councilman Wolf seconded the motion.

VOTE: 6 Ayes. Motion carried.

03. RESOLUTION NO. 06- 107-NH; BEAVER CREEK CASINO, DALE LITTLE SOLDIER:

Councilman Spotted Bear moved for approval of a Resolution entitled, “Approval of Buy-out Agreement for Casino at Lake Sakakawea,” subject to Councilman Spotted Bear’s review and legal review. Councilman Whitecalfe seconded the motion.

VOTE: 4 Ayes, 2 Nays, 0 Abstentions. Motion carried.

NOTE:

Chairman Tex G. Hall entered the meeting at 1:45 p.m., and presided over the meeting.

04. TAT FY-06 BUDGET UPDATE:

Informational



05. STAUFFER'S RECOMMENDATION TO RIF NON-ESSENTIAL STAFF:

Councilman Hale moved not to accept Stauffer's recommended list of Reduction of Force (RIF). Councilman Packineau seconded the motion.

DISCUSSION: The Tribe will work on obtaining money to pay for salaries.

VOTE: 7 Ayes, 0 Nays. Motion carried.

06. REINSTATEMENT OF THREE PERMANENT EMPLOYEES. (38) (39) (40)

Councilman Wells moved for approval to reinstate the three employees today, who are Jessica Grinnell, Lisa Young Bear, and Richard White Tail, because of non-compliance with Resolution No. 93-33-JJR. Councilman Whitecalfe seconded the motion.

DISCUSSION: Councilman Whitecalfe asked for a report on the complaint against-Glenda Embry. Karen Stevens, as her immediate supervisor, will respond it the complaint.

VOTE: 4 Ayes, 0 Nays, 2 Abstentions. Motion carried.

07. ACCEPTANCE TO LAY-OFF TEMPORARY EMPLOYEES:

Councilman Wells moved for approval of the lay-off list of 37 temporary employees (see list) 1-37, as recommended by the committee in accordance with Resolution No. 93-33-JJR. Councilman Whitecalfe seconded the motion.

VOTE: 7 Ayes. Motion carried.

07. FY-07 BUDGET TIME FRAME:

A Committee was created to work on the FY-07 budget. Some of the activities that the committee did were overturned. They need guidance from Council regarding the parking of vehicles as there is not procedural policy for vehicles. Log books need to be in vehicles - have to go out and monitor quarterly - monthly gas receipts would match up to it.

08. RESOLUTION NO. 06-108-NH; *Steve Kelly needs to do clarification.*

Councilman Whitecalfe moved for approval of a Resolution entitled, "Approval of 6.5 million JTAC draw from a financial institution - clarification for the FY-07 budget. Councilman Hale seconded the motion.

VOTE: 7 Ayes. Motion carried.

09. TAT VEHICLE POLICY:

Councilman Wells moved for approval to have all tribal vehicles parked, including Tribal Business Council's pick-ups, Administration and Council Assistants, with the exception of the following programs be exempt from directive; Game and Fish,



Justice Center, CHR, KDU, Cops Fast, Security, Traffic Safety, Fire Management, Federal programs who drive GSA and tribal vehicles. Councilman Wolf seconded the motion.

VOTE: 4 Ayes, 0 Nays, 3 Abstentions. Motion carried.

10. PAYBACK OF TUNIKA 1 MILLION DOLLAR LOAN:

Councilman Hale moved for approval to authorize the transfer of the \$1,000,000 dollar money set aside in the NAB for the Tunika Budget. Motion dies for lack of a second. Treasurer Whitecalfe said the money was set aside in good faith, and doesn't know if it would slow down the process in purchasing rights to Tunika.

11. TIME LINE FOR SUBMITTAL OF FY-07 BUDGET:

A timeline for budget submittal will be discussed and presented at the September 14, 2006 TBC Meeting. Councilman Hale questioned the validity of spending federal dollars on tribal expenses, and also recommended not to spend tribal dollars for federal expenditures. So far, the tribe has to spend 3,000,000 dollars for the month of September.

12. RESOLUTION NO. 06-109-NH; RECOMMENDATION TO APPOINT ROGER BIRD BEAR TO POSITION OF FORT BERTHOLD AGENCY SUPERINTENDENT:

Councilman Wells moved for approval to recommend to the Bureau of Indian Affairs, the appointment of Roger Bird Bear as Superintendent of the Fort Berthold Agency. Councilman Wolf seconded the motion.

VOTE: 6 Ayes. Motion carried.

13. "NEW BIA SECRETARY" VS. THREE AFFILIATED TRIBES CASE:

Councilman Whitecalfe moved for approval to request an extension regarding prudent due diligence on the Norton versus Cobell case dictating the offer & acceptance of \$10 Million by August 24, 2006 at 4:30 p.m. Councilman Spotted Bear seconded the motion.

VOTE: 7 Ayes. Motion carried.

14. SONOSKY FIRM INDIRECT COST GLOBAL CLAIM.

Councilman Wells moved for approval to hire Sonosky law firm, "Melanie Osborn" to target the "638 Programs Direct and Indirect Cost Global Claim." Councilman Packineau seconded the motion.

VOTE: 6 Ayes. Motion carried.

15. ADJOURNMENT:

Councilman moved for adjournment at . Councilman seconded the motion.



VOTE: 7 Ayes. 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 _____ were present at the _____ Meeting thereof duly called, noticed, convened and held on the _____ day of _____, 2006; that the foregoing Minutes were adopted at such meeting by the affirmative vote of _____ members; _____ members opposed; _____ members abstained; _____ Members not voting.

Chairman [] Voting. [] Not voting.

Dated this _____ day of _____, 2006.

ATTEST:

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

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



