



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING NO. 06-07-VJB
THURSDAY, DECEMBER 14, 2006
10:00 a.m.**

I. CALL TO ORDER:

Chairman Marcus Wells, Jr. call to order 10:29 a.m.

II. ROLL CALL: members present:

Chairman Marcus Wells Jr., Councilman Nathan Hale, Councilman Frank Whitecalfe, Councilwoman V. Judy Brugh, Councilman Barry Benson, Councilman Mervin Packineau, a quorum is present.

Councilman Malcolm Wolf present 10:46 a.m.

III. APPROVAL OF THE AGENDA:

Additions to agenda: Councilman Packineau, "Sunrise" proposal (New Business A.); Marilyn Jacobs (New Business B.) Councilman Benson, Twin Buttes Elders Organization (3A); Twin Buttes Custom Homes (3B); Councilman Whitecalfe, Buffalo Project Proposal (5 B-3); Resolution Spottedtail and Associates (E); Councilman Hale, Jason Fevold Small Loan Req't (New Business); reserve other item; Chairman Marcus Wells Jr., HIP Program (4 E) BIA Resolution

Councilman Hale moved to approve agenda, Councilman Whitecalfe seconded motion

VOTE:6 ayes-0 nay motion carried unanimously

- A. Twin Buttes Elders Organization:** Evan Burr opening statements of "Elder's" funding, supplies, gas for medical trips, billing, update a new vehicle, etc., no money, tried fund raising. Dennis Huber addresses council on resolution that was rescinded at one time. Submitted our 2007 budget (on time) of \$141,000, 1/6 of it was rescinded, asking for that amount and also authority to submitted new resolutions for additional money. Ramona Two Shields commented, MHA Organization is back on track with Twin Buttes Elders Organization; included in "our" Budget, the new employee, District Coordinator Hope Crowsheart, she travels back and forth does home visits, transports to medical appointment. "And from my understanding she uses the Community Van," by Ramona Two Shields. Councilman Whitecalfe comments on the TAT Budget; Councilman Benson clarifies that the "Vans" is technically owned by the tribe, they were purchased with the Twin Buttes Allocations, and the tribes pays the insurance and maintenance on the vans. The elders van was done with Daylon's Administration he let the community decide what to do, they decided to let one go within the Elder's program." Councilman Benson comments on that resolution, bylaws are still in place and recognized by the council? Chairman Wells, Jr. the resolution will be reinstated once the TAT budget is updated/reconciled per Treasurer Councilman Whitecalfe. Councilman Benson addresses the Twin



Buttes Elder's organization panel, to work with Hope Crows Heart for any transportation or any assistance in any way because it's coming out the TAT Elder's Organization. The resolution is being honored that was rescinded the action previously done this summer 2006, today I ask the Tribal Elder's Program to work with the Twin Buttes Organized Program, even though they're not funded, working new ways to find funding.

Councilman Benson moved to approve of \$5,000 to be unrestricted to see fit, Councilman Whitecalfe second the motion.

VOTE: 7 ayes-0 nay Motion passed unanimously

B. Nueta Nation Builders-

Daylon Spotted Bear/Tammy Jacobs update: Scheduled a board meeting at Twin Buttes, December 21, 2006 at 2 p.m. central time, *See Binder handout.*

Teaming agreement, suggested.

IV. CHAIRMAN'S REPORT: Marcus Wells Jr.

- A. TAT vs. Secretary of the Interior (Tribal Trust Fund Litigation) Richard A. Gladstone; **TELECONFERENCE @ 1 P.M.**, no answer 1:11 p.m., try again at 2 p.m. Steve Kelly, pertaining to the settlement. (2:28 p.m.) Alex, Department of Justice; working on this for 4 years. Talking at least 10 years of waiting, just as long as the Corbel case. Councilman Whitecalfe, what's your hours on this case? To justify the 1 million fee. Alex, I can get that too you. Whitecalfe, is it mandatory 10% fee?, Alex, I would give mine back to the tribe, but Rick would deserves his. Rick and Councilman Whitecalfe would do the negotiating. Steve Kelly, recommends deferring until next meeting, with resolution and negotiating fees with Councilman Whitecalfe and Alex. Mr. Jake Goodbear recommends to the 90 days issue? Deferred until the next regular Tribal Business Council Meeting on 12/20/06 at 11 a.m. Councilman Packineau, suggested to get some input from Scott Russell (per conference call) referring to government settlements. Scott Russell commented on "waiting could've decreased the settlement amount." "How long did it take to receive the money?" Councilman Packineau asked. "Almost immediately, I recommend don't go thru Albuquerque."
- B. Resolution: Tribal Government Reorganization
- C. Tribal Program Executive Officer Report-Alyce Spotted Bear-presented with CFO report
- D. Federal Program Executive Officer Report-Hugh Baker-presented with CFO report



E. HIP Program Resolution-

Chairman Wells Jr., Jackie Jackson, Bonnie Blake, program located at Northern Lights.

Councilman Nathan Hale moved to approve the resolution Home Improvement Program BIA Transfer

Councilman Packineau, seconded motion. **RESOLUTION #06-020-VJB**

Discussion: Chairman Wells, They have a vehicle, a black 3.25 ton truck, make sure they can work that out in the transition, if doesn't, we have another in the pool back here we can use.

Councilman Packineau, I spoke with Jackie she's ok, with this transfer.

VOTE: 7 ayes-0 nay motion passed unanimously

V. **TREASURERS REPORT: Councilman Frank Whitecalfe**

Budget Update & recommendations-Brandon Hand, CFO-powerpoint presentation on Management Team, and attachment FY 07 Budget. Councilman Hale, "let's take a cut in salary so we don't have to cut-off these daycares." "We have some high paid individuals working."

Alyce recommends look at state grants for daycares. Councilman Hale, concerns about TAT Roads department, laying off employees, we need to notify the public about these services. If we decided to accept these recommendations. **Vice-Chairman Hale advised for closed session per request from Brandon Hand, CFO at the BUDGET PERSONNEL-**

A. James Foote, Project Manager; Comprehensive Health Center-

B. Terry Fredericks; 1. Sky Power Corp./Fire Tail Energy Proposal

Terry Fredericks introduction: Letter of intent move into MOU, Mr. Purdy addresses council on proposing on executing a letter of intent to move forward for 4 weeks to further investigate this partnership. No fees to the tribe, terms to the memorandum to spend 6 months to do additional wind studies, analysis, after the 6 months update the council on the pre-development analysis to notify



whether it's a go or not project. Chairman Marcus Wells Jr., discussed to approve of deferring to Executive Meeting on January 28, 2006 at 10 a.m.

2. Partnering Agreement/Resolution

Twin Buttes & WAPA consultant, we'll work thru the tribe as far invoicing and financing the grant application that is due tomorrow. Moved to meet tomorrow 12/15/06 at 1 p.m. for further discussion

C. Buffalo Project & Buffalo Enterprise Consolidation Resolution 06-39-FWC "Figure Four

D. Dr. Biron Baker request

E. Spottedtail and Associates resolution

VI. UNFINISHED BUSINESS:

A. Sally White-Nux-baa-ga Pow-wow Committee

B. G. Tex Fox- Cultural

C. Dale Little Soldier-Marshall Group Update-*defer his update until TBC mtg. 1/11/07 (per req't @ 11:25 a.m.)*

D. Arlie & Mary Ellen Knight-HIP denied on housing application. Due to her age (main issue) Councilwoman Brugh, moved to approve to work with Connie Azure at the Dream Catcher's program and authorize the waiver of the health and living conditions so they can use one of the Walking Shield homes. Motion seconded by Councilman Nathan Hale.

Discussion: Councilman Hale make sure the home is furnished with the basics, fridge, stove, etc., Hugh Baker, be sure to follow-up on all points of interest, to make sure they are all exhausted. Jerry Nagel, offered to draw a plan that will assist this family as low as possible, Chairman Wells, Jr., be sure to capulate the asbestos, lead and any chemicals.

VOTE: 7 ayes - 0 nays motion passed unanimously

E. Kilpatrick Stockton L.L.P

F. Resolutions for appointments to standing committees-

VII. NEW BUSINESS-

A. "Sunrise" proposal: Eaglehunter introduced

Mr. Anderson enrolled from S.D. tribe, background on company; Offshore gambling memorandum see attachment. Mark Knight, off the "internet gambling through our tribe." Class II gambling, proposing initiate in about 2-3 months. Chairman Wells Jr., we'll talk to our Legal Department, forward to them for review Councilman Whitecalfe moved to approve until next Tribal Business Council Meeting January 11, 2007. Motion seconded by Councilman Packineau.

VOTE: 6 ayes - 0 nays motion passed unanimously



- B. Marilyn Jacobs-
- C. Jason Fevold Small Loan request
- D. Gaming Department Internal Auditor –

Councilwoman Brugh moved to approve of the Reorganization and restructuring of the Gaming Internal Auditor of the Four Bears Casino and Lodge and the surveillance positions of the Four Bears Casino and Lodge supervised by the Tribal Council, Councilman Whitecalfe seconded the motion.

Discussion: Chairman Marcus Wells Jr., advised Roger Bird Bear, Tyra Wilkinson and John Mahoney to work on this reorganization structure.

VOTE: 5 ayes – 0 nay; motions passed unanimously

VIII. COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS:

A. **Executive Committee: Chairman Marcus Wells Jr.**

B. **HHR Committee: Vice-Chairman Nathan Hale**

C. **Judicial/Alcohol & Drug Committee: Councilman Mervin Packineau**

01. **Tribal Court-**

A. **Judicial Reappointments/Resolution-**

Councilman Packineau moved to approve Associated Judges Employment appointments for 2007, Robert Holte, Peter Forsyth, BJ Jones and Terry Pechota, Councilman Whitecalfe seconded motion. *2 Judges pending payment, need authorization for them, Jones, Forsyths, Porjuda. Associated Judges.

VOTE: 6 ayes – 0 nays Motion passed

B. **Salary Adjustments-**

Councilman Whitecalfe moved to approve of the requested amount of salary increases for Brandee Brugh to \$13.25; Patti Shelkey \$13.25; Rosalind Walks- Mahto to \$9.05; and Eunice Lone Bear to \$12.73, this program is Federal Funded. Councilman Packineau seconded motion. *Effective 12/14/06, advised per Councilman Packineau.

VOTE: 6-0 motion passed unanimously

(Deferred)

C. **Carolyn Bird Bear- status Judicial chairman approved for her to work until next regular TBC Mtg. 12/20/06.**

(Deferred)

D. **Resolution- Update standards to current CFR 18 USC regulations on background checks**

02. **GTFJC- A. Permanent Selections (Adult); Internal Transfer**

Councilman Hale moved to approve list of GTFJC temporary hires/transfer to permanent status, Councilman Packineau seconded motion.

VOTE: 7 ayes -0 nays motion passed unanimously

B. **Budget-Reso 06-59NH-638 Contract #CTA04T30166**

D. **Natural Resources Committee: Councilman Barry Benson**

01. **BIA Superintendent Ben Kitto/ Tom Wells**

02. **Natural Resource Administrator-Paul Danks**



- E. Indian Health Service Unit: Michelle Leach, SUD submitted report
- F. Horace Pipe- Oil Refinery
- G. Ft. Berthold Housing Authority- Dennis Fox-Uphold Resolution #06-87NH

VIII. PERSONNEL MATTERS: Executive Session- Closed

X. LEGAL DEPARTMENT:

XI. ADJOURNMENT:

Councilman Whitecalfe moves to recess until tomorrow at 1p.m. Motion seconded by Councilwoman Brugh at 6:40 p.m.

VOTE: 5-0 motion passed

Discussion: Also Continuation of this Tribal Business Council meeting on December 20, 2006 at 11 a.m.

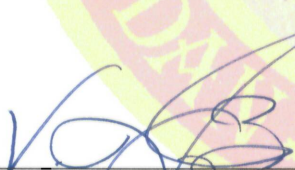
CERTIFICATION

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 (5) constitute a quorum 6 were present at the Meeting thereof duly called, notice, convened and held on the 10 day of May, 2007; 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.

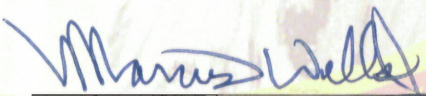
Chairman Voting Not Voting

Dated this 27 day of September, 2007.

ATTEST:



 Tribal Secretary, V. Judy Brugh
 Tribal Business Council,
 Three Affiliated Tribes

ATTEST:


 Tribal Chairman, Marcus D. Wells Jr.
 Tribal Business Council,
 Three Affiliated Tribes