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Three Affiliated Tribes
Tribal Business Council
Special Meeting 06-09-VJB
December 29, 2006 @ 10 a.m.

- I. CALL TO ORDER-**
Chairman Marcus Wells Jr., call to order @ 10:30 a.m.
- II. OPENING PRAYER-**
Councilman Malcolm Wolf
- III. ROLL CALL-**
Present: Chairman Marcus Wells Jr., Councilman Malcolm Wolf, Councilwoman V. Judy Brugh, Councilman Mervin Packineau, Councilman Frank Whitecalfe, Councilman Nathan Hale.
Absent: Councilman Barry Benson (inclement weather)
- IV. APPROVAL OF THE AGENDA-** (4 additions)
Councilman Whitecalfe, moves to approve agenda, Seconded by Councilman Packineau
Discussion: Councilwoman Brugh noted we adhere to agenda in the future no add-ons
VOTE: 6 ayes -0 nay; motion passed unanimously
- 01. Lloyd Vigen-loan resolution #06-41-VJB**
Councilwoman Brugh, moves to approve a transaction loan from tribal finance with a sign promissory note then the revision on Resolution amended “wording loan” will be sold/refinance to the Native American Bank. Motion seconded by Councilman Whitecalfe
VOTE: 6 ayes -0 nay; motion passed unanimously
- 02. Clarence O’ Berry**
Present at 2:10 p.m. with assistant Jamie Hale. Mr. O’ Berry presented a PowerPoint presentation of an overview and update of Mandaree Enterprises Corporation.
A. Where we are going
B. Applying for 8A status, 3-6 months possibly to acquire this status, before the current requirement of two years in

business, could use as leverage possibly help out the other 8A business within the tribe, to gain the 8A status.

Councilman Packineau moves to approve Clarence O' Berry to work with Councilman Whitecalfe to address the SBA concerning Mandaree Electronic Corporation 8A status. Councilman Hale seconded motion.

VOTE: 5 ayes -0 nay; motion passed unanimously

03. Terry Fredericks-Letter of intent

Requesting to do a feasibility study, they will give a report to the council then possible to execute a MOU after, the letter of intent is giving authority too them to research. John Mahoney also noted he has the resolution for the letter of intent.

Councilwoman Brugh moves to approve to have the legal department review the letter of intent, motion seconded by Councilman Hale.

VOTE: 6 ayes -0 nay; motion passed

Discussion: Motion amended: to amend the letter of intent to John Mahoney. Councilman Whitecalfe, seconded by Councilman Packineau, Also to change provision wording to "may include" the MOU negotiating process.

VOTE: 5 ayes -1 nay; motion passed

04. Wabek Bar-liquor license motion

Councilman Packineau, requesting a tribal license, eleven acres is owned by tribal members.

Councilman Brugh, moves to approve Wabek Bar Business License request for calendar year 2007. Motion seconded by Councilman Hale.

VOTE: 5 ayes 0 nays -1 abstention- 0 not voting; motion passed

05. Hope Fragoza-loan

Chairman Marcus Wells Jr., updates council on the outstanding funeral loan. Requesting to draw up a transaction loan through tribal finance department of \$3,500.00 with a promissory note, secured through the Small Loan department application and procedures. The funeral home is waiting for collection on payment.

Councilman Whitecalfe questions the Realty department from her land sale.

Councilman Packineau moved to approve a loan of \$3,500.00 to pay the Jackson mortuary funeral home, motion seconded by Councilman Whitecalfe
Discussion: If she's receive money from her land sale, to deduct loan payment from that first. Also the check made to the Jackson funeral home.
VOTE: 6 ayes -0 nay; motion passed unanimously

06. Joe Chase-Consultant agreement

Councilwoman Brugh moves to approve of consultant agreement, Councilman Whitecalfe seconded motion.
Discussion: This is a contract agreement, Councilman Whitecalfe noted. Councilman Packineau requested legal department draw the template for this. Also would be tribal payment then reimbursed from the federal grant, through Tourism department.
VOTE: 6 ayes -0 nay; motion passed unanimously

07. MOU Refinery-

John Mahoney updates the council on the review of the MOU, also has the resolution ready. Councilman Whitecalfe moves to approve and signing of the MOU, Councilman Packineau seconds the motion.
VOTE: 6 ayes -0 nay; motion passed unanimously

08. Jason Two Crow- phone company

Councilman Whitecalfe, Mr. Two Crow has questions/concerns on the status of Clearvoice Communications 5 year proposal? And a possible 10 year contract with RTC?
Chairman Marcus Wells Jr., clarifies it was only for the upgrade on the PBX system. (local services) Clearvoice Communications is a long distance service, the tribe is paying currently but not currently "hooked up." Deferred Jason Two Crow and Reservation Telephone Company to report on the Regular Council meeting on 1/11/06.

09. Jonathon Frye-education loan request

Councilwoman Brugh moves to approve education loan request \$3,500.00, subject to Small Loan requirements, motion seconded by Councilman Hale.
VOTE: 6 ayes -0 nay; motion passed unanimously

10. Vehicle purchase report-

Chairman Marcus Wells Jr., see memorandum: concerns on a few discrepancies on the vehicle values versus the selling

price. Proposes to take the vehicles to Rensch's Chevrolet and have appraised and bring back to the tribe. Councilman Whitecalfe moves to approve appraisal procedures; NADA, mileage, licensed appraiser, etc, Councilman Wolf seconded motion. Discussion: Councilman Packineau concerns with the "Blue Book Value estimate" from Property Department. Also the insurance expires end of January. VOTE: 6 ayes -0 nay; motion passed unanimously

- 11. Economic Development Committee resolution:**
Councilman Hale moves to approve this resolution #06-42-VJB. Motion seconded by Councilman Packineau
Discussion: Councilman Packineau moves to amend Councilman Wolf as chairman of this committee.
VOTE: 6 ayes -0 nay; motion passed unanimously

- 12. Resolution for loan payments/drawdown's from our accounts to USDA –**
Brandon Hand-CFO presents: Two payments due on Monday per request from Austin Gillette that a resolution is attached. The legal department will review this resolution for USDA. Councilman Whitecalfe moves to approve of the resolution #06-43VJB to make payment to USDA, Councilman Packineau seconded motion.
VOTE: 6 ayes -0 nay; motion passed.

- 13. Dawn Charging-administrative leave for 80 calendar days or four year term to ensure employment status and benefits, to attend meetings for N.D State Legislature.**

Councilman Packineau moves to approve administrative leave with pay. And to donate her stipend from the State Legislature back to tribe, and create a line item for it. Include a lodging stipend of \$400.00 on behalf of the Three Affiliated Tribes for four months. Make check payable to the Doublewood Inn. Councilman Whitecalfe seconds motion. Discussion: Councilwoman Brugh, concerns getting paid both places. Councilman Hale concurs with Councilwoman Brugh. Alyce Spotted Bear advised to change wording to "Change of Duty Station"

VOTE: 6 ayes -4 nay; motion passed.

14. Election Board-

Councilwoman Brugh, moved to approve two-week employment extension for Aldene Everette election clerk to close out remaining accounts/business. Councilman Hale seconded motion.

Remaining of board members laid off today effective today.
VOTE: 5 ayes- 0 nay; motion passed

Discussion: Attorney John Mahoney agreement expires on 12/31/06. Also the Legal Counsel's contract expires in February 2007, Chairman Marcus Wells Jr., directs Alyce Spotted Bear to issue memos of their 30-day notices.

V. ADJOURNMENT-

Chairman Well Jr., moves to recess at 1:30 for 15 minutes for Mr. O'Berry to set up presentation.

Councilman Hale moves to adjourn at 3:17 p.m.
Councilwoman Brugh second motion. Meeting adjourned.

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 Special Meeting thereof duly called, notice, convened and held on the 12th day of December, 2006; that the foregoing Minutes were amended and duly 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 _____, 2007.

ATTEST:

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

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