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**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING # 07-19-VJB  
April 12, 2007 Minutes  
10:00 a.m. (In White Shield Segment)**

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**I. CALL TO ORDER:**

Meeting called to order at 10:35 a.m. by Chairman Marcus Wells Jr.

**II. ROLL CALL:**

Councilman Nathan Hale, Councilman Frank Whitecalfe, Chairman Marcus Wells Jr., Councilman V. Judy Brugh, Councilman Barry Benson. A quorum is present. Absent: Councilman Malcolm Wolf, Councilman Mervin Packineau

**III. APPROVAL OF THE AGENDA:**

Councilman Hale moved to approve of agenda as amended, motion seconded by Councilwoman Brugh.

VOTE: 5 ayes -0 nay; motion passed unanimously

**IV. CHAIRMAN'S REPORT: Marcus Wells Jr.**

- Introduction of Councilman
- Return of Lake Shore Issue
- Tax issue in the North East quadrant and throughout reservation, gain some revenue off of this.
- Update on Oil Companies, how many acres per company, future negotiating process, etc.
- Councilman Retreat of five important issues of the Tribe:
  - Completion of Rural Water to homes in all segments.
  - Elbowoods Health Facility
  - Return of 24,000 acres of Lake Shore
  - Refinery Project
  - Receipt of 100 % of our direct dollars and lacking of Native American Veterans Services

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

**A. 45-days Extension resolution Kempthorne-**

Councilman Hale moved to approve resolution #07-76-VJB "45-Day extension on settlement TAT vs. Kempthorne, Civil action." Councilman Whitecalfe seconded the motion.

VOTE: 4 ayes -0 nay -1 (abstain vjb) – 0 not voting; motion passed

**B. Cleo Morgan-Financial Request**

Councilman Whitecalfe moved to approve financial request for \$1,000.00 on behalf of Cleo Morgan, for a medical bed in the nursing home. Councilman Hale seconded the motion.

Discussion: Question from community member to refer to Medicare Program for this type of request. Councilman Whitecalfe noted his staff researches programs before it is brought before the full council.

VOTE: 5 ayes -0 nay; motion passed unanimously

**C. Ken Stauffer & Associates-Budget update**

**VI. COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS:**

**A. Executive Committee/Vice-Chair Nathan Hale**

**B. HHR Committee/Committee Chair-Councilman Nathan Hale**

Councilman Hale moved to approve one Dog Catcher, supplied with a dependable vehicle, motion seconded by Councilman Whitecalfe.

Discussion: Recommend addressing FBHA on their "Housing Policies", also get some PSA out on radio and newspapers.

VOTE: 5-0 motion passed unanimously

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

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

**01. MOU-TAT & Ft. Belknap**

Councilman Whitecalfe moved to approve the MOU between Three Affiliated Tribes and Ft. Belknap, motion passed by Councilman Hale.

Discussion: Funding will USDA, not the General Fund. Amend motion: Pending of negotiating of item D length of agreement by Legal Counsel.

VOTE: 5 ayes -0 nay; motion passed

**02. Rural Water & Assistance Department-Deferred to May or a special tbc. Mtg.**

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**03. Nueta Nation Tribal Builders-Line of Credit with Bank of the West (ratification)**

Councilman Benson moved to approve Bank of the West line of credit, motion seconded by Councilman Hale.

VOTE: 5 ayes -0 nay; motion passed unanimously

**E. Indian Health Service Unit: Michelle Leach & Aileen Jackson**

- Update on Pharmacy Department, staffing level, procedure on filling prescriptions
- FY 07 Funding Status Report, Third Party Collections Summary report
- Telepharmacy-dispensing machine in the field clinics and dispensed by a nurse. Each machine holds 135 different prescriptions and cost about \$35,000.00.
- Questions/Concerns open to community members
- 3<sup>rd</sup> Thursday of each month at 7 p.m. W.S community meeting, I.H.S will send a representative for questions/concerns

**F. Oil Refinery Project: Project Manager/Horace Pipe**

(Did not present)

**G. Tribal Housing Division Update-Connie Wilkinson**

**01. Helping Hands Across N.D FY 07 application match request**

Councilman Hale moved to approve of “Helping Hands across N.D FY 07 match request of \$10,000.00.” Motion seconded by Councilwoman Brugh.

VOTE: 5 ayes -0 nay; motion passed unanimously

**H. Fort Berthold Housing Authority- Dennis Fox**

- Update on current projects
- Concerns from community members where does the money from rent go? Mr. D. Fox replies “to administration budget”

**I. TAT Road Department-Doyle Bell**

- Update on Phase II in Mandaree Segment
- Update on Route 18, Kellar paving will start once weather permits

**J. Proposed Elbowoods Health Facility Update-Jim Foote**

- Update on the future funding of facility
- Federal Document “HSP” Health Systems Planning document services, staffing & space.

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**K. CEDS Department-Fatima Finley Resolution**

Councilwoman Brugh moved to approve resolution #07-77-VJB for the CEDS department of \$132,000.00 grant application. Motion seconded by Councilman Whitecalfe.

Discussion: No matching on this grant application

VOTE: 5 ayes -0 nay; motion passed

**VII. LEGAL DEPARTMENT:**

**A. Hobbs Straus, Dean Walter Contract-Jennifer Fyten**

Councilman Hale moved to approve with the amend changes of a cap of \$75,000.00, no subscriptions, a 30 day termination notice and a four-year term along with a resolution #07-78-VJB, motion seconded by Councilman Whitecalfe.

Discussion: Jennifer Fyten concerns on the resolutions grant writers payment receiving successful grants, severance pay procedures, due to audit findings request from Angie Nehring. Deferred to April 18, 2007 Special Tribal Council Meeting.

VOTE: 5 ayes -0 nay; motion passed unanimously

**VIII. UNFINISHED BUSINESS:**

**A. TAT Child Support Division-Resolution “Checking Account”**

Councilman Whitecalfe moved to approve resolution #07-79-VJB of the Checking account for Child Support Division, with amending authorize signature is the Three Affiliated Tribes Treasurer and Chairman, motion seconded by Councilman Hale.

VOTE: 5 ayes -0 nay; motion passed unanimously

**IX. NEW BUSINESS:**

**A. National Day of Prayer May 3<sup>rd</sup>, 2007- Elise Packineau**

Informational

Councilwoman Brugh moved to approve draft of a proclamation before the National Prayer Day May 3, 2007. Motion seconded by Councilman Hale.

VOTE: 5 ayes -0 nay; motion passed

**B. H & A Thompson Sons- Heating/Air Conditioning issues and Modifications**

Councilman Whitecalfe moved to approve the one year agreement of a chemical flush through-out the Administration building in the amount of \$38,721.00 out of the indirect pool funding line. Councilwoman Brugh seconded the motion.

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Discussion: H.A Thompson & Sons will bring another proposal for the other blanket tribal buildings.

VOTE: 5 ayes -0 nay; motion passed unanimously

**C. Resolution for Record Management Lenexa, KS**

Councilman Whitecalfe moved to approve resolution #07-80-VJB “Record Management in the Executive Secretary Office to convert electronically and the archive records in Lenexa, KS.” Councilwoman Brugh seconded the motion.

Discussion: For future reference keep a copy of at the building and on the “MHA website.” Also need a resolution for archiving land issues/records at the B.I.A building for the same purposes.

VOTE: 5 ayes -0 nay; motion passed unanimously

**D. MHA Systems-Richard Mayer: Scanning of Resolutions**

Councilman Hale moved to approve 100 sets (binders) of resolutions including a table of contents at \$1.00 per page to be scanned by the MHA Systems in their high security location. Motion seconded by Councilwoman Brugh.

VOTE: 5 ayes -0 nay; motion passed unanimously

**X. ADJOURNMENT-**

Councilman Hale moved to adjourn at 4:38 p.m. motion seconded by Councilman Benson. Meeting adjourned.

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**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 5 were present at the Regular Meeting thereof duly called, noticed, convened and held on the 12<sup>th</sup> day of April, 2007; 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:**

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

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