

**DISCLAIMER:** The following Tribal Business Council minutes are uncertified or un-approved and are only to be used for historical or archival purposes. The content within this document may contain errors and should be used with caution. All Closed Session content has been removed for publication. The Three Affiliated is not responsible for any action or inference made within this document.





**Three Affiliated Tribes  
Tribal Business Council  
Special Meeting # 07-25-VJB  
May 16, 2007 Minutes**

**A. CALL TO ORDER-**

Meeting called to order by Chairman Marcus Wells Jr. at 10:46 A.M.

**B. OPENING PRAYER-**

Theodora Starr

**C. ROLL CALL-**

Present: Councilman Benson, Councilman Hale, Councilman Packineau, Councilwoman Brugh, Chairman Wells Jr. A quorum is established. Councilman WhiteCalfe arrived at 10:50 A.M. Councilman Wolf is absent.

**D. APPROVAL OF AGENDA-**

Additions: Council Hale-Summer Interns, Councilman Benson-H.I.P. Program & Nueta Nation. Chairman Wells Jr.- Personnel, Deputy Superintendent & Tourism Budget.

Councilman Packineau moved to approve the Special Tribal Business Council agenda for May 16, 2007, seconded by Councilman Hale.

**01. Twin Buttes Elders Organization Budget update**

Elders were going to discuss a 1/6<sup>th</sup> share. Elder's election will be held in June. Lavonne Bruce was voted out. Two were put in place.

Councilman Benson moved to approve the Elders Organization and Dianna Tomlin to meet with Angie Nehring & Auditors to settle the claim of \$2900 owed to Dianna Tomlin, Councilman Hale seconded the motion. Discussion: Councilman Benson to workout the meeting. Ramona Two Shields and Evan Burr to work on getting the past bills paid.

VOTE: 6 ayes -0 nay; Motion carried.

**02. Personnel Employee issues**

Richard Hall, Jamie Hall, Claire Fox, Jim Baker, Jean Baker, Delphine Baker claim for wrongful termination. They would like a resolution passed. Council was advised by attorney not to do anything on this case.

**03. Legal Department Resolutions-Jen Fyten**

**A. Management Agreement between the Four Bears Segment Community Board and 4 Bears Casino and Lodge**

Councilwoman Brugh moved to approve the Management Agreement between the Four Bears Segment Community Board and 4 Bears Casino and Lodge, seconded by Councilman Packineau.

Discussion: Lengthy discussion on who is paying back the loan for the C-Store. There is a grant through Connie Wilkinson's program from Shakopee that will in part be used for the loan to Marshall Group. The proceeds in part from the C-store will also go on paying for the \$700 thousand dollar loan. The gaming machines revenue will go to the casino which will in turn come back to the tribe.

VOTE: 6 ayes -0 nay; Motion passed.

**B. Tribal Judge Election Resolution**

Councilman Hale moved to approve as amended Resolution 07-97-VJB, "Establishment of Procedures for the Election of Chief Judge of the Fort Berthold District Court", seconded by Councilman Packineau.

Discussion: Election Board and Legal to work with Councilwoman Brugh in the Executive Secretary Office. Budget will have to be put together.

VOTE: 6 ayes -0 nay; Motion carried.

**C. 4 Bears Casino & Lodge**

Councilman WhiteCalfe moved to approve the 4Bears Casino Business License and 4 Bears Casino and Lodge Liqueur and Beverage license, seconded by Councilman Packineau.

Discussion: It is there annual license.  
VOTE: 6 ayes -0 nay; Motion carried.

**D. TAT Enrollment Resolution "Blood Quantum"**

Councilwoman Brugh moved to approve resolution # 07-98-VJB "Three Affiliated Tribes Tribal Business Council Petition to the Secretary of Interior or His Authorized Representative Pursuant to Article X Amendments of the Three Affiliated Tribes constitution and By-Laws and 25 CFR Part 82 To Call a Secretarial Election on a Proposed Amendment to Article II, Section 1 of the Constitution", seconded by Councilman Packineau.

Discussion: This will go out to the people as a referendum. Decide on which resolution the tribe is going to adopt. An educational flyer with the issues that are raised should be put out for the people. If your land is given to non enrolled descendants when you died, it should go back to the Tribe.

VOTE: 4 ayes -2 nay -0 abstain -0 not voting; Motion carried. Councilman Hale and Benson both voted nay.

Discussion: Jen Fyten advised Tribal Council that a vote of 5 out of 7 must vote or the Resolution will not pass. To change

Councilman WhiteCalfe moved to authorize Jen Fyten, TAT Legal to proceed with a plan of action to follow up on the going out of trust with spousal death and probate code, seconded by Councilman Hale.

Discussion: This will be put on the ballot at the same time as the election.

VOTE: 6 ayes -0 nay; Motion carried.

Councilman WhiteCalfe moved to approve resolution #07-99-VJB "Three Affiliated Tribes Tribal Business Council Petition to the Secretary of Interior or His Authorized Representative Pursuant to Article X Amendments of the Three Affiliated Tribes Constitution and By-laws and 25 CFR Part 82 to Call a Secretarial Election on a Proposed Amendment to Article II, Section 1 of the Constitution and Article III-Governing Body, Section 2 and 5 and

Article III, Sections 2 and 3 of the By-laws of the Constitution“, seconded by Councilman Packineau.

Discussion: If it passes the referendum, it will go into effect in the year 2010.

VOTE: 6 ayes -0 nay; Motion passed

**04. Summer Intern Program Proposal**

Councilman Hale moved to approve a seven position budget for \$39,200 for the summer internship, seconded by Councilman Packineau.

Discussion: There are seven positions. They need to have an application on file, be an enrolled member of TAT, enrolled in college, and have a passing GPA. The program will start May 28, 2007 and end on August 31, 2007. Councilman WhiteCalfe will check with Frank Henry to see if they can come up with \$39,200. Councilman Packineau wanted to know if there will be a Summer Youth Program through TERO. Councilman WhiteCalfe will ask.

VOTE: 6 ayes -0 nay; Motion carried.

**05. H.I.P.-Jackie Jackson**

Councilman Hale moved to approve resolution #07-100-VJB, “Approval of Clients applicant for the FY 2007 Housing Improvement Program Allocation for Category C- Replacement and B-Renovation Housing Assistance “, seconded by Councilman WhiteCalfe.

Discussion: Category C-Replacement Pliga Bordeaux, Ethaline Stevenson, Edward Danks, Norman Baker, Russell Bird, Lilly Smith, Valentine Finley Sr. Category B-Renovation Irene Meyers. Councilman Packineau would like a copy of the ratings to each Tribal Council member.

VOTE: 6 ayes -0 nay; Motion carried.

**06. Nueta Nation-Dalyn Spotted Bear-Cindy Miller**

Informational.

**07. Personnel-Roger Bird Bear to Deputy Superintendent**

Councilman WhiteCalfe moved to approve Resolution # 07-101-VJB “Recommendation to appoint Roger Birdbear as Deputy Superintendent at the Fort Berthold agency“, seconded by Councilman Packineau.

Discussion: He will work under the BIA superintendent.  
Format and letterhead needs to be put on the resolution.  
Title needs to include that he is recommended to the  
position. Approval as amended.

VOTE: 6 ayes -0 nay; Motion carried.

**08. Tourism Budget-Dawn Charging**

- 4 Bears Cabins
- Game and Fish
- Budget
- Five Nations Store

Councilman White Calfe moved to approve budget \$144,397.84 for Tourism from May 1 to October 1, 2007. The motion is seconded by Councilman Hale.

Discussion: This budget does not include the \$30,882.70 dollar carry over debt. Tourism and the 4 Bears casino will work in a united effort with the estimated lodging tax of \$60,000. This requires a board meeting. Joan Fredericks in contracts is going over the grants from the Signature Event.

**09. Closed Session-(2:50 P.M.)  
Session reopened-(3:40 P.M.)**

**10. Small Loans-Connie Fox**

Connie was advised by council that Richard White Tail was approved for a total of up to \$6000 dollars. What he already owes plus the loan that he put in to get. \$50,000 was approved in the last council meeting on May 10<sup>th</sup>. No money is available until the draw down comes through. The loans must fall in line as approved. Councilman Hale will ask Doreen Charging about a previous bill she co-signed for her daughter.

Councilman Whitecalfe moved to approve to develop a policy to recoup cosigning funds in small loans department, seconded by Councilman Packineau.

Discussion: Connie Fox to get with Jen Fyten to work it out. Small loans department must notify co-signer before doing a wage deduction. Natural Resource to let Small Loans Department know when there is a land sale.

VOTE: 6 ayes -0 nay; Motion carried.

Councilman Packineau moved to approve a grant of \$1600.00 out of educational JTAC funds for Cheryl Danks Bruce, seconded by Councilwoman Brugh.

Discussion: There was a misunderstanding in the previous motion six years ago that is why the education money was never given out.

VOTE: 6 ayes -0 nay; Motion carried.

**E. ADJOURNMENT-**

Councilman Hale moved to adjourn, seconded by Councilman Packineau. Meeting adjourned at 4:07 P.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 five (5) constitute a quorum 5 were present at the Special Meeting thereof duly called, noticed, convened and held on the 16<sup>th</sup> day of May, 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