



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING # 07-27-VJB
June 14, 2007
10:00 a.m. (In Four Bears Segment)**

I. CALL TO ORDER:

Meeting called to order at 11:20 a.m. by Chairman Marcus Wells Jr. Recess at 1:30 p.m. to move to Tribal Chambers. Meeting reconvened at 2:22 p.m.

Prayer: Rosemarie Mandan

Meeting recessed at 7:02 p.m. until 9 a.m.

II. ROLL CALL: Roll Call by Secretary V. Judy Brugh

Councilman Frank Whitecalfe, Councilman Malcolm Wolf (left meeting at 6 p.m.), Councilwoman V. Judy Brugh, Councilman Mervin Packineau, Councilman Barry Benson, Chairman Marcus Wells Jr. A quorum is present. Absent: Councilman Nathan Hale

III. APPROVAL OF THE AGENDA:

Councilman Whitecalfe moved to approve of the amended agenda, Councilman Packineau seconded the motion.

VOTE: 6 ayes – 0 nay, motion passed.

01. Councilman Packineau to approve the 50/50 match on the USDA Grant, Councilman Wolf seconded the motion.

Discussion: Judy Brugh requested to the Treasurer Whitecalfe for finance report.

Treasurer Whitecalfe answered that he will have a finance report on June 21, 2007.

VOTE: 6 ayes - 0 nay, motion passed unanimously

02. Councilman Packineau moved to approve to replace Dorothy Rabbithead's home in the amount of the \$72,000.00 through the Twin Buttes Custom Homes program. Councilman Whitecalfe seconded the motion.

VOTE: 6 ayes – 0 nay, motion passed unanimously

A. Judy Young Bear-Home Improvement Program

Discussion: Judy Young Bear address Council on her concerns with final inspection and paper work on her home. Jackie Morsette, HIP Director has been directed to research the

Paperwork for Judy Young Bear on her closing out her case/paperwork and address any further questions from Ms. Young Bear and also commented about I.H.S Physicians staff on their treatment/behavior.

B. Discussion (add-on): Martha Baker-Bernadine Young Bird's leave without pay status.

Mrs. Young Bird submitted her report on her leave status. Tillie Walker, Rosemarie Mandan addressed the Council on this incident.

C. Upper Missouri River Intertribal Allottees Association (UMRIAA) Resolution (add-on) -John Danks

Councilman Whitecalfe moved to approve resolution #07-102-VJB subject to amending a few changes, Councilwoman Brugh seconded the motion.

VOTE: 6 ayes – 0 nay, motion passed.

D. Bobbi Larsen (add-on)-

Councilman Whitecalfe resolution #07-103-VJB “Acknowledging Ruperta Mahto Larson as a Certified Hidatsa language and cultural instructor”, Councilwoman Brugh seconded the motion.

VOTE: 6 ayes – 0 nay, motion passed.

NOTE: Send a second signed original of resolution along with Bobbi's paperwork for school.

IV. CHAIRMAN'S REPORT: Marcus Wells Jr.

A. Reorganization Chart for TAT-Pat Wilkinson, Max Dickens

Councilman Whitecalfe moved to approve the Reorganization Chart for Three Affiliated Tribes. Motion died due to lack of second.

Councilman Packineau moved to approve the Reorganization Chart as amended, Councilman Whitecalfe seconded the motion.

Discussion: Chairman Wells noted to look at Natural Resource department as far as availability space.

VOTE: 6 ayes – 0 nay, motion passed unanimously.

B. Twin Buttes School Resolution-Jennifer Fyten

Councilman Benson moved to approve resolution #07-104-VJB, “Prohibition Forbidding Convicted Felons from Serving on School Boards on the Fort Berthold Indian

Reservation.” Councilman Whitecalfe seconded the motion.

Discussion: Chairman Wells commented on Bismarck Tribune comments on speaking with him on the Twin Buttes School Board issue, he noted that no such action took place.

VOTE: 5 ayes – 0 nay, motion passed

C. Tribal Business Council Resolution

Councilman Whitecalfe moved to approve resolution #07-105-VJB, “Prohibition Forbidding Convicted Felons from serving on School Boards on the Fort Berthold Indian Reservation”, Motion seconded by Councilman Wolf.

VOTE: 4 ayes -1 nay; motion passed.

(Add-on) Tribal Chief Judge Election-

Councilman Whitecalfe moved to approve resolution #07-106-VJB, “Amendments to resolution #07-97-VJB Councilwoman Brugh seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed unanimously

D. Temporary Appointment: Martha Hunter “Acting Director of TAT Early Childhood” (Personnel deferred to 6/15/07 at 9 a.m.)

V. TREASURERS REPORT: Councilman Frank Whitecalfe

Add-Ons: **A. Four Bears Community Building-**

Councilman Whitecalfe moved to approve foundation repair for the Four Bears Community Building not to exceed \$30,000.00 under the indirect maintenance line item, Councilman Packineau seconded the motion.

Discussion: Councilwoman Brugh noted to audience on the CDBG Grant for additional add-on to the building.

VOTE: 6 ayes – 0 nay; motion passed.

B. Marlee Finley Financial Request-

Councilwoman Brugh moved to approve awarding financial assistance to attend various Basketball camps throughout various states this summer, Councilman Packineau seconded the motion.

Discussion: Councilman Whitecalfe noted to award her the same amount of those that are going to Australia, of \$1,200.00 for the various basketball camps.

VOTE: 6 ayes – 0 nay; motion passed.

C. Twin Buttes Pavement project request-

Councilman Benson moved to approve Congretional Daycare Headstart, Whiteshield C-store, use the \$50,000.00 reimbursement from the Nueta Nations to start up the project.

Councilman Packineau seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

D. Old Scout Financial request-

Councilman Whitecalfe moved to approve of \$10,100.00 for 30 elders of the Old Scouts Organization to attend the Little Big Horn Battle in Crow Agency, Montana on June 22-24, 2007. Councilman Packineau seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

E. Louie Gwinn Consultant Services-Retainer Fee

Councilman Packineau moved to approve to authorize Treasurer Whitecalfe to negotiate with Louie Gwinn, LLC. The retainer fee in regards to the Pequot Tribe, Councilman Benson seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed unanimously.

F. TERO Summer Youth Program-

Councilman Packineau moved to approve of the budget for the Summer Youth Program as presented; the Funding will come from one of the Oil Companies. The Chairman will also select the Summer Youth Coordinator and Administrative Assistant. Councilman Benson seconded the motion.

Discussion: The Treasurer will look into the Oil Companies for the financial/funding support of this program.

VOTE: 5 ayes – 0 nay; motion passed.

VI. COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS:

A. Executive Committee/Chair-Marcus Wells Jr.

B. HHR Committee/Chair-Nathan Hale

01. Babyface Budget-Lois Hale

Councilman Benson moved to approve of awarding funding to the Babyface program in Mandaree and to include the Twin Buttes Babyface program contingent on their submittal of their budget; based on availability of funds and the Treasurer will work with the Babyface programs on scheduling of payments. Councilman Packineau seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

02. Pandemic Flu Quarantine-

Cliff Whiteman briefly commented on the paperwork, possible for the continuation of the Tribal Business Council meeting on 6/21/07.

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

01. Chief Judge/Salary status

Discussion: El Marie noted that the indirect funds and the 638 line item (1030) to support her salary increase for the record.

02. Drug Code-Jennifer Fyten

Councilwoman Brugh moved to approve as amended on the Drug Code Resolution #07-109-VJB, striking banishment to TAT enrolled members, but only to pertain to non-enrolled members are subjected to banishment. Councilman Whitecalfe seconded the motion.

Discussion: Councilman Wolf commented on younger children's exposure to drugs/alcohol.

VOTE: 6 ayes – 0 nay; motion passed.

Councilman Packineau moved to approve to release this record as a model for other tribes from the TAT Legal Department, Councilwoman Brugh seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed unanimously.

03. Bonnie Billadeau-Consultant Agreement

Chief Judge updated Council on this contract of three years backlogged.

04. Bill Woods-Emergency Evaluation Funding

Councilman Packineau moved to approve of the emergency funding for the Drug/Alcohol evaluations for the 24 individuals at \$85.00 a piece for a total of \$2,040.00, Councilwoman Brugh seconded the motion.

Discussion: Funding will come from the 003 funding line item under his discretion until the Treasurer can review.

VOTE: 5 ayes – 0 nay; motion passed.

05. CSED Resolution-Ellen Wilson

El Marie Conklin noted that Ellen Wilson will address Council next week.

06. Public Defender-Update from the Chief Judge

Public Defender, Jeff Scheets services requested \$121,000.00 per year and he wants a two-year commitment, no action taken until further negotiation with the Chief Judge.

07. Dennis Deutsch Consultant Agreement

Updated on the status request, no action taken.

08. Mr. Jim Vukelik-

Councilman Packineau moved to approve Special Prosecutor Jim Vukelik paper work, motion seconded by Councilwoman Brugh.

Discussion: Chief Judge will negotiate his consultant contract under her authority for the limited amount of travel and salary and come back to Full Council.

VOTE: 6 ayes – 0 nay; motion passed.

D. Natural Resources Committee/Chair-Barry Benson

01. TAT Roads “IRR Resolution”-Doyle Bell

Councilman Packineau moved to approve resolution #07-108-VJB, “Tribal Business Council approval of the Three Affiliated Tribes Indian Reservation Roads Program Annual Inventory Update Pursuant to 25 CFR.” Motion seconded by Whitecalfe.

VOTE: 5 ayes – 0 nay; motion passed.

02. Arnold Good Bird: Allot 477A, Gravel Issue

03. JT Energy

04. Dakota 3

05. Kodiak Oil & Gas

06. Marathon Oil & Gas

07. George Lindahl: Consulting Agreement

08. Tribal Utilities Program-Richard Whitetail

09. Security Vulnerability Self Assessment for Mandaree, Twin Buttes, Four Bears and White Shield

E. Indian Health Service Unit:

01. Data Trak Consultant Agreement: Aileen Jackson (Deferred to next mtg.)

F. Tribal Housing-Connie Azure-Wilkinson

01. Office Space Resolution

02. Hank Bolman Resolution

03. Northern Lights Lot Resolution

VII. ENROLLMENT- John Charging/Nathaniel Mayer

01. Resolution #07-111-VJB:

Councilman Whitecalfe moved to approve resolution #07-111-VJB “Resolution 34 Enrollment Applicants”, Councilwoman Brugh seconded the motion.

FULL NAME:	BIRTH DATE:
Alberts, Arika Ree	5/10/2006
Andres Jr., Desmond Ian	11/22/2006
Baker, Ian Scott	4/6/2007
Baker, Marle Robert	3/20/2006
Bell, Allison Rose	12/2/2006
Bell, Ian Joseph	12/2/2006
Burr, Kylah Shyenne	10/22/2004
Chapin, Ethan Vincent	9/18/2002
Chase, Tristan Richard	11/16/2005
Clark, Anthony Wolf LoansArrow	11/2/1983
Clark, Bryan Wolf LoansArrow	5/3/2003
Clark, Jeremy Wolf LoansArrow	5/30/2006
Cloud, Avery Aldin	11/25/2006
Crows Heart, Seymone Amber Rayne	4/12/2007
Faraci, Roman Michael Blaize	12/20/2005
Felix, Daniel Shane	2/15/2003
Grady Jr., Kyle Wayne	6/2/2006
Grady, Ashlyn Morgan	2/8/2004
Grant, Cedar Diana Mavis	12/8/2003
Grant, Frederick Theodore	11/19/2004
Hall, Faith Alyce	12/23/2003
Hearing, Amonii Yvonne-Elizabeth	3/31/2004
Hearing, Sa’Ra Aurika Na’shay	6/26/2005
Hearing, Y’nique Kiaya Monique	1/15/2003
Jeanotte, Joshua Lane	10/15/2004

Jeanotte, Mitchell Wiley	11/8/2003
Johnson, Jerome Nyles	5/22/2007
Knight, Keira Renae	1/29/2007
Kraft, Kaden Clark	12/25/2006
Nichols, Savior Louis	12/11/2005
Smith, Kyleah Nicole	8/13/2003
Smith, Madison Shaina	1/28/2007
Thor, Lauren Shelby	1/8/1991
White Buffalo, Peyton Nyles	12/1/2006

VOTE: 5 ayes, 0 nay, 0 Abstains, 0 not voting; motion carried.

02. Resolution #07-112-VJB:

Councilman Whitecalfe moved to approve resolution #07-112-VJB “Relinquishment of Justin Joseph Lyons 301U-11422”, Councilman Packineau seconded the motion.

VOTE: 5 ayes, 0 nay, 0 abstains, 0 not voting; motion carried.

03. Resolution #07-113-VJB:

Councilman Packineau moved to approve resolution #07-113-VJB “Relinquishment of Justine Davine Lyons 301U-12130”, Councilman Whitecalfe seconded the motion.

VOTE: 5 ayes, 0 nay, 0 abstains, 0 not voting; motion carried.

04. Resolution #07-114-VJB:

Councilman Whitecalfe moved to approve resolution #07-114-VJB, “Relinquishment of Radell Marie Whitetail 301U-08048”, Councilman Packineau seconded the motion.

VOTE: 5 ayes, 0 nay, 0 abstains, 0 not voting; motion carried.

05. Resolution #07-115-VJB:

Councilman Whitecalfe moved to approve resolution #07-115-VJB, “Relinquishment of Paulette Louise Driver 301U-02734”, Councilman Benson seconded the motion.

VOTE: 5 ayes, 0 nay, 0 abstains, 0 not voting; motion carried.

06. Resolution #07-116-VJB:

Councilman Benson moved to approve resolution #07-116-VJB, “Relinquishment of Christopher Louis Meier 301U-05514”, Councilman Packineau seconded the motion.

VOTE: 5 ayes, 0 nay, 0 abstains, 0 not voting; motion carried.

07. Resolution #07-117-VJB:

Councilman Packineau moved to approve resolution #07-117-VJB, “Relinquishment of Gillian Lynne Stonefish 301U-07912”, Councilman Benson seconded the motion.

VOTE: 5 ayes, 0 nay, 0 abstains, 0 not voting; motion carried.

VIII. LEGAL DEPARTMENT-

01. Resolution “TAT to accept United States Final Offer in TAT vs. Kempthorne

02. Adam Walsh Child Protection Sex Offender Notification

Resolution

Councilwoman Brugh moved to approve resolution #07-107-VJB, “Three Affiliated Tribes Tribal Business Council Affirmative Election Pursuant to the Adam Walsh Child Protection and Safety Act of 2006 to Function as a Registration Jurisdiction.” Motion seconded by Councilman Wolf.

Discussion: Effective when the tribe (TAT) is in compliance by 2009.

VOTE: 5 ayes – 0 nay; motion passed unanimously

03. Revised Involuntary Commitment Code

Councilman Packineau moved to approve resolution #07-110-VJB, Councilman Wolf seconded the motion.

Discussion: Councilwoman asked how much is the treatment fee? And \$85.00 at the Circle of Life and \$180.00 at a private counselor.

VOTE: 6 ayes – 0 nay; motion passed.

04. AIPRA Opinion

05. Contract for Legal Fees-Steve Kelly

IX. UNFINISHED BUSINESS-

01. Resolution Change “Acting Service Unit Director”-Jim Foote

X. NEW BUSINESS-

01. Tourism Board- Dawn Charging

Four Bears Casino Gaming Board will assist in creating a Tourism Board

02. Donor Agreement between TAT Cultural Preservation

Department and Coteau Properties Coal Corporation-Elgin Crowsbreast

Councilman Whitecalfe moved to approve of Donor Agreement between the Three

Affiliated Tribes and the Coteau Properties Coal Corporation. Councilman Packineau

seconded the motion.

Discussion: Chairman Wells commended Elgin on his efforts to claim funding for this project. Dawn Charging noted to acknowledge the late Lydia Sage-Chase on her continued effort, maybe a memorial scholarship, Elgin was directed to work on this.

VOTE: 6 ayes – 0 nay; motion passed.

03. Update/Clarification on Special Projects-Scott Eagle & Dominick Sillitti

04. Title XXI Health-Communicable Disease Confinement Procedure- Cliff Whitman

05. TERO Board “Parshall Lucky Mound Appointee”-Ed Hall

06. Arlen Fox-Loan Request

Councilman Whitecalfe moved to approve of a (Independent) business loan of \$65,000.00 with further discussion with the Treasurer and Connie Fox on Monday 6/18/07 and will come out of the General Fund side. Councilman Packineau seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

07. Driver Family Financial Request

Councilman Whitecalfe moved to approve of the financial request of \$4,521.39, Councilwoman Brugh seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

08. Mahlen Gunn-Financial loan request

Councilman Whitecalfe moved to approve of first option is a Voc Rehabilitation grant of \$7,500.00 to Mahlen Gunn and the second option is an Independence loan for his Warbonnet Business if the Voc Rehabilitation Program denies his request. Councilman Wolf seconded the motion.

Discussion: Councilman Wolf noted he will assist in receiving this grant under further discussion/negotiations.

VOTE: 6 ayes – 0 nay; motion passed.

09. Aftercare Treatment for Youth presentation-Elise Packineau

10. Anna White-Business Loan request

11. Chad Snell-

XI. ADJOURNMENT-

Meeting adjourned at

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 6 were present at the Regular Meeting thereof duly called, noticed, convened and held on the 13 day of September, 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.

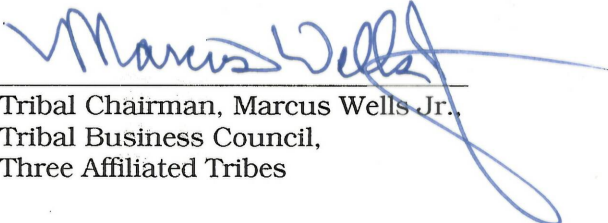
Chairman Voting. Not voting.

Dated this 13th day of September, 2007.

ATTEST:



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



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