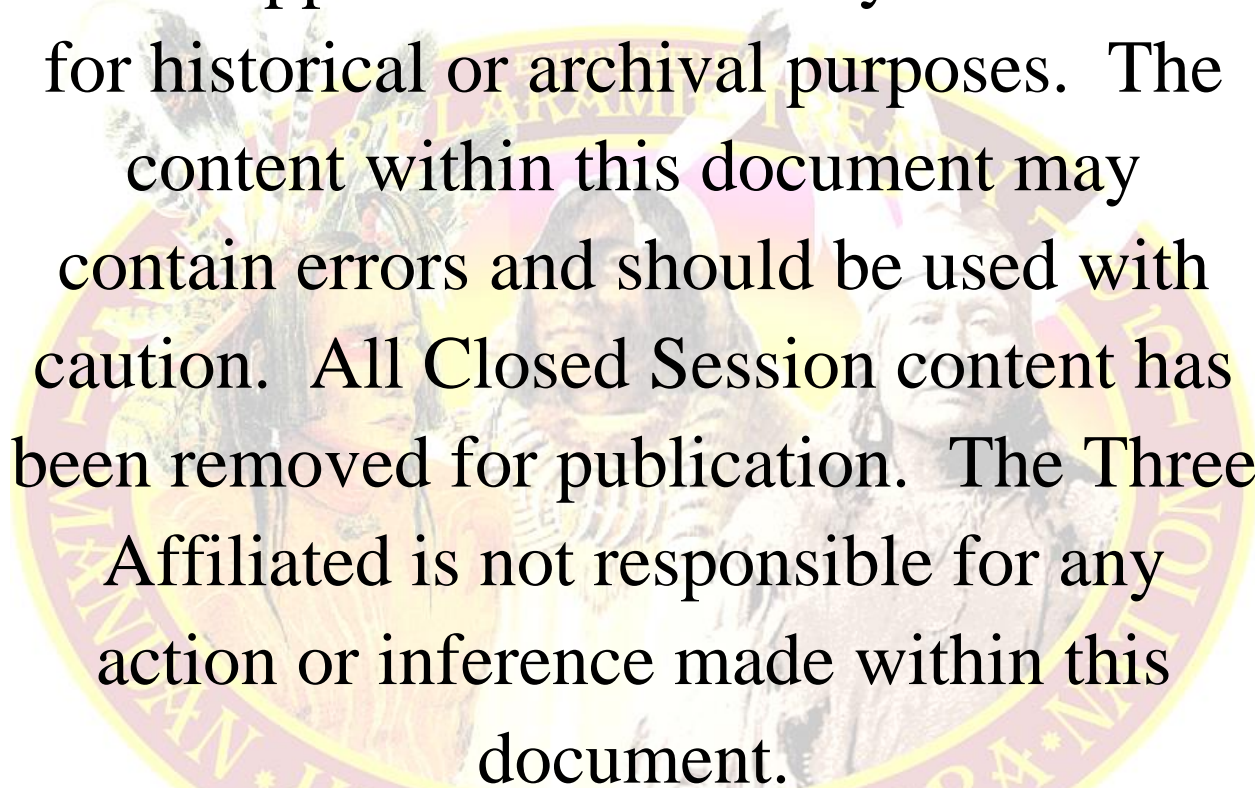


**DISCLAIMER:** The following Tribal Business Council minutes are uncertified or un-approved and are only to be used for historical or archival purposes. The content within this document may contain errors and should be used with caution. All Closed Session content has been removed for publication. The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

The seal of the Three Affiliated Tribes is a circular emblem. It features a central illustration of three Native American individuals, likely representing the Mandan, Hidatsa, and Arikara tribes. The seal is surrounded by a yellow border containing the text "THREE AFFILIATED TRIBES" at the top and "MANDAN \* HIDATS \* ARIKARA" at the bottom in a stylized font.



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING # 07-39-VJB**

**In North Segment  
September 13, 2007  
10:00 a.m.**

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**I. CALL TO ORDER:**

Meeting called to order at 10:46 a.m. by Chairman Marcus Wells Jr.

**II. OPENING PRAYER:**

Aileen Jackson

**III. ROLL CALL: By Exec. Secretary V. Judy Brugh**

Councilman Barry Benson, Councilman Nathan Hale, Chairman Marcus Wells Jr., Councilman Malcolm Wolf, Councilwoman V. Judy Brugh. A quorum is present.

Absent: Councilman Frank Whitecalfe (Present at 10:54 a.m.), Councilman Mervin Packineau (Present at 11:41 a.m.)

**IV. APPROVAL OF THE AGENDA:**

Councilman Hale moved to approve the agenda as amended, Councilman Whitecalfe seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed

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

**A. Federal Programs Executive Officer Report-Cammie Gosnell**

Submitted Report: also other issues she will present at the Personnel meeting scheduled for 9/14/07.

01. Councilman Whitecalfe moved to approve the Management team and to include Lisa Redford of CEDS, to proceed with the New Office space proposal to present to the Tribal Business Council for approval of the TAT programs needing office space.

Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed unanimously

**B. Tribal Programs Executive Officer Report-Max Dickens**

Updates on audits with Marcus Wells Sr., Tribal Roads

**01.** Councilman Whitecalfe moved to approve to authorize to match the Fort Berthold Housing Authority of \$35,000.00 to crush gravel for the Tribal Roads Program.

Councilman Hale seconded the motion.

VOTE: 7 ayes – 0 nay; motion passed unanimously

**C. Federal Programs Analyst Report-Laurie Alberts (not present)**

Councilman Hale moved to approve to authorize the Management team and Four Bears Casino & Lodge Mylo Spotted Horse to set up a meeting with McKenzie Cooperative Electric in regards to the 100 Tribal Accounts. Councilman Wolf seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

**D. I.H.S / Michelle Leach & Aileen Jackson: Update on clinic**

Councilman Hale moved to approve resolution #07-145-VJB “Three Affiliated Tribes Request to Enter in to P.L. 93-638 ISDEAA Contract with the Indian Health Service for the Purpose of Contracting Health Education, Mental Health and the Model Diabetes Programs,” Councilman Benson seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed unanimously

**E. Dan Isreal: Oil & Gas Attorney Presentation**

Submitted Resume of his work history to Tribal Business Council.

Councilman Hale moved to approve to authorize Fred Fox, Natural Resource Administrator and Councilman Barry Benson to draft a proposal for Dan Isreal to be the Legal Counsel to present to the next Tribal Business Council meeting along with Katheryn Vandamore. Councilman Benson seconded the motion.

Discussion: Jerry Nagel addresses council on an issue previously with Dan Isreal.

Councilman Packineau noted we need Legal Counsel here on the premises on a daily basis.

VOTE: 5 ayes – 0 nay; motion passed.

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

**A. Chief Financial Officer Report-Whitney Bell, Resolution “Loan Number XXIII”**

Councilman Hale moved to approve resolution #07-165-VJB “Authorization to pay off Loan Number XXIII, between the Three Affiliated Tribes and Bank First, dated March 14, 2006, in the amount of \$149,786.63.” Councilman Packineau seconded the motion.

Discussion: Chairman Wells commented on hoping the project will get back on track.

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

**B. Resolution #07-164-VJB**

Councilwoman Brugh moved to approve resolution #07-164-VJB, “Loan forgiveness for MHA Systems,” Councilman Hale seconded the motion.

Discussion: Noted for the record the future 10% of all profits for MHA Systems will be returned to the Three Affiliated Tribes on an annual basis.

VOTE: 6 ayes – 0 nay; motion passed.

**C. CEDS: Lisa Redford**

- **TEK Industries-White Shield Lagoon, Equitable Adjustment**
- **White Shield Cultural Center-Budget Shortfall**

**D. Nueta Nations Tribal Builders/Jay Fox-Presentation on Promissory Note**

Councilman Benson moved to approve of promissory note, seconded by Councilman Packineau. Tabled until 9/14/07 meeting. NO VOTE

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

**A. Executive Committee/Chair-Marcus Wells Jr.**

**01. Four Bears Casino & Lodge: Report-Spencer Wilkinson Jr.**

Submitted report on incident on Labor Day power outage. Mr. Wilkinson noted on proposal for a Liquor store at the old C-Store building. (Discussion) Submitted a Financial status report on the Four Bears Casino & Lodge.

**B. HHE Committee/Chair-Nathan Hale**

**01. Enrollment-John Charging/Nathaniel Meyer**

1. Councilman Packineau moved to approve resolution #07-146-VJB “58 Enrollment Applicants”, Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

2. Councilman Hale moved to approve resolution #07-147-VJB “Relinquishment of Mykal Robert Drosdal 301U-10566”, Councilman Hale seconded the motion.

VOTE: 6 ayes -0 nay; motion passed.

3. Councilman Packineau moved to approve resolution #07-148-VJB “Relinquishment of Desmond Leif Driver 301U-06801”, Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.



4. Councilman Hale moved to approve resolution #07-149-VJB “Relinquishment of Robert Holly Lewis 301U-04796”, Councilman Packineau seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

5. Councilman Packineau moved to approve resolution #07-150-VJB “Relinquishment of Shelby J. Baker 301U-09352”, Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

6. Councilman Packineau moved to approve resolution #07-151-VJB “Relinquishment of Margaret Baker 301U-05218”, Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

7. Councilman Hale moved to approve resolution #07-152-VJB “Relinquishment of Lawrence Baker 301U-03842”, Councilman Wolf seconded the motion.

VOTE: 5 ayes – 1 nay; motion passed.

8. Councilman Hale moved to approve resolution #07-153-VJB “Relinquishment of Tayloure Tail Baker 301U-10107”, Councilman Packineau seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

## **02. Elbowoods Health Facility-Update**

Councilman Hale moved to approve to support the Wilson Cooperative letter,

Councilman Packineau seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

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

#### **01. Child Support Enforcement Division/Ellen Wilson: Building Comprehensive Application Budget.**

NO ACTION TAKEN: FPEO will get an extension for at least another month of rental agreement.

#### **02. GTFJC/Mark N. Fox:**

##### **• Request for sponsorship, District I Corrections Meeting.**

Councilman Packineau moved to approve sponsorship of \$850.00 to the Gerald Tex Fox Justice Center in regards to the District I Corrections Meeting scheduled for 9/18-20/07 at the Four Bears Casino and Lodge. Councilman Wolf seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

##### **• Claim Development Proposal**

Will bring back for the next Regular TBC Mtg. in October 11, 2007.

- **Consultant Agreement**

Councilman Hale moved to approve of the five Consultants Agreements: Medicine Fox, Northern Prairie Psychological Services, Good Man Addiction Services, Yellow Thunder Addiction Services and Horse Cultural Therapy. Councilman Packineau seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

**03. Circle of Life/Cheryl Fox:**

Councilman Hale moved to approve of \$7,680.00 out of the 570 Youth Budget 2540-51090 funding line to Georgia Fox for Sweat Lodge & Cultural Activities for the year, for the Mandaree, New Town, Four Bears Segments. Councilman Packineau seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

Councilman Packineau moved to approve of \$6,706.00 out of the COL 570 Youth Prevention account 2560-51090 to Ms. Jackie Bird to perform in each school district for the National Red Ribbon Week of October 28-November 2, 2007. Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

**D. Natural Resources Committee/Chair-Barry Benson**

**01. Army of Corp Engineers Lake shore Access Presentation**

**NO ACTION TAKEN.**

**02. Dakota III-IMDA Ratification (SPC.MTG on 9/19/07 at 10 a.m.)**

**03. Z Energy & Dakota III Lease Offer: Sections 15 & 27-149-93 (SPC.MTG. on 9/19/07 at 10 a.m.)**

**04. JT Energy/Tim Judson: IMDA**

Councilman Benson moved to approve of the amendment of the JT Energy IMDA agreement with changes as recommended by the Bureau of Indian Affairs, Department of Interior; subject to any substance changes that they might require of non-substantive nature. Councilman Wolf seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**05. East Mueller, INC.-NO ACTION TAKEN**

**06. Road Issue-Verlee Sayler**

Councilman Packineau moved to approve resolution #07-155-VJB “2007 Highway Safety Improvements,” Councilwoman Brugh seconded the motion. With amendments to this draft.

VOTE: 5 ayes – 0 nay; motion passed.

Councilman Packineau moved to approve resolution #07- -VJB “Impaired Driving Court Grant”,

VOTE: MOTION DIES DUE TO LACK OF SECOND

**07. Skateboard Proposal-Rose Whitebody(not present)**

**08. Land Exchanges:**

- **Sadie Mann**

**DEFERRED TO NEXT REGULAR TBC MTG.**

- **Willis Whiteman**

Councilman Hale moved to approve resolution #07-157-VJB “Approval of land exchange between the Three Affiliated Tribes and Willis Whiteman,” Councilman Wolf seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

- **FayAnn Moberg**

Councilman Hale moved to approve resolution #07-156-VJB “Approval of Land Exchange between the Three Affiliated Tribes, Councilman Benson seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

- **Kenneth Hale**

Councilman Hale moved to approve resolution #07-158-VJB “Approval of land exchange between the Three Affiliated Tribes and Kenneth Hale,” Councilman Wolf seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

- **Gregory Bruer**

Councilman Hale moved to approve resolution #07-159-VJB “Approval of Land Exchange between the Three Affiliated Tribes and Gregory Breuer”, Councilman Benson seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

- **Debra Sustrech**

Councilman Hale moved to approve resolution #07-160-VJB “Approval of Land Exchange between the Three Affiliated Tribes and Debra Sustrich” Councilwoman Brugh seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**09. Land Sale to TAT: Dawn Howling Wolf**

Councilman Packineau moved to approve resolution #07-161-VJB “Authorization to Purchase Interests in Allotment #113A from Dawn Howling Wolf, for \$12,998.70”

Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**09A. Freeze on Land Purchases:**

Councilman Benson moved to approve a freeze on all land Purchases until funds are available that will be determine by the TAT Treasurer and Natural Resource Committee’s review. Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**10. Ed Hall Resolution “Joint Resolution McKenzie and Dunn Counties”**

Councilman Hale moved to approve resolution #07-162-VJB “Agreement with McKenzie and Dunn Counties for paving BIA Routes Figure 4 road, 10, 12, 14 and 15”, Councilman Packineau seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

**11. Range Unit 905: Ted Lonefight lease of \$18,632.51**

Councilwoman Brugh moved to approve resolution #07-154-VJB “Range Unit 904 & 905 2007 payment by Tribal Business Council”, motion seconded by Councilman Wolf

VOTE: 5 ayes – 0 nay; motion passed.

**E. Small Loans Program: Andrew Reed, Administrator**

Submitted report and balance sheet.

Councilman Packineau moved to approve of the new Policy payment amounts as follows:

- \$50.00 to \$1,500.00 at 9.5% repayments are set at 1 year or less of \$136.25 per month or \$68.13 bi-weekly



- \$1,501.00 to \$3,500.00 at 9.5% repayments are set at two year or less of \$160.70 per month or \$80.35 bi-weekly.
- \$3,501.00 to \$5,000.00 at 9.5% repayments are set at two year or less of \$229.57 per month or \$114.78 bi-weekly.

Councilwoman Brugh seconded the motion.

VOTE: 5 ayes – 1 nay(nh)- motion passed.

**F. TERO Commission Board: Housing Issues on Triumph Construction**

**VIII. LEGAL DEPARTMENT-**

Tom Disselhorst present at 8:04 p.m.

Councilman Packineau moved to approve to authorize Legal Counsel to draft a letter for water protection. Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

***CLOSED SESSION:***

**IX. UNFINISHED BUSINESS- none**

**X. NEW BUSINESS-**

**01. Will Grant: Life Insurance Presentation**

Councilman Packineau moved to approve to authorize Resolution #07-163-VJB- as amended “Tyra Wilkinson and the Management Team to further review the proposal of the AFW Financial Group, LLC. Councilman Hale seconded the motion.

Discussion: Further questions from Council and FPEO.

VOTE: 6 ayes – 0 nay; motion passed.

**02. Probate Code: Roger Bird Bear**

Councilman Packineau moved to approve to authorize Roger Bird Bear, Tom Disselhorst and Damon Williams to draft a Probate General Summary for review by the next Regular Tribal Business Council in October 2007. Councilwoman Brugh seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

**03. Yellowface Singers Financial Request:**

Councilman Wolf moved to approve of \$3,500.00 financial request on behalf of Yellowface singers to represent the TAT, at the NIEA Conference in Honolulu, HI 10/25-28/07. Councilman Packineau seconded the motion.

Discussion: Councilman Wolf noted he will research for further funds for this trip.

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

**04. Mandaree School Financial Request-(ADD-ON)**

Councilwoman Brugh moved to approve of \$7,980.00 financial request on behalf of the Mandaree Indian Club to attend the NIEA Conference in Honolulu, HI 10/25-28/07.

Councilman Hale seconded the motion.

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

**05. Delvin Foote/Bill Codote/Al Ope: Oil & Gas Proposal**

NO ACTION TAKEN

**XI. APPROVAL OF MINUTES-**

<b>01.</b>	<b>4/24/07</b>
<b>02.</b>	<b>4/27/07</b>
<b>03.</b>	<b>5/10/07</b>
<b>04.</b>	<b>5/16/07</b>
<b>05.</b>	<b>5/17/07</b>
<b>06.</b>	<b>6/14/07</b>
<b>07.</b>	<b>6/15/07</b>
<b>08.</b>	<b>7/12/07</b>
<b>09.</b>	<b>7/13/07</b>
<b>10.</b>	<b>7/16/07</b>

Councilman Packineau moved to approve a blanket approval on the 10 sets of minutes listed above, Councilman Hale seconded the motion, subject to review of the Tribal Business Council.

VOTE: 6 ayes – 0 nay; motion passed.

**XII. ADJOURNMENT-**

Councilman Hale moved to adjourn at 8:49 p.m. Councilman Wolf seconded the 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 five (5) constitute a quorum \_\_\_\_\_ were present at the \_\_\_\_\_ Meeting thereof duly called, noticed, convened and held on the \_\_\_\_\_ day of \_\_\_\_\_, 2008; 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 \_\_\_\_\_, 2008.

**ATTEST:**

\_\_\_\_\_  
Acting Secretary, Councilman Malcolm Wolf  
Tribal Business Council,  
Three Affiliated Tribes

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

