



Three Affiliated Tribes
Tribal Business Council
Special Meeting 07-41-VJB
September 19, 2007 @ 10 a.m.

- I. **CALL TO ORDER-**
Meeting called to order at 10:20 a.m. by Chairman Marcus Wells Jr.
- II. **OPENING PRAYER-**
Verlee Saylor
- III. **ROLL CALL-**By Executive Secretary V. Judy Brugh
Councilman Frank Whitecalfe, Councilman Nathan Hale,
Chairman Marcus Wells Jr., Councilman Malcolm Wolf,
Councilman Mervin Packineau, Councilwoman V. Judy Brugh. A
quorum is present. Absent: Councilman Barry Benson (entered
meeting at 10:44 a.m.)
- IV. **APPROVAL OF THE AGENDA-**
Councilman Whitecalfe moved to approve the agenda as amended
with one addition, Councilman Hale seconded the motion.
VOTE: 6 ayes – 0 nay; motion passed
- A. **HIP:**
- 01.** Councilman Hale moved to approve to rescind
resolution #07-100-VJB and approving resolution #07-166-VJB
“Approval of Clients Applicant for the FY 2007 Housing
Improvement Program Allocation for Category C-Replacement and
B-Renovation Housing Assistance,” a \$50,000.00 grant match.
Councilwoman Brugh seconded the motion.
VOTE: 6 ayes – 0 nay; motion passed.
- 02.** Councilman Whitecalfe moved to authorize of
transferring one applicant from the HIP Program to the Tribal
Housing Elders Program. Councilwoman Brugh seconded the
motion.
VOTE: 6 ayes – 0 nay; motion passed

**B. BIA Superintendent: Lisa Lopez, Tom Wells,
Superintendent (present) DISCUSSION, NO ACTION**

C. Dakota III/ZEnergy IMDA Resolution

Councilwoman Brugh moved to approve resolution #07-170-VJB “Final Approval of Dakota-3, LLC Indian Mineral Development Agreement,” as amended. Councilman Hale seconded the motion.
VOTE: 7 ayes – 0 nay; motion passed unanimously

D. JT Energy Resolution:

Councilman Wolf moved to approve resolution #07-167-VJB “Final Approval of JT Energy LLC Indian Mineral Development Agreement,” Councilman Packineau seconded the motion.
VOTE: 7 ayes – 0 nay; motion passed unanimously

E. East Mueller, INC.: Not Present, No action taken. Tabled to 10/11/07 Regular TBC Meeting.

F. Gaming Commission/Internal Auditor:

Closed Session:

G. FPEO/TPEO:

01. Organizational Chart:

a. Councilman Benson moved to approve resolution #07-VJB “Revisions and Reestablishment of the Three Affiliated Tribes Personnel Selection and Termination Committee,” with the amendments. Councilman Whitecalfe seconded the motion.
Discussion:

VOTE: 3 ayes – 4 opposed; motion died

b. Councilman Whitecalfe moved to approve of the Organization Chart of the Education Department, with amending the title to Chief Educational Administrator. Councilman Packineau seconded the motion.

VOTE: 7 ayes – 0 nay; motion passed unanimously

c. Councilman Packineau moved to approve of the Organization chart of the Tribal Court as presented, Councilman Hale seconded the motion.
Discussion: Chairman Wells Jr., recommend too appoint Roger Bird Bear as the Tribal Court Administrator for future reference.
VOTE: 7 ayes – 0 nay; motion passed unanimously

d. Councilman Benson moved to approve the Organization Chart of the Fort Berthold Rural Water, Councilman Wolf seconded the motion.
Discussion: Councilman Benson commented on staff's current status on their driver licenses.
VOTE: 4 ayes – 1 nay – 2 abstains – 0 not voting; motion passed.

e. Councilman Whitecalfe moved to approve of the FINANCIAL MEETING SCHEDULED FOR 10/2/07 AT 10 A.M. FINANCIAL: BUDGET FY 2008, Councilman Packineau seconded the motion.
VOTE: 6 ayes – 0 nay; motion passed.

02. Personnel: Closed Session

e. Horace Pipe, Consultant Agreement

Discussion:

Fred Fox and Management team will develop a job description, duties and responsibilities, rate of pay and a rating to be reviewed by the Legal Counsel and to amend the Agreement with Legal review. Bring back at the next meeting for full Council approval of either option.

f. Alva Irwin:

Discussion: Management Team will follow-up on Alva Irwin's request to be paid from June 5-22, 2007. Also use an outside source that can do an evaluation on the Director of Social Services.

g. Consultant Agreement: Judith RC Brady

Discussion:

Perry Brady, Tribal Historic Preservation Officer, his immediate supervisor is FPEO, Cammie Gosnell.

Councilman Wolf moved to approve the Consultant agreement of Judith RC Brady and the TAT Services of the Tribal Historic Preservations Office. Councilman Packineau seconded the motion.
VOTE: 7 ayes – 0 nay; motion passed unanimously

h. Consultant Agreement: Debra Coffey

Councilman Whitecalfe moved to approve the Consultant agreement of Debra Coffey and the TAT Services of the Tribal Historic Preservations Office. Councilman Hale seconded the motion.

VOTE: 7 ayes – 0 nay; motion passed unanimously.

i. Ronald Brugh: TERO Complaint

Discussion

Councilman Hale moved to approve a joint meeting on 9/24/07 at 1 p.m. with the TERO Commission and the Director of TERO, Duey Hosie. Councilman Whitecalfe seconded the motion.

VOTE: 7 ayes- 0 nay; motion passed.

03. Property Department Resolution: TAT Vehicles

Councilman Whitecalfe moved to approve resolution #07-169-VJB, "Adoption of Tribally Owned Vehicle Use and Distribution Policy for the Three Affiliated Tribes Tribal Programs and Employees," Councilman Hale seconded the motion.

VOTE: 7 ayes – 0 nay; motion passed unanimously

04. Impaired Driving Court Grant: Verlee Saylor

Councilman Packineau moved to approve resolution #07-168-VJB, "Impaired Driving Court Grant," Councilman Whitecalfe seconded the motion.

Discussion: Councilman Whitecalfe noted that this Project would be under the Judicial Committee; Councilwoman commented to establish a Public Defender for this project for the clients.

VOTE: 7 ayes – 0 nay; motion passed unanimously

V. **ADJOURNMENT-**

Councilman Hale moved to adjourn at 10:42 p.m. Councilwoman Brugh 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 (5) constitute a quorum 6 were present at the Meeting thereof duly called, notice, convened and held on the 14 day of May, 2008; 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.

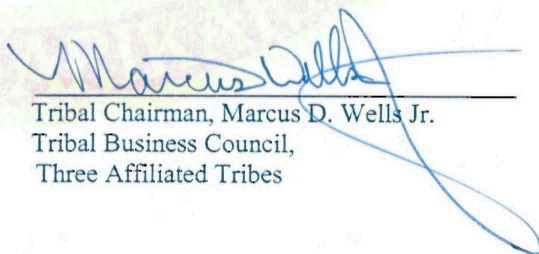
Chairman Voting Not Voting

Dated this 14 day of May, 2008.

ATTEST:



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



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