



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING # 07-46-VJB  
October 11, 2007  
10:00 a.m.**

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**I. CALL TO ORDER:**

Chairman Marcus Wells Jr. called meeting to order at 10:25 a.m.

**II. OPENING PRAYER:**

Lyle Gwin

**III. ROLL CALL: Executive Secretary V. Judy Brugh**

Councilman Frank Whitecalfe, Councilman Nathan Hale, Chairman Marcus Wells Jr., Councilman Mervin Packineau, Councilwoman V. Judy Brugh. A quorum is present. Absent: Councilman Barry Benson (In Denver, CO); Councilman Malcolm Wolf (Funeral).

**IV. APPROVAL OF THE AGENDA:**

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

Eagle Catch Casino/Lake Sakakawea; Robert White; KMHA/MHA Radio newspaper; Kody Brugh, Kimberly Condon-NDSU; Arikara Resolution request;

VOTE: 5 ayes – 0 nay; motion passed.

**01. Eagle Catch Casino Resolution:**

Councilman Whitecalfe moved to approve resolution #07-174-VJB “Additional Approval of financing arrangement for Lake Sakakawea Casino Project and other matters pertaining to said Project,” Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**02. Resolution #07-175 “Hidatsa Ida Nogaree’ Oo’ Guuree’sh-Hidatsa Language Keeper Project,”:**

Councilman Packineau moved to approve resolution #07-175-VJB Hidatsa Ida Nogaree’ Oo’ Guuree’sh-Hidatsa Language Keeper Project,” Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**03. Resolution #07-176-VJB “Lewis & Clark Bicentennial Legacy Project- Preserving the Sahnish language,” (White Shield School)**

Councilman Whitecalfe moved to approve resolution #07-176-VJB, ““Lewis & Clark Bicentennial Legacy Project-Preserving the Sahnish language,” (White Shield School)

Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**04. Resolution #07-177-VJB “Arikara Language Revitalization Project” (Susan Paulson-FBCC):**

Councilman Whitecalfe moved to approve resolution #07-177-VJB “Arikara Language Revitalization Project,” (Susan Paulson-FBCC) Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

RECESSED AT 11:32 p.m. (funeral) scheduled to reconvened at 1 p.m. Reconvened at 1:32 p.m., Councilman Barry Benson (via conference) Councilman Mervin Packineau absent at funeral (entered meeting at 1:54 p.m.)

**05. RECIND Resolution #07-177-VJB “Arikara Language Revitalization Project” (Susan Paulson-FBCC):**

Councilman Whitecalfe moved to recind resolution #07-177-VJB “Arikara Language Revitalization Project,” (Susan Paulson-FBCC) Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**06. Resolution #07-178-VJB “Authorization for Application to Native Voices Endowment for The Arikara Language Revitalization Project,”**

Councilman Whitecalfe moved to approve resolution #07-178-VJB “Authorization for Application to Native Voices Endowment for The Arikara Language Revitalization Project,” (FBCC Susan Paulson) Councilwoman Brugh seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**07. Robert White: Small Business Financial Request:**

Councilwoman Brugh moved to approve of a \$20,000.00 business loan to Robert White from the Independence Program for the R & R Bar/Grill Restaurant. Subject to TAT Treasurer and Independence Program Credit/Finance. Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**08. Game & Fish Program Relocation of Office:**

Councilman Whitecalfe moved to approve the Game & Fish Department to relocate to Elbowood Works office location along with Elbowood Works Department. Councilman Hale seconded the motion. (Cammie Gosnell noted Game & Fish department will be responsible for repairs or maintenance?)

VOTE: 5 ayes – 0 nay – 1 abstain- 0 not voting; motion passed.

**09. Resolution #07-179-VJB “2008 Docket Funds Draw in the Amount of \$438,541.54”:**

Councilman Whitecalfe moved to approve resolution #07-179-VJB “2008 Docket Funds Draw in the Amount of \$438,541.54”: Councilman Packineau seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

**10. Resolution #07-180-VJB “Directive to the Office of Trust Management to Make available for draws by the Three Affiliated Tribes Interest Earnings from the Three Affiliated Tribes Economic Recovery Fund in the amount of \$1,064,121.00.”**

Councilman Whitecalfe moved to approve resolution #07-180-VJB “Directive to the Office of Trust Management to Make available for draws by the Three Affiliated Tribes Interest Earnings from the Three Affiliated Tribes Economic Recovery Fund in the amount of \$1,064,121.00,” Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

**11 Signature Card Authority-OST, Whitney Bell, TAT- CFO:**

Councilman Packineau moved to authorize to add TAT-CFO, Whitney Bell to the Signature Card Authority at OST per standing resolution. Councilman Whitecalfe seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

**12. Remington Restaurant/Just us Kids Daycare loan status:**

Councilman Whitecalfe moved to approve to have the issues of Remington Restaurant and Just Us Kids daycare forward to Small Loans and Independence Program to see if they can apply the USDA Grant portion to the Independence Loan. Councilman Packineau seconded the motion.

VOTE: 4 ayes – 2 nay; motion passed.

**13. Transfer of funds to Small Loans Program of \$90,000.00:**

Councilman Whitecalfe moved to approve to transfer of \$90,000.00 from the General Fund to the Small Loans Program. Councilman Packineau seconded the motion.

VOTE: 6 aye – 0 nay; motion passed.

**14. Leo Cummings Small Loan Request:**

Councilman Packineau moved to approve a loan request of \$22,000.00 to Leo Cummings subject to Criteria and Policies set-up by Small Loans Administrator. Councilwoman Brugh seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

**15. Rick Little Swallow request of \$26,000.00 for a basement:**

Councilman Whitecalfe moved to approve to have the Dreamcatcher Program work with Rick LittleSwallow in applying for a basement, Councilman Packineau seconded the motion.

VOTE: 5 ayes – 0 nay – 1 abstain (vjb)- 0 not voting; motion passed.

**16. Kody Brugh financial request:**

Councilman Hale moved to approve to sponsor half of the \$3,500.00 financial request and the other half from the Four Bears Casino & Lodge for Kody Brugh for an amount of \$1,750.00 from each. He is participating in the 2007 INFR in Arizona. Councilman Wolf seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

**17. MJ Gunderson Proposal:**

Councilman Whitecalfe moved to approve MJ Gunderson's Proposal for hire as Mental Health Director @ \$38.00 per hour for 90-days, once contract is received his status will become permanent. Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

**18. I.H.S Update from Michelle Leach, Aileen Jackson;**

Power point Presentation from Electronic Billing. "Dynamic Med Assistant" Ed Brownshield, Makib ?.

**19. Elbowood Health Facility: Jim Foote:**

Update, projected start date in the spring of 2008, also noted Phase I is complete.

**20. Headstart Program: Sara Young Bird, Ella James**

Councilman Hale moved to approve additional supplemental funding of \$160,940.00 to the Headstart Program for Health Benefits, security cameras and buses, for the 2007-2008 school year, also to include \$55,000.00 to keep two teachers in the Twin Buttes Segment and one in the Parshall Segment for a total of \$215,940.00. Councilman Whitecalfe seconded the motion.

VOTE: 7 ayes – 0 nay; motion passed unanimously (Councilman Barry Benson via conference call)

**21. Financial Request of \$6,970.00: Sylvan Learning Center Wilson Family**

Councilman Hale moved to approve a grant of \$6,970.00 on behalf of Richard “Sonny” Wilson IV to the Sylvan Learning Center. The family has been directed to check with Mark Bluestone, New Town School Superintendent first for funding and if need be the TAT will pay remaining balance of the bill.

VOTE: 6 ayes – 0 nay; motion passed

**22. NDSU Resolution: Kim Condon**

Councilman Packineau moved to approve of the Risk and Crisis Communication Food Protection and Defense Project Study resolution draft. Ms. Condon was directed to contact the Executive Secretary’s Office for the template of the resolution for legal review and approval. Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay – 1 abstain(vjb) – 0 not voting; motion passed.

**23. Four Bears Casino & Lodge Update: Spencer Wilkinson Jr., General Manager**

Submitted a Balance sheet for eleven months ending August 31, 2007.

**24. Grover Yellowbird: TERO Claim/Issue**

Councilman Wolf moved to approve to submit claim to Valaar Insurance with all supporting documents, also the Treasurer, Frank Whitecalfe and TAT Legal Damon Williams will review and work on this claim as well. To remit a payment of \$10,000.00

to Grover Yellowbird until the Three Affiliated Tribes can recoup the claim from Valaar Insurance Company and to be reimbursed this amount from that claim. Councilman Packineau seconded the motion.

VOTE: 6 aye – 0 nay; motion passed unanimously

**25. MEC: Clarence O’Berry, CEO**

Councilman Whitecalfe moved to approve resolution #07-181-VJB “Business License for MEC Resources, LLC” Councilman Hale seconded the motion.

DISCUSSION: Councilman Hale noted for the record that he doesn’t approve of the relocation of MEC to the New Town area, also he will talk to the board of Directors of MEC.

VOTE: 6 ayes – 0 nay; motion passed. (chairman voting)

Councilman moved to approve resolution #07-182-VJB “Clarification of Tribal subsidiaries’ ownership, management, and Small Business Administration 8(a) application submission.” Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay – 0 abstain – 1 not voting (mwjr); motion passed. (chairman not in room)

Councilman Whitecalfe moved to approve resolution #07-183-VJB “Approval of a Limited Waiver of Immunity from Suit for the Subsidiaries of Mandaree Enterprises, LLC.” Councilman Wolf seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed (chairman voting)

**26. Corporate Code authorization: TAT Legal Department**

Councilman Whitecalfe move to authorize TAT Legal Department to work on a Corporate Code for the Three Affiliated Tribes, Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**27. CSDE: Ellen Wilson, Administrator**

Councilwoman Brugh moved to approve resolution#07-184-VJB “Approval of Three Affiliated Tribes Division of Child Support Enforcement (TAT-DCSE) Request for Non-Matching Federal Share IN the Amount of \$47,135.70 For FY08 for the fully comprehensive TAT DCSE application.” Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed. (chairman voting)

Councilwoman Brugh moved to approve resolution #07-185-VJB "Modification to Resolution #05-36-NH," Councilman Whitecalfe seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed (chairman voting)

**28. Resolution #07-186-VJB "Agreement with Mckenzie and Dunn Counties for paving BIA Routes Figure 4 Road & Routes 10, 12, 14 and 15":**

Councilman Whitecalfe moved to approve resolution #07-186-VJB "Agreement with Mckenzie and Dunn Counties for paving BIA Routes Figure 4 Road & Routes 10, 12, 14 and 15": Also to rescind resolution #07-162-VJB previous resolution in regards to verbiage. Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay; motion pass. (chairman voting)

**V. ADJOURNMENT:**

Councilman Hale moved to adjourn at 7:41 p.m., Councilman Wolf seconded the motion. Meeting adjourned.

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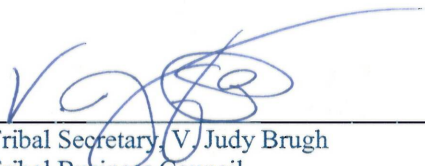
**CERTIFICATION**

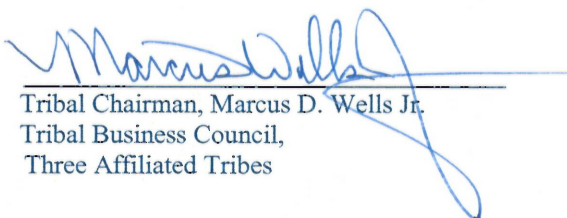
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum 6 were present at the Meeting thereof duly called, notice, 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:**

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

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