

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 07-51-VJB
October 26, 2007 Minutes**

A. CALL TO ORDER-

Meeting called to order at 10:42 a.m.

B. OPENING PRAYER-

Prayer was said by Cammie Gosnell.

Councilman Benson gave update on Twin Buttes School. Cammie Gosnell was presented with a star quilt for the work she did on the Twin Buttes School from Councilman Benson.

Councilman Whitecalfe gave update on Twin Buttes School, loans, and casino.

C. ROLL CALL-

Present: Councilman Benson, Councilman Whitecalfe, Councilman Hale, Councilman Wolf, Councilwoman Brugh, and Chairman Wells Jr. A quorum is established. Councilman Packineau is not present.

Others Present: Cammie Gosnell, Max Dickens, Whitney Bell, Susan Hall, Elton Spotted Horse.

D. APPROVAL OF AGENDA-

Councilman Hale moved to approve of the agenda, seconded by Councilman Wolf.

Discussion: No discussion.

VOTE: 6 Ayes 0 Nays Motion carried.

E. Marshall Group-Whitney Bell

Councilman Whitecalfe moved to approve of Resolution entitled "Approving General Obligation Interim Loan, an Assignment of Trust Fund Interest as Security for the Loan, Withdrawal of Interest from Trust Fund and Related Transactions, and Acknowledging Risks Associated with Liquidation of Investments", Councilman Benson seconded the motion.

Discussion: The budget will be presented at the November 6, 2007 Regular Tribal Business Council meeting.



**Three Affiliated Tribes
Tribal Business Council
Special Meeting 07-51-VJB
October 26, 2007 Minutes**

VOTE: 6 Ayes 0 Nays Motion carried.

1. Resolution Approving General Obligation Bridge Loan

Councilman Whitecalfe moved to approve of Resolution Entitled, “Resolution of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation Approving General Obligation Bridge Loan, an Assignment of Trust Fund and Related Transactions, and Acknowledging Risks Associated with Liquidation of Investments”, motion seconded by Councilman Benson.

Discussion: Councilman Hale has concerns with budget cuts and programs that were cut. Chairman Wells Jr. commented that the three different funds are lumped together and looked as one, when it should not be. Councilman Whitecalfe feels that some cuts should be made.

VOTE: 6 Ayes 0 Nays Motion carried.

2. Consultant Contract- Myron Anthony Foote

Councilman Whitecalfe moved to approve of consultant contract for Myron Anthony Foote with the Three Affiliated Tribes finance department, seconded by Councilman Benson.

Discussion: In the agreement under item no. 12, the termination notice will be changed from 60 days to 7 days. Under no. 17 there is a typo. Under no. 15 the word later needs to be struck off. He will be under CFO supervision.

VOTE: 5 Ayes 1 Nays Motion carried.

F. Gaming Commission Resolution-07-203-VJB-Susan Hall

Councilman Whitecalfe moved to approve of Resolution entitled, “Restructuring of Three Affiliated Tribes Gaming Commission”. The motion was seconded by Councilman Benson.

Discussion: Councilman Benson recommends Whitney Bell to be on the board. Councilman Whitecalfe will pick the



**Three Affiliated Tribes
Tribal Business Council
Special Meeting 07-51-VJB
October 26, 2007 Minutes**

alternate and present it. Do we have an advisory board? This is a draft and subject to change. Item 4 should remain the same. Item 5 needs to be equal opportunity. Is the organizational chart being approved too? Why -----are they being side by side on the organizational chart. The organizational chart shall be under further review. Under item no. 3 it should read: administration assistant and not receptionist. The organizational chart

VOTE: 4 Ayes 2 Nays Motion carried.

G. Twin Buttes School Resolution 07-204-VJB

Councilman Benson moved to approve of Resolution entitled, "Settlement of the Twin Buttes School Litigation And Reinstatement of the Twin Buttes Replacement School Project", motion seconded by Councilman Brugh.

Discussion: The fourth were as was amended to include Camie Gosnell. Is there anyone else that should be included? Chairman Wells Jr. will put Chairman of the Health, Human, and Education Committee on the list (Nathan Hale) and the Treasure (Frank Whitecalfe). An idea Councilman Benson had would be to have a committee started to monitor travel. Camie Gosnell suggested the Educational Administrator to do the monitoring. On the organizational chart the three schools are listed under the Educational Administrator. When this position gets filled, all travel from the school will go through the Educational Administrator. Until the position is filled, Twin Buttes schools will go through the Federal Programs and/or the Tribal CEO office. This way it will be taken away from the principal and put on someone else. The chairman believes that it is justifiable for the Twin Buttes School but not the Mandaree or White Shield schools. Camie Gosnell will present at the next Regular Tribal Business Council meeting on November 6, 2007, that Federal Programs and Tribal CEO will be the designated offices for approve for travel for Twin Buttes School.

VOTE: 6 Ayes 0 Nays Motion carried.

H. Dakota 3



**Three Affiliated Tribes
Tribal Business Council
Special Meeting 07-51-VJB
October 26, 2007 Minutes**

Councilman Whitecalfe moved to approve of a letter on behalf of Dakota 3 to Mike Black, seconded by Councilman Hale.

Discussion: The issue is the \$50.00 rate. The BLM says the going rate is not \$50.00 any more, it is higher. That is why they didn't want to approve it. As you read in the letter, this was approved some time ago when the going rate was \$50.00 an acre. In the letter it states that they give 2 ½ % overriding royalty after a period of time. It makes this a really good IMDA, because of the amount of oil production on Fort Berthold. This is one of your better IM DA's but the BLM is looking at the upfront money as being an issue. If you don't go with the upfront money, you are throwing the process back. One of the big things is this is one of the securities for the bridge. It needs to be approved.

VOTE: 6 Ayes 0 Nays Motion carried.

I. Small Loans-Dialysis Patient Vehicle Purchase-Kevin Young Bird

Councilman Whitecalfe moved to approve of a vehicle purchase loan to Kevin Young Bird for transportation to Dialysis in Bismarck, seconded by Councilman Benson.

Discussion: Kevin is to work it out with Small Loans director, Andrew Reed.

VOTE: 5 Ayes 0 Nays 1 Abstention Motion carried.

J. U.S. Environmental Protection Agency Grant Agreement No. X1-97824201-Elton Spotted Horse

Announced Environmental Program will be receiving \$1 million dollars. The agreement needs a signature from Chairman Wells Jr. to get started in getting funding. Is there a truck that could be kept in Twin Buttes? A few more trash containers can be left at Twin Buttes for safety purposes.

K. Adjournment

Councilman Hale moved to adjourn the meeting, seconded by Councilman Wolf.



**Three Affiliated Tribes
Tribal Business Council
Special Meeting 07-51-VJB
October 26, 2007 Minutes**

Meeting adjourned at 1:19 p.m.

L. **CALL TO ORDER**

Meeting called to Order 2:25 p.m.

M. **ROLL CALL**

Present are Councilman Benson, Councilman Whitecalfe, Councilman Hale, Chairman Wells Jr., Councilman Wolf, and Councilwoman Brugh. A quorum is established. Councilman Packineau is not present.

N. **Amendments to the Twin Buttes School Resolution 07-204-VJB-
Rescinded by Resolution 07-205-VJB**

Councilman Whitecalfe moved to approve of Resolution entitled, "Authorization for the Settlement of the Twin Buttes School replacement Project Litigation and Reinstatement of the Twin Buttes Replacement School Project". The motion was seconded by Councilman Hale.

Discussion: The amendments are in regards to the legal aspect of the resolution. Amendments to the resolution are to include Jack Lever. The idea is not to loose what has been gained. To change Senosky to our legal department with some type of tie. In the Were As clause, Senosky had put their firm in their specifically to finish up some of the work and to also work on a project team to implement the contract once we get the funding back. Legal has a small concern with this. Jen contracted Mr. Williams and got his thoughts on it. He thought that it wasn't usual to put some thing like that specifically into a resolution. Jen took this out. It is not her intent to take them out of the picture completely as far as the appeals go because they are still working on settling that and they would be utilized to do the contract appeal resolved and settle finally. So legal took them out specifically but they would work on that. Legal is trying to get everything to go through Damon Williams office for him to approve because of the bills from other law firms. They do good work but there are some things that can be done in house to save money. The legal department will keep in touch with them as consultants. Chairman of the Health, Human, and Education Committee (Councilman Nathan Hale) is added in place of the Chairman of the Three Affiliated Tribes (Marcus Wells Jr.). The Treasurer is added (Councilman Frank Whitecalfe) to the project team. This resolution, 07-205-VJB will replace resolution 07-204-VJB. This would replace Senosky in name and put the Tribes legal council in its place but Senosky will continue to work on the current issues to complete them.

VOTE: 5 Ayes 0 Nays Motion carried.



**Three Affiliated Tribes
Tribal Business Council
Special Meeting 07-51-VJB
October 26, 2007 Minutes**

O. ADJOURNMENT

Councilman Hale moved to adjourn the meeting, seconded by Councilman Wolf.

Meeting adjourned at 2:35 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 (5) constitute a quorum 6 were present at the Meeting thereof duly called, notice, convened and held on the 26th day of October, 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:

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

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