



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING # 08-02-VJB**

**January 10, 2008**

**10:00 a.m.**

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**I. CALL TO ORDER: By Chairman Marcus Wells Jr.**

Meeting called to order at 10:27 a.m.

**II. OPENING PRAYER:**

Malcolm Wolf

**III. ROLL CALL: By Acting Secretary, Mervin Packineau**

Councilman Barry Benson, Councilman Frank Whitecalfe, Councilman Nathan Hale, Chairman Marcus Wells Jr., Councilman Malcolm Wolf, Councilman Mervin Packineau. A quorum is present. Absent: Councilwoman V. Judy Brugh. (entered meeting at 1:15 p.m.)

**IV. APPROVAL OF THE AGENDA:**

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

Kenny Gillies, Darryle Hall, Lois Standish, Mary Ellen Knight and Priscilla Young Bird.

VOTE: 6 ayes – 0 nay; motion passed.

**01. Bureau of Land Management, Presentation: Barry Williams, Lonny Bagely, Marian Atkins and Elaine Raper.**

Discussion: Addressed on various issues along with handout in binder.

**02. Twin Buttes C-Store EPA Costs:**

Councilman Whitecalfe moved to approve of a transferring of a budget of \$130,000 to the Independence Loan Program to come from the Oil & Gas Bonus revenues to be developed into a \$65,000.00 business loan to each for the Twin Buttes C-Store and the White Shield C-Store through the Independence Loan Program. Councilman Benson seconded the motion.

Discussion: Councilman Whitecalfe noted that if additional funding is needed that the Independence Program could help the C-stores finance with a bank based on this loan giving the C-stores a little more flexibility.

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

**03. Tribal Program Executive Officer report-Max Dickens**

Monthly update

**04. Veterans Program:**

Discussion: on funding of their budget.

**05. Federal Program Executive Officer report: Cammie Gosnell**

Monthly Report

**06. Federal Programs Analyst report: Laurie Alberts**

Monthly report

**07. Screener: Mr. Solberg**

Councilman Hale moved to approve to purchase of screener from General Equipment working with Treasurer Whitecalfe and Fort Berthold Housing Authority for both entities to pay half each. Councilman Benson seconded the motion.

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

**08. Resolution #08-02-VJB “Appointment of Alvina Wells to the Gaming Commission of the Three Affiliated Tribes of the Fort Berthold Indian Reservation”**

Councilman Packineau moved to approve of resolution #08-02-VJB “Appointment of Alvina Wells to the Gaming Commission of the Three Affiliated Tribes of the Fort Berthold Indian Reservation,” Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay – 1 abstain (mwjr)- 0 not voting; motion passed.

**09. MJ Gunderson Eclipse Counseling Service:**

Councilman Hale moved to approve of the Eclipse Counseling Service MJ Gunderson for the Gerald Tex Fox Justice Center, Councilwoman Brugh seconded the motion.

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

**10. Nina Fox HIV/AIDS Awareness Counseling Services:**



Councilman Whitecalfe moved to approve of Nina Fox for HIV/AIDS Awareness Counseling Services for the Gerald Tex Fox Justice Center, Councilman Hale seconded the motion.

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

**11. 30-day Appointment of Adult Administrator of Gerald Tex Fox Justice Center, Harry Sitting Bear.**

Councilman Whitecalfe moved to approve Harry Sitting Bear of a 30-day temporary appointment Adult Administrator of the Gerald Tex Fox Justice Center. Also along with a 2-3 week consulting agreement with Mark N. Fox to do transition training when the new Adult Administrator is hired permanently. Councilwoman Brugh second the motion.

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

**12. TAT Gaming Commission Guidelines and Operating Procedures:**

Councilman Whitecalfe moved to approve of the Gaming Commission Guidelines and operating procedures with amendments to include the Internal Auditor will be directly supervised by the Executive Director of the Tribal Gaming Commission, the Surveillance to remain under the direct supervision of the Executive Gaming Commission and to amend Mark N. Fox Employment Agreement with Damon Williams TAT Legal's review. Councilman Hale seconded the motion.

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

**13. Resolution “Approval of Applications for a loan and grant from the USDA Rural Development in the amount of \$1,198,200.00 for the South Segment water source delivery project for the Fort Berthold Rural Water System”**

Councilman Benson moved to approve of resolution #08-03-VJB “Approval of Applications for a loan and grant from the USDA Rural Development in the amount of \$1,198,200.00 for the South Segment water source delivery project for the Fort Berthold Rural Water System,” Councilman Packineau second the motion.

VOTE: 6 ayes – 0 nay – 0 abstain – 1 not voting (mwjr.); motion passed.

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

Councilman Whitecalfe moved to approve of the following loans: Ted Lone Fight III, Kenny Gillies, Gerilyn Yellow Bird, Lois Standish and Tina Malnourie. Subject to Small

Loans policies and procedures and the funding will come from the “revolving loan program,” Councilman Benson second the motion.

VOTE: 6 ayes – 0 nay; motion passed.

**15. Nelson Heart, TAT Law Enforcement**

Councilman Whitecalfe moved to approve of five credit cards for gas, oil and maintenance purposes for the Tribal Law Enforcement, Councilman Packineau seconded the motion.

Discussion: Councilman Whitecalfe noted that a policy and procedures need to be set up for these cards.

VOTE: 6 ayes – 0 nay; motion passed.

**16. Tribal Housing Division: Connie Wilkinson/ Lori Pemberton**

A. Councilman Whitecalfe moved to authorize the Tribal Housing Division to transfer the Administration of FEMA Trailer Project to Jackie Morsette, HIP Manager,” Councilwoman Brugh seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

B. Councilman Whitecalfe moved to authorize the Tribal Housing Division to Renew Consultant Agreement Lori Pemberton, Loan Officer,” Councilwoman Brugh seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

C. Councilman Packineau moved to authorize Tribal Housing Division to assist the Arlie & Mary Knight with Down Payment Assistance of \$25,000.00, based on the Dreamcatcher Down Payment Assistance policies & procedures. Under the recommendation of the Tribal Housing Division that the remaining \$24,900.00 be an in-house tribally serviced loan, the mobile home will be utilized as collateral and the loan terms as follows:

1. Loan amount: \$24,900.00
2. Interest rate: 7%
3. Loan Term: 21 years
4. Collateral: 2007 Holly Park Pleasant View, 26x44 mobile home
5. Monthly payment: \$188.86
6. Number of payments: 252
7. Interest Earnings: \$22,692.58

Councilman Benson seconded the motion.



VOTE: 6 ayes – 0 nay; motion passed.

**D.** Councilman Whitecalfe moved to authorize and approval for Tribal Housing Division to house Miriam Smith in Dreamcatcher Unit #405, Northern Lights Subdivision in lieu of Elder Home in Bakersfield. Councilwoman Brugh seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**E.** Councilman Whitecalfe moved to approve and authorize for professional fees for Grant Writing Services rendered and successfully obtaining-Federal Home Loan Bank Grant of \$250,000.00, the amount of \$5,000.00 paid to Lori Pemberton, Mortgage Consultant. Councilman Benson seconded the motion

VOTE: 5 ayes – 0 nay; motion passed.

**F.** Councilman Whitecalfe moved to authorize to Tribal Housing Division to proceed a feasibility study for a \$25 million tax-exempt bond for different projects for each segment. Councilman Wolf seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

**17. Elbowoods Health Facility: Jim Foote**

Update on A & E money, annexation, taxes on the Northern Lights site.

**18. Senator Dorgan: 3:30 p.m. entered meeting**

Discussion: Health Care issues,

**19. TAT Roads funding request: Doyle Bell**

Councilman Packineau moved to approve to modify Roads Department General Fund Appropriation for FY08 from \$300,000.00 to \$435,000.00. Councilman Wolf seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

Councilman Benson moved to approve of inclusion of the TAT Roads Department Doyle to utilize the tribal vehicle from work to his residence. Councilman Hale seconded the motion.

Discussion: for the record the Doyle Bell is to report his duty station here in New Town.

VOTE: 5 ayes – 0 nay; motion passed.

**20. Resolution “Establishment of the Health Board of the “Health Programs” within the Fort Berthold Indian Reservation,”**

Councilman Whitecalfe moved to approve of resolution #08-04-VJB “Establishment of the Health Board of the “Health Programs” within the Fort Berthold Indian Reservation,” Councilman Hale seconded the motion.

Discussion: The remaining three to be named by White Shield, Four Bears and North East Segment for their representatives.

VOTE: 5 ayes – 0 nay; motion passed.

**21. Resolution “Appointment of August Little Soldier to the Nueta Nation Tribal Builders”**

Councilman Benson moved to approve resolution #08-05-VJB “Appointment of August Little Soldier to the Nueta Nation Tribal Builders,” Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed (chairman voted).

**22. Nueta Nations Items:**

Councilman Benson moved to authorize the Nueta Nations to proceed and seek the following three projects: Eagle Catch Casino/Hotel, Refinery Project and the Tunica Project. Councilman Whitecalfe seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**23. Twin Buttes C-Store: Bids**

Councilman Hale moved to approve of \$49,957.00 bid from ODAY Equipment, LLC for the Twin Buttes C-Store, the funding resource will be determined by Treasurer Whitecalfe. Councilman Whitecalfe seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

**V. ADJOURNMENT-**

Meeting recessed at 5:45 p.m. until 1/11/08 Personnel meeting.

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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 \_\_\_\_\_ were present at the Meeting thereof duly called, notice,



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.

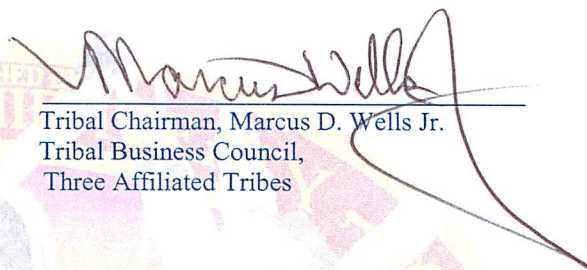
Chairman ( ) Voting ( ) Not Voting

Dated this \_\_\_\_ day of \_\_\_\_\_, 2008.

**ATTEST:**



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



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

