



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING # 08-09-VJB
March 13, 2008
10:00 a.m.**

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

Meeting called to order at 10:23 a.m.

II. OPENING PRAYER:

Councilman Barry Benson

III. ROLL CALL: Acting Secretary Councilman Malcolm Wolf

Councilman Barry Benson, Councilman Frank Whitecalfe, Councilman Nathan Hale, Chairman Marcus Well Jr., Councilman Malcolm Wolf. A quorum is present. Absent: Councilman Mervin Packineau (present at 10:38 a.m.), Councilwoman V. Judy Brugh.

IV. APPROVAL OF THE AGENDA:

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

VOTE: 6 ayes – 0 nay; motion passed.

01. Elder's Organization: Petition of Signatures to defer I.H.S 638 process

Ramona Two Shields, Donna Morgan and John Danks presented the packet of signatures to Acting Secretary Councilman Malcolm Wolf.

02. Federal Program Executive Officer Report: Cammie Gosnell

Update on Director's meeting, submitted draft of Severance Pay Policy and submitted Executive Summary of the Children and Family Services Program.

Councilman Hale moved to approve of the Severance Pay Policy to be included in the Three Affiliated Tribes Employee Policy Handbook effective today forward.

Councilman Whitecalfe seconded the motion.

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

03. Tribal Program Executive Officer Report: Max O. Dickens

Mr. Dickens expressed concerns with the TAT internet usage and with property vehicles from the Director's meetings.

Councilman Whitecalfe moved to authorize the TAT Legal Department and Management Team to proceed retrieval of outstanding property including tribal vehicles. Councilman Benson seconded the motion.

Discussion: Legal Attorney Damon Williams noted that the property checked out from former employees. If they show proof of payments on vehicles their status is o.k.

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

04. Federal Programs Analyst Report: Laurie Report

Laurie expressed her congratulations to the area Youth on their accomplishments in sports activities. Marvin Danks, Rural Water explained upcoming testing for employee's certification. Mr. Danks submitted a report on the Parshall and FBRW meeting 3/12/08 and a receipt for Lester Crowsheart 2003 Dodge Ram 3500.

Councilman Whitecalfe moved to approve of a Small Loan to Lester Crowsheart of \$5,154.06 for vehicle repairs. Councilman Packineau seconded the motion.

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

05. Chairman Marcus Wells Jr. Report:

Mr. Wells reported on meetings with the Oil & Gas issues, with the State and National Government. Also anticipation of return of the 24,000 acres and that Assistant Secretary Woodley will be here.

06. JT Energy Two Resolutions & Assignment of Oil & Gas Lease Record

Title: Tim and Jean Judson, Vincent Rigotti and Fred Fox present.

Councilman Packineau moved to approve of resolution #08-31-MW "Approval of an amendment to the JT Energy, LLC Indian Mineral Development Agreement."

Councilman Hale seconded the motion.

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

Councilman Wolf moved to approve of resolution #08-32-MW "Approval of an assignment of the JT Energy, LLC Indian Mineral Development Agreement."

Councilman Whitecalfe seconded the motion.

VOTE: 3 ayes – 2 nay; motion passed.

07. Native American Training Institute: Jody Gillette, Deborah Painte

Councilman Hale moved to approve of resolution #08-33-MW “Authorization for the Native American Training Institute to apply for an ANA Grant to Develop a Training System for Tribal Child Welfare Programs.” Councilman Whitecalfe seconded the motion.

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

08. Resolution #08-34-MW “Draw Down funds”:

Councilman Whitecalfe moved to approve of resolution #08-34-MW “Directive to the Office of Trust Fund 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 \$2,653,000.00.” Councilman Hale seconded the motion.

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

09. Small Loans Program: Andrew Reed, Administrator

Councilman Whitecalfe moved to approve of the Small Loans List presented today for the amount of \$176,050.00 based on availability of funds. Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

10. Everett Hall Business Loan Request:

Councilman Whitecalfe moved to approve an Independence Loan of \$26,000.00 to Everett Hall to be reviewed and followed through with the Independence program. Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed unanimously.

11. Priscilla Young Bird Loan Request:

Councilman Hale moved to approve of a loan from the Dreamcatcher Program for Priscilla Young Bird, to include applying for the Housing grant from the Shakopee Tribe of \$25,000.00 and the remaining balance served as a loan.

Discussion: Councilman Whitecalfe concerned with the length of processing the paperwork that Ms. Young Bird has a deadline to purchase the home; to follow through the same process from the previous applicants.

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

12. Resolution “Sober Truth on Preventing Underage Drinking Act Grant” and “Preventing Underage Drinking Taskforce.”:

Councilman Hale moved to approve of resolution #08-35-MW “Sober Truth on Preventing Underage Drinking Act Grant” and “Preventing Underage Drinking Taskforce,” Councilman Wolf seconded the motion.

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

13. Resolution “Environmental Health-Injury Prevention Program”:

Councilman Hale moved to approve of resolution #08-36-MW “Environmental Health-Injury Prevention Program,” Councilman Whitecalfe seconded the motion.

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

14. Financial Request Joshua & Jacob Sayler:

Councilman Packineau moved to approve of \$500.00 grant apiece to Joshua & Jacob Sayler for competition in San Antonio, Texas with a match from the Four Bears Casino & Lodge. Councilman Whitecalfe seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

15. Financial Request: Yvelle LaCroix

Councilman Whitecalfe moved to approve of an Education Loan of \$2,000.00 to Yvelle LaCroix subject to Education Loans Guidelines and Policies. Councilman Packineau seconded the motion.

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

16. Financial Request: Tylen Fox

Councilman Whitecalfe moved to approve of a \$1,500.00 education grant to Tylen Fox to attend an education trip to Japan this summer. Councilman Benson seconded the motion.

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

17. Financial Request: Joe Gullikson

Councilman Whitecalfe moved to approve of \$864.00 grant to Joe Gullikson (Veteran) to relocate to Massachusetts for employment. Councilman Packineau seconded the motion.

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

18. Group Workcamp Foundation Request:

Councilman Packineau moved to approve of \$19,000.00 to supplement the volunteer services of Group Workcamp Foundation, to serve 50-70 homes throughout the reservation for light carpentry, weatherization etc. In addition to include Jackie Morsette, Cammie Gosnell and Max O. Dickens to follow through with this project. Councilman Benson seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

19. TAT Roads Annual Inventory Resolution:

Councilman moved to approve of resolution #08-37-MW “Tribal Business Council Approval of the Three Affiliated Tribes Indian Reservation Roads Program Annual Inventory Update Pursuant to 25 CFR 170.444,” Councilman Packineau seconded the motion.

Chairman Marcus Wells Jr. exited meeting to attend honoring special of Christine Miller 2008 North Dakota Ms. Basketball.

VOTE: 5 ayes – 0 nay; motion passed.

20. ENROLLMENT: Resolution #08-38-MW

Councilman Whitecalfe moved to approve of resolution #08-38-MW “12 Tribal Enrollment Applicants”

Bull Bear III, Timothy	3/29/2007
Christensen, Jordan Leigh	2/6/2004
Duckett, Hunter Vale	11/17/2006
Goodbear, Jason Andrew	6/5/2006
Goodbear, Josephine Alaqua	6/5/2006
Howling Wolf Mesteth, Samantha Love	6/3/2004
Jackson, Darius Dwade	3/29/2007
Krueger, Myles Alexander	7/31/2007
Mesteth Jr., Paul Todd	4/16/2006
Powell, Zaida Alejandra	9/30/2005
Salinas Jr., Marco Lee	10/5/2005
Smith, Bradyn Tye	5/17/2004

Councilman Packineau seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

21. Resolution #08-39-MW:

Councilman Benson moved to approve of resolution #08-39-MW “Relinquishment of Annette M. Pacheco 301U-04635.” Councilman Packineau seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

22. Resolution #08-40-MW:

Councilman Packineau moved to approve of resolution #08-40-MW “Relinquishment of Stephanie A. Pacheco 301U-10145,” Councilman Whitecalfe seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

23. Resolution #08-41-MW:

Councilman Packineau moved to approve of resolution #08-41-MW “Relinquishment of Victoria Y. Pacheco 301U-10147.” Councilman Wolf seconded the motion.

VOTE: 5 aye – 0 nay; motion passed.

24. Resolution #08-42-MW:

Councilman Whitecalfe moved to approve of resolution #08-42-MW “Relinquishment of Virginia M. Pacheco 301U-10148.” Councilman Packineau seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

25. Extension of Registration of Secretarial Election:

Councilman Packineau moved to approve of extending the registration to two weeks for the Secretarial Election. Councilman Whitecalfe seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

26. Alternate Election Board Member: Elmer Breuer

Councilman Wolf moved to approve of Elmer Breuer as the alternate on the Secretarial Election Board. Councilman Whitecalfe seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

27. Resolution #08-43-MW:

Councilman Whitecalfe moved to approve of resolution #08-43-MW “Request to the Bureau of Indian Affairs to modify PL 93-638 Contract NO. CTA04T30169 between the

Secretary of the Interior and the Three Affiliated Tribes. Councilman Packineau seconded the motion.

VOTE: 5 ayes- 0 nay; motion passed.

28. Tribal Housing: Connie Wilkinson/Lori Pemberton:

Councilman Whitecalfe moved to approve to authorize to reimburse Solid Waste Department for Military Units Moving Costs of \$7,500.00. Councilman Packineau seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

29. Resolution #08-44-MW:

Councilman Packineau moved to approve of resolution #08-44-MW “Tribal Housing Division authorization to apply for North Dakota Housing Finance Agency’s Community Partners Program.” Councilman Wolf seconded the motion.

VOTE: 5 ayes- 0 nay; motion passed.

30. Amendment to Elder Home Program request:

Councilman Benson moved to approve the request for Elder Home Program Budget Amendment of \$76,978 for the completion of 2 Elder homes in White Shield and 3 in Twin Buttes. Councilman Whitecalfe seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

31. Amendment to Mortgage Loan Officer’s Consultant agreement:

Councilman Whitecalfe moved to approve of amending Mortgage Loan Officer’s Consultant Agreement allowing participation in the Tribe’s Health Insurance to be effective 03-01-2008. Councilman Packineau seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

32. Housing Allowance for Chief Attorney:

Councilman Whitecalfe moved to approve of housing allowance for the Chief Attorney Damon Williams of \$1,000.00 per month in lieu of the vehicle purchase in his Employment Contract to be coded under the General Fund account. Councilman Packineau seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

33. Vehicle Purchase: Connie Wilkinson

Councilman Whitecalfe moved to approve of vehicle purchase to Connie Wilkinson Dodge Truck will work out with Dave Williams the details of agreement, Councilman Packineau seconded the motion.

VOTE: 4 ayes – 1 nay; motion passed.

34. Resolution #08-45-MW:

Councilman Whitecalfe moved to approve of resolution #08-45-MW “Child Support Law Amendments.” Councilman Packineau seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed unanimously.

35. Resolution #08-46-MW:

Councilman Whitecalfe moved to approve of resolution #08-46-MW “Child Support Budget Amendment to resolution #07-222-VJB.” Councilman Wolf seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed unanimously.

Chairman Marcus Wells Jr. entered the meeting at 4:25 p.m.

36. August Little Soldier: Resolution #08-47-MW

Councilman Benson moved to approve of resolution #08-47-MW “August Little Soldier range unit 17,” Subject to Legal review and refer to grazing resolution. Effective May 1, 2008. Councilman Whitecalfe seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

37. Tribal Health: Aileen Jackson/Jim Foote Update

Councilman Packineau moved to approve of hiring Tammy Braeflat as the Tribal Health Family Nurse Practitioner Provider at \$38.00 an hour, Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

38. Personnel Selection: Ardel Moe

Councilman Hale moved to approve of hiring Ardel Moe as the Tribal Health Pharmacist at \$84.00 an hour under the 638 contract, Councilman Packineau seconded the motion.

Discussion: Councilman Hale wants to know if more employees will be needed once the 638 happens. He is to start in two weeks.

VOTE: 5 ayes – 0 nay; motion passed.

39. Personnel Selection: Wayne Marmon

40. Four Bears Casino & Lodge Report: Spencer Wilkinson Jr. Manager

Mr. Wilkinson submitted a Balance Sheet for the Four Months Ending January 31, 2008. He also informed Council of additional add-ons with in the Casino.

41. Tribal Historic Preservation Office: Perry Brady

Councilman Packineau moved to approve of #08-48-MW “Tribal Business Council Commitment to Support Tribal Historic Preservation Office for Grant and Applications for the THPO.” Councilman Wolf seconded the motion.

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

42. Amendment of Budget request: THPO

Councilman Hale moved to approve of matching the budget of \$37,453 to the Tribal Historic Preservation Officer amended budget. Councilman Wolf seconded the motion. VOTE: 6 ayes – 0 nay; motion passed.

43. Medical Financial Request: Ambrose Phelan Sr.

Councilman Whitecalfe moved to approve of a medical grant request of \$682.54 to Ambrose Phelan Sr. Councilman Packineau seconded the motion.

Discussion: Medical grant funding program can do up to \$500.00, an option for Doctor appointment's is to fill their gas tanks up to \$50.00

VOTE: 6 ayes – 0 nay; motion passed.

44. Sarah Garrett: Business Loan Request

Discussion: Sarah Garrett was notify to contact Ambrose Hosie for follow-up on her application process.

Councilman Whitecalfe moved to approve of transfer of \$60,000 to the Independence Program from the General Fund, to be paid back through revolving payment process.

Councilman Hale seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed unanimously

45. Approval of minutes:

Councilman Packineau moved to approve of the minutes as follows:

01. July 26, 2007
02. August 6, 2007
03. August 7, 2007
04. August 8, 2007
05. August 13, 2007
06. August 15, 2007
07. August 28, 2007
08. August 29, 2007
09. September 13, 2007
10. September 14, 2007

Subject to each Councilman's review and approval. Councilman Hale seconded the motion.

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

46. Barlow Wells Financial Request:

Councilman Packineau moved to approve of Barlow Wells financial request of \$1,207.14 on behalf of the Rockettes Traveling Basketball team to participate in Popular, MT. Councilman Benson seconded the motion.

VOTE: 6 ayes – 0 nay; motion passed.

47. MHA Tribal Ranch & Lodge: Ted Lone Fight III

Information update on the upcoming event: Ultimate Outdoor Adventures Hunting Show

48. Resolution #08-49-MP Councilman Mervin Packineau is Acting Secretary

Councilman Whitcalfe moved to approve of resolution #08-49-MP “Approval of Attorney Contract with Jennifer Fyten,” Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

49. Resolution #08-50-MP:

Councilman Whitecalfe moved to approve of resolution #08-50-MP “Approval of Attorney Contract with Tyra Wilkinson,” Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

50. Resolution #08-51-MP:

Councilman Packineau moved to approve of resolution #08-51-MP “Approval of Membership to the Northern Plains Intertribal Court of Appeals 2008.” Councilman Hale seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

51. Resolution #08-52-MP:

Councilman Hale moved to approve of resolution #08-52-MP “Appointment of Grover Yellow Bird to the Fort Berthold Housing Authority Board of the Three Affiliated Tribes of the Fort Berthold Indian Reservation; serving the White Shield Segment.”

Councilman Packineau seconded the motion.

VOTE: 5 ayes – 0 nay; motion passed.

52. Spotted Hawk Development, LLC.

Delvin Foote, Bill Cadote and Roger Glick was present and gave an informational update on "Painted Horse Oil Company has been dissolved." It's the same operators/people but different name of company.

53. Re-establishing of Tax Commission: Resolution #08-53-MP

Councilman Hale moved to approve of resolution #08-53-MP of "Re-establishment of the Tax Commission," By this resolution it's the Executive Committee and an alternate from the remaining Council; a quorum is three for six months until they can get themselves re-established then will go to back their regular appointments, subject to Damon Williams and Legal review. Councilman Whitecalfe seconded the motion.

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

V. ADJOURNMENT-

Councilman Wolf left meeting at 6:12 p.m.

Councilman Whitecalfe moved to adjourn at 6:50 p.m. Councilman Hale 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 ____ 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.

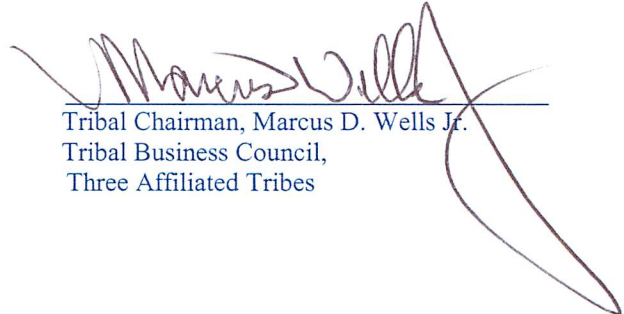
Chairman () Voting () Not Voting

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