



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
08-13-VJB
MAY 14, 2008**

I. CALL TO ORDER:

Meeting called to order at 10:16 A.M.

II. OPENING PRAYER:

Elgin Crows Breast

III. ROLL CALL:

Councilman Whitecalfe, Councilwoman Hale, Chairman Wells Jr., Councilman Wolf, Councilman Packineau, Councilwoman Brugh. A quorum is established.

IV. APPROVAL OF AGENDA:

To add Coal Mine-Elgin Crowsbreast to the chairman's report. Councilman Whitecalfe and Councilman Wolf would like to reserve their add-ons.

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

Discussion: A correction, this is a Regular Council meeting and not a Special.

VOTE: 6 Ayes 0 Nays Motion carried.

V. APPROVAL OF MINUTES:

October 2, 2007
October 3, 2007
October 10, 2007
October 11, 2007
October 12, 2007
October 16, 2007
October 22, 2007
September 19, 2007
September 24, 2007
November 6, 2007

Councilman Whitecalfe moved to approve of a blanket minute approval, seconded by Councilman Packineau.

Discussion: If there are any corrections, Council members are to get with the Secretary's office.

VOTE: 6 Ayes 0 Nays Motion carried.

VI. CHAIRMANS REPORT: Marcus Wells Jr.

The Chairman gave a report.

A. Elgin Crows Breast-Kato Coalmine Properties.

Informational.

B. Southern Ute Tribe/Red Willow Production Co./Panther Energy

They gave a presentation for partnering with the Three Affiliated Tribes. This is the first meeting. They will attend the Ft. Berthold Energy Conference at the 4 Bears Casino on May 20, 21, 22, 2008.

C. Federal Programs Executive Officer Report with Attachments-Cammie Gosnell

A copy of the Federal Programs code book will be delivered to the Executive Secretary Office to have on file.

Segment representatives are to get back to the FPEO on the Programs Directory (p.73) if there are any changes to be made before it goes out to the public.

01. Ft. Berthold Rural Water

a. Resolution #08-65-VJB: FBRW contract with Marion Trucking for Water Supply Line

Councilman Whitecalfe moved to approve of Resolution #08-65-VJB "Acceptance of Bid and Approve contract with Marion Trucking for the South Segment Area Water Supply line in the Amount of \$650,828.88", seconded by Councilman Packineau.

Discussion: No discussion.

VOTE: 6 Ayes 0 Nays Motion carried.

b. Resolution #08-66-VJB: FBRW contract with Macguire Iron for a tank.

Councilman Whitecalfe moved to approve of resolution #08-66-VJB "Acceptance of Bid and Approve contract with Macguire Iron for the South Segment Area Tank in the amount of \$646,775.00", seconded by Councilman Packineau.

Discussion: The tank Marvin Danks believes is 225 Thousand gallons.

VOTE: 6 Ayes 0 Nays Motion carried.

c. FBRW Budget

Councilman Packineau moved to approve Fort Berthold Rural Water budget in the amount of \$580,696.95, seconded by Councilwoman Brugh.

Discussion: No discussion.
VOTE: 6 Ayes 0 Nays Motion carried.

02. Juvenile Probation Officer Funding through Tribe/4 -E-Renee Mayer

Councilman Whitecalfe moved to approve a Juvenile Probation Officer position with Tribal funding for two years in the amount of \$59,758.40, seconded by Councilwoman Hale.

Discussion: This program will be self sufficient financially in two years through 4-E. This position would be included in the agreement for the 4-E dollars, no amendment needed. This person will work in Juvenile Court. This is part programming and part services.
VOTE: 6 Ayes 0 Nays Motion carried.

03. Army Corp of Engineers Cultural Resource Monitoring Contract-Cammie Gosnell

Councilman Whitecalfe moved to approve of Army Corp of Engineers Cultural Resource Monitoring Contract seconded By Councilman Wolf.

Discussion: No discussion.
VOTE: 6 Ayes 0 Nays Motion carried.

04. IRR Resolution Request #08-67-VJB

Councilman Whitecalfe moved for approval of Resolution #08-67-VJB entitled, "Assumption of Transportation Functions Under SAFETEA-LU and Issuance of a Notice of Intent to FHWA and BIA", seconded by Councilwoman Brugh.

Discussion: No discussion.
VOTE: 6 Ayes 0 Nays Motion carried.

05. Tribal Court Revised Organizational Chart

Councilman Packineau moved to approve of the Tribal Court Revised Organizational Chart, seconded by Councilman Whitecalfe.

Discussion: The first organizational chart was vague.
VOTE: 6 Ayes 0 Nays Motion carried.

D. Resolution #08-68-VJB: TBC Committees

Councilman Wolf moved to approve of resolution #08-68-VJB entitled, "Tribal Business Council Committees May 14, 2008", seconded by Councilwoman Evelyn Hale.

Discussion: No discussion.
VOTE: 6 Ayes 0 Nays Motion carried.

E. Tribal Programs Executive Officer Report-Max Dickens
Deferred to tomorrows meeting.

F. Federal Programs Analyst-Laurie Alberts
She gave a programs activity report.

G. I.H.S.-Jim Foote
He is no longer with the Three Affiliated Tribes. He resigned on May 9, 2008. Dr. Mayer will be the acting CEO in his place until filled.

VII. TREASURERS REPORT: Frank Whitecalfe

A. Resolution "Authorization for Funding for the Upper Missouri River Intertribal Allottees Association in the Amount of \$125,000"-Final Draft

Motion to approve the resolution, due to lack of second the motion dies.

B. Chief Financial Officer Report-Whitney Bell
Whitney gave an update.

01. 2006 Audit Presentation-Tom Dingus

Tom Dingus is not present. Chief Financial Officer, Whitney Bell advises that t he 2006 Audit is complete.

02. Old Bills from Previous entities

Councilman Whitecalfe moved to approve finance to pay old bills from previous entities that total approximately \$2,300.00, seconded by Councilwoman Hale.

Discussion: About seven bills.
VOTE: 6 Ayes 0 Nays Motion carried.

03. CFO Meeting set up with Tribal Business Council

A meeting is set up for May 29, 2008 at 10:00 A.M.

C. CEDS-Lisa Redford-Agreement with BIA/Indian Highway Safety Program-Grant

Councilman Whitecalfe moved to approve resolution #08-69-VJB entitled "Intent to enter into agreement with the BIA/Indian Highway Safety Program to establish Traffic Safety Division-Grant", seconded by Councilman Packineau.

Discussion: The amount of the grant is \$449,370.84. Subject to legal review and needs to be put on the correct format with the secretary's office.

VOTE: 6 Ayes 0 Nays Motion carried.

D. Small Loans-Andrew Reed

01. Education Loan-Kasey Hall

Andrew Reed will take care of this request.

02. Close Small Loans Department until August 1, 2008

Councilman Whitecalfe moved but motion dies due to lack of second.

03. 37 Small Loan Applicants

Councilman Whitecalfe moved to approve of the list of 37 applicants for small loans that are over the \$500.00 limit, seconded by Councilman Packineau.

Discussion: Subject to availability of funds and the waiting list. Alfred Smith will be added to the list for \$1,000.00 and Randy Baker for \$5,000.00. See attachment for the 37 applicants. This is the waiting list. The two priorities are the emergency medical and funeral loans. There are about five requests for graduations loans. The Chairman said as long as Andrew is working with the Treasurer, that it sounds like Small Loans has a game plan as long as the \$20,000.00 is back in the general fund every pay period and things are in order; there is not a problem. There are three still on the waiting list for March one is an education loan.

VOTE: 5 Ayes 0 Nays 1 Abstention Motion carried.

E. Independence Loans-Ambrose Hosie

Did not present.

01. Circle J-Lester Crows Heart

Deferred to tomorrow's tribal council meeting.

02. Ft. Berthold Water-Clarine Linseth

Deferred to tomorrows tribal council meeting.

F. Tribal Housing-Connie Azure

Deferred.

**G. Ft. Berthold Housing Authority-Danile Henry-Rescind
08-52-MP**

Councilman Whitecalfe moved to approve to rescind #08-52-VJB, seconded by Councilman Wolf.

Discussion:

No discussion.

VOTE:

5 ayes 0 Nays Motion carried.

F. Financial Request-Shannon Beston-W2's Wrong

Deferred.

VIII. COUNCIL REPORTS/COMMITTEE REPORTS:

A. Executive Committee/Chair-Marcus Wells Jr.

**01. Four Bears Casino & Lodge Report: Spencer
Wilkinson Jr.**

Informational. This will continue tomorrow, May 15, 2008.

On May 16, 2008 a structural Engineer will be at the Four Bears community center to access the building.

02. Eagle Catch Casino: Dale Little Soldier

Informational regarding the housing project. The Bridge loan breakdown must be provided to Council, also a final report from the management team.

B. Health, Human, & Education Committee/Marcus Wells Jr.

01. TAT Health Board

Deferred.

02. Tribal Health-Aileen Jackson-Update

Deferred.

03. Enrollment-John Charging/Nathaniel Mayer

a. Resolution #08-71-VJB: 51 Tribal Enrollment Applicants

Councilwoman Brugh moved to approve of Resolution #08-71-VJB entitled, "51 Enrollment Applicants". The motion is seconded by Councilwoman Hale.

Discussion: No discussion.
VOTE: 6 Ayes 0 Nays Motion carried.

b. Resolution #08-72-VJB: Stacy Marie Driver Relinquishment

Councilman Whitecalfe moved to approve of Resolution #08-72-VJB entitled, "Relinquishment of Stacy Marie Driver". The motion is seconded by Councilman Packineau.

Discussion: She voted and headed out.
VOTE: 6 ayes 0 Nays Motion carried.

c. Resolution #08-73-VJB: Peter James Smith

Councilman Whitecalfe moved to approve of Resolution #08-73-VJB entitled, "Relinquishment of Peter James Smith". The motion is seconded by Councilman Wolf.

Discussion: When they relinquish, they can never come back. We can amend our enrollment policy. Some type of higher ceiling. A thousand, two thousand, or five thousand. It is right in the constitution. It doesn't say a specific amount. It just says any amount, and then you're done. What if they paid that back? Legal said no.
VOTE: 6 Ayes 0 Nays Motion carried.

C. Judicial Drug & Alcohol Committee/Chair-Mervin Packineau

01. Resolution #08-70-VJB: Domestic Violence Program-Roberta Crows Breast

Councilman Wolf moved to approve resolution # 08-70-VJB entitled, "Family Violence Prevention and Services". The motion is seconded by Councilman Packineau.

Discussion: This is subject to legal review. Roberta will get a resolution to the Executive Secretary's Office to put it on the correct format.

VOTE:

5 Ayes 0 Nays Motion carried.

a. Domestic Violence Program Budget

Deferred until tomorrow.

02. TAT Law Enforcement

Not present.

D. Natural Resource Committee/Chair-Barry Benson

01. EPA-Elton Spotted Horse-Vehicle request

Councilman Whitecalfe moved to approve the purchase of two trucks for Environmental Protection, a Roll off truck in the amount of \$121,661.00 and a one ton pickup truck in the amount of \$23,500.00, seconded by Councilman Wolf.

Discussion: Councilman Whitecalfe says it is a lot of money but we have to have it.

VOTE: 6 Ayes 0 Nays Motion carried.

02. Adopt a Highway-Environmental Protection Department

To work out a budget and bring it back to the Treasurer.

03. Ft. Berthold Rural Water-two Contracts

Marvin present earlier under the FPEO Report with Cammie Gosnell.

04. Animal Control Ordinance-Verlee Saylor

Not present.

05. RAV Clinic Meals and Incidentals-Verlee Saylor

Not present.

06. Oil & Gas Office-Fred Fox

Not present.

07. Oil Company/Housing Road Issues-Howard Beamer, B.I.A.

Natural Resource Director Annette Young Bird to work on agreement with Oil Companies, housing, homeowners, and landowners.

E. Economic Development Committee/Chair-Malcolm Wolf

Nothing to present at this time.

F. Tax Commissioner Committee

Nothing to present at this time.

G. Gaming Commission Committee

01. Executive Gaming Officer-Mark Fox

Councilman Whitecalfe moved to approve of 26 employees, seconded by Councilwoman Hale.

Discussion:

No discussion.

VOTE:

6 Ayes 0 Nays Motion carried.

02. Executive Gaming Officer-Mark Fox

Councilman Packineau moved to approve of the leave policy as recommended by Executive Gaming Officer Mark Fox, seconded by Councilwoman Brugh.

Discussion:

No discussion.

VOTE:

6 Ayes 0 Nays Motion carried.

03. First International for Gaming Retirement

Councilman Packineau moved to approve of First International Bank for Gaming Employee Retirement benefits, seconded by Councilwoman Brugh.

Discussion:

This is to merge/blend with the tribal retirement for better benefits as group.

VOTE:

6 Ayes 0 Nays Motion carried.

04. National Indian Gaming Commission

Councilman Whitecalfe moved to approve of Mark Fox to be on the NIGC Mixed Advisory Committee, seconded by Councilman Wolf.

Discussion:

Chairman Wells signed the letter.

VOTE:

Chairman Wells signed the letter.

6 Ayes 0 Nays Motion carried.

05. Parshall Boxing Club-Mark Fox

Bring back to the next TBC meeting on May 15, 2008.

IX. LEGAL DEPARTMENT: Damon Williams/Jen Fyten

A. Resolution Approving Disclaimer of Mineral Interest in allotment 301-1591

Jen Fyten did not present.

B. Resolution Approving Settlement in TAT vs. BLM

Jen Fyten did not present.

X. UNFINISHED BUSINESS:

Nothing at this time.

XI. NEW BUSINESS:

A. Spotted Hawk Development LLC-Delvin Foote

Deferred to tomorrows meeting.

B. B.I.A.-Howard Beamer

Informational. Marietta Short Bull a B.I.A. transferee will be having a class for Oil Company's to set procedures for them so that they are on the same page as the B.I.A. Class is May 22, 2008 at the Civic Center.

C. Salty Dog-Robert White

Matched fund for MHA Elders in the amount of \$400.00.

XII. ADJOURNMENT:

Councilman Packineau moved to adjourn the meeting, seconded by Councilwoman Brugh.

Meeting adjourned at 6:38 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 _____ 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.

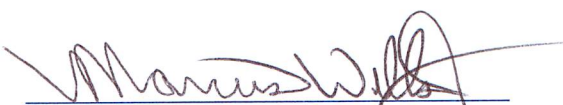
Chairman () Voting () Not Voting

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