



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING
08-21-BLB
JULY 16, 2008 1:00 P.M.**

I. CALL TO ORDER:

Meeting called to order at 1:40 P.M.

II. PRAYER:

Councilwoman Hale.

III. ROLL CALL:

Councilman Wolf, Councilwoman Hale, Councilman Whitecalfe, Councilman Benson, Chairman Wells Jr. A quorum is established. Councilwoman Brugh may be conference called into the meeting.

IV. APPROVAL OF AGENDA:

Chairman add on: Mandaree Regulators & Bernie Fox w/FBDC
Treasurer add on: Resolution \$900,000 CD & Elder home request & restructure of Housing Division & Mega Bracelets & Uni-Globe Oil Co.
Barry Benson add on: I.H.S/Neil Austin

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

Discussion: No meeting on July 24, 2008 because things have been taken care of today.

VOTE: 5 Ayes 0 Nays Motion carried.

A. Treasurer/ Frank Whitecalfe

1. Resolution #08-118-BLB: Oil Revenue \$400,000.00 to each Segment

Councilman Whitecalfe moved to approve \$400,000.00 to each segment for improvement projects in each segment for a total of \$2,400,000.00, seconded by Councilman Wolf.

Discussion: The Top five priority projects in each segment are to be identified by Jason Two Crow and Lisa Redford from CEDs Department.

VOTE: 5 Ayes 0 Nays Motion carried.

2. Resolution #08-119-BLB: Elder Homes/Basements 2 per segment

Councilman Benson moved to approve two elder homes with basements per segment; \$65,000.00 for a 1000' ft. home and \$19,500.00 for a full basement for a total of \$84,500.00 per home for a grand total of \$1,014,000.00 for all segments. The motion is seconded by Councilwoman Hale.

Discussion: This will be a budget amendment for FY 2008 to include Homes/elder basements. Legal to write the resolution. The segment representatives are to get the names to Jackie Jackson with H.I.P. Maggie Yellow Bird and Kaye Bell are White Sheild picks. The clock is ticking, to get it done before winter. Maybe H.I.P. can do a home per segment.

VOTE: 5 Ayes 0 Nays Motion carried.

3. H.I.P. Basements for Elders/Jackie Jackson

Councilman Whitecalfe moved for approval for a full basement for the H.I.P. recipients who are all tribal elders; the total amount is \$11,580.00 per unit @ 3 units for a grand total of \$34,740.00. The motion is seconded by Councilwoman Hale.

Discussion: Is this going to be for just the three, because once you do this, there are going to be others. Jackie advised the Council that these are the only three that have asked. These recipients are Henry Fox, Val Finley Sr., and Gilson Mandan.

VOTE: 5 Ayes 0 Nays Motion carried.

B. Oil & Gas Office/Fred Fox Director

1. Resolution #08-120-BLB: Spotted Hawk Oil and Gas Proposal for Development

Councilman Whitecalfe moved to approve of a resolution entitled, "Approval of Spotted Hawk Development, LLC Proposal for Oil/Gas Development." The motion is seconded by Councilman Benson.

Discussion: How many acres are left and where at. Bonus payment 31,983 acres x \$300.00 is \$9,594,900.00. Good faith funds are basically \$50.00 x 31,983 acres is \$1,599,150.00. The total together is \$11,194, 050.00. There is about another 360,000 in rental. Total amount is \$11,545,050.00 this is just to sign the lease. It doesn't include royalties.

VOTE: 5 Ayes 0 Nays Motion carried.

2. UNI-Globe/Steve Kelly

They would like to think about it and come back if any of the other acreage comes available. They will come back on August 14, 2008 regular Tribal Business Council meeting. The map needs to be more accurate.

C. State Fair mega Bracelets 50/50 match with Four Bears Casino

Councilman Benson moved to approve of 500 bracelets for five segments to be matched by the Four Bears Casino as a 50/50 match, seconded by Councilwoman Hale.

Discussion: Spotted Hawk Oil Company donated \$10,000.00. They bought 166 of bracelets. Donated is \$15,000.00 from the Four Bears Casino and \$15,000.00 from the Three Affiliated Tribes. A total of 666 youth have been taken care of.

VOTE: 5 Ayes 0 Nays Motion carried.

V. Resolution #08-116-BLB: 638 Roads/ Wells Road #2/Breslin Addition Streets

Councilman Wolf moved for approval of a resolution entitled, "Public Law 93-638 Contracting for Road Construction Projects: Reconstruction of Wells Road and the Construction of Streets in the Northern Lights/Breslin Addition, New Town North Dakota". The Motion is seconded by Councilman Whitecalfe.

Discussion: BLB will be the initials for the acting Executive Secretary.

VOTE: 5 Ayes 0 Nays Motion carried.

VI. Resolution #08-117-BLB: Roads Maintenance All Black Top Routes

Councilman Whitecalfe moved to approve Flickertail Paving & Supply, LLC to repair potholes on BIA routes 2, 5, 12, 18, and 22. The cost is \$977,542.12 to the tribe today but will be reimbursed by BIA on October 1st FY' 09, seconded by Councilman Benson.

Discussion: Doyle Bell and Greg Mayo identified these routes for repair and submitted an agreement to the tribe that they would reimburse the tribe if the tribe took care of the cost today and with next years appropriation/allocation for fiscal year 2009 on October 1st they would pay the tribe back. This is from Gerry Foell and he mentioned it would come out of the IRR. Legal Department Jen

Fyten and FPEO Cammie Gosnell to coordinate a call to Gerry Foell so that he can draw that letter up and we can have it prepared. This is subject to a resolution to be drawn up by the legal department Jennifer Fyten and a concurrence with FPEO Cammie Gosnell, and TPEO Max Dickens to converse with Gerry Foell, Alyce Harwood in Aberdeen to make sure everything is in order for reimbursement in fiscal year 2009. Doyle Bell is to tell the Tribal Business Council where each route number is located.

VOTE: 5 Ayes 0 Nays Motion carried.

VII. Resolution #08-121-BLB: Elder Apartments New Town Segment ND05-032/Toni Starr

Councilman Wolf moved to approve a resolution entitled, "New Town Segment Tribal Fee Land, Requesting Lease for the Fort Berthold Housing Authority to Develop Project ND05-032, Elder Apartments, New Town Segment Tribal Fee Land." The motion is seconded by Councilwoman Hale.

Discussion: These will be located in Northern Lights.

VOTE: 5 Ayes 0 Nays Motion carried.

VIII. Resolution #08-122-BLB: Twin Buttes Segment Apartments

Councilman Benson moved to approve a resolution entitled, "Land Lease to Fort Berthold Housing Authority to develop project ND05-030-Twin Buttes Segment Apartment Complexes." The motion is seconded by Councilman Whitecalfe.

Discussion: This was approved through Natural Resource Committee before coming to full Council.

VOTE: 5 Ayes 0 Nays Motion carried.

IX. North Segment Little Shell Ft. Berthold Housing Conveyances

Councilman Wolf moved to approve of three conveyances for Pat Fox 25 years in home, Philomena Grinnell 32 years in home, and Marcus/Rozelda Wells Sr. in home 39 years. The motion is seconded by Councilwoman Hale.

Discussion: Three letters were presented to Kim Abbey after the Elder meal/checks on 7-15-08. Chairman Wells Jr. talked to Dennis Fox the Ft. Berthold Housing Authority Director and he says there are probably less than a dozen.

VOTE: 4 Ayes 0 Nays 1 Abstention
(Chairman Wells Jr.) Motion carried.

X. Resolution #08-127-BLB: Ratify Resolution 03-96-RP: Authority to Rural Water to approve their water lines by being Tribal lands

Councilman Benson moved to approve to ratify resolution #03-96-RP subject to updating, seconded by Councilwoman Hale.

Discussion: This was just an old resolution that was in place. Its just that it hasn't been used for so long. We are just going back to dot our I's and cross our T's, and get new signatures on it and bring it up to date. Legal department is to update it and then bring through for signature.

VOTE: 5 Ayes 0 Nays Motion carried.

XI. Resolution #08-123-BLB: Loan/Grant from USDA for Mandaree Area 1

Councilwoman Hale moved to approve of a resolution entitled, "Approval of Applications for a Loan and a Grant from the USDA Rural Development in the Amount of \$2,494,000.00 for the West Segment Mandaree Area 1 Distribution and storage Project for the Fort Berthold Rural Water System. " The motion is seconded by Councilman Whitecalfe.

Discussion: The signing for this document will be for New Town which was out side of this issue for Little Shell Pow Wow and I read it last night. It is all Dakota Resource Act money and its money passing through the tribe right to New Town water system and it all comes from the Dakota Water Resource Act. So even though it looks like we are paying, we are not. It is coming to us and we are handing it over to New Town for free water. It is a good thing. The Parshall agreement that was signed on June 30, 2008 expedited to get this New Town one done and its here. Senator Dorgan appropriated \$54 Million Dollars of the Dakota Water Resource Act amount. So that's close to the 76 and that was just this year. We were really fortunate that Marvin Danks was aggressive with Bartlett and West to speed up the process. So this year we are hitting five of our six segments. That's the first time in history that we were able to do that. Normally it was just one phase of one segment per year if we were lucky. This has been a unique year because they are actually putting their money where their mouth is. The only thing is that it is not indexed to the dollar, cost, contract and all that but close. Marvin said he brought

this up to Senator Conrad in Washington D.C. Marvin said he thought that Conrad was going to see what he could do to index that. Chairman Wells and Marvin Danks both hope so. Marvin Danks will follow up on that.

VOTE: 5 Ayes 0 Nays Motion carried.

XII. Resolution #08-124-BLB: Chief Judge Election Amendment

Councilman Whitecalfe moved to approve of a resolution entitled, "Establishment of Procedures for the Election of Chief Judge of the Fort Berthold District Court." The Motion is seconded by Councilman Benson.

Discussion: It will be incorporated into the election this fall.

VOTE: 5 Ayes 0 Nays Motion carried.

XIII. Small Loans & Independence Loans/Andrew Reed

Councilman Whitecalfe moved to approve of the Small loans list with a total of \$110,650.00 and Independence Loans with a total of \$210,000.00, seconded by Councilman Benson.

Discussion: This will be Bremer and come out of the \$900,000.00. See list attached. Andrew Reed is to hang in there. There are bonus checks out that he can collect from. The more the small loans are revolved, the more he can take care of business.

VOTE: 5 Ayes 0 Nays Motion carried.

XIV. Mandaree Horse Race:

Councilman Whitecalfe moved to approve a \$3000.00 request by Ted Lonefight III for Mandaree Regulators Riding Club, seconded by Councilwoman Hale.

Discussion: Are we going to start doing this for the entire segment Pow Wows? We have been. We used to do the bull-a-rama in Twin Buttes and a suicide race. We used to sponsor almost a whole rodeo in White Shield, it was a memorial rodeo.

VOTE: 5 Ayes 0 Nays Motion carried.

XV. Resolution #08-125-BLB: Independence Loans \$900,000.00

Councilman Whitecalfe moved to approve a resolution entitled, "Authorization to negotiate a line of Credit with Bremer Bank, NA in the Amount of \$900,000.00 for the Independence Program." The motion is seconded by Councilman Benson.

Discussion: Councilman Whitecalfe says the only reason this is being done is because this is starting out our tribal members in businesses. Most of these business plans that come in are 99% in the oil business. If we don't help our tribal members get started in these businesses, then someone else will take over and be in those businesses. This is something the council is doing for a lot of people in a lot of the segments. These are just loans that will be paid back, they have good payment plans, and they have contracts with them. That's why I try to get the money funded for the Independence Program to get our people in businesses.

VOTE: 5 Ayes 0 Nays Motion carried.

XVI. Resolution #08-126-BLB: FBHA Board Governs Tribal Housing Division

Councilman Whitecalfe moved to approve a resolution entitled, "Authorization for the Fort Berthold Housing authority's Board of Commissioners to be the Governing Body of Three Affiliated Tribes Tribal Housing Division." The motion is seconded by Councilwoman Hale.

Discussion: The Full Tribal Business Council is represented on the Board of Commissioners. The council all have a duly appointed housing board member and they are fully qualified and are trained. The creation of both our Housing programs was formed for one purpose and one purpose only, to provide housing to the Tribal Membership of the Three Affiliated Tribes of the Fort Berthold Indian Reservation.

VOTE: 5 Ayes 0 Nays Motion carried.

XVII. Fort Berthold Development Corporation/MHA Holding Company-Bernie Fox

They would like to get enough land in each segment to drill a salt water disposal well. Referred back to Natural Resource Committee and to work with Natural Resource Department, Annette Young Bird. The Councilman/Councilwoman would like to take this back to their communities for approval.

XVIII. Resolution for Rescinding Resolution #08-106-MP

Councilman Whitecalfe moved for approval to rescind resolution #08-106-MP and to replace it with a resolution entitled, "Authorization for the Three Affiliated Tribes to assume a loan amount of \$1,444,666.60 and a loan amount of \$141,666.81 for

Fort Berthold Development Corporation.” The motion dies due to lack of a second.

XIX. Eunice Guimont Housing Improvement/Jackie Jackson
H.I.P. Director

Councilman Whitecalfe moved to approve housing improvement in the amount of \$13,500.00 to Eunice Guimont to be paid out the general fund, seconded by Councilman Wolf.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

XX. ADJOURNMENT:

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

Meeting adjourned at 5:12 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