



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING
08-22-VJB
AUGUST 1, 2008 10:00 A.M.**

I. CALL TO ORDER:

The meeting was called to order at 10:19 A.M.

II. PRAYER:

Bryon Brady

III. ROLL CALL:

Councilman Barry Benson, Councilman Frank Whitecalfe, Councilwoman Evelyn Hale, Chairman Marcus Wells Jr., Councilman Wolf and Councilwoman V. Judy Brugh. Councilman Mervin Packineau is conference called into the meeting. A quorum is established.

IV. APPROVAL OF AGENDA:

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

Discussion:

No discussion.

VOTE:

5 Ayes 0 Nays Motion carried.

V. Oil & GAS OFFICE: Fred Fox Director

Not present, legal department to take care of Oil Companies.

VI. LEGAL DEPARTMENT: Damon Williams/Jen Fyten

A. Sundance Oil Co. 08-128-VJB/Rescinds Resolution 07-123-VJB

Councilman Whitecalfe moved to approve a resolution entitled, Rescission of Resolution No. 07-123-VJB and Approval of Oil and Gas Leases with Sundance Energy, Inc., for 399.73 Acres for Oil and Gas Development on the Fort Berthold Reservation." The motion is seconded by Councilwoman Brugh.

Discussion:

The bonus is \$199,865.00 for a 1 year lease.

VOTE:

7 Ayes 0 Nays Motion carried.

B. Stephens Energy LLC Oil Co. Proposal

Councilman Whitecalfe moved to approve the terms of the Oil and Gas Lease with Stephens Energy LLC Oil Co. for 280.0 acres at \$500.00 per acre and 20.5 royalties with a 4 year term

with a waiver of flipping provision in place, the motion is seconded by Councilman Wolf.

Discussion: The description for this lease is
*Allotment 3148, SE ¼ NE ¼, section 10, Township 150 North, Range 92 West, 5th for 40 acres.
*Allotment 3105, NW ¼ SW ¼, section 10, Township 150 North, Range 92 West, 5th for 40 acres.
*Allotment 3192, SE ¼ SW ¼, SW ¼ SW ¼, section 28, NE ¼ NW ¼, section 33, Township 151 North, Range 92 West, 5th for 120 acres
*Allotment 3189, SE ¼ SE ¼, section 32, Township 151 North, Range 92 West for 40 acres.
*Allotment 4873, NW ¼ NE ¼, section 33, 151 North, Range 92 West, 5th for 40 acres.

A resolution will be brought back on the August 14, 2008 regular Tribal Business Council meeting. The terms are approved today but will be assigned a resolution number at the next meeting.

VOTE: 6 Ayes 1 Nays (Packineau) Motion carried.

C. Resolution 08-129-VJB: Uniglobe Oil Co.

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

Discussion: There is a typo on the letter; it should read Three-Hundred dollars. This is for the remaining Tribal acreage along the lake bottom. This is the last one.

VOTE: 7 Ayes 0 Nays Motion carried.

D. Resolution 08-130-VJB: Oil & Gas Regulatory Agreement

Councilman Whitecalfe moved to approve of a resolution entitled, "Approval of Oil and Gas Regulatory Agreement Between the Three Affiliated Tribes and State of North Dakota." The motion is seconded by Councilwoman Brugh.

Discussion: Chairman Wells Jr. asks what was in the document that Alyce signed with Governor Allen Olson. Just the spirit that they would work together.

VOTE: 7 Ayes 0 Nays Motion carried.

E. Election Board Budget

Councilwoman Brugh moved to approve of the Election board budget in the amount of \$100,000.00 to include the rate of pay at \$13.00 per hour and to be paid weekly. The beginning date is July 25 through November 14, 2008. The motion is seconded by Councilwoman Hale.

Discussion: On the Board are: Roy Bird Bear-Chairman, Melvina Fredericks-Clerk, Aldean Everette-Clerk, Lacy Foote, Beulah Chapin, Cheryl Good Bird, and Elsie Foote.
VOTE: 7 Ayes 0 Nays Motion carried.

F. Resolution 08-131-VJB: Ethics Ordinance

Councilwoman Brugh moved to approve of a resolution entitled, "Amendment to the Mandan Hidatsa and Arikara Nation Ethics in Government Ordinance." The motion is seconded by Councilwoman Hale.

Discussion: Added a new (d). It says: Public Officials and employees shall not (d) have an interest in the profits or benefits of any contract including subcontracts thereto leases, permits, licenses, or like transactions and or assignment thereof with any company for the exploration and production of oil and gas on the Fort Berthold Indian Reservation. This was done on April 24, 2006 during a Special Tribal Business Council Meeting but is now being assigned a resolution number. When there is a change to the Constitution, By-Laws, or Ordinances; there are other documents that need to be revised. In this case, there will be a change to the Election Ordinance.

VOTE: 5 Ayes 0 Nays Motion carried.

12:07 Council takes a 5 minute break.

G. Resolution 08-132-VJB: BIA to Amend Mining Lease

Councilwoman Brugh moved to approve of resolution entitled, "Resolution Requesting the Bureau of Indian Affairs to Amend the Standard Oil and Gas Mining Lease for the Fort Berthold Reservation Regarding Assignment of Lease and to Implement Regulations Requiring Consent of the Lessor/Mineral interest Owner Prior to Approving the Assignment of Any Oil and Gas Mining Lease on the Fort Berthold Reservation". The motion is seconded by Councilman Wolf.

Discussion: This was an initiative of Council and Annette Young Bird Acting Natural Resource Director.

VOTE: 5 Ayes 0 Nays Motion carried.

H. Request for Speed Limit to go down to 55 MPH

Councilman Wolf moved for approval to have the Governor of North Dakota and other proper authority to reduce the speed limit to 55 MPH for trucks in a 65 MPH zone on the Fort Berthold Indian Reservation to make a safer environment. The motion is seconded by Councilwoman Brugh.

Discussion: This issue was brought up when Councilman Wolf and Chairman Wells Jr. attended a meeting with all the law enforcement agencies which included Pat Ragsdale and Elmer Four Dance.

VOTE: 5 Ayes 0 Nays Motion carried.

I. Resolution 08-134-VJB: Stevens Energy Company LLC

Councilman Wolf moved to approve a resolution as amended for Stevens Energy Company LLC for 280.0 acres, seconded by Councilwoman Brugh.

Discussion: Damon Williams TAT Legal advises the Tribal Business Council that this maybe the last. This is for 20.5 Royalty, \$500.00 Bonus per acre. \$250.00 for a 4 year term. The total is \$140,000.00 Bonus. Damon Williams will make two changes. This is earmarked for Northern Lights Skate park.

VOTE: 5 Ayes 0 Nays Motion carried.

VII. SMALL LOANS: Andrew Reed Director

Councilman Whitecalfe moved to approve of Small Loans in the amount of \$144,226.33; the motion is seconded by Councilwoman Brugh.

Discussion: On the list are: Sandra Black Hawk \$20,000.00, Teresa Wilkinson-Price \$25,000.00, Martha Hunter \$3,000.00, Alvina Wells \$5000.00, June Yellow Lodge \$1,500.00, Denise GoodBird \$3,500.00, Eleanor K. Smith \$4,650.00, Marrion J. Howard \$3,500.00, Sasha M. LaRoque \$4,500.00, Roy N. Packineau \$3,000.00, Kenny G. Smith \$1,500.00, Marilyn Charging \$5,000.00, Andrew Reed \$1,500.00, Priscilla YoungBird \$2,500.00, Debbie Staples \$2,500.00, Whitney Bell \$2,000.00, Toni Starr \$20,000.00, Diane Finley \$20,000.00, Uli Fox \$1,576.33, Lori White Owl \$5,000.00, Carmen Halvorson \$5,000.00, Mylo Spotted Horse \$2,000.00, Denny Wolf \$2,000.00, Frank Henry \$5,000.00.

VOTE:

6 Ayes 0 Nays Motion carried.

VIII. MANDAN LANGUAGE REVITALIZATION PROJECT: Lanny Real Bird

Councilman Wolf moved to approve of the request for \$30,000.00 for the Mandan Language Revitalization Project. Corey Spotted Bear to be the coordinator of the funds and he is to work with Lanny Real Bird. The motion is seconded by Councilwoman Hale.

Discussion: Lanny Real Bird is to receive \$4,831.00 for Invoice #1 for \$4,480.00 for CD's and \$351.00 for per diem.

VOTE: 5 Ayes 0 Nays Motion carried.

IX. \$2,500 Wind Circle of Sacred Smoke Four Bears Casino/Tribal Match-Marilyn Young Bird

No one moved on the motion.

X. Little Shell Pow Wow/Ultimate Warrior of the Plains-Ted Lonefight III

Councilman Wolf moved to approve of \$10,000.00 for the ultimate Warrior of the plains and \$32,500.00 for the Little Shell Pow-Wow. The motion is seconded by Councilman Benson.

Discussion: There is a question about the advance from the 2008 Celebration. This makes them one year ahead in receiving funds because they are advancing on 2009 funds. The ultimate warrior will be run by Tourism, Boys & Girls Club, and Leo Cummings.

VOTE: 5 Ayes 0 Nays Motion carried.

XI. Loan Lloyd Vigen 08-133-VJB

Councilwoman Brugh moved to approve to amend the resolution 06-41-NH to read the first loan payment of eleven payments is due on November 1st 2008 for the amount of \$17,234.10 @ 11 years; the interest rate is set at 6.25 %. The motion is seconded by Councilman Wolf.

Discussion: These were the intentions of the Tribal Business Council on April 24, 2006 to go with the industry. CFO Whitney Bell is to put in the amount of the first payment.

VOTE: 5 Ayes 0 Nays Motion carried.

XII. Minni Tohe Credit Cards: Aileen Jackson

Councilwoman Brugh moved to approve the establishment of an ACH account payment for 638 Minni Tohe Clinic seconded by Councilwoman Hale.

Discussion: Fast pay will allow them to save money.

VOTE: 5 Ayes 0 Nays Motion carried.

XIII. 3M Company Proposal: Aileen Jackson

Councilwoman Brugh moved to approve 638 funds in the amount of \$21,428.00 for CHS Software from 3M Corporation, seconded by Councilwoman Hale.

Discussion: The funds will come out of the 638 Contract funds; it will not cost the tribe any thing. The program will be installed within one week, CHS bills will be paid.

VOTE: 5 Ayes 0 Nays Motion carried.

XIV. Installing Pharmacies in Four Field Clinics

Councilman Benson moved to approve purchasing equipment, renovations, licenses, T1 line, and Inventory in the amount of \$89,999.95 for the four field clinics. The motion is seconded by Councilwoman Brugh.

Discussion: Twin Buttes, Parshall, Mandaree, and White Shield field clinics.

VOTE: 5 Ayes 0 Nays Motion carried.

XV. Federal Programs Executive Officer: Cammie Gosnell

A. Titan Industrial Equipment: Kevin Rhodes/Anray

Councilman Benson moved to approve the purchase of equipment from Titan Industrial to be taken out of Fort Berthold Rural Water and Utilities line items. They will share the equipment. The motion is seconded by Councilwoman Brugh.

Discussion: The equipment to be purchased is a Diesel Generator, Gas Generator, Dual Tank Air Compressor, Trash (liquid) Pump, and Pressure Washer for \$5,980.00 new. A receipt and factory warranty for one year will be given to the Tribe. Also manuals will be included. The tribe must call the factory to get any accessories or repairs. This purchase is pending a rural water worker to look the equipment over.

VOTE: 5 Ayes 0 Nays Motion carried.

B. Streamlining Social Services: Cammie Gosnell

A year ago by council action, Cammie Gosnell was to restructure some organizations. One was to streamline the Social Services Department. For the record, she is moving forward with that now.

C. FOUR BEARS CASINO: Spencer Wilkinson

Councilman Wolf moved to approve of a 50/50 cost share for paving the Arbor in the RV Park for the Little Shell and Four Bears Casino Pow-Wows; it will be \$42,000.00 for the Tribe (to come out of the distribution) and \$42,000.00 for the Four Bears Casino. The motion is seconded by Councilwoman Brugh.

Discussion: No discussion.
VOTE: 5 Ayes 0 Nays Motion carried.

XVI. ADJOURNMENT:

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

Meeting adjourned at 2:55 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.

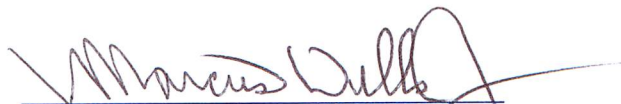
Chairman () Voting () Not Voting

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