



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING  
08-25-VJB  
August 27, 2008, 1:00 P.M.**

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**I. CALL TO ORDER:**

Meeting called to order at 1:50 P.M.

**II. PRAYER:**

A moment of silence.

**III. ROLL CALL:**

Councilman Barry Benson, Councilman Frank Whitecalfe, Councilwoman Evelyn Hale, Acting Chairman-Councilman Malcolm Wolf, Councilman Mervin Packineau, and Councilwoman V. Judy Brugh. A quorum is established.

**IV. APPROVAL OF AGENDA:**

Add-ons: 4A-Agreement for Horace Pipe-Frank Whitecalfe  
4B-Ellen Wilson-Frank Whitecalfe  
4C-Twin Buttes School Construction Project-Barry Benson  
4D-Roads-Barry Benson  
4E-H.I.P. - Jackie Jacksons-V. Judy Brugh  
4F-Breslin Addition-Malcolm Wolf

Discussion: Councilman Packineau had a question on distinguishing who takes care of temporary appointments. This led to a discussion on the PSC procedures with Cammie Gosnell. Councilman Packineau will reserve his add-ons. A concurrence of the Committee Chairs and the Tribal Chairman has to be received for 30-day appointments.

**V. Personnel: Barlow Wells**

**A. Horace Pipe Employment Contract Geologist Position-Fred Fox Oil & Gas Director**

Councilman Whitecalfe moved to approve of a contract with Horace Pipe to include the house free of rent, seconded by Councilman Packineau.

Discussion: Starts September 1, 2008 and ends August 30, 2010. This is a two year contract. Because of an increase in Dental etc., it will come out of the Oil & Gas Office budget. It will be written into the contract that the information

he gains about our tribe regarding the lands, he will keep confidential.

VOTE: 6 Ayes 0 Nays Motion carried.

**B. Consultant Contract Jennifer Stanley Attorney at Law for Child Enforcement Program-Ellen Wilson**

Councilman Packineau moved to approve a consultant contract with Jennifer Stanley attorney at Law subject to TAT Legal Department review, seconded by Councilwoman Brugh.

Discussion: No discussion.

VOTE: 6 Ayes 0 Nays Motion carried.

**C. Twin Buttes School Construction**

**1. Twin Buttes School Expansion \$180,000.00**

Councilman Packineau moved to approve of \$180,000.00 expansion fee for the Twin Buttes School regulation size gym, seconded by Councilman Whitecalfe.

Discussion: No discussion.

VOTE: 6 Ayes 0 Nays Motion carried.

**2. Interest on the Escrow for Twin Buttes School**

Councilman Packineau moved to approve the Interest of the escrow account for the Twin Buttes School goes back to the construction project of the school and not the Tribe from the BIA money, seconded by Councilman Whitecalfe.

Discussion: Cammie Gosnell to follow up

on the BIA Money into Marshall Group Account is drawing interest and will check with Whitney Bell CFO. Jennifer Fyten has a copy of it in her office. If they don't need or it is not being used then maybe we can use it to pay the interest on the loan on our side. Loan is 4.5 Million but is not drawing interest yet.

VOTE: 6 Ayes 0 Nays Motion carried.

**3. Resolution Correction to 04-83-RP change to 04-82-RP**

Councilman Packineau moved to approve the correction of the resolution number from 04-083-RP to 04-082-RP which is entitled, "Adoption of Tribal Employment Rights Ordinance". The motion is seconded by Councilwoman Brugh.

Discussion: This is the most recent TERO resolution. The resolution still stands as is, no changes.

VOTE: 6 Ayes 0 Nays Motion carried.



**4. Resolution 08-148-VJB: Waiver of TERO Fees for Twin Buttes School**

Councilman Packineau moved to approve the resolution entitled, "Tribal Business Council Waiver for the Tribal Employment for the Tax and Fees for the Construction of the Twin Buttes Replacement School". The motion is seconded by Councilman Benson.

Discussion:  
Mandaree School.

This was done for the

VOTE:

6 Ayes 0 Nays Motion carried.

**D. Breslin Addition Roads**

Discussion: Breslin Addition Road may have to be done next year. Cammie can check with the Bureau to see if there is any money that can be used for completion of the road this year. Cammie is to check and bring it back to the September 11, 2008 meeting.

**E. H.I.P./Jackie Jackson**

**1. Elder Home Payments \$50.00**

Councilman Whitecalfe moved to approve \$50.00 cost/Payments for the Elder homes with H.I.P. and Dream Catchers programs, seconded by Councilman Benson.

Discussion:  
new Elder homes only.

This is for the existing and

VOTE:

6 Ayes 0 Nays Motion carried.

**2. Amendment to Resolution 08-119-VJB: Additional \$1,104,372.00 for Elder H.I.P. Homes in the Segments**

Councilman Whitecalfe moved to approve an amendment to the Elder H.I.P. Homes resolution in the amount \$1,104,372.00, seconded by Councilman Packineau.

Discussion:  
then it needs to be rescinded.

If this changes the resolution

VOTE:

6 Ayes 0 Nays Motion carried.

**3. Rescind 08-119-VJB H.I.P. Elder Homes**

Councilwoman Brugh moved to rescind Resolution 08-119-VJB to be brought forward in the September 11, 2008 regular

meeting to have a number assigned to it. The motion is seconded by Councilman Packineau.

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

#### **4. H.I.P. Budget for 2008**

Councilman Benson moved to approve the Housing Improvement Budget for 2008, seconded by Councilman Whitecalfe.

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

#### **5. 7 Trailer Homes Arrive for Segments**

Discussion: White Shield is looking for a home for a doctor. The seven trailers are in of the twelve, Malcolm Wolf is drawn but he gives it to White Shield for their doctor's home. Land descriptions are needed from the segments so H.I.P. Jackie Jackson will know where to put them.

#### **F. Resolution Reinstate 93-33-JJR/Rescind 08-01-VJB/Amendment to 08-134-VJB**

Councilman Packineau moved to approve an amendment to resolution 08-134-VJB to add Human Resource Department to the hiring /firing resolution, seconded by Councilman Whitecalfe.

Discussion: This is brought back as a review from a previous meeting (8-14-08) and an amendment to add Human Resources to the resolution.  
VOTE: 5 Ayes 0 Nays Motion carried.

#### **G. Human Resource in the Health Care System-Barlow Wells/Val Finley**

Discussion: The number of employees has to grow with the expansion of Departments. Human Resources is or will overload.

#### **H. Jarrett & Kerry Baker Payment for Road Easement for Healthcare Facility**

Discussion: Jarrett and Kerry Baker to receive \$8,000.00 for their 2 acres, the other 2 acres will have to be brought back on the September 11, 2008 regular meeting

to renegotiate the agreement because the Tribe is not buying their gravel.

**I. Severance Pay Policy for Dorothy Packineau-Jennifer  
Fyten Legal Department**

Discussion: Jenifer will look up the amounts to see if there is an exception. Right now there is a \$5,000.00 limit on severance pay.

- J. Water Hauler Thomas Eagle Hire-Malcolm Wolf**
- K. Home Healthcare Specialist Hire of Beatrice Fettig-Malcolm Wolf**
- L. Shasta Mandan Hire for RN Increase**
- M. James Big Horn Criminal Investigator Increase**
- N. Dorothy Felix Wells Director of Exceptional Education Child Program Increase**
- O. Joe Henry Commodity Program Director Increase**
- P. Bonnie Good Bird Oil & Gas Office Increase**
- Q. Dave Williams Decrease**
- R. Vangie Conklin Lay-Off/Administration Leave**
- S. Twin Buttes Physician Billy Jo Wounded Face-Councilman Benson**

Councilman Packineau moved to approve the moving expense assistance in the amount of \$2,500.00 for the former Physician in Twin Buttes because of unforeseen circumstances, seconded by Councilman Benson.

Discussion: She is well liked in the community. Her filing is exceptional but her certification needs to be checked on. November is when she can come back to do her state certification.

VOTE: 5 Ayes 0 Nays Motion carried.

**T. Heather Waller-Councilwoman Hale**  
**V. Tribal Housing Rescind Letter Setup MOA**

Councilman Packineau moved to approve to rescind the memo letter from Max Dickens Tribal CEO and to readdress the resolution, seconded by Councilwoman Hale.

Discussion: The old resolution and an MOA drawn up to accompany the new resolution to be presented on the regular Tribal business Council meeting on September 11, 2008. This is a reorganization/streamline effort. The Fort Berthold Housing Board of Commissioners is to oversee the Tribal Housing Program. The resolution is wrong to state that



both the Fort Berthold Housing Authority and Board of Commissioners will oversee the Tribal Housing. The moneys are not to co-intermingle. A mix up in resolutions happened. Everything is to stay the same with Tribal Housing until it is addressed by Tribal Business Council with a new resolution made. Finance is to know they are to still be paid the same.

VOTE: 5 Ayes 0 Nays Motion carried.

**W. Cammie Gosnell (Closed Session)**

**X. Retreat is set for September 3, 2008 in Bismarck**

**VI. ADJOURNMENT:**

Councilman Whitecalfe moved to adjourn the meeting, seconded by Councilwoman Hale.

Meeting adjourned at 6:15 P.M.

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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 6 were present at the Meeting thereof duly called, notice, convened and held on the 27<sup>th</sup> day of August, 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:**

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

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

