



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING
Satellite Office, Bismarck ND
08-34-BLB
October 23, 2008, 10:00 A.M.**

I. CALL TO ORDER:

The meeting was called to order at 11:12 A.M.

II. PRAYER:

Kathy Johnson

III. ROLL CALL:

Councilman Benson, Councilman Wolf, Chairman Wells Jr., Councilwoman Hale, is present. Councilman Whitecalfe and Councilman Packineau are on conference call. A quorum is established. Councilman Barry Benson is acting secretary. Councilwoman Brugh is called on a few items.

IV. APPROVAL OF AGENDA:

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

Discussion: Councilwoman Brugh would like to be conference called into the meeting.

VOTE: 6 Ayes 0 Nays Motion carried.

V. Due Process: Randy Phelan

Randy Phelan addressed the Tribal Council on his due process concerns.

VI. Resolution 08-172-BLB Stetson/Red Willow Oil and Gas Agreement: Bill Ward/Barbara Whitman

Councilman Wolf moved to approve of an amendment to the agreement with Stetson and Red Willow oil and gas lease, seconded by Councilman Benson.

Discussion: Councilman Packineau states that fairness should be across the board to all oil companies. There was further discussion on amendments to leases.

VOTE: 5 Ayes 1 Nays Motion carried.

A. Spotted Hawk Extension: Damon Williams

Councilman Packineau moved for approval for an informal 30 day extension for Spotted Hawk oil and gas to pay bonuses, seconded by Councilman Benson.

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

VII. Resolution 08-176-BLB: Arrow Pipeline

Councilwoman Brugh moved to approve of a resolution entitled, "Approval of Letter of Intent for a Pipeline Joint Venture with Och Ziff Capital Investments, Zenergy, Inc. and the Three Affiliated Tribes". The motion is seconded by Councilman Whitecalfe.

Discussion: Councilman Packineau feels that the Tribe should not pay for a pipeline to be laid. They should lay pipe and be looking out for the Tribe. Chairman Wells advises that there are pros and cons of development. He reminds the council in 1998 that the Tribe could not get development because of legislative changes that were need (51% vs. 100% signatures). Chairman Wells also states that the council needs to do something to get the congestion, the traffic, and the safety factors for our segments under control (fatalities with trucks). Councilman Whitecalfe feels that we are just in the beginning part of negotiations on this subject. The bottom line is this is the only company that came to the Tribe, wanting to be a partner with the Tribe. The Tribe must have control on those pipelines or will be held hostage on getting our oil out. He feels the 10% or whatever we have to do to be a partner is huge for the Tribe.

VOTE: 5 Ayes 2 Nays Motion carried.

VIII. Resolution 08-178-VJB: AAA Travel Agency Credit Cards

Councilman Packineau moved to approve of a resolution entitled, "Approval of Corporate Credit Card in the amount of \$100,000 for the Tribes Finance Department for Airline Travel with First National Bank and Trust of Williston, ND". The motion is seconded by Councilwoman Hale.

Discussion: There have been some problems with AAA. Finance is to look into credit cards for hotel rooms.

VOTE: 5 Ayes 0 Nays Motion carried.

IX. Resolution 08-174-BLB: 638 Re-Contract Law Enforcement

Councilman Whitecalfe moved to approve of a resolution entitled, "Request to Renegotiate Successor Annual Funding Agreements for Law Enforcement Programs with the Bureau of Indian Affairs Office of Justice Services for FY-2009". The motion is seconded by Councilman Benson.

Discussion: This will be for the first several years then it will go into mature status then we won't have to do this.

VOTE: 6 Ayes 0 Nays Motion carried.

X. Resolution 08-175-BLB: Election Board Protection

Councilman Packineau moved to approve a resolution entitled, "Adoption of Rules Governing the Conduct of Official Tribal Election Events". The motion is seconded by Councilman Wolf.

Discussion: The election board should not be approached while doing their duties by candidates or any other person that acts in an aggressive manner (challenging to the point of fighting). They are decision makers and should feel comfortable and safe. Rules of conduct in public meeting places should be for the general public also but for now, protection of the Election Board, Legal Council and staff will be addressed. There must be order. It is suggested that the code of conduct should be read during these meetings every 15 minutes if needed. The Election board suggested having the authority for them to post side rules and that could be read off before the meeting starts and to have security/police present.

For the record, Councilwoman Hale stated that she picked her Election board appointee because of numerous reason like she has been on the board before but based on the decision that Judge Gillette had; she wanted her removed because she felt that her appointee didn't do their job the way they should have and this wouldn't be happening had she spoke out more. So, Councilwoman Hale requested that she be removed and replaced. Right after Councilwoman Hale finished the letter, she received a letter back and the appointee threatened her. Councilwoman Hale feels that the Election board members should also be in check. Legal commented on the removal of Election appointees.

VOTE: 7 Ayes 0 Nays Motion carried.

XI. Resolution 08-173-BLB: Northern Plains Intertribal Court of Appeals

Councilman Whitecalfe moved to approve of a resolution entitled, "Approval of Membership to the Northern Plains

Intertribal Court of Appeals – 2009, 2010, 2011.” The motion is seconded by Councilman Packineau.

Discussion: This goes on a three year rotation.
VOTE: 6 Ayes 0 Nays Motion carried.

XII. Resolution 08-177-BLB: Shoreline Exploration

Councilwoman Brugh moved to approve of a resolution entitled, “Approval of Shoreline Exploration LLC Proposal for Oil/Gas Development.” The motion is seconded by Councilman Benson.

Discussion: 30 day execution on the payment.
Acreage is 18,753 located on the far southeastern edge of the reservation under water. 22% royalty rate. Total bonus is $18,753 \times 300 + 1,000,000 = \$6,625,900.00$.

VOTE: 6 Ayes 0 Nays Motion carried.

XIII. Tribal Housing: Connie Azure

Councilwoman Brugh moved for approval to purchase the former Trinity clinic in NewTown in the amount of \$190,000.00, seconded by Councilman Wolf.

Discussion: Tribal Housing has the money to purchase the building in their savings so that it costs nothing for the Tribe. The building will be used for a Business Incubation Center.

VOTE: 6 Ayes 0 Nays Motion carried.

A. Treasurer as Authority over Independence and CDFI Programs

Councilman Packineau motioned for approval for authorization to allow administrative authority in the Independence Program and the CDFI Development to be the Treasurer of the Tribal Business Council, seconded by Councilman Wolf.

Discussion: People will be walked through the processes of having a business. Connie Azure was asked if she gave a report to her staff regarding moving herself and Lori Pemberton out of the department. Yes she notified the staff and advised them to take her and Lori out of the budget.

VOTE: 5 Ayes 0 Nays Motion carried.

B. Housing Allowance Request: Connie Azure

Councilman Wolf moved to approve of a Home forbearance for four month for Connie Azure, seconded by Councilman Packineau.

Discussion: It will have to be put on the back end of the mortgage with interest. The tenants can't afford a thousand dollars a month. Connie will work on getting the payments lowered for the people.

VOTE: 5 Ayes 0 Nays Motion carried.

XIV. Educational Request: Sharissa Wells

Councilman Packineau moved to approve an educational request for the Sylvan Learning Center in the amount of \$24, 230.00 for Kianna and Jorie Wells-Bird, seconded by Councilwoman Hale.

Discussion: AYP must be met to get assistance from the schools. Some schools don't meet this requirement.

VOTE: 4 Ayes 0 Nays 1 Abstention (Wells)

XV. Ft. Berthold Housing Authority: Gloria Fastdog

She gave an update.

XVI. Child Support Program Dorothy Packineau Hire: Ellen Wilson

Councilman Wolf moved to approve the hire of Dorothy Packineau as temporary appointment for the financial specialist for the Child Support Program, seconded by Councilwoman Hale.

Discussion: This appointment will be for 60 days.

VOTE: 5 Ayes 0 Nays Motion carried.

A. Child Support Program Cola

Councilman Packineau moved to approve the Cola for the Child Support Program at 3% for Fiscal Year 2009, seconded by Councilman Wolf.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

XVII. High Plains Outreach Center: Roy Packineau

He received clarification on the Three Affiliated Tribes Outreach office. The name will be Satellite office for the Three Affiliated Tribes.

XVIII. LL Auto Detail: Candy Lockwood

She will get in contact with the Tribe in 60 days.

XIX. Layton Energy: Pat Sanderson

November 7-8 2008 is a tour of their facilities. This is for a drilling rig and pipeline.

XX. ADJOURNMENT:

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

Meeting adjourned at 4:00 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.

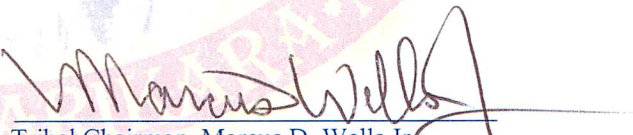
Chairman () Voting () Not Voting

Dated this _____ day of _____, 2008.

ATTEST:



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



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