



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
09-10-VJB
February 12, 2009, 10:00 A.M.**

I. CALL TO ORDER:

The meeting was called to order at 12:38 P.M.
(Meeting number 122 of the Wells-Levings Administration)

II. PRAYER:

Connie Fox. An honorarium is given.

III. ROLL CALL:

Councilman Barry Benson, Councilman Arnold Strahs,
Councilman Mervin Packineau, Councilwoman V. Judy Brugh
and Chairman Levings are present. A quorum is established.
Councilman Eagle arrived later.

IV. APPROVAL OF AGENDA:

Councilwoman Brugh moved to approve of the agenda as
amended, second by Councilman Strahs.

Discussion: Addition to the agenda is Mandaree
Segment Board appointments (VI. E.) for Councilman Strahs.
MJ Gunderson Financial request (V. A.) and Parshall Headstart
(VI. F.) for Councilman Packineau.

VOTE: 5 Ayes 0 Nays Motion carried.

V. APPROVAL OF MINUTES:

A. Recording Secretary Incentive

Councilwoman Brugh moved to approve of an incentive for the
Recording Secretary Carmen Halvorson in the amount of \$3,500
for a meritorious award in keeping the minutes in order and
presented in a timely manner for approval, this is subject to the
personnel policy handbook. The motion is second by
Councilman Strahs.

Discussion: This is a onetime pay.

VOTE: 5 Ayes 0 Nays Motion carried.

B. Minutes approval

December 22-23, 2009	January 6, 2009
January 7, 2009	January 8, 2009
January 9, 2009	January 12, 2009
January 14, 2009	January 26, 2009

January 28, 2009

Councilwoman Brugh moved to approve of the above listed minutes for approval subject to review by the Tribal Business Council, second by Councilman Strahs.

Discussion: There are some minutes and resolutions that are not signed by the previous Chairman and Executive Secretary. The legality of these minutes is in question. Councilman Packineau advised that he can take them to get signatures.

VOTE: 5 Ayes 0 Nays Motion carried.

VI. CHAIRMANS REPORT: Marcus Levings

A. Federal Programs Executive Officer: Max Dickens

1. Accountant Lenny Abrams

Councilman Eagle moved to approve the hire of Lenny Abrams as an Account for \$70,000.00 per year, \$33.65 per hour, salaried employee, and lodging included at Four Bears Casino, on the recommendation of the TAT Chief Financial Officer. The motion is second by Councilwoman Brugh.

Discussion: This is a 90 day appointment.

VOTE: 5 Ayes 1 Nays Motion carried.

2. Roads/Stimulus

Councilman Strahs moved to approve the stimulus package of \$800,000.00 to be used for Route 6 in North Segment in the amount of \$280,672.00, Route 2 in Four Bears in the amount of \$122,794.00, Heart Butte Road in the amount of \$466,116.00, Pouch Bay Road in the amount of \$40,096.00, and Chief Looking Glass Road in Parshall in the amount of \$22,554.00. All are chip and seal. The motion is second by Councilman Packineau.

Discussion: Additional funding in the approximate amount of \$178,000.00 will be sought after then Nishu North will be added. Funding each year comes via the T.I.P. list. Councilwoman Brugh would like the Blue Buttes housing development in Four Bears to be added to the T.I.P. list for the upcoming year of 2009. Curt Wells, Tribal Roads Director will be handling the T.I.P. list.

VOTE: 5 Ayes 0 Nays Motion carried.

3. Domestic Violence/Judge

This is to go before the Judicial Committee to forward to the TBC.

B. Tribal Programs Executive Officer: Laurie Alberts

Not present.

C. Programs Analyst: Izetta Hopkins

Not presenting at this time.

D. Name Change on Resolutions for Chairman

1. Resolution 09-122-VJB Executive Officers

Councilman Packineau moved to approve of a resolution entitled, "Appointment of Executive Officers Authorized of the Tribal Business Council as of February 2008 and Authorizing Signatory Authority to Chairman Marcus D. Levings and the Treasurer of the Three Affiliated Tribes." The motion is second by Councilman Strahs.

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

2. Resolution 09-123-VJB: Appointment of Executive Officers to Initiate Disbursements

Councilman Packineau moved to approve of a resolution entitled, "Appointment of Executive Officers Authorized to Initiate Disbursements-Election and Term Information to Conduct Business with the Office of Trust Funds Management." The motion is second by Councilman Strahs.

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

E. Mandaree Segment Board Appointments

This was not presented.

VII. TREASURERS REPORT: Frank Whitecalfe

A. Financial Requests:

1. Andrew and Angelita Little Dog

Councilman Packineau moved to approve a \$10,000.00 loan for a trailer home, second by Councilman Eagle.

Discussion: This is subject to Small Loans policy and procedures.
VOTE: 6 Ayes 0 Nays Motion carried.

**2. Ambassador to Ambassador June Europe Trip for
Amanda Young: Juanita Decoteau**

Not present.

**4. Minot State Univ. 2009 Pow Wow Funding/Buffalo
Request: Wylie Hammond**

Councilman Packineau moved to approve of a financial request for \$5,000.00 and a Buffalo for the Friday evening meal for April 24-25, 2009 honor dance and spring celebration for the Minot State University Native American Cultural Center. The motion is second by Councilwoman Brugh.

Discussion: Max Dickens to coordinate this with Ted Lone Fight III.

VOTE: 5 Ayes 0 Nays Motion carried.

5. Financial Request/Small Loan: Roberta Krueger/Sally White

This was added to the small loan list.

B. Small Loans: Andrew Reed

1. Leo Cummings Vehicle Loan

Councilwoman Brugh moved to approve a Small Loan in the amount of \$3,500.00 for vehicle maintenance contract for Leo Cummings effective March 2, 2009. The motion is second by Councilman Strahs.

Discussion: The loan is guaranteed with his retirement.

VOTE: 6 Ayes 0 Nays Motion carried.

2. Small Loan Update

Andrew Reed Small Loans Director gave an update.

3. Small Loan Applications

Councilman Strahs moved to approve a total of 15 loans for Medical Loans (8), and Educational Loans (7) applicants subject to Small Loan policies and procedures. The motion is second by Councilman Packineau.

Discussion: Personal loans will be opened back up in March 2009. MJ Gunderson is to be added as an amendment to Education Loans in the amount of \$38,000.00 to work out a consultant agreement with Stella Burquist, CEO of Minne Tohe. He will be completed and to start work in September. A

\$10,000.00 Grant and Educational loan is discussed. This will be a separate motion.

VOTE: 5 Ayes 0 Nays Motion carried.

4. MJ Gunderson Educational Loan

Councilman Strahs moved to approve a \$10,000.00 grant from JTAC and a \$28,000.00 Educational Loan for MJ Gunderson, amended to be a loan in the amount of \$38,000.00 and will turn into a partial grant in the amount of \$10,000.00 and a loan in the amount of \$28,000.00 to be paid back in September when he comes to work for the Three Affiliated Tribes. The motion is second by Councilman Packineau.

Discussion: A \$38,000.00 Loan will be given now and the Grant will be researched with Martha Hunter the higher Ed administrator to see if there is a grant for Doctoral, Law Enforcement, and Engineering students, then the loan will turn into a partial grant and partial loan. He will be given the opportunity to concentrate in his schooling now and then he will be coming to work in September with the Three Affiliated Tribes to work it off. Federal Programs and Tribal Programs will work with him on the details. This motion is to be consistent with the other tribal members. September 2002 is the possible date of the JTAC Student Grant Program that was presented by Austin Gillette. FYI, private sectors pay off student loans for Doctoral.

VOTE: 6 Ayes 0 Nays Motion carried.

VIII. COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS:

A. Executive Committee: Marcus Levings

1. Four Bears Casino Report: Spencer Wilkinson Jr.

Not present.

2. Gaming Commission Report: Mark Fox

Not presented.

3. Enrollment: John Charging/Nathanial Mayer

Not present.

4. PolyCom Equipment: Richard Mayer/Alyce Spotted Bear

Councilwoman Brugh moved to approve option one for \$71,424.00, \$11,950.00 for additional costs and setup, \$1,500.00 Installation fee (\$300.00 per line), \$50,000.00 for FBCC, and \$10,000.00 for monitors, and \$10,000.00 for MHA Systems for an integration fee. The grand total is \$154,874.00

for purchasing, installing, and maintaining the polycom System for the 6 Segments, and Tribal Chambers. This will be tied in with the Ft. Berthold Community College an MOU is attached with option one. The motion is second by Councilman Packineau.

Discussion: The polycom and recording system will be separate. The college is willing to take on the maintenance and the technical aspect of upkeep. FBCC is requesting a \$50,000.00 budget/mileage for one person. Option one was for \$71,424.00 for additional setup and cost would be \$11,950.00 per year budgeted. The total would be \$154,874.00. The monitors are not included in this cost. There will be a flat rate of \$10,000.00 charged that goes back to MHA Systems. This is for Richard to pay back his cost to the company. This rate is for getting everything ordered, up and running, and the lines installed.

VOTE: 6 Ayes 0 Nays Motion carried.

5. Resolution: Twin Buttes Representative Barry Benson as Chairman of Ft. Berthold Housing Board

This was not presented.

6. Invitation to Dinner from International Bank to TBC

This was not presented.

7. Reconvene Tribal Business Council meeting Feb. 16, 2009

Councilman Packineau moved to approve to reconvene the meeting to February 16, 2009 at 10:00 A.M., second by Councilman Strahs.

Discussion: If this works with the secretary.

VOTE: 5 Ayes 0 Nays Motion carried.

B. Economic/Education Committee: Councilman Scott Eagle

1. MHA Systems Scanning Executive Secretary Documents

Councilman Packineau moved to approve of a 50/50 proposal by MHA Systems Director Richard Mayer to scan documents for TAT Executive Secretary Office, second by Councilman Strahs.

Discussion: It is \$10,000.00 paid towards MHA Systems debt to the Tribe and \$10,000.00 invoiced to MHA Systems so they may pay their workers for doing the work. The

total is \$20,000.00. Heath Knight, Records Management in Executive Secretary Office is to coordinate with Richard Mayer, MHA Systems Director.

VOTE: 5 Ayes 0 Nays Motion carried.

2. MHA Systems 2007 Audit: Richard Mayer

Discussion only.

C. Health Committee: Chairman Levings

1. Asbestos Issue: Stella Berquist/Brian Bruer

This was not presented.

**D. Judicial Drug & Alcohol/Human Resource Committee:
Vice Chairman Mervin Packineau**

1. Resolution: Associate Judges: Judy Black Hawk

This was not presented.

2. Request for Severance & Separation: Ramona Woods

This was not presented.

3. Law Enforcement/Criminal Investigation: Jay Brugh

This was not presented.

E. Natural Resource Committee: Councilman Barry Benson

1. Jim Dawson Land Exchange Issue: Alva Irwin

Councilman Packineau moved to approve of the Natural Resource Committee to negotiate with Jim Dawson on the four lots in NewTown for 25 acres south of NewTown or whatever the dollar for dollar appraisal rate is. The motion is second by Councilman Strahs.

Discussion: Councilman Eagle is to be involved in this transaction. Jim Dawson is to receive an appraisal.

VOTE: 6 Ayes 0 Nays Motion carried.

**2. Resolution: FBRW Application for USDA Loan/Grant:
Felicia Felix**

This was not presented.

**3. Resolution 09-024-VJB: Land Exchange: Robert W.
Brugh/Max James**

Councilman Eagle moved to approve of a resolution entitled, "Approval of Land Exchange between the Three Affiliated Tribes

and Robert Wayne Brugh, Sr.” The motion is second by Councilman Strahs.

Discussion: This was approved previously, but is now being assigned a resolution number.

VOTE: 6 Ayes 0 Nays Motion carried.

4. Resolution Oil and Gas: Wilbur Wilkinson

Councilman Packineau moved to approve a resolution entitled, “Resolution to Establish the Protocol for the Tribe and the Bureau of Indian Affairs for the Efficient Overall Oil and Gas Development of Tribal and Allottee Surface and Mineral Owners Resources on the Fort Berthold Indian Reservation.” This is subject to legal review and to go before the Natural Resource Committee. The motion is second by Councilman Eagle.

Discussion: You are on the same page as we are. No resolution number will be assigned until it has gone before legal review.

VOTE: 6 Ayes 0 Nays Motion carried.

IX. LEGAL Department: Damon Williams/Jennifer Fyten

A. Resolution: Dr. Meister Contract Need Resolution Number/Previous Approval

This was not presented.

B. Resolution: 08-199-SE: Need Approval During Open Session

This was not presented.

C. Resolution: Catherine Vandermiere Contract Needs Resolution: Number/Previous Approval

This was not presented.

D. Resolution: Lori Pemberton Contract Renewal Needs Resolution Number/Previous Approval

This was not presented.

E. Secretarial Election Correction to Resolution

This was not presented.

F. Two Business Licenses

This was not presented.

X. ADJOURNMENT:

Councilwoman Brugh moved to adjourn the meeting, second by Councilman Bensons.

Meeting adjourned at 5:38 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 5 were present at the Meeting thereof duly called, notice, convened and held on the 9 day of April, 2009; that the foregoing Minutes were amended and duly adopted at such meeting by the affirmative vote of 5 members; 0 members opposed; 0 members abstained; 0 Members not voting.

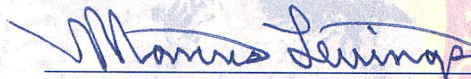
Chairman () Voting (x) Not Voting

Dated this 9 day of April, 2009.

ATTEST:



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



Tribal Chairman, Marcus D. Levings
Tribal Business Council,
Three Affiliated Tribes