



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING  
09-12-VJB  
March 16, 2009, 10:00 A.M.**

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**I. CALL TO ORDER:**

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

**II. PRAYER:**

Elise Packineau of Shell Creek and Mandaree Church administered the prayer. An honorarium is given.

**III. ROLL CALL:**

Councilman Frank Whitecalfe, Councilman Arnold Strahs, Councilman Scott Eagle, Councilman Mervin Packineau, Councilwoman V. Judy Brugh, and Chairman Marcus Levings are present. A quorum is established. Councilman Barry Benson arrived at 1:45 P.M.

**IV. APPROVAL OF AGENDA:**

Councilman Whitecalfe 1. Clarice Salamanca-Band Trip for Son. VII C 3

2. Education Bill Request-Shannon

Beston. VII C 4

Councilman Strahs 1. Mandaree Warriors Request-Trip to S.D.

2. Elgin Dye Financial Request

Councilman Packineau 1. Arrow Winds- Wind Energy IX B  
2. Liz Yellow Bird Business Request

Councilman Eagle 1. Marty Danks-Tax Claim VII A 2

Councilwoman Brugh Far East Woman Presentation.

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

Discussion:

No discussion.

VOTE:

6 Ayes 0 Nays.

**V. APPROVAL OF MINUTES:**

Deferred.

**VI. CHAIRMAN'S REPORT: Marcus Levings**

**A. Federal Programs Executive Officer: Max Dickens**

He gave an update.

**1. Stimulus- Lisa Redford**

Informational only.

**2. Asbestos Issue- Brian Breuer/Stella Burquist**

Discussion: Brian to come down to Twin buttes to check on the tile for leaking. Parshall tele-pharmacy will be open April 8, 2009. Bench Funds miscellaneous funds to take care of handicap parking in Twin Butts. We don't have to accept the price, just the abatement.

**3. Crunch and Munch Survey: Cheyanne Erickson/Kelly Wold**

A presentation was given.

**B. Tribal Programs Executive Officer: Laurie Alberts**

**C. Programs Analyst: Izetta Lattergrass**

**1. Roads**

She gave an update on the RDO Bill.

**D. Elbowoods Healthcare Facility: Jim Foote**

He gave an update.

**VII. TREASURERS REPORT: Frank Whitecalfe**

**A. Financial Report: Whitney Bell, CFO**

Deferred.

**1. Tax Commissioner: Marcus Wells, Sr.**

Deferred.

**B. Small Loans/Independence Loans: Andrew Reed/Ambrose Hosie**

Councilman Whitecalfe moved to approve the small loans applicants, medical loans for \$54,895.00, education loans for 102,046.16, and personal loans for \$345,821.64 for a grand total of \$516,922.80. The loans are subject to small loans policy and procedures, second by Councilman Packineau.

Discussion: Paper work in the small loans program is discussed. There is a \$3,500.00 freeze on small loans. There are different criteria on IIM guaranteed loans that are signed off by the BIA Superintendent. Janis Smith's loan is brought to Andrews's attention. Liz Yellow Bird to be added onto the education loans for \$14160.00 per Small Loan Department guidelines. A list of applicants is attached.

VOTE: 6 Ayes 0 Nays Motion carried.

**1. Liz Yellow Bird Education Loan**

Councilman Whitecalfe moved to approve an Educational loan in the amount of \$14,160.00 for Liz Yellow Bird subject to small loans department guidelines, second by Councilman Packineau.

Discussion: No discussion.

VOTE: 6 Ayes 0 Nays Motion carried.

**2. Business Loan: Velma Zelmer**

This was not presented.

**3. Business Loan: Jeff White Bear**

This was not presented.

**C. Financial Requests:**

**1. Educational Request for Amanda Young**

Councilman Whitecalfe moved to approve a grant in the amount of \$3500.00 each for three students to travel to Europe with the Ambassador to Ambassador Program, second by Councilman Eagle.

Discussion: There are 30 students in the state of North Dakota but three are from the Three Affiliated Tribes. This is done as a blanket approval. Amanda Young is one of the students.

VOTE: 6 Ayes 0 Nays Motion carried.

**2. Ft. Berthold Traveling Girls Basketball Team Financial Request: Chuck Wells**

Councilman Strahs moved to approve of a grant for Dakota Rockets in the amount of \$1,500.00 for two tournaments held in Poplar, Montana on March 27<sup>th</sup>, 28<sup>th</sup>, and 29<sup>th</sup>, and Fort Hall, Idaho on April 23<sup>rd</sup>, 24<sup>th</sup>, and 25<sup>th</sup>, 2009. The motion is second by Councilman Eagle.

Discussion: The hope is for them to have fun, learn something and do well. Good luck.

VOTE: 5 Ayes 0 Nays Motion carried.

**3. NTHS Senior Class Trip Request: Cesar Alvarez**

Councilman Packineau moved to approve a financial request for the New Town High School Class for a trip to New York City which will be a 50/50 match for \$5500.00 from the Three Affiliated Tribes and \$5500.00 from the Four Bears Casino with

their concurrence for a grand total of \$11,000.00, the motion is second by Councilman Whitecalfe.

Discussion: No discussion.

VOTE: 6 Ayes 0 Nays Motion carried.

**4. Broken Walls Financial Request: Elise Packineau**

Councilman Eagle moved to approve of a financial request in the amount of \$1,900.00 for Broken Walls Drum group to perform at Northern Lights on May 1<sup>st</sup> and 2<sup>nd</sup>, 2009, second by Councilwoman Brugh.

Discussion: No discussion.

VOTE: 7 Ayes 0 Nays Motion carried.

**5. Clarice Salamanca-Band Trip for Son**

Councilman Whitecalfe moved to approve a financial grant in the amount of \$1,000.00 for her son to go on a band trip; the motion is second by Councilman Eagle.

Discussion: What is the songs name?

VOTE: 6 Ayes 0 Nays Motion carried.

**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 present.

**4. Enrollment: John Charging/Nathanial Mayer**

Not present.

**5. Invitation to Dinner from International Bank to the TBC**

This was not presented.

**B. Judicial/Human Resource: Mervin Packineau**

**1. Coalition against Domestic Violence: Roberta Crows Breast**

Councilwoman Brugh moved to approve the Treasurer to work on an appraisal on a location for domestic violence and to get three bids to purchase a modular home next to the Justice center that can be moved, second by Councilman Benson.

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Discussion: The program has been going for 24 years and the tribe would like to get them a building so they may go for another 24 years. Indirect cost is discussed.

VOTE: 7 Ayes 0 Nays Motion carried.

**a. Batterers Group**

Discussion only.

**2. Criminal Investigations:**

Oath of Office was given by James Bighorn, Criminal Investigator. This was administered by Councilwoman Brugh.

**3. Personnel Issue: Debbie Staples**

This was not presented.

**4. Resolution 09-031-VJB DUI Code: Verlee Whitecalfe Saylor**

Councilman Whitecalfe moved to approve of a resolution entitled, "Adoption of Title IV-A Amended Driving under the Influence Code." The motion is second by Councilman Brugh.

Discussion: This is per family clarifications and corrections. To take out taking the vehicle away or taking the license plates. Selling the vehicle is to be dropped from the code. Not to report it to the state. This is to be brought back to full council if it is not working.

VOTE: 7 Ayes 0 Nays Motion carried.

**5. MADD Financial Request: Verlee Whitecalfe Saylor**

Councilman Whitecalfe moved to approve a grant in the amount of \$5,000.00 for the Fort Berthold MADD Youth in Action pilot project for 12 members of the TAT Boys & Girls club, two from each six segment. The motion is second by Councilwoman Brugh.

Discussion: The money will be used for training, travel, per diem, food, Incentives, survey costs, and supplies.

VOTE: 5 ayes 0 Nays Motion carried.

**6. Occupant Protection Financial Request: Verlee Whitecalfe Saylor**

Councilman Whitecalfe moved to approve a grant in the amount of \$7,500.00 for the Occupant Protection committee to preserve lives from motor vehicle related crashes. Funding is to be used for training, travel, events, promotional materials, supplies, and

to be used in part to train up to six tribal employees to become Child Passenger Safety Technicians. The motion is second by Councilman Benson.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

**7. Resolution 09-32-VJB: Associate Judges: Judy Black Hawk**

Councilman Packineau moved to approve of a resolution entitled, "Selection of Associate Judges for Fort Berthold District Court." The motion is second by Councilman Whitecalfe.

Discussion: Attached to the resolution is the consultant agreement.

VOTE: 7 Aye 0 Nays Motion carried.

**8. Employee Closeout Issue: Evangeline Conklin**

No action taken.

**9. Personnel: Barlow Wells**

Closed Session.

**10. Law Enforcement: Jay Brugh**

Closed Session.

**C. Natural Resource Committee: Barry L. Benson**

**1. Marian Shields Land Exchange: Annette Young Bird**

Not present.

**2. Max James Land Exchange Resolution: Annette Young Bird**

Not present.

**3. Ft. Berthold Rural Water: Marvin Danks/Text Lone Bear/Camie Gosnell**

**a. Public Works Dept./FBRW: Marvin Danks/Camie Gosnell**

Not present.

**b. Gerry Nagel Land Sale: Marvin Danks/Camie Gosnell**

Not present.

**c. Project Listings: Marvin Danks/Camie Gosnell**

Not present.

**4. Game and Fish Proclamation Fee Increase: Fred Poitra**

Not present.

**5. Dakota III: Spencer Wilkinson Jr.**

Not present.

**6. Public Works: Ted Danks**

Not present.

**7. Ft. Berthold Housing Authority-Conveyance of Rental Unit: Dennis Fox, FBHA Director**

Councilman Whitecalfe moved to approve the preliminary figure of \$4,706.00 @ 12 units for a total of \$56,472.00 for FY' 09 to be earmarked for Fort Berthold Housing Authority in regards to the Conveyance homes that were approved in the summer of 2008. To include other units besides the 5-1's (Rainbow). The motion is second by Councilman Eagle.

Discussion: Legal to look at home conveyances. Tax issues, liable for home after they own it and question on flipping the home. Insurance issues. To ear mark \$56,000.00 for ten years. A resolution is to be written. What about the arrears on rent that the renter owes? They have to pay it. The \$4706.00 is a subsidy that FBHA receives from HUD. Is The Housing Authority going to charge the owner? Value of the house will have to be assessed, award the unit then. It would be other income. There is a difference between \$2700.00 and the \$4706.00. You would only have to pay the difference estimated at about \$2,000.00. Dennis advises that isn't the way it works. You couldn't convert to mutual? Not all units are 5-1's (Rainbow). This would not affect the other units. The motion would be to include the other units too.

VOTE: 6 Ayes 0 Nays motion carried.

**a. H.I.P. to Stay Under TAT**

Councilman Packineau move to approve to reaffirm resolution 06-20-VJB. The motion is second by Councilman Whitecalfe.

Discussion: No discussion.

VOTE: 4 Ayes 2 Nays Motion carried.

**b. 200 Home Initiative Project**

Councilman Packineau moved for approval to request for

reconsideration to the Fort Berthold Housing Authority board of directors to look at Dynamic Homes once again for a minimum of 50% of the 200 Home Initiative project which will be 105 homes, second by Councilman Whitecalfe.

Discussion: Are we taking full advantage of the stimulus package? Why are we only asking for 200 homes when we are 600 homes short? Because of the money. We should be going for 300 homes. There will be 150 more jobs coming. Is there money available to help develop the homes for the hospital workers? At least 60 homes are needed. The homes that will be rentals will turn in homes owned as the projects are completed.

VOTE: 6 Ayes 0 Nays Motion carried.

### **8. Lot/Land Exchange**

This was not presented.

### **D. Economic Development/Education: Scott Eagle**

#### **1. Resolution 09-33-VJB Boys and Girls Club Resolution: Jarrett Baker/Deanna Parisian**

Councilman Packineau moved to approve of a resolution entitled, "Three Affiliated Tribes Indigenous Language Preservation." The motion is second by Councilman Eagle.

Discussion: This is for a three year grant. The match is at twenty percent and this is part of the twenty percent. Arikara Language was done by Dr. Parks in 1993-1994. It was not pushed that hard.

VOTE: 7 Ayes 0 Nays Motion carried.

### **E. Health Committee: Chairman Levings**

#### **1. Asbestos Issue: Stella Burquist/Brian Breuer**

This was not presented.

## **VIII. LEGAL:**

### **1. Resolution: Dr. Meister Contract Need Number**

This was not presented.

### **2. Resolution: 08-199-SE: Need Approval in Open Session**

This was not presented.

### **3. Resolution: Catherine Vandermiere Contract Needs Number**

This was not presented.



**4. Resolution: Lori Pemberton Contract Needs Number**

This was not presented.

**5. Business Licenses**

This was not presented.

**IX. NEW BUSINESS:**

**A. Far Eastern Business Women Presented with Star-quilt**

Councilwoman V. Judy Brugh presented the gift and gave introductions to the Tribal Business Council. Chairman Marcus Levings presented gifts also.

**X. OLD BUSINESS:**

**A. Satrom Travel Tour:**

This was not presented.

**B. Eagle Catch Casino Arbitration (Closed Session)**

**XI. ADJOURNMENT:**

Councilman Whitecalfe moved to adjourn the meeting, second by Councilman Eagle.

Meeting adjourned at 10:06 P.M.

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**CERTIFICATION**

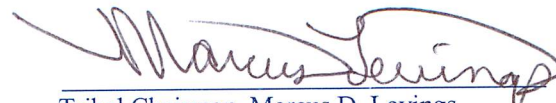
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum 5 were present at the Meeting thereof duly called, notice, 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 (  ) Not Voting

Dated this 9 day of April, 2009.

**ATTEST:**

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

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