



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING  
09-17-VJB  
April 15, 2009, 10:00 A.M.**

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**I. CALL TO ORDER:**

Meeting called to order at 1:41 P.M.

**II. PRAYER:**

A moment of silence was taken.

**III. ROLL CALL:**

Councilman Barry Benson, Councilman Frank Whitecalfe, Councilman Arnold Strahs, Councilman Mervin Packineau, and Councilwoman V. Judy Brugh are present. A quorum is established. Councilman Scott Eagle arrived at 1:45 P.M. Councilman Benson left the meeting at 4:47 P.M.

**IV. APPROVAL OF AGENDA:**

Discussion: If there is room at the end of the meeting, then add-ons will be added.

**V. Financial: Whitney Bell, CFO**

**A. Financial Report (Closed Session)**

An update was given.

**B. Resolution 09-056-VJB: Drawdown**

Councilman Whitecalfe moved to approve of a resolution entitled, "Directive to the Office of Trust Fund Management to Make Available Funds for Withdrawal from Three Affiliated Tribes Proceeds of Labor Account PL228700 in the Amount of \$15,000,000.00." The motion is second by Councilwoman Brugh.

Discussion: Is this \$14 Million coming in from Red willow? Includes earning and income from the proceeds labor account. This also includes anything from range units, Oil revenues, and Lease payments.

VOTE: 6 Ayes 0 Nays Motion carried.

**C. Resolution 09-057-VJB: JTAC Drawdown**

Councilman Whitecalfe moved to approve of a resolution entitled, "Directive to the Office or Trust Fund Management to Make Available for Draw by The Three Affiliated Tribes Interest Earnings from the Three Affiliated Tribes Economic Recovery

Fund in the Amount of \$5,000,000.00.” The motion is second by Councilman Eagle.

Discussion: This has matured. Usually we would want to leave it in there but if we can do a better interest rate that’s what we’d want to work at. The Treasurer is in agreement.

VOTE: 6 Ayes 0 Nays Motion carried.

**VI. Resolution 09-058-VJB: Chairman Name Change**

Councilman Strahs moved to approve of a resolution entitled, “Name Change of Chairman Marcus Wells Jr. to Marcus D. Levings.” The motion is second by Councilman Eagle.

Discussion: OST signature card was the last similar resolution.

VOTE: 5 Ayes 0 Nays Motion carried.

**VII. Resolution 09-059-VJB: Budget**

Councilman Whitecalfe moved to approve of a resolution entitled, “Fiscal Year 2009 Continuing General Fund Budget Resolution.” The motion is second by Councilman Strahs.

Discussion:

VOTE: 6 Ayes 0 Nays Motion carried.

**VIII. Small Loans: Andrew Reed**

**A. Small Loans Report**

A report was given.

**B. Collection Officer**

Councilman Whitecalfe moved to approve to have Ambrose Hosie be the collection officer for the loan departments, second by Councilman Strahs.

Discussion: How does our court system come into play with collections? A policy needs to be worked out. DCI Collection agency in Bismarck will be visited by Andrew Reed and Tillie Little Soldier.

VOTE: 6 Ayes 0 Nays Motion carried.

**C. Hazel/Hubert Heart Loan/Faith Ann Skogstad Educ. Loan**

Councilman Whitecalfe moved to approve of two loans in the amount of \$18,000.00 for Hazel Heart and \$10,000.00 for Hubert Heart based on their IIM account/probate subject to

availability of funds and policy and procedures, second by Councilman Eagle.

Discussion: They won't receive their loans in one lump sum. Faith Ann Skogstad to receive a \$4,000.00 Education Loan.

VOTE: 6 Ayes 0 Nays Motion carried.

**IX. Independent Loans Report: Ambrose Hosie**

Motion on the floor to approve business loans through the Independence Program for Justin Whitecalfe and Tracy Lewis for \$30,000.00 each. Motion dies.

Motion again on the floor to approve of business loans through the Independence Program for Justin Whitecalfe and Tracy Lewis for \$30,000.00 each. Motion dies due to lack of action.

**X. Other:**

**A. White Shield Segment Declaration of General Election Winner**

Councilman Strahs moved for approval that Frank Whitecalfe be declared the winner of the White Shield Segment general election on November 4<sup>th</sup> 2008 based upon the appellate court decision on April 15, 2009, second by Councilman Eagle.

Discussion: The Appellate Court decision was read out loud by TAT Lawyer Jennifer Fyten. We wanted the courts to do their due diligence. It's taken awhile and the hope is this is the right decision and we will go on from here.

VOTE: 5 Ayes 0 Nays Motion carried.

**B. Rescind Resolution 09-026-VJB**

Councilman Benson moved to rescind resolution 09-026-VJB, second by Councilman Strahs.

Discussion:

VOTE: 5 Ayes 0 Nays Motion carried.

**C. Retraction of Vote to Rescind Resolution 09-026-VJB**

Councilman Benson retracts his motion to rescind resolution 09-026-VJB, Councilman Strahs retracts his second to the motion.

Discussion: Resolution 09-026-VJB stays intact.

VOTE: 5 Ayes 0 Nays Motion carried.

**D. Cancellation of White Shield Election**

Councilman Strahs moved to cancel the White Shield Election set for April 21, 2009 second by Councilman Eagle.

Discussion: Councilman Whitecalfe did not vote.

VOTE: 5 Ayes 0 Nays Motion carried.

**E. Election Board**

Councilwoman Brugh moved for approval to not pay the election board members that do not show up for work second by Councilman Eagle.

Discussion:

VOTE: 6 Ayes 0 Nays Motion carried.

**F. Financial Request VFW Post 9061**

This will go back to each segment.

**G. Claim for Tax refund James H. Wolf and Ronnie Eagle**

Councilman Strahs moved to approve the Tax refund claim for James H. Wolf and Ronnie Eagle for FY' 09, second by Councilwoman Brugh.

Discussion:

VOTE: 5 Ayes 0 Nays Motion carried.

**H. Financial request Jerry Irwin for Children**

This will go to the Chairman's office.

**I. Ag Program-Councilman Packineau**

Discussion only.

**J. Spirit Riders-Councilman Whitecalfe**

Add to the May 14th regular.

**K. Nuxbitsidati: Waylon Pretends Eagle**

Addresses the council.

**L. Horace Pipe:**

Discussion only.

**M. TERO: Everette Hall**

Discussion only.

**N. Personnel (Closed Session)**

See personnel action forms.

**O. Councilman Whitecalfe Issue:**

Discussion only.

**X. ADJOURNMENT:**

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

Meeting adjourned at 6:34 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 \_\_\_\_\_ were present at the Meeting thereof duly called, notice, convened and held on the \_\_\_\_\_ day of \_\_\_\_\_, 2009; 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 \_\_\_\_\_, 2009.

**ATTEST:**

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

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