



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING
09-24-VJB
May 20, 2009, 9:00 A.M.**

I. CALL TO ORDER:

The meeting was called to order at 10:09 A.M.

II. PRAYER:

Barry Benson

III. ROLL CALL:

Councilman Barry Benson, Councilman Frank Whitecalfe, Councilman Arnold Strahs, Chairman Marcus D. Levings, Councilwoman V. Judy Brugh, are present. A quorum is established. Councilman Scott Eagle is conference called into the meeting. Councilman Frank Whitecalfe left the meeting early and is conference called into the meeting for the end motions.

IV. APPROVAL OF AGENDA:

Housing Authority Reorganization-Chairman Levings
Twin Buttes Catholic Church Financial Request-Councilman Benson

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

Discussion: McKenzie electric shutting down electricity at 10:30 A.M. to change a transmitter.

VOTE: 5 Ayes 0 Nays Motion carried.

V. Finances

A. Resolution 09-082-VJB: Fort Berthold Housing Reorganization

Councilman Strahs moved to approve of resolution entitled, “ .”
The motion is second by Councilwoman Brugh.

Discussion: A copy will go to Councilman Whitecalfes office. The resolution will be brought in later during the meeting. Camie Gosnell will bring the organizational chart.

VOTE: 5 Ayes 0 Nays Motion carried.

B. TAT Budget: Whitney Bell, TAT CFO

An update was given.

C. Twin Buttes Catholic Church

Councilwoman Brugh moved to approve a financial request for the Twin Buttes Catholic Church in the amount of \$2,920.00, second by Councilman Strahs.

Discussion: June 6-7, 2009 will be the annual Catholic Congress. There is a resolution for Churches for the \$1,000.00 grant.

VOTE: 5 ayes 0 Nays Motion carried.

(10 Minute recess at 11:22 A.M. and come back at 11:32 A.M.)

VI. TRIAD Oil Refinery: Horace Pipe

A. Consultant Agreement with BAIRD

Councilman Packineau moved to approve to proceed with the negotiation of a consultant agreement with BAIRD-David W. Noack managing director of Public Finance to do a bond with the Three Affiliated Tribes, second by Councilman Strahs.

Discussion: A previous approval on a resolution will have to be rescinded. Innovation Capital investment bankers is discussed. For the Record, Four Bears Casino Expansion will be included in this.

VOTE: 5 Ayes 0 Nays 1 Abstention. Motion carried.

B. Rescind 09-040-VJB

Councilman Strahs moved to approve the rescission of the resolution 09-040-VJB, to be crafted by the TAT legal department. This is subject to due diligence and background. The motion is second by Councilman Eagle.

Discussion: This resolution was a retainer of services for Michael Frank and Steve Erickson. There is no language in the agreement that the Tribe would owe them anything. There was no signing, no confirmation, or no ratification. It looked like a good list of projects. BAIRD has it down. An innovation capitol agreement will have to be brought back. Damon Williams will work on that with Whitney Bell and the Treasurer will bring that back at the next meeting. They will be replaced by a fee of a quarter of a point.

VOTE: 6 Ayes 0 Nays Motion carried.

C. Innovation Capitol

Councilman Strahs moved to approve entering into a confidentiality agreement with the Innovation Capital Group per TAT Legal, second by Councilman Benson.

Discussion: This covers it and allows us to enter into discussion and keep our financials in confidence while they moved forward in looking at our financials. Matthew Sodl is the managing director. TAT Legal Damon Williams knows who they are.

VOTE: 5 Ayes 0 Nays Motion carried.

Honorarium for Sgt. Nicodemus Sea Walker is given; monetary, blanket, and sweat grass.

D. TRIAD Oil Refinery

Councilman Packineau moved to approve of \$500,000.00 for TRIAD for pre-Engineering, second by Councilman

Discussion: To be set up in three payments, June, July, and August. This is to be reimbursed with the funding of the refinery project and not a general fund obligation. Horace informs the Tribal Council that you have to start calling Steve Warton (project lead out of Denver, Colorado) with EPA after June 7th 2009. Horace has the 800 number. Councilman Eagle would like Horace to set up a timeline and plan with the Economic Development Committee on the project.

VOTE: 6 Ayes 0 Nays Motion carried.

E. Resolution 09-081-VJB: Fire Management Credit card

Councilwoman Brugh moved to approve of a resolution entitled, "Approval of Corporate Credit Card for Three Affiliated Tribes Fire Management Program from First National Bank in Williston, North Dakota." The motion is second by Councilman Strahs.

Discussion: This will be reimbursed back through the Fire Managements funding sources. This credit card makes them a candidate to go at a moment's notice. This was forwarded from Natural Resource.

VOTE: 5 Ayes 0 Nays Motion carried.

VII. Temporary Collateral Assignment: Clarence O'Berry

Tabled.

VIII. Law Enforcement: (Closed Session)

(Electricity went off at 10:30 A.M. and came back on at 10:47 A.M.)

Honorarium for Marvel Heart for Top Gun Award is given by the Three Affiliated Tribes Tribal Business Council.

IX. Ft. Berthold Rural Water FY-09 OM&R Funds: Marvin Danks

Councilwoman Brugh moved to approve of a reimbursed match for \$249,184.00 for OM&R, second by Councilman Strahs.

Discussion: This is a shortfall.

VOTE: 5 Ayes 0 Nays Motion carried.

X. Small Loans: Andrew Reed

A. Small Loans Director Supervisor of Collection Officer

Councilman Strahs moved to approve Ambrose Hosie to be reassigned under Small Loans Director, Andrew Reed as collection officer, second by Councilman Packineau.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

B. Education Small Loans

Councilwoman Brugh moved to approve of small loan Education applicants for May 20, 2009, second by Councilman Packineau.

Discussion: Louise for education loan for Grandson in the amount of \$500.00 to be added.

VOTE: 5 Ayes 0 Nays Motion carried.

C. General Fund Transfer and Approval of Small Loans

Councilman Packineau moved to approve of an \$80,000.00 transfer of funds from the General Fund to Small Loans for those that meet the approval at a \$3,500.00 cap that are current, have a zero balance, and subject to the waiting list. The motion is second by Councilwoman Brugh.

Discussion: Jody Altringer medical \$5000.00 , Shylo Baker Educational \$2,500.00, and Amanda Bracklin Personal \$3,500.00 are added on to the list.

VOTE: 5 Ayes 0 Nays Motion carried.

XI. Four Bears Casino: Spencer Wilkinson Jr.

Councilman Packineau moved to approve of the Four Bears Casino and Lodge reports, second by Councilman Strahs.

Discussion: Thanks go to Pat Packineau for the receipt of the award from Great Plains. Incentives for the management team will be left to the General Manager.

VOTE: 5 Ayes 0 Nays Motion carried.

XII. Jeff Roszell Home Vandalism

A. FEMA Trailer Priority

Councilman Packineau moved for approval to give first priority for the FEMA trailers to Jeff Roszell through HIP-Jackie Jackson Morsettes's program, second by Councilwoman Brugh.

Discussion: This is pending HIP being in receipt of the trailers. Jeff is to come up with the \$8,500.00 transport fee, crawl space, and set-up for roughly a total of \$20,000.00. It is approximately a \$70,000.00 trailer. The Four Bears Community may be able to assist in moving the trailer.

VOTE: 5 Ayes 0 Nays Motion carried.

B. Hardship Grant for Vandalized Home

Councilwoman Brugh moved to approve of a hardship grant in the amount of \$1,000.00 for Jeff Roszell, second by Councilman Strahs.

Discussion: This is to assist with temporary repair of trailer home.

VOTE: 5 Ayes 0 Nays Motion carried.

XIII. Juanita Helphrey Financial Request

Councilwoman Brugh moved to approve of \$5,000.00 for financial assistance for the Independence Congregational Church to finish the refurbishing project of the old church, second by Councilman Benson.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

XIV. Personnel: Barlow Wells, Director (Closed Session)

See Personnel action forms.

XV. Waylon Pretends Eagle Consultant Contract

Councilman Packineau moved to approve of a Consultant agreement through the CEDS department subject to Lisa Redford, CEDS Director review and funding, second by Councilman Whitecalfe.

Discussion: No discussion.
VOTE: 5 Ayes 0 Nays Motion carried.

XVI. Diane and Robert Finley Loan Request

Councilwoman Brugh moved to approve of a \$25,000.00 loan secured with a Ketterling hold for Kodiak and ZEnergy. The motion is second by Councilman Strahs.

Discussion: These are commitments to drill. Other oil companies are Marathon and Questar.
VOTE: 5 Ayes 0 Nays Motion carried.

XVII. ADJOURNMENT:

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

The meeting adjourned at 7:51 P.M.

CERTIFICATION

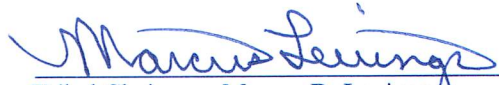
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum ____ were present at the Meeting thereof duly called, notice, convened and held on the ____ day of _____, 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