



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
09-38-VJB
August 13, 2009, 10:00 A.M.**

I. CALL TO ORDER:

The meeting was called to order at 10:47 A.M.
This is the 151st meeting of the Wells-Levings administration.

II. PRAYER:

Father Steven Kranz.

III. ROLL CALL:

Councilman Arnold Strahs, Councilman Mervin Packineau, Councilman Scott Eagle, Chairman Marcus Levings and Councilwoman V. Judy Brugh are present. A quorum is established. For the record, Councilman Barry Benson arrives at 11:08 a.m. Councilman Frank Whitecalfe is not present. Chairman Levings left the meeting at 11:23 P.M.

IV. APPROVAL OF AGENDA:

Scott Eagle-North Segment Water VIII. E
TRIAD VIII C. 3
Marcus Levings-Elders Organization
Education Loans VII. C. 2

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

Discussion: The rest of the Tribal Council reserves their add-ons.

VOTE: 5 Ayes 0 Nays Motion carried.

V. APPROVAL OF MINUTES:

June 29, 2009 July 10, 2009
July 7, 2009 July 14-27, 2009

Councilman Packineau moved to approve of the above minutes subject to review, second by Councilman Strahs.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

VI. CHAIRMANS REPORT: Marcus D. Levings

A. Federal Programs Executive Officer: Camie Gosnell
Deferred.

B. CEO: Terry Red Fox
Terry gave an update.

C. Programs Analyst: Izetta Fernandez
She had a few words to say regarding the FPEO and CEO working together well.

D. Elbowoods Healthcare Facility: Jim Foote
Jim gave an update.

VII. TREASURERS REPORT: Mervin Packineau

A. Chief Financial Officer: Lenny Abrams
He gave an update. The Tribal Business Council will look things over and get back to him if they have any questions.

B. Child Support Approval on Proposed Budget: Ellen Wilson
This will need to be forwarded from the legal department to the Executive Secretary office for the next Tribal Business Council meeting to receive a number.

C. Small Loans Department: Andrew Reed, Director

1. Small Loans

A report was given.

2. Education Loans

Councilman Eagle moved to approve of education loans in the amount of \$81084.30, second by Councilwoman Brugh.

Discussion: To Include Charlie Fox for \$7,200.00 for Education, Shontae Everette for \$850.00 for Education, Heather Crystal Everette and \$2,400.00 for Kim Abbey. A question from council is the board approving these? The board consists of Andrew Reed, Leo Cummings, and Martha Hunter. Martha's policies and Andrew's policies need to get together and make it uniform. 4% reduced interest was adopted by the Tribal Business Council. There are other entities that can help with some of the requests. The idea is to get together on this to come up with a plan to help get the Small loans under control so that all can be helped across the board. Alyssa Alberts-\$10,000.00, Levi Chapin-3000.00, Preston Freeman-\$3,000.00, Katherine Young Bear-\$5,435.00, Kristen Freeman-\$3,500.00,

Sterling Reed-\$4,000.00, Twila Reed-\$2,000.00, Ty Hall-\$2,000.00, Angel Starr-\$2,000.00, Lisa Jefferson-\$2,000.00, Carol Reed-\$2,000.00, Danni Jo Perkins-\$2,000.00, Lexi Taft-\$8,699.30, Nathaniel Packineau-\$5,000.00, Neil Packineau-\$8,000.00, Crystal Fox-\$2,000.00, and Russell Dixson-\$1,500.00. This is subject to availability of funds.

VOTE: 6 Ayes 0 Nays Motion carried.

D. Independence Loans: Ambrose Hosie

This was not presented.

E. Business Proposal: Sherman Sierra, Pete Coffey, & Tony Mandan

They presented a proposal.

F. Financial Requests:

1. Educational Financial Request: Kim Reynolds

This was approved under Small Loans.

2. Loan Request: Ervin & Maggie Halvorson

Councilman Benson moved to approve a loan in the amount of \$33,500.00 total for a home loan and a personal loan, second by Councilwoman Brugh.

Discussion: Ervin Halvorson (co-signed by Maggie Halvorson) is to receive \$3,500.00 for skirting etc. and Maggie Halvorson is to receive \$30,000.00 to be paid back by Maggie Halvorson IIM Account. This is subject to the availability of funds.

VOTE: 5 Ayes 1 Nays Motion carried.

3. Church Renovation Request: Norman Standish/Elise Packineau

Councilwoman Brugh moved to approve a financial request in the amount of \$5,405.48 for the Mandaree Hidatsa Church for repairs, second by Councilman Benson.

Discussion: Subject to availability of funds.

VOTE: 6 Ayes 0 Nays Motion carried.

4. Medical Loan Request: Courtney Schoppert

Councilman Eagle moved to approve of a \$20,000.00 (\$5,000.00 quarterly) medical loan for Courtney Schoppert for her daughter's therapy needs. The motion is second by Councilman Benson.

Discussion: The first payment to the therapy company is due August 21, 2009. Courtney advised that she could make payment to the therapy company at \$5,000.00 every quarter instead of taking the loan in a \$20,000.00 lump sum. This is subject to availability of funds.
VOTE: 6 Ayes 0 Nays Motion carried.

**5. Sponsorship of World Softball League TC Wolves:
Wayne Bradley**

Councilwoman Brugh moved to approve of a 50/50 sponsorship match in the amount of \$2048.00 to 4 Bears Casino and the Three Affiliated Tribes for four tribal members traveling to the World Softball League in Panama. The motion is second by Councilman Benson.

Discussion: The tribe will provide a flag, patches, and caps with TAT Logo for the team. The flag will have to be returned to the Three Affiliated Tribes when they return.
VOTE: 6 Ayes 0 Nays Motion carried.

6. Moving Financial Request: Tracy Lewis

This was not presented.

7. Educational Request for Son: Juanita Helpfrey

This was not presented.

**8. Retirement of Title Financial Request: Alyssa
Alberts**

Councilman Strahs moved to approve a grant for Alyssa Alberts in the amount of \$2,500.00 to retire her Miss Indian Nations XVI crown during United Tribes Pow Wow, second by Councilman Eagle.

Discussion: She represented the Mandan, Hidatsa, and Arikara well.
VOTE: 6 Ayes 0 Nays Motion carried.

9. Medical Request: Ella Mae Linder

This was not presented.

10. Home Moving Request: Katherine Young Bear

Katherine is to get estimates then to come back to the full TBC. She is to check with Huwe House movers and with Jackie Jackson

in H.I.P. She is to get a time line when to have the house off the land. Ben Lovan is in the same situation.

Councilman Strahs moved to approve Diane Avery to work with Katherine Young Bear and the H.I.P program on getting the home moved and Izetta Fernandez will coordinate. The motion is second by Councilman Eagle.

Discussion: No discussion.

VOTE: 6 Ayes 0 Nays Motion carried.

**11. Language Revitalization Education Request:
Dancing Eagle Perkins/Brad Kroupa**

Councilwoman Brugh moved to approve a loan in the amount of \$40,000.00 each for Dancing Eagle Perkins and Brad Kroupa for Arikara Language Reclamation Project at Indiana University. The motion is second by Councilman Eagle.

Discussion: Higher Ed priority is for the undergraduates. This is his 4th year. The national park service has language preservation grants.

VOTE: 6 Ayes 0 Nays Motion carried.

12. Home Loan Request: Jeff Roszell

Councilwoman Brugh moved to approve a FEMA trailer home for Jeff Roszell that is in the Frucon building that was originally designated for a police officer, second by Councilman Packineau.

Discussion: The footings, foundation, Skirting, etc. still needs to be paid for with a cost of approximately \$15,000.00. Are there any apartments open in Brooks Heights? There is a need for Law Enforcement housing. This is subject to the availability of funds.

VOTE: 5 Ayes 0 Nays 1 Abstention Motion carried.

13. Lyda Foote IIM Loan

Councilman Eagle moved to approve of a loan or Lyda Foote for \$36,000.00 plus the \$4,000.00 (received) based on being paid back by her IIM account with a ketterling hold in place and on the availability of funds. The motion is second by Councilman Packineau.

Discussion: She has more than adequate funds to make a short turnaround payment. A person with strong accounting skills is needed in the Small Loans Department. A loan needs to be paid off before another loan can be made. The Small loans repayment issue of people making loans on top of loans and the ketterling hold is discussed. The Small loans department took on a life of its own because of the bonuses. A suggestion is to completely close the Small Loans Department for about two weeks. Some oil production out there would help alleviate Small Loans.

VOTE: 6 Ayes 0 Nays Motion carried.

14. LeAnn Nation Personal Loan

Councilwoman Brugh moved to approve a personal loan in the amount of \$3,000.00 for LeAnn Nation second by Councilman Eagle.

Discussion: This is subject to availability of funds.

VOTE: 6 Ayes 0 Nays Motion carried.

15. Joan Fredericks/Keith Smith Home Loan

Councilman Eagle moved to approve of a loan in the amount of \$90,000.00 for motion dies due to lack of second.

Councilman Eagle moved to approve to pay off a home loan in the amount of \$82,000.00 with City Financial, with collateral of IIM Account, home title, and their retirement. A wage deduction will be set up with a payment of approximately \$800.00 per month. This is subject to availability of funds. The motion is second by Councilman Packineau.

Discussion: They are to look for other financing avenues to pay off the loan before making a small loan. The appraisal is included.

VOTE: 5 Ayes 1 Nays Motion carried.

16. Lorry Alberts Personal Loan

Councilman Eagle moved to approve a student loan classified as a personal loan in the amount of \$10,000.00 for Lorry Alberts to pay off a student loan. The check is to be made out directly to SLND Lender. Her pension plan is collateral. The motion is second by Councilwoman Brugh.

Discussion: No discussion.

VOTE: 6 Ayes 0 Nays Motion carried.

17. Barbara Smith Paul Medical Loan

Councilman Eagle moved to approve f a Medical loan in the amount of \$1,500.00 for Barbara Paul for a medical trip to Rochester to attend to her mother. The Motion is second by Councilwoman Brugh.

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

18. Miranda Phelan Wedding Loan

Councilwoman Brugh moved to approve of a personal loan for Miranda Phelan in the amount of \$3,500.00 for her wedding. The motion is second by Councilman Eagle.

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

19. Loan Request: Kyle Mandan

Councilwoman Brugh moved to approve of a loan for Kyle Mandan in the amount of \$3,000.00, second by Councilman Benson.

Discussion: He is looking for employment and would be a good asset. Twin Buttes CHR is discussed.
VOTE: 6 Ayes 0 Nays Motion carried.

VIII. COMMITTEE REPORTS:

A. Executive Committee: Marcus Levings

1. 4 Bears Casino Report: Spencer Wilkinson Jr.

This was not presented.

2. Gaming Commission Report: Mark Fox

a. 31 Key/Non-Key Employee Licenses

Councilwoman Brugh moved to approve of 31 key and Non-Key temporary licenses (5 key & 12 non-key for July, 6 key & 8 non-key for August) for the 4 Bears Casino, second by Councilman Strahs.

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

b. Report

Mark gave a report.

c. Non Profit Swim Pledge Labor Day Weekend

Councilman Benson moved to approve a pledge for \$500.00 per swim length each time Mark Fox swims the length, not to exceed \$3,500.00. This is for nonprofit fund raising. The Motion is second by Councilman Strahs.

Discussion: The length is almost the length of the bridge.

VOTE: 6 Ayes 0 Nays Motion carried.

3. Enrollment 09-123-VJB: John Charging

Councilman Benson moved to approve of a resolution entitled, "176 Eligible Enrollment Applicants." The motion is second by Councilman Eagle.

Discussion: There will be a housing meeting open August 19th at 10:00 to address home conveyances and other housing.

VOTE: 4 Ayes 1 Nays 1 Abstention Motion carried.

4. Personnel: Barlow Wells

This was not presented.

5. Resolution 0-125-VJB: FY-2010 Community Service Block Grant: Norma Staples

Councilwoman Brugh move to approve of a resolution entitled, "Authorization of FY 2010 Community Services Block Grant Application Submission to the Office of Community Services, U.S. Dept. of Health and Human Services." The motion is second by Councilman Strahs.

Discussion: This is a routine renewal.

VOTE: 6 Ayes 0 Nays Motion carried.

B. Judicial/Human Resource Committee: Mervin Packineau

1. Monolithic Dome Reconnaissance: Cliff Whitman

A Presentation was given by John Mercer on Dome Shelters.

2. Resolution 09-124-VJB: Alcohol, Tobacco, & Other Drug Prevention Boys & Girls Club: Coby Rabbithead

Councilman Eagle moved to approve of a resolution entitled, "Assessing community readiness to respond to alcohol, tobacco

and other drug use among adult and youth on the Fort Berthold Reservation.” The motion is second by Councilman Strahs.

Discussion: The assessment is discussed in length and there will be a \$50.00 stipend. She is going or 100 per segment.

VOTE: 6 Ayes 0 Nays Motion carried.

C. Economic Development/Education Committee: Scott Eagle

1. Joint Venture Agreement: Dave Williams

Councilman Eagle moved to approve Dave Williams to work with Fred Fox in the energy Department to pursue the exploration of leases for the potential of getting them back to the tribe. The motion is second by Councilman Strahs.

Discussion: They are to work with Horace Pipe, Geologist. Horace has a lot of information gathered.

VOTE: 5 Ayes 0 Nays Motion carried.

2. N.D. Tribal College Tour: Steven Walker

This was not presented.

3. TRIAD Oil Refinery: Horace Pipe (Closed Session)

D. Health Committee: V. Judy Brugh

This was not presented.

E. Natural Resource Committee: Barry Benson

1. Paving Earth Lodge Village: Jack Sawyer

This was not presented.

2. Septic Tank/Drain Fill for Hope Fragoza: Johnson Excavating

Councilman Packineau moved to approve the payment in the amount of \$13,500.00 to Myron C. Johnson, Johnson Excavating for work on the Septic Tank/Drain Fill for Hope Fragoza, second by Councilwoman Brugh.

Discussion: No discussion.

VOTE: 6 Ayes 0 Nays Motion carried.

3. Two Home Sale to TAT: Jerry Nagel

Councilman Eagle moved to approve to purchase two homes from Jerry Nagel in the amount of \$65,000.00 each for a grand total of

\$130,000.00. This is subject to TAT Legal Department verifying a clear title. The motion is second by Councilwoman Brugh.

Discussion: A resolution to be brought back to TBC.
VOTE: 6 Ayes 0 Nays Motion carried.

4. Resolution: Alfreda Good Iron Land Exchange

This was not presented.

5. USDA: James Johnson/Wilbur Wilkinson

a. Resolution 09-126-VJB: BIA to Return Land to James Johnson

Councilman Packineau move to approve 540 acres returned back to James Johnson by resolution to be drawn up for the Superintendent of the BIA. This is subject to Jen Fyten concurrence and legal review. The motion is second by Councilman Strahs.

Discussion: This will authorize the superintendent to complete the transaction. This will be the first fully resolved 747 claim. There are 28 in this process he will be the first to complete it and made whole. This will be reviewed by the Executive Secretary and given a number. The reserved number is 09-126-VJB.

VOTE: 5 Ayes 0 Nays Motion carried.

b. Claimants to apply for Shakopee Donation

Councilman Packineau moved to approve Special projects to be Dominick Silletti and to bring back a resolution authorizing claimants to file for a donation of \$250,000.00 with Shakopee in Minnesota. The motion is second by Councilman Eagle.

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

6. Honoring of Employees: Natural Resource Department

a. Blaine Dickson Completion of Artesia Training Honoring

A plaque and a monetary gift were given to him. A few words of congratulations are given by Councilman Eagle, Councilman Packineau and Chairman Levings.

b. Fred Poitra 2009 Native American Fish & Wild Life Conservation Officer of the Year Award Honoring

Pendleton's and monetary gift are given. The letter of nomination is read by submitter, Annette Young Bird Natural Resource Director. The plaque he won is read. Councilman Eagle, Chairman Levings, Councilwoman Brugh, Councilman Strahs, and Annette Young Bird Natural Resource Director say a few words in honor of Fred.

c. Calvin Grinnell Recognition for Governor Appointing Grinnell to State Historical Board

Blanket and monetary gifts are given.

d. John Bearstail

Councilman Eagle moved to approve of a merit award for job performance in the amount of \$500.00 and severance pay \$600.00 x 5 years for a total of \$3000.00 (minus taxes). The motion is second by Councilwoman Brugh.

Discussion: He resigned and is going back to school.
VOTE: 5 Ayes 0 Nays Motion carried.

e. Fred Fox

Councilwoman Brugh moved to approve a merit award in the amount of \$500.00 for job accomplishments requested by Natural Resource Director for Fred Fox. The motion is second by Councilman Benson.

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

7. North Segment Water Agreement: Scott Eagle/Steve Kelly

a. 40 Acre Land Purchase for North Segment

Councilman Benson moved to approve the purchase of 40 Acres from Silver Line Properties, LLC. for North Segment for development in the amount of \$140,000.00. The funds to come from 4 Bears Casino as an additional amount added to the distribution to the Three Affiliated Tribes. The funding is subject to 4 Bears Casino management working it through with the TAT Treasurer and CFO. The Proceeds from North Segment water sales

is to pay back the \$140,000.00. The motion is second by Councilman Eagle.

Discussion: The share of funds North Segment will make form the 50/50 with Steve Kelly, Trust Land Oil Services will be approximately \$200,000.00 so the land purchase can be paid back within one year. Acre footage and more wells are discussed. (Small Loan Department \$2 million offer to buy as a marketable package is discussed with Steve Kelly).

VOTE: 5 Ayes 1 Nays Motion carried.

8. Amendment to a Permit: Dennis Fox/ Steve Kelly

Discussion: The discussion is to make two amendments to the permit. 1. Commercial/Industrial use change. 2. Annual water required from 100 acre feet to 400 acre feet.

9. EPA Clean Up Salary Approval

Councilman Eagle moved to approve the salaries in the amount of \$16,000.00 for the clean-up of 9th street and the Bullseye residence, to come out of Solid Waste budget or the Brownsfield project if available. The motion is second by Councilman Strahs.

Discussion: Councilman Eagle is given authority if it has to come out of the district.

VOTE: 5 Ayes 0 Nays Motion carried.

10. Resolution 09-127-VJB: Request Hidatsa Hills Fee Land to Trust

Councilman Strahs moved to approve of a resolution entitled, "Three Affiliated Tribes Request to the Secretary of Interior to Acquire certain Tribal Fee Lands in Trust Status for the Three Affiliated Tribes pursuant to Section 5 of the Indian Reorganization Act and 25 CFR Part 151. For the Hidatsa Hills Housing Subdivision." The motion is second by Councilman Eagle.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

IX. LEGAL

A. Damon K. Williams Attorney Contract

This will be taken care of when Damon returns.

B. Resolution 09-122-VJB: Probate Code

Councilman Brugh moved to approve to the resolution entitled, "Disclaimer of trust personalty in favor of Theodora Mary Hale

Star, Tribal Identification No.: 301UO01256; DOB: 04.03.1941; Social Security No.: 502-48-8244.” The motion is second by Councilman Strahs.

Discussion: This will have to be forwarded to Heath Knight for proper water marking.

VOTE: 5 Ayes 0 Nays Motion carried.

C. Resolution: Twin Buttes School Ownership & Demolition

This was taken care of in a previous meeting.

D. Conklin Vs. TAT: Petra Mandigo (Closed Session)

E. Secretarial Election

1. Elders Organization Secretarial Election: Donna Morgan/Ramona Two Shields

This was discussion only.

2. Resolution Secretarial Election: Jen Fyten

A meeting with Howard Beamer will have to be set up.

X. OLD BUSINESS:

Meeting called back to order at 4:52 P.M.

A. 2010 Census Bureau: John Lytle

Discussion only.

XI. NEW BUSINESS:

A. Spiritual Message Conveyance: Clarine Packineau

She delivered her message.

B. Housing Issue: Diane Finley

This was not presented.

C. Verbal Presentation: Cesar Alvarez

He gave a thank you presentation.

Tony Mandan sang him an honor song. Councilwoman Brugh gave him a star quilt.

XII. ADJOURNMENT:

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

The meeting adjourned at 11:54 P.M.

CERTIFICATION

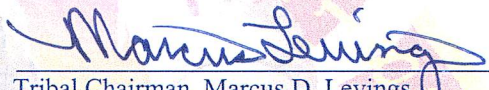
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum _____ were present at the Meeting thereof duly called,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

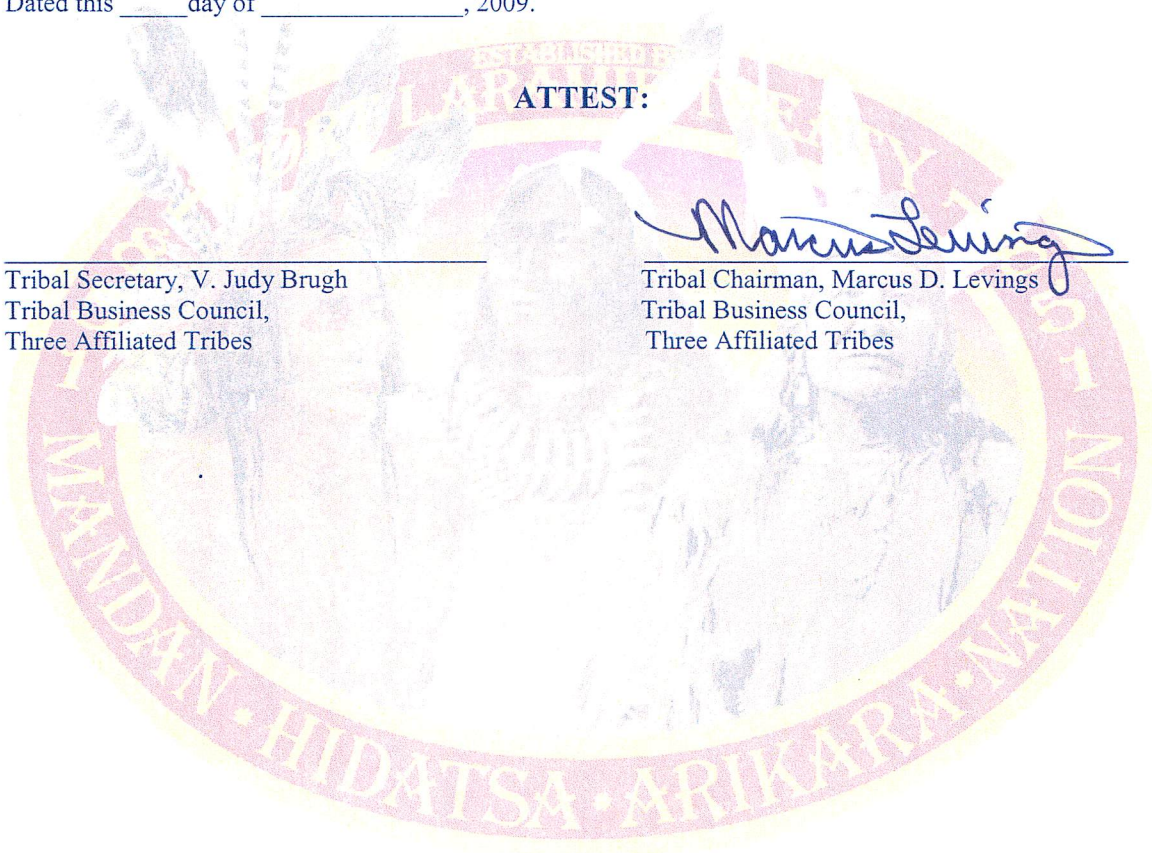
Dated this _____ day of _____, 2009.

ATTEST:

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



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





**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING
09-39-VJB
August 18, 2009, 11:00 A.M.**

I. CALL TO ORDER:

The meeting was called to order at 1147 A.M.

II. PRAYER:

Chairman Marcus D. Levings.

III. ROLL CALL:

Councilman Frank Whitecalfe, Councilman Scott Eagle, and Councilman Barry Benson are on conference call. Chairman Marcus Levings and Councilwoman Brugh are present. A quorum is established. For the record, Councilman Arnold Strahs and Councilman Mervin Packineau are not present. Councilman Barry Benson arrived at 11:51 A.M.

IV. APPROVAL OF AGENDA:

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

Discussion: Thursday will be a Special TBC. The FBHA Special TBC set for August 19th is rescheduled to Thursday, August 27th.

VOTE: 5 Ayes 0 Nays Motion carried.

V. Resolution 09-128-VJB: Meaning of Article IX, Section 2 of Tribal Constitution

Councilman Eagle moved to approve of a resolution entitled, "Meaning of Article IX, Section 2 of Tribal Constitution." The motion is second by Councilman Whitecalfe.

Discussion: Chairman Levings, Damon Williams, TAT Legal, and Michael Roy, Hobbs, Straus, Dean, & Walker have been working on this for the past seven days and the last pieces of the puzzle have come in yesterday. The secretary of Interior got a letter to them through BIA, Howard Beamer. The last issue was fee land IMDA's and we had that from our previous approval of Black Rock. We got that into the record and this resolution is the final document through Hobbs, Walker to the Chippewa Valley Bank. They are represented by Vagre & Benson out of Minneapolis. In a few days the Chairman and Treasurer will have to travel there to sign the closing

documents.

VOTE: 5 Ayes 0 Nays Motion carried.

VI. Correction to Water/Sewer Application

This was not addressed.

VII. ADJOURNMENT:

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

The meeting adjourned at 11:58 A.M.

CERTIFICATION

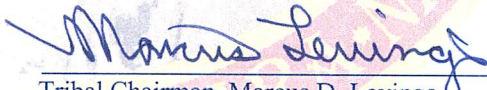
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum _____ were present at the Meeting thereof duly called,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