



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING  
09-41-VJB  
August 20, 2009, 9:00 A.M.**

**I. CALL TO ORDER:**

The meeting was called to order at 11:30 A.M.

**II. PRAYER:**

Tony Mandan.

**III. ROLL CALL:**

Councilman Arnold Strahs, Chairman Marcus Levings, Councilman Scott Eagle, Councilwoman V. Judy Brugh, Councilman Mervin Packineau (Conference call) are present. A quorum is established. For the record Councilman Frank Whitecalfe is not present. Throughout the duration of the meeting, Councilman Barry Benson was conference into the meeting as needed.

**IV. APPROVAL OF AGENDA:**

**A. Agenda**

Chairman Levings-LSA Agreement

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

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

**B. LSA Agreement**

Councilwoman Brugh moved to approve of a Forbearance Agreement and Waiver of Appeal Rights in the LSA vs. TAT lawsuit. The motion is second by Councilman Strahs.

Discussion: Legal has reviewed this. For the record the Chairman did not sign any of those records.

Vote: 5 Ayes 0 Nays Motion carried.

**V. Small Loans: Andrew Reed**

**A. Adam Tony Mandan Loan**

Councilman Eagle moved to approve of a personal loan in the amount of \$2,000.00 for Adam Tony Mandan, second by Councilman Strahs.

Discussion: His wallet was lost, found with no money  
in it.

VOTE: 5 Ayes 0 Nays Motion carried.

**B. Irene Helen Meyers Loan**

Councilman Eagle moved to approve of a personal loan in the amount of \$4,500.00 for Irene Meyers, second by Councilman Strahs.

Discussion: This is for her home insurance.

VOTE: 5 Ayes 0 Nays Motion carried.

**C. Medical Loans**

Councilman Strahs moved to approve of medical loans in the amount of \$28,550.00, second by Councilwoman Brugh.

Discussion: Eva Twiss-\$3,000.00, Marva Pretends Eagle-\$3,500.00, Jane Laroque-\$1,900.00, James Johnson-\$3,500.00, Stacey RedFox-\$1,000.00, Verdell smith-\$1,000.00, Vicotoria Windy Boy-650.00, Weston Smith-\$2,500.00, Cedar Dancing Bull-\$1,200.00, Jacqueline Blue Earth-\$1,800.00, Ella Linder-\$5,000.00, Deane Romero-\$3,500.00. A correction is to add Deanne Dawes for \$1,750.00 and to change the amount to \$30,300.00.

VOTE: 5 Ayes 0 Nays Motion carried.

**D. Mabel Nichols Loan**

Councilwoman Brugh moved to approve of a loan in the amount of \$2,000.00 for Mabel Nichols, second by Councilman Eagle.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

**E. Bentley Heart Loan**

Councilwoman Brugh moved to approve of a loan for Bentley Heart for \$3,000.00 to be paid back by estate in approximately 45 days, second by Councilman Eagle.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

**F. Leslie Baker/Elizabeth Hopkins Loans**

Councilwoman Brugh moved to approve of a loan for Leslie Baker in the amount of \$10,000.00 and Elizabeth Hopkins for \$3,500.00. The motion is second by Councilman Strahs.

Discussion: These are medical loans to be paid back by IIM Accounts with a ketterling hold. Leslie Bakers loan is estimated to be paid off by December with Oil money. Kelly Fox is Leslie Baker's representative with KDU.

VOTE: 5 Ayes 0 Nays Motion carried.

#### **G. Candace Many Ribs Loan**

Councilwoman Brugh moved to approve of a personal loan in the amount of \$3,500.00 for Candace Many Ribs, second by Councilman Eagle.

Discussion: Her mother, Sheila Many Ribs will co-sign for her and make wage assignment payments for \$75.00 bi-weekly.

VOTE: 5 Ayes 0 Nays Motion carried.

#### **H. Frank White Sr. Loan**

Councilman Eagle moved to approve of a loan in the amount of \$1,500.00 for home repair, second by Councilwoman Brugh.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

#### **I. Sharon Hand Loan**

Councilman Eagle moved to approve a personal loan in the amount of \$2,500.00, second by Councilwoman Brugh.

Discussion: This will be the last time that we will be doing this, so you may not be approved next time.

VOTE: 5 Ayes 0 Nays Motion carried.

(For the record: in 2005 conference calls were allowed when Chairman Levings was away at Military training and was work in by the Legal department, this has set precedence for Council conferencing in to meetings)

#### **J. Maxine Buffalo Loan**

Councilwoman Brugh moved to approve of a home improvement loan in the amount of \$3,000.00 for Maxine Buffalo, second by Councilman Strahs.

Discussion: Everything is in order?

VOTE: 5 Ayes 0 Nays Motion carried.

(Councilman Benson is on conference call at 12:44 P.M.)

**K. Education Loans**

Councilman Benson moved to approve of Eleven Education loans in the amount of \$37,166.00, second by Councilman Strahs.

Discussion: Justin Grinnell -\$2,599.00, Jeremy Grinnell-\$2,599.00, Denver Spotted Bear-\$3,518.07, Whitney Lattergrass-\$3,500.00, Stephanie Hall-\$6,000.00, Kristen Freeman-\$3,500.00, Deanna Deblinc-\$7,000.00, Billy Baker-\$7,500.00. RJ Smith for \$3,000.00. Heather Everette for \$3,500.00. Nataya Shepard for \$1,950.00. This is subject to the committee approval and policy/procedures. Shontae Everette was done at the last meeting for \$850.00. There are other programs that should be helping with Education. Councilman Eagle would like to know if these programs are helping out in lieu of the loans.

VOTE: 5 Ayes 0 Nays Motion carried.

**L. Yvette Young Bear Loan**

Councilwoman Brugh moved to approve of a personal loan in the amount of \$5,000.00, for Yvette Young Bear for vehicle repairs. The motion is second by Councilman Strahs.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

**M. Jennifer Walks Loan**

Councilman Eagle moved to approve of a medical loan in the amount of \$6,000.00, second by Councilwoman Brugh.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

**N. Kenny and Claudia Lyson Loan**

Councilman Eagle moved to approve a loan in the amount of \$55,500.00 to city Financial to pay off mortgage, second by Councilman Strahs.

Discussion: Is this going to be paid back in three years? 36 months is not enough time. It will be set up that is affordable.

VOTE: 5 Ayes 0 Nays Motion carried.

**O. Jason White Owl Loan**

Councilman Strahs moved to approve of a \$1,500.00 dollar loan for Jason White Owl subject to recommendation of small loan director, second by Councilman Eagle.

Discussion: He will be paying \$250.00 back every two weeks, him and his wife.

VOTE: 5 Ayes 0 Nays Motion carried.

**P. Dean Brady Loan**

Councilman Eagle moved to approve of a loan to purchase a trailer home in the amount of \$10,000.00, second by Councilwoman Brugh.

Discussion: The loan will be paid back @ \$175.00 bi-weekly. Chairman Levings would like to know if Small Loans has an HP.

VOTE: 5 Ayes 0 Nays Motion carried.

(Councilman Packineau conferences back into the meeting at 1:36 P.M. and Councilman Benson hangs up)

**Q. Sarah Solis Loan**

Councilwoman Brugh moved to approve of a medical loan in the amount of \$6,500.00, second by Councilman Eagle.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

**R. Junior Mann Loan**

Councilwoman Brugh moved to approve of a personal loan in the amount of \$3,500.00 for vehicle repairs to get back to work, second by Councilman Eagle.

Discussion: He works in the oil field.

VOTE: 5 Ayes 0 Nays Motion carried.

**S. Chuck Wells Loan**

Councilwoman Brugh moved to approve of a personal loan in the amount of \$1,500.00, second by Councilman Eagle.

Discussion: He is still waiting for his oil revenue to come in.

VOTE: 5 Ayes 0 Nays Motion carried.

**T. Bobcat Purchase: Leo Cummings**

Councilman Eagle moved to approve of the purchase of a bobcat for the Healing horse program to be funded through any pertinent tribal program. The motion is second by Councilwoman Brugh.

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

(15 Minute break is take at 2:03 P.M.)

(The meeting is reconvened at 3:35 P.M.)

**U. Gloria Huff Loan**

Councilwoman Brugh moved to approve of a loan in the amount of \$5,000.00 for Gloria Huff for vehicle repairs. The motion is second by Councilman Eagle.

Discussion: Make check out to the place of repairs.  
Councilman Eagle feels that all vehicle repairs should be treated the same way. Jennifer Walks is another vehicle repair.  
VOTE: 5 Ayes 0 Nays Motion carried.

**V. Lavonne Snyder Loan**

Councilwoman Brugh moved to approve of a loan in the amount of \$3,500.00, second by Councilman Eagle.

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

**W. Ferrin Fox Medical**

Councilwoman Brugh moved to approve of a medical loan for Ferrin Fox in the amount of \$4,000.00 for car payment she is a high risk pregnancy, second by Councilman Strahs.

Discussion: What is used for collateral? Direct deposit from her bank.  
VOTE: 5 Ayes 0 Nays Motion carried.

**X. Eloise Babe Wells**

Councilman Eagle moved to approve of a loan in the amount of \$3,500.00 for Eloise Babe Wells, second by Councilman Strahs.

Discussion: Her sister will help her pay it back. Her IIM account will be utilized for this loan.

VOTE: 5 Ayes 0 Nays Motion carried.

**Y. Nathan Houle Loan**

(Councilman Packineau's call is lost, Councilman Whitecalfe is called at 4:12 P.M.)

Councilman Eagle moved to approve of a loan in the amount of \$2,500.00 for Nathan Houle, second by Councilman Strahs.

Discussion: He is at his limit.

VOTE: 5 Ayes 0 Nays Motion carried.

**Z. Blanket Motion on Loans**

Councilman Whitecalfe moved to approve of Small loans in the amount of \$57,500.00 for 20 Small loans, second by Councilwoman Brugh.

Discussion: Kasey Hall-\$3,000.00, Dunreath LaPlante Demarrey-\$4,000.00, Evanda Grinnell-\$3,500.00, Stephanie Pretends Eagle Mathews-\$3,500.00, Stepanie Hall-\$3,000.00, Ferrin Ells-\$2,000.00, Sandra Finley-\$3,000.00, Elijah Jackson-\$4,000.00, Jake White Body-\$5,600.00, Chrystal Good Bird-\$3,000.00, Arnold Good Bird Jr. \$11,000.00, Tiffany Dickens-\$3,500.00, Arnie Grady-3,000.00, Linda Driver-\$2,200.00, Clover Fox-\$3,000.00, Tony Two Bears-\$2,000.00, Chad Johnson-\$1,600.00, Kelsey Eagle-\$1,500.00, Charles Hunger \$3,500.00, Tracy Halvorson-\$1,500.00. A copy needs to be given to Executive Secretary office for the file. This is subject to policy and procedures.

VOTE: 5 Ayes 0 Nays Motion carried.

**AA. Small Loans Department Memorandum**

Councilwoman Brugh moved to approve of a memorandum for the Small Loans Department to make take the amounts back to \$250.00 and \$500.00 for the Small Loans Department. The motion is second by Councilman Eagle.

Discussion: All Loans are capped at \$3,500.00. It must be paid in full in order to make another loan.

VOTE: 5 Ayes 0 Nays Motion carried.

**BB. Evelyn Wounded Face, Hollis Blake and Josephine Heart Loans**

Councilwoman Brugh moved to approve loans for Hollis Blake in the amount of \$2,900.00 personal, Evelyn Wounded Face for

Home repair \$5,000.00 and Josephine Heart for medical \$4,500.00. The motion is second by Councilman Eagle.

Discussion: Andrew Reed, Small Loans Director has the authority to do loans for Heather Dickens in the amount of \$500.00 and Paula Starr for \$500.00.

VOTE: 5 Ayes 0 Nays Motion carried.

**VI. Roads Department Transaction through BIA: Curt Wells**

Councilman Eagle moved to approve A. Mandaree road repair for \$740,100.90, B. NewTown/Shell Creek road repair, depending on the need of the \$250,000.00. This is a total of \$990,100.90 using the IRR dollars, Special Appropriations through the Bureau of Indian Affairs, to include all of the six segments. The motion is second by Councilman Strahs.

Discussion: A Tax Commission meeting is to be held on Tuesday. Curt is to get with Ed Strahs regarding the NewTown roads. Equipment and the coming bad winter are discussed.

VOTE: 5 Ayes 0 Nays Motion carried.

**VII. Tax Commissioner: Marcus Wells**

This was not addressed.

**VIII. Resolution 09-131-VJB: Wilbur Wilkinson/Dominick Silletti**

Councilman Strahs moved to approve of a resolution entitled, "A Resolution to Authorize Dominick Sillitti and Wilbur Wilkinson to apply for a \$250,000.00 Donation Request from the Shakopee Mde Wakanton Sioux Tribe for the Fort Berthold USDA Section 741 Claimant Project." The motion is second by Councilman Eagle.

Discussion: An amendment to this resolution is to change it to a one million dollar grant. The amount of \$250,000.00 for the Veterans Program, \$250,000.00 for the Boys and Girls Club, and \$250,000.00 for the Elders Program.

VOTE: 5 Ayes 0 Nays Motion carried.

**IX. Ft. Berthold Rural Water: Lester Crows Heart/Ken Royce**

This was not addressed.

**X. Four Bears Casino Selection of Option for Expansion: Spencer Wilkinson Jr./Ben Boucheir**



Councilman Strahs moved to approve of financial option #2 for the 4 Bears Casino expansions, second by Councilman Benson.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

**XI. Johnson Excavating Water/Sewer: Mervin Packineau**

This was not addressed.

**XII. Social Services Issue: Iris Jackson**

Discussion: A liaison is named.

**XIII. Dream Catchers Match Request: Councilwoman Brugh**

This was not addressed.

**XIV. Web Site Contract: Jody Rave**

This was not addressed.

**XV. Permit Oil & Gas Reporting: Dawn Charging/Spencer Wilkinson Jr./Fred Fox/Mike Black (conference)**

Dawn gave a report.

**XVI. Labor Day Events During the 4 Bears Pow Wow Sept. 4-6 2009**

Councilwoman Brugh moved to approve a 1. 50/50 match for the Fort Berthold Mud Run managed by Carmen Halvorson \$750.00 sponsored by the 4 Bears Casino and \$750.00 sponsored from the Three Affiliated Tribes. 2. 50/50 match for the Labor Day Pow Wow Horse Race managed by Richard White Tail and Ted Lone Fight III, in the amount of \$5,500.00 sponsored by the 4 Bears Casino and \$5,500.00 sponsored by the Three Affiliated Tribes. The motion is second by Councilman Strahs.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

**XVII. H.I.P. Budget: Jackie Morsette**

Councilman Benson moved to approve of a general fund budget in the amount of \$167,078.00 for FY-2009 for the Housing Improvement Program. The motion is second by Councilman Eagle.

Discussion: The only difference from the last one is the consultant fees.  
VOTE: 5 Ayes 0 Nays Motion carried.

**XVIII. Consultant Agreement Ed Stuart for H.I.P.**

Councilwoman Brugh moved to approve Ed Stuart for H.I.P Consultant for project overseer, second by Councilman Eagle.

Discussion: Is that all he gets paid? He makes a little more elsewhere.  
VOTE: 5 Ayes 0 Nays Motion carried.

**XIX. FBDC Property Sale**

FPEO Camie Gosnell will follow up on it.

**XX. Personnel: Barlow Wells (Closed Session)**

See Personnel action forms.

**XXI. Trip to Ft. Benning for Son's Army Graduation**

Councilman Benson moved to approve a \$1,000.00 grant from the segment/community funds for Bessy Wells and Vanessa Overlie to attend son's Army Basic graduation in Ft. Benning and they are to come up with \$400.00. The motion is second by Councilman Eagle.

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

**XXII. Annual Leave Policy Re-Affirmed**

Councilman Eagle moved to approve to re-affirm the policy and procedure on annual leave with 240 hours being the maximum amount, second by Councilwoman Brugh.

Discussion: Comp time is discussed.  
VOTE: 5 Ayes 0 Nays Motion carried.

**XXIII. Claire Fox Issue**

FPEO Camie Gosnell to follow up on this.

**XXIV. Chief Financial Officer Lenny Abrams**

**A. Shut Down Small Loans**

Small loans will be closed August 24-28, 2009.

**B. Toni Starr, Carmen Halvorson, Scott Eagle, Elmer Fredericks**

Councilman Benson moved to approve loans for Scott Eagle in the amount of \$3,000.00, Toni Starr for \$2,000.00, Carmen Halvorson for \$1,000.00, and an Independence loan for Elmer Fredericks for \$10,000.00. The motion is second by Councilwoman Brugh.

Discussion: Elmer Fredericks loan to be secured by his IIM account.

VOTE: 4 Ayes 0 Nays 1 Abstention Motion carried.

**C. Roads Financial Update \$500,000.00**

Discussion: Recoup funds for the Three Affiliated Tribes.

**XXV. Resolution 09-132-VJB: Forbearance Agreement**

Councilman Strahs moved to approve of a resolution entitled, "Forbearance Agreement and Waiver of Appeal Rights – Lake Sakakawea & Associates, LLC." The motion is second by Councilman Eagle.

Discussion: The date will be plugged in and then move on.

VOTE: 5 Ayes 0 Nays Motion carried.

**XXVI. Approval to go ahead with Bank of North Dakota**

Councilman Eagle moved for approval for the Chairman, CFO, Treasurer, Lead Legal Lawyer, and Hobbs, Straus, Dean, & Walker Lawyer to go ahead with the Bank of North Dakota or other institutions. The motion is second by Councilman Strahs.

Discussion: This is to change Institutions from Chippewa Valley to another institution. More solid information will be sought after on the Figure Four.

VOTE: 5 Ayes 0 Nays Motion carried.

**XXVII. #16 Ft. Berthold Housing Home Conveyance Mary Coffey**

Councilman Benson moved to approve the conveyance of home to Mary Coffey in Parshall/Lucky Mound, second by Councilman Strahs.

Discussion: August 27, 2009 is when Ft. Berthold Housing will be doing a report on the home conveyances for the TBC. The next BOC meeting will be on August 26, 2009 at 10:00 A.M.

VOTE: 5 Ayes 0 Nays Motion carried.

**XXVIII. Tax Commissioner Staff**

Discussion only.

**XXIX. ADJOURNMENT:**

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

The meeting adjourned at 11:33 P.M.

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**CERTIFICATION**

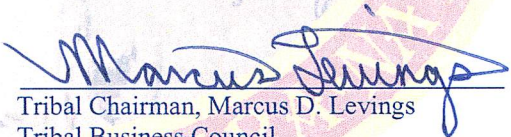
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum \_\_\_\_\_ were present at the Meeting thereof duly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