



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING
09-48-VJB
September 21, 2009, 9:00 A.M.**

I. CALL TO ORDER:

The meeting was called to order at 10:57 A.M.
This is meeting #160 of the Wells-Levings administration.

II. PRAYER:

Becky Knight.

III. ROLL CALL:

Councilman Barry Benson, Councilman Arnold Strahs, Chairman Marcus Levings, Councilman Scott Eagle, and Councilwoman V. Judy Brugh are present. A quorum is established. Councilman Frank Whitecalfe arrived at 11:08 A.M. and Councilman Mervin Packineau arrived at 11:10 A.M.

IV. APPROVAL OF AGENDA:

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

Discussion: Add-ons: Jeff Baker IX. A., Charles Blake IX. B., and Teddy Siers IX. C.

VOTE: 5 Ayes 0 Nays Motion carried.

V. CHAIRMANS REPORT: Marcus Levings

**A. 9:00 A.M. Ft. Berthold Housing Authority Home
Conveyances: Becky Knight (Closed Executive Session)**

1. Resolution: Prevailing Wage Rate: Diane Johnson

Councilman Packineau moved to approve the resolution, he withdrew his motion. This will be brought back to the Special Tribal Business Council meeting on September 28, 2009.

2. Home Conveyances

This will be brought back to the September 28, 2009 Special Tribal Business Council meeting.

3. Dream Catchers Budget

This will be brought back to the September 28, 2009.

B. 11:00 A.M. TERO: (Closed Executive Session)

**C. 12:00 P.M. Chief Financial Officer Report: Lenny Abrams
(Closed Executive Session)**

VI. 2:00 P.M. Open Session TREASURERS REPORT: Mervin Packineau

A. Switches & Cabling for TAT Building: Wayne Simpson
This is deferred.

VII. COMMITTEE REPORT:

A. Executive Committee

1. Resolution 09-145-VJB: Enrollment: John Charging

Councilman Packineau moved to approve of a resolution entitled, "Kent Goodreau Application". The motion is second by Councilman Eagle.

Discussion: No discussion.
VOTE: 5 Ayes 0 Nays 1 Abstention Motion
carried.

B. Economic/Education Committee: Scott Eagle

Deferred.

C. Health Committee: V. Judy Brugh

1. Sanitarian: Verlee Whitecalfe Saylor

Discussion only.

2. Resolution: Health Services to Non-Natives: Jim Foote

Deferred.

3. H1N1 Swine Flu: Verlee Whitecalfe Saylor

Councilman Packineau moved to approve each Tribal Councilmember to receive a case each of the sanitizer/mask for prevention this flu season. The motion is second by Councilman Eagle.

Discussion: 7 Cases x \$150.00= \$1,050.00.

VOTE: 6 Ayes 0 Nays Motion carried.

D. Judicial/Human Resource Committee: Mervin Packineau

1. Resolution 09-146-VJB: Child Support Approval on Proposed Budget: Ellen Wilson 6:40 P.M.

Councilman Whitecalfe moved to approve a resolution entitled, "Approval of the FY 2010 TAT Division of Child Support Enforcement Budget." The motion is second by Councilwoman Brugh.

Discussion: This is a 90% grant and 10% TAT funded. Some instances a man or woman gets hit with child support payments when they shouldn't by the state or tribal or both.

VOTE: 7 Ayes 0 Nays Motion carried.

2. Social Service Finance Memo: Renae Mayer

Discussion only.

E. Natural Resource Committee: Barry Benson

1. Four Bears Clean-up: Elton Spotted Horse

Not present.

2. Resolution: EOG Amendments to Resolution: Fred Fox/Bonnie Good Bird

Not present.

3. Water Quantification: Katherine Vandermere

Councilman Benson moved to approve a consultant contract with Katherine Vandermere for water quantification in the

amount of \$50,000.00, to start with \$25,000.00 now and to work out of the Bismarck satellite office. The motion is second by Councilman Eagle.

Discussion: Katherine Vandermere will go after grant funding in the amount of \$289,000.00, and then reimburse TAT back.

VOTE: 6 Ayes 0 Nays Motion carried.

4. Ft. Berthold Rural Water: Marvin Danks

a. Consultant Contract Leslie Morsette

Councilman Packineau moved to approve of a consultant contract with Leslie Morsette and the Ft. Berthold Rural Water until October 31, 2009, subject to legal review. The motion is second by Councilman Whitecalfe.

Discussion: This will come out of FBRW funds.

VOTE: 7 Ayes 0 Nays Motion carried.

b. Lift Station in Bakersfield 6:14 P.M.

Councilman Packineau moved to approve of a lift station in Bakersfield in the approximate amount of \$544,000.00, second by Councilwoman Brugh.

Discussion: BOR is putting some money up.

VOTE: 7 Ayes 0 Nays Motion carried.

c. FBRW Update

Marvin Danks gave an update.

VIII. LEGAL:

Not present.

IX. NEW BUSINESS:

A. Home Purchase Request: Jeff Baker 6:20 P.M.

Councilman Eagle moved to approve a 50/50 small loan and grant in the amount of \$9,260.00 plus or minus the interest costs, second by Councilman Whitecalfe.

Discussion: Does the mothers nursing home costs come out of her IIM account? Jeff is encouraged to put in an application for security.

VOTE: 7 Ayes 0 Nays Motion carried.

B. Charles Blake

This is referred to the Independence loan program.

C. Pre-Approved Travel: Leo Cummings 6:52 P.M.

Councilman Packineau moved to approve travel for the Healing Horse program for four travelers in the amount of \$9,200.00 to be taken out of the 477 Program. The motion is second by Councilman Eagle.

Discussion: Travel needs to be closed out. This is imperative that they go.

VOTE: 7 Ayes 0 Nays Motion carried.

D. Minna Crows Breast 7:20 P.M.

Councilman Packineau moved to approve of a Medical loan in the amount of \$15,000.00, Subject to policy and procedures of the Small Loans Department. The motion is second by Councilman Eagle.

Discussion: This is emergency medical \$3,000.00 and legal \$12,000.00.

VOTE: 7 Ayes 0 Nays Motion carried.

E. Educational Loan Request: Rollie Knight 7:06 P.M.

Councilman Packineau moved to approve of an education loan in the amount of \$3,500.00 for Rollie Knight subject to the availability of funds and with acceptance letter at Bismarck State College for on-line courses, second by Councilman Whitecalfe.

Discussion: A cap and closer on Small loans is discussed. He will buy a laptop for the classes. To start from scratch is believed to be the best way. The Education committee has to start reviewing education loans which they present to the TBC for approval. CEO is to start them up again.

VOTE: 7 Ayes 0 Nays Motion carried.

F. Buffalo Ranch: 7:40 P.M.

This is forwarded to the Special Tribal Business Council meeting on September 28, 2009.

G. Natural Disasters Home Losses

Discussion only.

H. Small Loans (Closed Session)

I. Resolution 09-147-VJB: Decline Extension on Refinery

Councilman Packineau moved to approve of a resolution entitled, "Request of the Three Affiliated Tribes to U.S. Environmental Protection Agency and the U.S. Bureau of Indian Affairs to Decline any Extension of the Wait Period for the Federal Environmental Impact Statement – MHA Nation Clean Fuels Refinery." The motion is second by Councilman Strahs.

Discussion: Damon Williams is on conference call.
This will be sent out ASAP.

VOTE: 7 Ayes 0 Nays Motion carried.

X. OLD BUSINESS:

Nothing presented.

XI. ADJOURNMENT:

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

Meeting adjourned at 8:01 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.

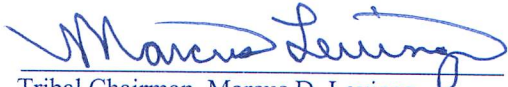
Chairman () Voting () Not Voting

Dated this ____ day of _____, 2009.

ATTEST:

Special Tribal Business Council Meeting
September 21, 2009
Carmen Halvorson

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


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

