



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
09-50-VJB
October 9, 2009, 10:00 A.M.**

I. CALL TO ORDER:

The meeting was called to order at 11:18 A.M.

II. PRAYER:

Jamie Hale.

III. ROLL CALL:

Councilman Arnold Strahs, Chairman Marcus Levings, Councilman Scott Eagle, Councilman Mervin Packineau, and Councilwoman Brugh are present. A quorum is established. For the record, Councilman Frank Whitecalfe and Councilman Barry Benson (called in at 12:49 P.M.) are not present but will be conference called for an item on the agenda.

IV. APPROVAL OF AGENDA:

Chairman Levings add-ons: District One Commander Elmer Four Dance

Councilman Eagle add-ons: Petro-Hunt
Saddle Butte

Councilman Packineau add-on: Pat Packineau
Christine Ross

Councilman Strahs add-on: Resolution: FBCC Board Appointment

Councilman Whitecalfe add-on: Financial: John Kline

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

Discussion: Take Buffalo Ranch off the agenda. Take Budgets off the agenda. Mental Health Consultant Contracts is deferred to the October 20, 2009 meeting.

VOTE: 5 Ayes 0 Nays Motion carried.

V. APPROVAL OF MINUTES:

Aug. 20, 2009	Aug. 21, 2009	Aug. 27, 2009
Sept. 1, 2009	Sept. 2, 2009	Sept. 8, 2009
Sept. 17, 2009	Sept. 21, 2009	Sept. 28, 2009

Councilman Packineau moved to approve nine sets of minutes subject to corrections, second by Councilman Packineau.

Discussion: Aug. 27, 2009 wasn't read out loud but
was included.
VOTE: 5 Ayes 0 Nays Motion carried.

Mandaree Segment Representative Arnold Strahs provides pink scarf's for the TBC members in recognition of Breast Cancer awareness for the month of October 2009.

VI. CHAIRMANS REPORT: Marcus Levings

A. Federal Programs Executive Officer: Camie Gosnell

1. McKenzie Electric Infrastructure Improvement

Concept: Dave Williams/John Skurupey 11:50

Councilman Strahs moved to approve of the proposed McKenzie Electric Infrastructure development and improving services to the Mandaree Segment for residential and industrial oil and gas development for the future, second by Councilwoman Brugh.

Discussion: Councilman Strahs would like to add that since we do have some tribal acres, if McKenzie Electric does have any trouble, he does suggest to the Tribal Council that they approve of leasing more tribal acres if they so need it. Councilman Strahs adds that he supports the development of the oil field and pipeline and thanks them for their service. Included in the motion is the authority for easements, surveys, and anything else. Natural Resource and TAT Legal will be notified that the Tribal Business Council is in support of the development. McKenzie Electric employees Gary Melland, Engineering Services and Steve Lautenschlager, Operations Supervisor will be working on this project.

VOTE: 5 Ayes 0 Nays Motion carried.

B. Chief Executive Officer: Terry Red Fox

1. Proposal for Start Up MHA Ready Mix 4:55

Councilman Strahs moved to approve to research further the proposed MHA Ready Mix and bring it back to the Economic Development Committee. The motion is second by Councilman Packineau.

Discussion: A Calculation of the potential net profit is to be included in the proposal. Right now it is our gravel and we are limited. This would be a part of the revenue source.

VOTE: 5 Ayes 0 Nays Motion carried.

2. Native Aspiration Project: Mark Little Owl 5:02

This will be brought back to the Regular Tribal Business Council meeting on November 12, 2009.

3. TAT CEO Update: Terry Red Fox

Terry gave an update.

4. FBHA BOC Appointments

Councilman Benson moved to approve to support the FBHA Board of Commissioners recommendation to have Becky Knight be on the Negotiating Rule Making Committee and alternate to be Terry Red Fox. The motion is second by Councilman Strahs.

Discussion: Bonnie Good Bird to do a resolution and a letter and get it to TAT Legal Department that supports the appointment. The BOC can appoint someone and the TAT Tribal Business Council can appoint someone.

VOTE: 5 Ayes 0 Nays Motion carried.

5. Recognition for Alice Harwood, Doreen Yellow Bird, Ron His Horse is Thunder, and Charlie Murphy

The Three Affiliated Tribes Tribal Business Council has two blankets and letters of recognition for outgoing Standing Rock Sioux Tribal Chairman Ron His Horse is Thunder and incoming Chairman Charlie Murphy for the October 14, 2009 inauguration. Treasurer Mervin Packineau will be traveling there to deliver the gifts on behalf of the Three Affiliated Tribes.

A letter of recognition and three chiefs Pendleton are presented on behalf of the Three Affiliated Tribes Tribal Business Council for Alice Harwood for her outstanding achievement and the most recent recipient of Department of Interior Diversity Champion award.

A letter of recognition and three chiefs Pendleton are presented on behalf of the Three Affiliated Tribes Tribal Business Council to Doreen Yellow Bird in honor of her most outstanding achievement and most recent recipient of the Native American Journalism Association Milestone.

Jamie Hale is presented with a star quilt for administering the prayer for the meeting.

C. Programs Analyst: Izetta Fernandez

She did not present.

D. Law Enforcement District Commander: Elmer Four Dance 11:34

He gave a report.

E. Saddle Butte Pipeline: J.C. Rabbit Head 1206

He will come back to present.

A break is taken at 12:12 P.M.
The meeting is resumed at 12:48 P.M.

F. Resolution 09-153-VJB: Arrow Pipeline Proposal: Spencer Wilkinson Jr. 12:48

Councilman Strahs moved to approve a resolution entitled, "Approval and Support of Arrow Pipeline LLC for all aspects of Completion of its Pipeline and Gathering Projects Phase 2." The motion is second by Councilman Benson.

Discussion: This is a planning stage not construction.
VOTE: 4 Ayes 1 Nays 1 Abstention Motion carried.

G. Petro-Hunt: Steve Kelly/Brian Ewan/Marshall Hunt/Jeff Herman 12:32

Discussion only.

VII. TREASURERS REPORT: Mervin Packineau

A. Chief Financial Officer Report: Lenny Abrams

1. Resolution 09-154-VJB: 2:58

Councilman Packineau moved to approve of a resolution entitled, "Directive to the Office of Trust Fund Management to Make Available for Draws by the Three Affiliated Tribes Interest Earnings from the Three Affiliated Tribes Economic Recovery Fund in the Amount of \$1,593,000.00." The motion is second by Councilman Strahs.

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

2. Resolution 09-155-VJB: OST/Drawdown

Councilman Packineau move to approve of a resolution entitled, "Directive to the Office of Trust Fund Management to Make Available Funds for Withdrawal from the Three Affiliated Tribes Proceeds of Labor Account PL228700 in the Amount of \$1,900,000.00." The motion is second by Councilman Strahs.

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

3. Resolution 09-156-VJB: Continuing Budget 'FY 2010 3:10

Councilman Packineau moved to approve of a resolution entitled, "Continuing Budget Resolution for the Three Affiliated Tribes – **Fiscal Year 2010.**" The motion is second by Councilman Strahs.

Discussion: No jobs are being cut, just areas of concern. The last **BE IT FINALLY RESOLVED THAT,** is struck from the resolution. This will be brought back to the October 20, 2009 Special Tribal Business Council meeting.
VOTE: 5 Ayes 0 Nays Motion carried.

4. Resolution 09-157-VJB: Renewal of Existing Revolving Line of Credit

Councilman Packineau moved to approve of a resolution entitled, "Approval of Renewal of the Existing \$14,000,000 Revolving Line of Credit with BNC Bank of Bismarck, North Dakota for General Operating Purposes of the Tribes and Authorization for the Chairman and Treasurer to Execute all Necessary Loan Documents." The motion is second by Councilman Strahs.

Discussion: Clarification in the amount of \$14 million even is given.
VOTE: 5 Ayes 0 Nays Motion carried.

5. Budget Issue: Lenny Abrams 3:15

Councilman Strahs moved to approve the TAT CFO and TAT CEO to put together a proposed guideline for Grants and Donations, second by Councilman Packineau.

Discussion: Guidelines would be similar to Federal Guidelines for LIHEAP low income and Commodity

Programs, limited to medical. This will be brought back to full Tribal Business Council on October 20, 2009, voted, and then posted in the newspaper. On December 31, 2009, 1099's for \$500.00 or more may be considered.

VOTE: 5 Ayes 0 Nays Motion carried.

**6. Small Loans Issue: (Executive Closed Session)
4:23**

7. CFO Authorization (Executive Closed Session)

B. Nueta Nation Language Initiative Budget: Corey Spotted Bear

Tabled.

C. Dream Catchers Budget: Florence Brady

Table.

D. Tribal Education Budget: Connie White Bear

Tabled.

VIII. COMMITTEE REPORT:

A. Executive Committee

1. Four Bears Casino Report: Spencer Wilkinson Jr.

2. Gaming Commission Report: Mark Fox 5:32

a. Temporary Employees

Councilman Packineau moved to approve 18 employee temporary licenses for the Four Bears Casino, second by Councilman Strahs.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

b. Budget Expenditures

An update was given.

c. TAT Internal Auditor (Gaming) Financial Summary and Budget Approval for FY 2010

Councilman Strahs moved to approve 2010 Financial Summary & Budget Approvals for TAT Gaming Commission and TAT Internal Auditor (Gaming), second by Councilwoman Brugh.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

3. Resolution 09-159-VJB: Enrollment Rescinding to 09-123-VJB: John Charging 5:51

Councilman Strahs moved to approve of a resolution entitled, "173 Eligible Enrollment Applicants." The motion is second by Councilman Packineau.

Discussion: Three members were previously enrolled. These were parents.

VOTE: 4 Ayes 0 Nays Abstention Motion carried.

4. Personnel: Barlow Wells

a. Homeland Security Clarification

Tabled.

B. Economic/Education Committee: Scott Eagle

1. Request for NDIEA Conference Funding: Connie White Bear 6:06

Councilman Packineau moved to approve funding in the amount of \$5,000.00 for the NDIEA Conference to be held at Ft. Berthold. The motion is second by Councilwoman Brugh.

Discussion: This conference is held in rotation and this year is our year. The funding will be used for presenters, scholarship, and recognition of educators. A banquet will be held the evening of October 22, 2009 at the NewTown High School/Middle School. Last year it was held in Belcourt, this year is Mandaree, next year is Bismarck, then Fort Totten.

VOTE: 5 Ayes 0 Nays Motion carried.

C. Health Committee: V. Judy Brugh

1. Elbowoods Memorial Health Center Update: Jim Foote 5:53

He gave an update.

2. Renewal of Four Consultant Agreements: Mark Little Owl

Tabled to October 20, 2009 Special TBC.

3. Voc Rehab Funding: Leo Lockwood

Tabled.

D. Judicial/Human Resource Committee: Mervin Packineau

1. Resolution: Adopt Litter Ordinance: Judy Black Hawk

2. Extradition & Excursion: Evan Burr

He was not present.

3. Domestic Violence: DeAnna DeBlieck

E. Natural Resource Committee: Barry Benson

1. Buffalo Ranch: Ted Siers

Tabled.

2. Resolution: Energy Efficiency & Conservation Block Grant: Waylon Pretends Eagle

3. Arrow Pipeline: Spencer Wilkinson Jr.

This was moved up on the agenda.

4. Road Safety Restrictions: Curt Wells

IX. LEGAL:

A. Resolution: Prevailing Wage Rate: Diane Johnson

She was not present.

B. Business Licenses: Jen Fyten 6:15

Councilman Packineau moved to approve of a business license for Lyon Wolding for Wolding Trucking, second by Councilman Strahs.

Discussion:

No discussion.

VOTE:

5 Ayes 0 Nays Motion carried.

X. NEW BUSINESS:

A. Resolution 09-158-VJB: Mandaree Board Appointment 4:52

Councilman Strahs moved to approve of a resolution entitled, "Approval of Mandaree-West Segment Tribal Council Representatives, Change of Board Appointment for Fort Berthold Community College." The motion is second by Councilman Packineau.

Discussion:

Connie White Bear resigned on October 6, 2009 and Abigail Bingen will be the replacement.

VOTE:

5 Ayes 0 Nays Motion carried.

B. Water/Sewer Application: Pat Packineau 6:10

Councilman Benson moved to approve of a Water/Sewer application for Pat Packineau, second by Councilman Strahs.

Discussion:

No discussion.

VOTE:

4 Ayes 0 Nays 1 Abstention Motion

carried.

C. Christine Ross

She is not present.

D. Financial: John Kline 6:16

This will come back to the October 20, 2009 Special Tribal Business Council meeting.

E. EPA Clean Up Sanish & NewTown: Elton Spotted Horse

Councilman Strahs moved to approve the EPA dump site Cleanup of Sanish in the area of the Jake Whitebody residence and the removal of a burned Trailer in Salters Trailer Court in NewTown for Tom CrowsHeart. This is to be funded by the EPA grants and a portion of the general fund. The motion is second by Councilman Packineau.

Discussion:

No discussion.

VOTE:

5 Ayes 0 Nays Motion carried.

F. FEMA Trailer Issue 6:25

Discussion only.

G. Hope Fragoza Issue

Discussion only.

XI. OLD BUSINESS:

XII. ADJOURNMENT:

Councilwoman Brugh moved to adjourn, second by Councilman Strahs.

Meeting adjourned at 7:07 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

Regular Tribal Business Council Meeting

October 9, 2009

Carmen Halvorson

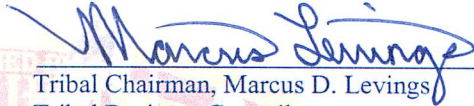
and duly adopted at such meeting by the affirmative vote of _____ members; _____ members opposed;
_____ members abstained; _____ Members not voting.

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

