



**☐ THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING
09-56-VJB
November 23, 2009, 12:00 P.M.**

I. CALL TO ORDER:

The meeting was called to order at 12:30 P.M.

II. PRAYER:

Mr. Robert Mulluck

III. ROLL CALL:

Councilman Frank Whitecalfe, Councilman Arnold Strahs, Councilman Scott Eagle, Councilman Mervin Packineau, and Councilwoman V. Judy Brugh are present. A quorum is established. For the record Councilman Barry Benson and Chairman Marcus Levings are not present. Vice-Chairman Frank Whitecalfe will be chairing the meeting.

IV. APPROVAL OF AGENDA:

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

Discussion: El Marie Conklin will not be an add-on today; she will be forwarded to the Special Tribal Business council meeting on Wednesday, November 25, 2009.

VOTE: 5 Ayes 0 Nays Motion carried.

V. H.A. Thompson & Son: Brad Mann:

This will be forwarded to the Special Tribal Business Council meeting on November 25, 2009.

VI. 4 Bears Casino Report: Spencer Wilkinson 1:53

He gave a report.

VII. Resolution 09-174-VJB MEC: Clarence O'Berry 1:08

Councilman Strahs moved to approve of a resolution entitled, "Approval of a Limited Waiver of Mandaree Enterprises Corporation's Immunity from Suit." The motion is second by Councilman Packineau.

Discussion: The last **Finally be it Resolved** covers the Tribes sovereign immunity.

VOTE: 5 Ayes 0 Nays Motion carried.

VIII. Dialysis Issue: Marilyn Alcon

She is not present.

IX. Legal Business Licenses: Damon Williams 1:18

Councilman Packineau moved to approve of a Business License and Off-sale License for Robert Rupert at the Cache Restaurant in the 4 Bears Casino. The motion is second by Councilman Strahs.

Discussion: TAT lead legal will remind him of the terms of the lease.

VOTE: 5 Ayes 0 Nays Motion carried.

X. Enrollment 09-176-VJB: John Charging 2:38

A. Enrollment

Councilman Packineau moved to approve of a resolution entitled, "Approval of 308 Applicants for Enrollment into the Three Affiliated Tribes." The motion is second by Councilman Eagle.

Discussion:

VOTE: 4 Ayes 0 Nays 1 Abstention Motion carried.

B. Resolution 09-177-VJB: Relinquishment Nicholas James Dwarf

Councilman Eagle moved to approve of a resolution entitled, "Approval of Relinquishment of Nicholas James Dwarf Enrollment #301U-08396 from Membership in the Three Affiliated Tribes." The motion is second by Councilman Strahs.

Discussion:

VOTE: 5 Ayes 0 Nays Motion carried.

C. Resolution 09-178-VJB: Relinquishment Seth Mason

Councilman Strahs moved to approve of a resolution entitled, "Approval of Relinquishment of Seth Mason Enrollment #301U-11218 from Membership in the Three Affiliated Tribes." The motion is second by Councilman Eagle.

Discussion:

VOTE: 5 Ayes 0 Nays Motion carried.

XI. Resolution: Litter Ordinance: Judy Black Hawk

She was not present.

XII. Child Support Enforcement: Ellen Wilson

Councilman Eagle moved to approve of the IRS Safeguarding contract for the Child Support Enforcement Unit, second by Councilwoman Brugh.

Discussion: No discussion.

VOTE: 4 Ayes 1 Nays Motion carried.

XIII. Scoria Pit: Gainus Little Soldier

Not present.

XIV. Personnel: Barlow Wells

A. Consultant Agreement: Judith Brady (Closed Session)

B. Tribal Historic Preservation Office: Pete Coffey (Executive Closed Session)

XV. G-4: Fred Fox

XVI. Resolution 09-175-VJB: Breslin Estate: Jarrett Baker/Damon Williams 1:22

Councilman Eagle moved to approve of a resolution entitled, "Transfer of Mineral Interests in "Breslin" property to the Ardis Breslin Estate and Kerry Breslin Baker as sole heir." The motion is second by Councilman Packineau.

Discussion: The acres are 32.36 acres and 8.25 acres. The gift deeded acres will be brought back since they haven't been registered. They have a legal argument to take back the mineral acres on the 32.36 acres. It is different on the 8.25 acres because it was not in there. But because they were so close in "timing", that reading

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both together would seem like the minerals would be kept. There is more land there but the tribe has enough for the hospital and housing right now. Future expansion is mentioned. Fee land to trust is mentioned (documentation 1912). Councilman Eagle will check into taxes so that nothing will be lost to taxes again (Parshall). Usually minerals are left with the owner but some have sold minerals to the tribe.

VOTE: 4 Ayes 0 Nays 1 Abstention Motion carried.

XVII. Resolution 09-179-VJB: ARRA Funding

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

Discussion:

VOTE: 5 Ayes 0 Nays Motion carried.

XVIII. Resolution 09-171-VJB: Amendment to a Resolution

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

Discussion:

VOTE: 5 Ayes 0 Nays Motion carried.

XIX. ADJOURNMENT:

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

The meeting adjourned at 5:26 P.M.

CERTIFICATION

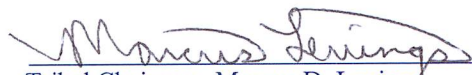
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum ____ were present at the Meeting thereof duly called,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