



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING  
09-61-SE  
December 22, 2009, 12:00 P.M.**

**I. CALL TO ORDER:**

The meeting was called to order at 12:40 P.M.  
This meeting is #175 of the Levings administration.

**II. PRAYER:**

Jamie Hale.

**III. ROLL CALL:**

Councilman Frank Whitecalfe, Councilman Arnold Strahs, Chairman Marcus Levings, Councilman Scott Eagle (Acting Secretary), and Councilman Mervin Packineau are present. A quorum is established. For the record, Councilman Barry Benson and Councilwoman V. Judy Brugh are not present.

**IV. APPROVAL OF AGENDA:**

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

Discussion: On the agenda is Legal, Personnel, Native American Training Institute, and James Baker will be added under Personnel.

VOTE: 5 Ayes 0 Nays Motion carried.

**V. Chairman's Report: Marcus Levings**

**A. Legal: Damon Williams 12:44**

**1. Resolution 09-201-SE: Probate for Theodora Hale Star**

Councilman Packineau moved to approve of a resolution entitled, "Grant of Life Estate to Theodora Mary Hale Star in all Trust Real Property Interests from the Estate of Hazie C. Star when vested in the Three Affiliated Tribes." The motion is second by Councilman Whitecalfe.

Discussion: This is a huge decision. This was initiated by the government because tribes were asking for help. Now they come up with this new rule and now that this happened that a Will is not completed. Now where do they go? If there is no attorney doing it for free, it is tough for elders on fixed incomes to do it. Either it is going to be in or out of the probate code. It will have to go into the code because policy is being set

by this resolution. The code would have to be limited to spouse only.

VOTE: 4 Ayes 0 Nays 1 Abstention Motion carried.

**2. Resolution 09-202-SE: TAT Commission of Athletic Regulation to Assoc. of Athletic Commission 1:13**

Councilman Whitecalfe moved to approve of a resolution entitled, "Submittal of Intent to Create the Three Affiliated Tribes Commission of Athletic Regulation to the Association of Boxing Commissions." The motion is second by Councilman Eagle.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

**VI. Executive Committee:**

**A. Four Bears Casino Report: Spencer Wilkinson Jr.**

A report was given.

**B. Gaming Commission: Mark Fox 1:41**

**1. 4 Bears Casino Temporary Licenses for Key and Non-Key Employees**

Councilman Eagle moved to approve of eighteen temporary licenses for Key and Non-key employees for the Four Bears Casino, second by Councilman Strahs.

Discussion: No discussion.

VOTE: 5 Ayes 0 Nays Motion carried.

**2. Surveillance Budget 1:54**

Councilman Eagle moved to approve of the FY'10 TAT Surveillance Department Budget in the amount of \$490,000.00, second by Councilman Whitecalfe.

Discussion: The surveillance equipment needs to be updated. NVR has more capabilities than the DVR. Proposals by companies will be looked at. Approximate cost is \$500,000.00 to \$600,000.00.

VOTE: 5 Ayes 0 Nays Motion carried.

**3. Report**

An update was given.

**4. Class III Regulatory Fees for 2010 2:02**

Councilman Packineau moved to approve of to increase the Class III Regulatory fees by 10% across the board for the 4 Bears Casino, second by Councilman Strahs.

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

**5. Class II Gaming Raffle 2:06**

Councilman Strahs moved to approve of the raffle rule of making \$500 or more before paying the 60% and taking the admin fee, second by Councilman Eagle.

Discussion: Mark explains the rule.  
VOTE: 5 Ayes 0 Nays Motion carried.

**6. Weed & Seed Meeting/Title 31 Issue**

Discussion only.

**C. Personnel: Denise Cavanaugh  
Indian Police Academy Completion Incentive: James Baker  
1:45 2:18**

Councilman Eagle moved to approve of a meritorious award in the amount of \$500.00 for James Baker for his completion of training in Artesia, New Mexico for Tribal Fish & Game. The motion is second by Councilman Strahs.

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

**1. Extension on Deer Hunting Season for Two Days**

Councilman Strahs moved for approval for an extension on deer hunting season for an extra two days from December 26-27, 2009. This excludes the Whitecalfe ranch in White Shield. The motion is second by Councilman Packineau.

Discussion: No discussion.  
VOTE: 4 Ayes 1 Nays Motion carried.

**2. Personnel: Denise Cavanaugh (Closed Session)**

See Personnel Action Forms.

**a. Annual Leave**

Discussion: A resolution will have to be brought back regarding the change to the personnel policy handbook regarding selling back annual leave, not to exceed 160 hours.



**VII. Economic Committee: Scott Eagle**

**A. Native American Training Institute Financial Request**

This was not addressed.

**VIII. Old Business:**

**IX. New Business:**

**A. Ponch Brady Loan 3:39**

Councilman Eagle moved to approve of a loan in the amount of \$1,000.00 for Poncho Brady, second by Councilman Whitecalfe.

Discussion: Rebecca Brady could co-sign.

VOTE: 3 Ayes 2 Nays Motion carried.

**X. ADJOURNMENT:**

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

The meeting adjourned at 3:45 P.M.

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**CERTIFICATION**

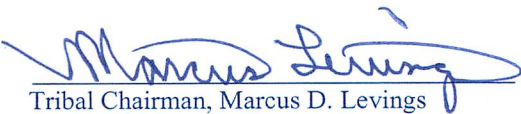
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom (5) constitute a quorum \_\_\_\_ were present at the Meeting thereof duly called,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