

**DISCLAIMER:** The following Tribal Business Council minutes are uncertified or un-approved and are only to be used for historical or archival purposes. The content within this document may contain errors and should be used with caution. All Closed Session content has been removed for publication. The Three Affiliated is not responsible for any action or inference made within this document.





**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING 10-04-VJB  
January 29, 2010, 1:00 P.M.**

---

**I. CALL TO ORDER:**

The meeting was called to order at 1:20 P.M.  
This is meeting No.180 of the Levings administration.

**II. PRAYER:**

The Invocation was given by Bryan Brady.

**III. ROLL CALL:**

Chairman Marcus Levings, Councilman Frank Whitecalfe, Councilman Scott Eagle, Councilman Mervin Packineau, and Councilwoman V. Judy Brugh are present. A quorum is established. For the record, Councilman Barry Benson and Councilman Arnold Strahs are not present. Councilman Packineau left the meeting at 3:30 P.M. Councilman Benson conference called into the meeting at 3:34 P.M.

**IV. APPROVAL OF AGENDA:**

Councilman Whitecalfe add on: Denise Cameron Student Loan  
LaValle LaCroix Student Loan

Councilman Whitecalfe moved to approve of the amended agenda, seconded by Councilman Packineau.

Discussion: Twin Buttes Headstart will be last to present.  
VOTE: 5 Ayes 0 Nays Motion carried.

**V. Twin Buttes Head Start: Councilman Barry Benson**

Councilman Benson moved for approval for Camie Gosnell to do an update and research. She is to work with the Twin Buttes Parent Teacher/Education Committee and review for anything of concern for Councilman Benson. The motion is second by Councilman Eagle.

Discussion: The motion is amended to include all Headstart centers.  
VOTE: 5 Ayes 0 Nays Motion carried.

**VI. Shakopee Loan Closing: Damon Williams, TAT Legal**

**A. Resolution 10-015-VJB: TAT Arbitration Ordinance 2:01**

Councilman Packineau moved to approve of a resolution entitled, "Resolution of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation Establishing the Three Affiliated Tribes of the Fort Berthold Reservation Arbitration Ordinance." Councilman Whitecalfe seconded the motion.

Discussion: The interest rates are discussed.  
VOTE: 5 Ayes 0 Nays Motion carried.

**B. Resolution 10-016-VJB: Shakopee Loan 2:22**

Councilman Packineau moved to approve of a resolution entitled, "Approval of loan and pledge of revenues to provide security therefore, including senior pledge of net casino revenues and junior pledge of oil revenues: approval of forms of documents to be entered into in connection therewith: and authorization of for the Chairman and Vice-Chairman to execute and deliver documents." Councilman Eagle seconded the motion.

Discussion: The difference between Senior and Junior loans is explained by TAT Lead Legal Attorney, Damon Williams. The starting of other projects is discussed.

VOTE: 5 Ayes 0 Nays Motion carried.

**C. Guggenheim Term Sheet: Damon Williams, TAT Attorney/Lenny Abrams, TAT CFO**

Councilman Packineau moved to approve of the Confidential Guggenheim Term Sheet, second by Councilman Whitecalfe.

Discussion: The Lac Du Flambeau case has made it tough all over for making loans. A copy of the Lac Du Flambeau decision is to be given to the CEO, Programs Analyst, FPEO, and the Tribal Business Council.

VOTE: 5 Ayes 0 Nays Motion carried.

**VII. Bear Paw Energy 3:10**

This was informational only.

**VIII. Resolution 10-017-VJB: OST Proceeds of Labor**

Councilman Packineau moved to approve of a resolution entitled, "Directive to the Office of Trust Fund Management to make Available Funds for Withdrawal from Three Affiliated Tribes Proceeds of Labor Account PL7228700 in the Amount of \$1,288,200.00." The motion is second by Councilman Whitecalfe.

VOTE: 5 Ayes 0 Nays Motion carried.

**IX. Resolution 10-018-VJB: JTAC Draw Down**

Councilman Whitecalfe 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 \$2,164,000.00." The motion was seconded by Councilman Eagle.

VOTE: 5 Ayes 0 Nays Motion carried.

**X. Education Loans:**

**A. Denise Cameron, Yvelle LaCroix, and Shyla Demery**

Councilman Whitecalfe moved to approve of Education loans in the amounts of \$600.00 for Denise Cameron, \$4,000.00 for Yvelle LaCroix, and \$2,250.00 for Shyla Demery. The motion is second by Councilman Eagle.

VOTE: 5 Ayes 0 Nays Motion carried.

**XI. Simray Oil and Gas**

Councilman Eagle moved to approve of the Simray Oil and gas lease with the terms of 5 years at 21% royalty. Councilwoman V. Judy Brugh seconded the motion.

VOTE: 5 Ayes 0 Nays Motion carried.

**XII. ADJOURNMENT:**

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

The meeting adjourned at 4:17 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 \_\_\_\_\_, 2010; 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 \_\_\_\_\_, 2010.

**ATTEST:**

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

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