

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 10-09-VJB
March 23, 2010, 10:00 A.M.**

I. CALL TO ORDER:

The meeting was called to order at 10:50 A.M.
This is meeting No. 185 of the Levings administration.

II. PRAYER:

Tony Mandan gave the invocation.

III. ROLL CALL:

Councilman Frank Whitecalfe (acting Chairman to start the meeting), Councilman Mervin Packineau, Councilman Arnold Strahs, Councilman Scott Eagle, and Councilman Barry Benson (conference call) are present. A quorum is established. Councilwoman V. Judy Brugh arrived at 11:30 A.M. Chairman Marcus Levings arrived at 11:58 A.M.

IV. APPROVAL OF AGENDA:

The agenda will be as presented.

V. Resolution 10-034-VJB: Questar/Petro Hunt Pipeline: Rod Panner/Perry Richards 1:00

Councilman Whitecalfe moved to approve of a resolution entitled, "Approval of Right-of-way/Throughout Agreement of Questar Exploration and Production Company and Questar Gas Management Company." The motion is seconded by Councilman Packineau.

Discussion: Three Affiliated Tribes Legal Department is to review and amend the resolution. This will be approval for permission to survey and negotiation for a through put agreement.

VOTE: 6 Ayes 0 Nays 1 Abstention (VJB) Motion carried.

VI. Kodiak Oil & Gas Water Disposal Facility: Marvin Danks, Horace Pipe 1:03

Councilman Strahs moved to approve permission to survey for the Three Affiliated Tribes and Kodiak Oil and Gas for a proposed water management project on Fort Berthold Indian Reservation 2010. The motion is seconded by Councilman Eagle.

Discussion: Strike approval on a resolution. Kodiak will get together with Marvin Danks to work out a contract. In June of 2008 water distribution plants were to be set up in each segment for the Council representative to administrate and use the revenue for the respective communities. Mandaree will be taken care of by Kodiak. Kodiak is to get a water permit and they are to show the Natural Resource Department the final Environmental assessment before a business lease can be approved. Kodiak is to make available to the citizens of the Mandaree community information regarding how often and what EPA will be monitoring.

VOTE: 7 Ayes 0 Nays Motion carried.

VII. Resolution 10-035-VJB: Trust land Water Disposal Facility: Steve Kelly/ Pat Wheeler 1:37

Councilman Strahs moved to approve of a resolution entitled, "Approval of Joint Venture with Sakakawea Water Company, LLC to develop an Industrial and Agricultural Water Supply Service on the Fort Berthold Reservation." The motion is seconded by Councilman Eagle.

Discussion: Amendment to the resolution is for approval at 22% royalty of the gross. This is ok with the maker and second to the motion.

VOTE: 7 Ayes 0 Nays Motion carried.

VIII. Cirque Resources 80/20: Steve Kelly 2:00

No action taken.

IX. Bear Paw Pipeline: Dick Vanderpush, Steve Kelly 2:24

Councilman Eagle moved to approve to support the proposal with Bear Paw Pipeline. The motion is second by Councilman Strahs.

Discussion: A resolution will need to be drawn up for a right-of-way or subsurface agreement. The pipeline will run under the river bed and to come up on the east side of the lake in Parshall segment. Bear Paw is offering both the Tribe and allottees \$1,500.00 per acre. The resolution is to be presented at the March 25, 2010 Special Tribal Council meeting.

VOTE: 7 Ayes 0 Nays Motion carried.

X. Pure Stream Energy: Bill Ruegsegger, Fred Fox 2:49

Councilman Eagle moved for approval to support the mapping process for Pure Stream Energy. Councilwoman Brugh seconded the motion.

Discussion: A tour will be set up by Fred Fox for the Tribal Business Council to see Pure Stream Energy's set up at Northern Ute. A presentation by Pure Stream will need to be set up for the allottees as they hold 2/3 of the wells.

VOTE: 6 Ayes 0 Nays Motion carried.

(A five minute break is taken.)

(Called back to order at 4:00)

XI. TAT Refinery: Horace Pipe/Tom Fredericks 4:00

Councilman Eagle moved to approve to pay TRIAD \$20,000.00 to finish their calculations. The motion is second by Councilman Packineau.

VOTE: 5 Ayes 0 Nays Motion carried.

XII. Arrow Pipe Line: George Courcier

No action taken.

XIII. Resolution 10-036-VJB: Rescission of 09-105-VJB 5:17

Councilman Packineau moved to approve to rescind 09-105-VJB and to approve of a resolution entitled, "Rescission of Resolution 09-105-VJB Approved July 10, 2009 of Spotted Hawk, LLC, of 532.20 Acres of Riverbed located in Dunn and McLean Counties for Oil and Gas Development on the Fort Berthold Reservation." The motion is second by Councilman Strahs.

VOTE: 7 Ayes 0 Nays Motion carried.

XIV. Executive Session: (Closed Session) 5:21

XV. ADJOURNMENT:

Councilman Whitecalfe moved to adjourn the meeting, seconded by Councilman Strahs.

The meeting adjourned at 5:37 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 6 were present at the Meeting thereof duly called, notice, convened and held on the 23rd day of March, 2010; that the foregoing Minutes were amended and duly adopted at such meeting by the affirmative vote of 6 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Chairman (X) Voting () Not Voting

Dated this 16th day of April, 2010.

ATTEST:

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

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