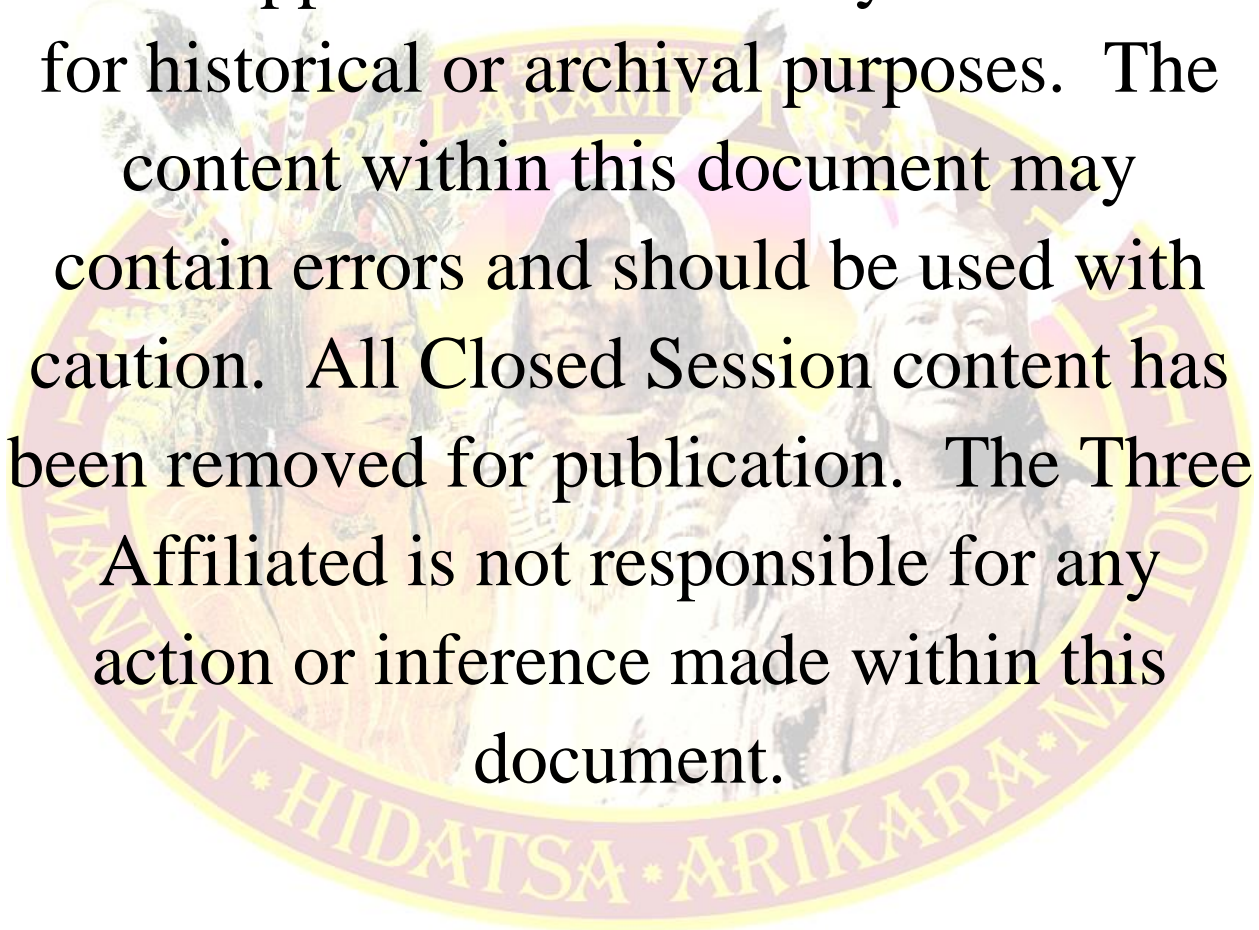


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**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING 10-10-SE  
March 25, 2010, 10:00 A.M.**

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**I. CALL TO ORDER:**

The meeting was called to order at 1:02 P.M.  
This is meeting No. 186 of the Levings administration.

**II. PRAYER:**

Terry Redfox gave the invocation.

**III. ROLL CALL:**

Chairman Marcus Levings, Councilman Arnold Strahs, Councilman Scott Eagle (stood in as acting Executive Secretary for roll call), Councilman Mervin Packineau, and Councilman Barry Benson (conference call) are present. A quorum is established. Councilman Frank Whitecalfe and Councilwoman V. Judy Brugh are not present. Councilwoman Brugh arrived later in the meeting. Councilman Whitecalfe is conference called at 5:49 for the Personnel portion of the meeting.

**IV. APPROVAL OF AGENDA:**

Chairman Levings add-ons: Stella Berquist is to be added on to Personnel.  
XXVIII a.  
Evon Gunderson is to be added under Small Loans.  
XXX.  
Councilman Eagle add-on: Approval for Comprehensive Economic Plan XXXI.  
Councilman Whitecalfe: Ree Hosie Personal Loan  
Mary Hosie Educational Loan

Councilman Eagle moved to approve of the amended agenda. The motion is second by Councilman Packineau

Discussion: Councilman Strahs, Councilman Packineau, and  
Councilman Benson reserve their add-ons.

VOTE: 5 Ayes 0 Nays Motion carried.

**V. MINUTE APPROVAL:**

January 14, 2010

Councilman Strahs moved to approve the January 14, 2010 minutes, subject to review. The motion is second by Councilman Packineau.

VOTE: 5 Ayes 0 Nays Motion carried.

**VI. Four Bears Casino Report: Spencer Wilkinson Jr. & Staff 1:35  
A. Incentive for Rhonda Packineau 2:08**

A star Quilt is given to Rhonda Packineau and an incentive in the amount of \$500.00 for excellent service to the Four Bears C-Store and the Three Affiliated Tribes.

**B. Casino Report & Grant/Donation Increase 3:30**

Councilman Strahs moved for approval to accept the Four Bears Casino Report for March 2010 and an increase in the donation and grant from \$27,500.00 to \$35,000.00. The motion is second by Councilman Eagle.

VOTE: 5 Ayes 0 Nays Motion carried.

**VII. Resolution 10-037-SE: Silver State Capital Investors: Lloyd Vigen 1:16**

Councilman Eagle moved to approve of a resolution entitled, "Request for Financial Proposal for Hotel Expansion and Gaming Related Services from Silver State Capital Advisors." The motion is second by Councilman Strahs.

Discussion: This will initiate the background checks prior to the proposal. This has come from the gaming committee. The advisory board is fully aware.

VOTE: 5 Ayes 0 Nays Motion carried.

**VIII. Arrow Pipeline: Spencer Wilkinson Jr. 1:25**

Councilman Strahs moved to approve a letter in support of Arrow's approved project and to carry out its contractual obligation to XTO Energy Inc. a subdivision of Exxon Mobil to further the production of those allottee wells. The motion is seconded by Councilman Packineau.

Discussion: As business partners, approval from the Tribal Business Council is needed to go ahead and tie in the mainline of the pipeline with the other areas. Stevens Energy does not need support, but XTO area needs support. This motion has nothing to do with approving any allottee wells.

VOTE: 5 Ayes 0 Nays Motion carried.

**IX. Resolution: Safety & Security Policy: Judy Black Hawk, Tribal Court**

Deferred.

**X. Resolution: Health Reform Surveys Analyzed at MSU: Marilyn Young Bird**

Deferred.

**XI. EOG-Communization Agreement**

Deferred.

**XII. Resolution: Spotted Hawk**

Deferred.

**XIII. Resolution: Rescission 09-195-VJB**

Deferred.

**XIV. Resolution: Bear Paw Right-of-Way: Fred Fox, Damon Williams**

Deferred.

**XV. Fish & Game Update: Fred Poitra**

Deferred.

**XVI. Water Quantification Team: Roger White Owl**

Deferred.

**XVII. Load Restrictions Policy: Curt Wells, Roads Dept.**

Deferred.

**XVIII. Policy & Procedures Process: Damon Williams**

Deferred.

**XIX. Resolution 10-038-VJB: Waylon Pretends Eagle Contract 4:42**

Councilman Eagle moved to approve of a resolution entitled, "Approval of Consultant Contract with Waylon Pretends Eagle/Nuxbicadari Consulting." The motion is seconded by Councilman Packineau.

Discussion: He will be working for Lisa Redford in the grants and planning department/CEDS.

VOTE: 5 Ayes 0 Nays Motion carried.

**XX. Resolution: Associate Tribal Member Question: Damon Williams**

No action taken.

**XXI. Legal Opinion on Custody Issue: Jen Fyten (Closed Session) 4:40**

Addressed

**XXII. 2010 TAT Business Licenses 4:11**

Councilman Eagle moved to approve of 10 Business licenses from March 2010 to March 2011, seconded by Councilman Packineau.

Discussion: What is the cost on business licenses? Jen Fyten will let the Tribal Business Council know. Ever Clean-Charles Bearstail, McKinney Enterprises-Mike McKinney, Marshall Bank First Corp.-David Grandstand, Marshall Bank, NA-Davis Grandstand, First Bank-David Grandstand, M.E.C. Store-Clarence O'Berry, J & J Quilt Shop-Jennifer Church, Coffey, Brady, & Associates-Perry Brady & Judith R.C. Brady, Broken Yoke Hot Shot-Danny Hall, Patterson's Destiny-Damon Patterson.

VOTE: 6 Ayes 0 Nays Motion carried.

**XXIII. Miscellaneous: Damon Williams**

**A. Resolution 10-040-VJB: 638 One Stop Shop 6:48**

Councilwoman Brugh moved to approve of a resolution entitled, "Intent of the Three Affiliated Tribes to contract under the Indian Self Determination Act – Public Law 93-638, the Department of the Interior's Office of Indian Energy Development a/k/a Virtual One Stop on the Fort Berthold Indian Reservation." The motion is seconded by Councilman Eagle.

Discussion: A letter of intent will be sent with the resolution. They have 90 days to start taking care of the matter. They will do a start up grant and different things on how to transition into it.

VOTE: 7 Ayes 0 Nays Motion carried.

**B. Rescission of 10-034-VJB: Questar/ Petro Hunt Pipeline 6:56**

Councilwoman Brugh moved to approve to rescind resolution 10-034-VJB, second by Councilman Whitecalfe.

Discussion: This resolution was not run through TAT Legal Department prior to presentation.

VOTE: 7 Ayes 0 Nays Motion carried.

**XXIV. Tax Reimbursement: Sara Bruce/Malcolm Bruce Sr./Marty Danks/James Wolf 7:41**

Councilwoman Brugh moved to approve the Tax reimbursement for motor vehicle gas tax for Sara Bruce, Malcolm Bruce Sr., Marty Danks, and James Wolf. The motion is seconded by Councilman Packineau.

VOTE: 7 Ayes 0 Nays Motion carried.

**XXV. Personal: Sue Romero (Closed Session) 7:34**

Addressed

**XXVI. James Phelan Financial Request**

Deferred.

**XXVII. Personnel: Barlow Wells, Human Resource (Closed Session) 5:09**

Addressed

**XXVIII. Aileen Jackson Trailer Home Sale/Linda Erwin Purchase 4:46**

Councilwoman Brugh moved to approve the purchase of a 1997 16' x 83' Buenna Vista trailer home from Aileen Jackson for KDU Director Linda Erwin. The purchase amount is \$31,522.19 to come out of the KDU third party revenue with payments to go directly to Green Tree Financial. This will be with the option to rent-to-own for Linda and Jerry Erwin. The motion is second by Councilman Packineau.

Discussion: Stella Berquist to follow up to make sure payment is coming out of her check.

VOTE: 6 Ayes 0 Nays Motion carried.

**XXIX. Small Loans 7:05**

**A. Ree Hosie**

No action taken.

**B. Mary Hosie Education Loan**

Discussion: This is an educational loan and can be taken care of by the Small Loans Department.

**C. Evon Gunderson**

No action taken.

**D. Barbra Couture 3:33**

Councilman Packineau moved to approve of an emergency medical transportation loan in the amount of \$2,000.00. The motion is second by Councilman Eagle.

Discussion: How much does she owe? Is she current?

VOTE: 4 Ayes 2 Nays Motion carried.

**E. Resolution 10-039-VJB: Small Loans Signatory Authority 5:00**

Councilwoman Brugh moved to approve of a resolution entitled, "Authorized Signatory for Small Loans Department." The motion is seconded by Councilman Strahs.

Discussion: This is for loan documents not checks. This is for promissory notes and security agreements etc. It is only right that you know there is documentation for promissory notes attached behind every check so that the chairman can sign that also. Jen Fyten in the Legal Department created a separate promissory note set up for IIM accounts in case there is a default to secure a loan on accounts. There needs to be a signature from the tribe.

VOTE: 6 Ayes 0 Nays Motion carried.

**F. Resolution 10-041-VJB: Small Loans Procedures 7:16**

Councilwoman Brugh moved to approve of a resolution entitled, "Enforcement of Wage Assignments and Loan Repayment Policy for Three Affiliated Tribes Small Loans Department." The motion is second by Councilman Strahs.

Discussion: Get resolution from Jen Fyten.

VOTE: 6 Ayes 0 Nays Motion carried.

**XXX. Economic Development Plan: Scott Eagle 6:59**

Councilwoman Brugh moved for approval to send a letter to Larry Echo Hawk, Assistant Secretary-Indian Affairs requesting his support of the Three Affiliated Tribes to pursue in developing a comprehensive economic plan for the Fort Berthold Reservation. The motion is seconded by Councilman Whitecalfe.

VOTE: 7 Ayes 0 Nays Motion carried.

**XXXI. Resolution 10-042-VJB: Red Sage Organization 7:44**

Councilman Packineau moved to approve of a resolution entitled, "Grant Approval to the Red Sage Organization." The motion is seconded by Councilman Whitecalfe.

Discussion: The amount is for \$3,500.00  
VOTE: 6 Ayes 0 Nays Motion carried.

**XXXII. ADJOURNMENT:**

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

The meeting adjourned at 7:45 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 6 were present at the Special Meeting thereof duly called, notice, convened and held on the 25<sup>th</sup> 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 16<sup>th</sup> day of April, 2010.

**ATTEST:**

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

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