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**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING 10-13-VJB
April 15, 2010, 12:00 P.M.**

I. CALL TO ORDER:

The meeting was called to order at 1:41 P.M.
This is meeting 189 of the Levings administration.

II. PRAYER:

Joanne Young Bird gave the invocation (Hidatsa).

III. ROLL CALL:

Chairman Marcus Levings, 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 is not present.

IV. APPROVAL OF AGENDA:

Add-ons:

Councilman Strahs: Jim Danks Water Surface Permit
Councilman Whitecalfe: Enrollment
Councilman Packineau: MJ Gunderson Consultant Contract
Councilman Eagle: Wilbur Wilkinson USDA Update

Councilman Strahs moved to approve of the agenda. Councilman Whitecalfe seconded the motion.

Discussion: Strike Lisa Jefferson Land Purchase from the record.
VOTE: 6 Ayes 0 Nays Motion carried.

V. APPROVAL OF MINUTES:

March 22, 2010 March 23, 2010
March 25, 2010 March 30, 2010
April 13, 2010

Councilman Strahs moved to approve of the five sets of minutes. The motion is seconded by Councilman Whitecalfe.

VOTE: 6 Ayes 0 Nays Motion carried.

VI. CHAIRMAN'S REPORT: Marcus Levings

A. Federal Programs Executive Officer: Kim Abbey

This will be forwarded to April 16, 2010 Tribal Business Council meeting.

B. Chief Executive Officer: Terry Red Fox

This will be forwarded.

C. Programs Analyst: Izetta Fernandez

This will be forwarded.

D. Ft. Berthold Housing Authority: Becky Knight/Diane Johnson (Closed Session) 2:38

1. Re-Affirmed 20 Home Conveyances 4:27

Councilman Whitecalfe moved to approve to re-enforce the home conveyances to be dually, formally, finally approved. Approval is given for the deputy director and Board of Commissioners the authority to expedite the 20 home conveyances. Mary Coffey, Marsha Azure, and Mariam Smith are to be added to the Ft. Berthold Housing Authority list of home conveyances. The motion is seconded by Councilman Eagle.

VOTE: 5 Ayes 0 Nays Motion carried.

(Councilman Packineau arrived back at the meeting at 5:00 P.M. from a doctor appt.)

2. Resolution 10-049-VJB: Reimbursement to FBHA 5:00

Councilman Packineau moved to approve of a resolution entitled, "Reimbursement to the Fort Berthold Authority for Expenditures made on behalf of the 210 Home Initiative Project and former Dream Catcher Program, now known as the FINANCIAL LITERACY TRAINING PROGRAM." The motion is seconded by Councilman Strahs.

Discussion: Amendment to this resolution: Subject to availability of funds; is to be added to the last **Now Therefore be it Resolved** in the resolution. Diane Johnson will make the changes to the resolution. Transfer of Dream Catcher workers to other departments for their expertise is agreed upon. The Elbowoods Health Care Facility Staff homes need help; a Dream Catcher employee with the most expertise would be excellent in this position.

VOTE: 6 Ayes 0 Nays Motion carried.

E. Elbowoods Health Care Facility: Jim Foote

A. Elbowoods Health Care Facility Update: Jim Foote

Deferred to April 16, 2010 Special Tribal Business Council meeting.

B. Resolution: Clinic Housing: Jim Foote

This will be forwarded.

C. Dynamic Homes/Ho-Chunk: Paul Okeson/Lance Morgan/Jim Foote 1:50 2:35

Councilman Eagle moved to approve of a master plan for the Elbowoods Memorial Health Center in the amount of but not to exceed \$15,500.00 with Short Elliott Hendrickson Inc. The motion is seconded by Councilman Packineau.

Discussion: Strike from the proposed work scope letter to the Three Affiliated Tribes on page four, “that will not be constructed by Dynamic Homes.” Strike paragraphs Four, Five & Six on the second page. It is fair to hear proposals from other business and not sole sourcing. Concrete homes were looked into but are more expensive. This is not an RFP and not an obligation.

VOTE: 4 Ayes 0 Nays 2 (ADS) (VJB) Abstentions Motion carried.

VII. TREASURERS REPORT: Mervin Packineau

A. Chief Financial Officer Report: Lenny Abrams

1. Resolution 10-047-VJB: Docket Drawdown 4:36

Councilman Strahs 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 PL228700 in the Amount of \$3,000,000.00.” The motion is seconded by Councilman Eagle.

Discussion: The segment communities will be paid out of this draw.

VOTE: 5 Ayes 0 Nays Motion carried.

2. Resolution 10-048-VJB: JTAC Draw 4:40

Councilman Strahs moved to approve of a resolution entitled, “Directive to the Office of Trust Fund Management to Make Available for Draws by The Three Affiliated Tribe Interest Earning from the Three Affiliated Tribes Economic Recovery Fund in the Amount of \$1,677,000.00.” The motion is seconded by Councilman Whitecalfe.

Discussion: Clarification is given that some Docket funds have to be retained but not the JTAC.

VOTE: 5 Ayes 0 Nays Motion carried.

B. Tribal Financial Advisors: Christy Jackson/Bill Crader 5:09

Christy and Bill gave an update.

1. Two USDA Loans: Lenny Abrams 6:19

Councilman Whitecalfe moved for approval to retire the debt of two USDA loans that total of approximately \$3.5 Million with the escrow fund. The motion is seconded by Councilman Packineau.

Discussion: The CFO will get the amounts.

VOTE: 6 Ayes 0 Nays Motion carried.

C. Sue Romero Home Sale

Deferred to April 16, 2010 Special Tribal Business Council meeting.

D. Team Roping Request: Don Charging

Deferred to April 16, 2010 Special Tribal Business Council meeting.

E. Team Roping Request: Denny Wolf

Deferred to April 16, 2010 Special Tribal Business Council meeting.

VIII. COMMITTEE REPORT:

A. Executive Committee

1. Four Bears Casino: Spencer Wilkinson Jr.

Deferred to April 16, 2010 Special Tribal Business Council meeting.

2. Gaming Commission: Mark Fox

Deferred to April 16, 2010 Special Tribal Business Council meeting.

3. Personnel: Denise Cavanaugh

Deferred to April 16, 2010 Special Tribal Business Council meeting.

a. Sell Back Hours: Gloria Huff

Deferred.

B. Economic/Education Committee: Scott Eagle

1. FBCC Mandan Language Preservation: KAT Communications

Deferred to April 16, 2010 Special Tribal Business Council meeting.

**2. National Youth Leadership Forum of Medicine Donation Request:
Grace Rodriguez/Rebecca Cronis**

Deferred to April 16, 2010 Special Tribal Business Council meeting.

3. New Town Senior Class Representatives: Maloni Fox

Deferred to April 16, 2010 Special Tribal Business Council meeting.

4. Boys & Girls Club: Ryan Eagle

Deferred to April 16, 2010 Special Tribal Business Council meeting.

C. Health Committee: V. Judy Brugh

1. 21st Century Health Care Reform: Marilyn Young Bird

Deferred to April 16, 2010 Special Tribal Business Council meeting.

D. Judicial/Human Resource Committee: Mervin Packineau

1. Domestic Violence Contract: DeAnne White Bear

Deferred to April 16, 2010 Special Tribal Business Council meeting.

E. Natural Resource Committee: Barry Benson

1. EOG-Communitization Agreement

Deferred to April 16, 2010 Special Tribal Business Council meeting.

(Chairman Levings left the meeting at 6:31 P.M. Councilman Whitecalfe is now chairing the meeting)

2. Resolution 10-050-VJB: Simray Production: Fred Fox/Jason Krueger 6:31

Councilman Eagle moved to approve of a resolution entitled, "Approval of Oil and Gas lease of 160 acres of Lands located in Mountrail County to Simray Production Company, LP, for Oil and Gas Development on the Fort Berthold Indian Reservation." The motion is second By Councilman Strahs.

Discussion: This is in Dunn County and not Mountrail. The language to say: with a 3 year Drill commit. The corrections are to be made.

VOTE: 5 Ayes 0 Nays Motion carried.

3. Fish & Game Proclamation: Fred Poitra

Deferred to April 16, 2010 Special Tribal Business Council meeting.

4. Resolution: Michael Drags Wolf Land Sale

Deferred to April 16, 2010 Special Tribal Business Council meeting.

5. Resolution: Michael Grinnell Mineral Sale

Deferred to April 16, 2010 Special Tribal Business Council meeting.

6. Resolution: Angelo White Body House & Lot Purchase by TAT

Deferred to April 16, 2010 Special Tribal Business Council meeting.

7. Resolution: Lisa B. Jefferson Land Purchase by TAT (Struck from Record)

8. Public Work Dept.: Marvin Danks

Deferred to April 16, 2010 Special Tribal Business Council meeting.

IX. LEGAL: Damon Williams/Jen Fyten/Diane Johnson

A. Resolution: FBHA/Financial Literacy Training Program: Diane Johnson

Deferred to April 16, 2010 Special Tribal Business Council meeting.

X. NEW BUSINESS:

A. Social Service: Alyssa Grant (Closed Session)

Deferred to April 16, 2010 Special Tribal Business Council meeting.

B. Gas Tax Reimbursement: John Charging

Deferred to April 16, 2010 Special Tribal Business Council meeting.

C. Pace Lodging Introduction: MJ Gunderson 6:55

Kevin Christianson of Pace Lodging from Fargo, N.D. is introduced to the Tribal Business Council.

XI. OLD BUSINESS:

XII. ADJOURNMENT:

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

The meeting adjourned at 7:07 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 5 were present at the Regular Meeting thereof duly called, notice, convened and held on the 15th day of April, 2010; that the foregoing Minutes were amended and duly adopted at such meeting by the affirmative vote of 5 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Chairman (X) Voting () Not Voting

Dated the 20th -21st day of May, 2010.

ATTEST:

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

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

