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**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING 10-14-VJB  
April 16, 2010, 10:00 A.M.**

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**I. CALL TO ORDER:**

The meeting was called to order at 11:59 A.M.  
This is meeting 190 of the Levings administration.

**II. PRAYER:**

Kim Abbey gave the invocation.

**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 is not present.

**IV. APPROVAL OF AGENDA:**

Add-ons:

Councilman Whitecalfe: Enrollment

Councilman Eagle moved to approve of the amended agenda, seconded by Councilman Strahs.

VOTE: 5 Ayes 0 Nays Motion carried.

There will be a Special Tribal Business Council meeting on April 20, 2010 at 1:00 P.M. to finish the rest of the items on this agenda.

**V. APPROVAL OF MINUTES: 12:15**

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

Councilman Whitecalfe moved to approve of the five sets of minutes, subject to review and any corrections. The Motion is seconded by Councilman Strahs.

VOTE: 6 Ayes 0 Nays Motion carried.

**VI. CHAIRMAN'S REPORT: Marcus Levings**

**A. Federal Programs Executive Officer: Kim Abbey 12:19**

Councilman Whitecalfe moved to approve of the appointment of Kim Abbey to the position of Federal Programs Executive Officer. The motion is seconded by Councilman Eagle.

VOTE: 5 Ayes 0 Nays Motion carried.

**B. Chief Executive Officer: Terry Red Fox 12:32**

**1. Public Work Dept.: Marvin Danks 12:35**

Councilman Whitecalfe moved for approval to establish the Public Works Department with Marvin Danks as the Administrator. The motion is seconded by Councilman Strahs.

Discussion: Lester Crows Heart will take over on the Fort Berthold Rural Water Department. Marvin will make sure the water projects won't go to the way side. This program will stay under the Natural Resource department but will report to all the committees. Zoning is discussed, but the idea is to include Realty in the Public Works Department which includes zoning. Trailer Park water lines will be put in Four Bears Community to address the ten trailers that have to be moved from D&D trailer park due to the trailer park being sold.

For the record, Chairman Levings voted for the motion.

VOTE: 6 Ayes 0 Nays Motion carried.

**C. Programs Analyst: Izetta Fernandez**

This is forwarded to April 20, 2010 Special Tribal Business Council meeting.

**D. Enrollment: John Charging 4:45**

**1. Resolution 10-53-VJB: Relinquishment of Kyle Robert Dunlap: 4:45**

Councilman Eagle moved to approve of a resolution entitled, "Approval of Relinquishment of from Membership in the Three Affiliated Tribes." The motion is seconded by Councilman Strahs.

VOTE: 6 Ayes 0 Nays Motion carried.

**2. Resolution 10-052-VJB: Relinquishment of Teranne Spotted Bear 4:43**

Councilman Whitecalfe moved to approve of a resolution entitled, "Approval of Relinquishment of Teranne Spotted Bear Enrollment #301U-08747 from Membership in the Three Affiliated Tribes." The motion is seconded by Councilman Strahs.

VOTE: 6 Ayes 0 Nays Motion carried.

**3. Resolution 10-054-VJB: Enrollment 325 Applicants 4:46**

Councilman Whitecalfe moved to approve of a resolution entitled, "Approval of 325 Applicants for Enrollment into the Three Affiliated Tribes." The motion is seconded by Councilman Eagle.

Discussion: These applicants will still be members even though the Secretarial Election happens and they may move it back to ¼ degree Indian blood. Enrollment has raised by about 1600 more members since the new criteria were approved. It is not a violation of the constitution to not except enrollment right now. If it were a vote and denied then it would be a violation.

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

**E. Reservation Telephone Cooperative Fiber Optics: Royce Oslagson**

A gift is given for their work.

**VII. TREASURERS REPORT: Mervin Packineau**

**A. Chief Financial Officer Report: Lenny Abrams (Closed Session) 12:57**

**1. Emergency Trailer Park Loans for the Ten Displaced Families**

Councilman Whitecalfe moved to approve of an emergency medical loan for the ten displaced families from the D&D trailer park in the amount of \$60,100.00. The motion is seconded by Councilman Strahs.

Discussion: Monica McKenzie addressed her needs with the Tribal Business Council.

VOTE: Motion withdrawn by first and second.

**2. Emergency Trailer Park Displacement Loans**

Councilman Eagle moved to approve Ten Families in the Cenex Purchase out of the ten trailer home lots. 6650 as a loan for a grand total up to \$60,100.00 or they can use the loan to purchase. This is subject to availability of funds. The motion is seconded by Councilman Strahs.

VOTE: 5 Ayes 0 Nays Motion carried.

**3. Tax Commissioner: Marcus Wells Sr. 2:43**

No action taken.

**4. Desk Audit for Minne Tohe: Truman Mahto**

He gave an update.

**B. Sue Romero Home Sale**

This is forwarded to the April 20, 2010 Tribal Business Council meeting.

**C. Team Roping Request: Don Charging**

This is forwarded to the April 20, 2010 Tribal Business Council meeting.

**D. Team Roping Request: Denny Wolf**

This is forwarded to the April 20, 2010 Tribal Business Council meeting.

**VIII. COMMITTEE REPORT:**

**A. Executive Committee**

**1. Four Bears Casino: Spencer Wilkinson Jr.**

**a. Silver State Investments: Lloyd Vigen**

This is forwarded to the April 20, 2010 Tribal Business Council meeting.

**2. Gaming Commission: Mark Fox**

This is forwarded to the Tribal Business Council meeting on April 20, 2010.

**3. Personnel: Denise Cavanaugh 3:18**

See Personnel Action forms.

**a. Sell Back Hours Gloria Huff 3:35**

Motion to approve is withdrawn by first and second. Policy must be followed.

**b. Domestic Violence: DeAnne White Bear Deblieck 3:19**

See Personnel Action forms.

Councilman Eagle moved to approve of a consultant agreement between Domestic Violence and Loreline R. Arevalos of Four Directions Consulting for writing grants for the Domestic Violence Department. This has gone through the Legal Department for approval. The motion is seconded by Councilwoman Brugh.

Discussion: The Domestic Violence program is going for a grant for \$900,000.00 that will include their shelter grant and increase employment. Domestic Violence has a transitional housing grant going through the housing department for clients.

VOTE: 6 Ayes 0 Nays Motion carried.

**B. Economic/Education Committee: Scott Eagle**

**1. FBCC Mandan Language Preservation: KAT Communications**

This is forwarded to the next Tribal Business Council meeting.

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

This is forwarded to the next Tribal Business Council meeting.

**3. New Town Senior Class Representatives: Maloni Fox**

This is forwarded to the next Tribal Business Council meeting.

**4. Resolution 10-51-VJB: Boys & Girls Club: Ryan Eagle 12:09**

Councilman Whitecalfe moved to approve of a resolution entitled, "Three Affiliated Tribes Indigenous Language Preservation." The motion is seconded by Councilman Strahs.

Discussion: What is matching? The tribe would support sending 17 students to a language symposium in Temp, Arizona.

VOTE: 5 Ayes 0 Nays 1 Abstention Motion carried.

**5. USDA Update: Wilbur Wilkinson**

This is forwarded to the next Tribal Business Council meeting.

**C. Health Committee: V. Judy Brugh**

**1. 21<sup>st</sup> Century Health Care Reform: Marilyn Young Bird/Martina McKinney 4:32**

Councilman Whitecalfe moved to approve of consultant agreements at the original rate with Marilyn Young Bird and Martina McKinney for the 21<sup>st</sup> Century Health Care Reform. The motion is seconded by Councilman Strahs.

Discussion: They are asking for \$80,000.00 each. This wasn't in their budget. Consultant contracts agreement proposals will be Subject to negotiations, the vice chair to do the negotiations. She is coming back in May, to hold off until then. Go with original rate for two and to term out the third.

VOTE: 3 Ayes 3 Nays Motion Denied.

**D. Judicial/Human Resource Committee: Mervin Packineau**

**1. Domestic Violence Contract: DeAnne White Bear**

This was handled under Personnel earlier in the meeting.

**E. Natural Resource Committee: Barry Benson**

**1. Resolution: Spotted Hawk Oil & Gas Lease: Fred Fox**

This will be forwarded to the next Tribal Business Council meeting.

**2. Resolution: Bear Paw: Fred Fox**

This will be forwarded.

**3. Resolution: Rescission of 10-195-VJB: Fred Fox**

This will be forwarded.

**4. Resolution: Scoria Pit for Adrian Foote: Fred Fox**

This will be forwarded.

**5. Fish & Game Proclamation: Fred Poitra**

This will be forwarded.

**6. Resolution: Michael Drags Wolf Land Sale**

This will be forwarded.

**7. Resolution: Michael Grinnell Mineral Sale**

This will be forwarded.

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

This will be forwarded.

**9. Surface Water Permit for Jim Danks: Marvin Danks**

This will be forwarded.

**IX. LEGAL: Damon Williams**

This will be forwarded.

**X. NEW BUSINESS:**

**1. Social Service: Alyssa Grant (Closed Session)**

This will be forwarded.

**2. Gas Tax Reimbursement: John Charging**

This will be forwarded.

**XI. OLD BUSINESS:**

**XII. ADJOURNMENT:**

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

The meeting adjourned at 5:18 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 5 were present at the Special Meeting thereof duly called, notice, convened and held on the 16<sup>th</sup> 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 this 20<sup>th</sup> -21<sup>st</sup> day of May, 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

