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**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING 10-17-VJB  
May 25, 2010, 12:00 A.M.**

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**I. CALL TO ORDER:**

The meeting was called to order by Chairman Marcus Levings at 12:00 P.M. He introduced the meeting as No. 193 of the Levings administration.

**II. PRAYER:**

Ellen Smith Wilson gave the invocation.

**III. ROLL CALL:**

Chairman Marcus Levings, Councilman Frank Whitecalfe, Councilman Arnold Strahs, Councilman Scott Eagle, and Councilwoman V. Judy Brugh are present. A quorum is established. For the record, Councilman Barry Benson is in a Ft. Berthold Housing Board of Commissioners meeting and Councilman Mervin Packineau is chaperoning the Parshall Senior class trip. Councilman Barry Benson arrived at 2:15 P.M. Councilman Frank Whitecalfe left the meeting at 2:21 P.M.

**IV. APPROVAL OF AGENDA:**

Add-ons:

Chairman Levings-Small Loans Program XI. B.

Chairman Levings-Fargo Satellite Office XI. C.

Councilman Strahs-Discussion on Fire Fighting Equipment: Cliff Whitman

Councilman Eagle-Kelly Fox Education Grant

Councilman Eagle-Steve Serdahl Display for Sale/Artifacts XIV. C.

Councilman Eagle-State Tax Reimbursement for Ronnie Eagle

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

VOTE: 5 Ayes 0 Nays Motion carried.

**V. Twin Buttes School**

This was not addressed.

**VI. H.I.P.: Jackie Morsette**

This was not addressed.

**VII. Ft. Berthold Rural Water: Marvin Danks 12:08**

**A. Thunder Butte Project Drain Fields**

Councilwoman Brugh moved to approve the expenditure to start the Thunder Butte Project for the sewer systems in the amount of \$155,353.28. An application for a grant (Bremer Foundation) to offset a portion or all of the cost has been submitted. There is \$80,000.00 available from an Irrigation project reimbursement that will be put towards the project. From the general fund,

\$75,353.28 will be put towards the Thunder Butte Project. The motion is seconded by Councilman Strahs.

VOTE: 5 Ayes 0 Nays Motion carried.

**B. Funding for CDFI Program 12:21**

Councilman Whitecalfe moved to approve of transferring \$50,000.00 to the CDFI Program from TERO to continue operation. The motion is seconded by Councilman Strahs.

Discussion: This funding was originally intended for First Nations but will now be put towards the CDFI program. High end homes for doctors and that cliental will be built. The Corp. of Engineers has been approached regarding homes near the river.

VOTE: 5 Ayes 0 Nays Motion carried.

**C. FBRW Director Salary**

See Personnel action form.

**VIII. Bertina Chase Consultant Contract**

**IX. Home/Trailer Sale for Lori Uran: Izetta Hopkins**

**X. Oil & Gas Questions with Roy Bird Bear: Howard Beamer/Fred Fox/Damon Williams 2:00**

Roy is gone to Fargo today. This will be addressed at a later date.

**XI. White Shield C-Store: Bernard White 12:35**

Councilman Eagle moved to approve a loan for the White Shield Community for gas at the White Shield C-Store. This will be structured the same way the Twin Buttes Store acquired a loan. The motion is seconded by Councilman Whitecalfe.

Discussion: Is this an Independence or Small Loan? A business plan will need to be submitted.

VOTE: 5 Ayes 0 Nays Motion carried.

**XII. Personnel: Barlow Wells/Denise Cavanaugh (Closed Session) 3:22**

See Personnel action forms.

**XIII. Catholic Conference Request**

This request was handled previously.

**XIV. Summer Tuition White Shield Student Loans/Kelly Fox Loan 1:49**

Councilman Whitecalfe moved to approve of seven education loans in the amount of \$680.00 each for a total of \$4,760.00. This is for summer tuition with FBCC. The motion is amended to include Kelly Fox for a \$3,500.00 Education loan. Councilwoman Brugh seconded the motion.

Discussion: Students receiving education loans are: Raunlyn Marsette, Natalie Minafore, Lottie Hosie, Maria Gonzales, Dustin Krueger, Aldine Rush, and Elizabeth Andrade.

VOTE: 5 Ayes 0 Nays Motion carried.

**XV. Resolution 10-074-VJB: Questar Pipeline Consent to Survey: Damon Williams 12:47**

Councilman Whitecalfe moved to approve of a resolution entitled, "Approval of Consent for the Limited Purpose of Surveying for Quest star Gas Management." The motion is seconded by Councilman Strahs.

Discussion: Does it state in the resolution which area? This says "lands within Ft. Berthold" for surveying only. This would be the perfect time to ask for funding for the powwow.

VOTE: 5 Ayes 0 Nays Motion carried.

**XVI. Resolution 10-075-VJB: Lake Sakakawea Water Depot Company: Fred Fox 1:02**

Councilman Strahs moved to approve of a resolution entitled, "Approval of Water Supply and Load-Put Facility Agreement with Lake Sakakawea Water Depot, LLC." The motion is seconded by Councilman Whitecalfe.

Discussion: The Water Supply & Load-out Agreement document is part of the resolution. Does anyone know what a barrel of water is going for? Our contractors are under bidding each other and going under. Should we put an amount to this? This will be addressed if it becomes a TERO issue. It will be tough to set a minimum. Quantification is discussed.

VOTE: 5 Ayes 0 Nays Motion carried.

**XVII. Resolution 10-076-VJB: Marathon Lease: Fred Fox/Damon Williams 1:30**

Councilman Whitecalfe moved to approve of a resolution entitled, "Approval to lease 9.68 acres of Lands located in McKenzie County to Marathon Oil Company, for Oil and Gas Development on the Fort Berthold Reservation." The motion is seconded by Councilwoman Brugh.

Discussion: There were some concerns about fracking.

VOTE: 5 Ayes 0 Nays Motion carried.

**XVIII. Resolution 10-077-VJB: Boys & Girls Club: Damon Williams**

Councilwoman Brugh moved to approve of a resolution entitled, "Support for the Three Affiliated Tribes Boys and Girls Club Entrepreneurship Summer Camp." The motion is seconded by Councilman Strahs.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**XIX. Small Loans 2:04**

Councilman Whitecalfe moved to approve small loans for Mariam Smith for \$1,500.00, Deb Chase Bell for \$6,500.00, and Daryl Turner for \$2,500.00. The motion is seconded by Councilman Eagle.

VOTE: 4 Ayes 1 Nays (ADS) Motion carried.

**XX. Small Loans 2:11**

Councilman Whitecalfe moved to approve of small loans for Steve Everette Sr. for \$3,500.00 (auto repair), Delma Whitecalfe for \$500.00 (personal), Rose Davis for \$3,500.00 (personal), Amy Solis for \$2,250.00 (vehicle), Samantha Antonio for \$2,000.00 (vehicle), and Jamie Johnson Hale for \$26,000.00 (education); subject to availability of funds and the waiting list. The motion is seconded by Councilman Eagle.

VOTE: 3 Ayes 2 Nays 1 Abstention Motion carried.

**XXI. FY 10' Four Bears Homes: Jackie Jackson Morsette, HIP 2:22**

Councilwoman Brugh moved to approve to start on the next five Four Bears District homes for FY 2010 in the amount of \$825, 000.00 with no down payment with Dynamic Homes. The motion is second by Councilman Eagle.

Discussion: There won't be any money right off.

VOTE: 6 Ayes 0 Nays Motion carried.

**XXII. Mortgage Rate for 210 Homes and BOC 2:45**

Councilwoman Brugh moved to approve to establish the mortgage payment to be at \$400.00 per month across the board for the 210 Home Initiative and the Ft. Berthold Housing Board of Commissioners based on USDA/RDA documents. The motion is seconded by Councilman Benson.

Discussion:

VOTE: 4 Ayes 0 Nays 1 Abstention (SE) Motion carried.

**XXIII. Four Bears Casino Financial Report: Spencer Wilkinson/Donald Chapin/Cindy Widel 2:54**

Councilman Eagle moved to approve of the Four Bears Casino Marketing Report for April 2009-2010. Councilman Strahs seconded the motion.

VOTE: 5 Ayes 0 Nays Motion carried.

**XXIV. Fargo Satellite Office 3:15**

Councilwoman Brugh moved to approve the opening of the Fargo Satellite Office with a budget of \$37,000.00 for salary, fringe, and office rental on a trial bases. The motion is seconded by Councilman Benson.

VOTE: 5 Ayes 0 Nays Motion carried.

**XXV. Graveling AWAHU Access Roads**

Councilwoman Brugh moved to approve to gravel the AWAHU access roads located in the White Shield Segment. The gravel is to come from the White Shield gravel pit. The motion is seconded by Councilman Eagle.

VOTE: 5 Ayes 0 Nays Motion carried.

**XXVI. Steve Serdahl Artifacts 5:54**

Councilwoman Brugh moved to approve the purchase of artifacts from Veronica Serdahl prepared by the late Steve Serdahl in the amount of \$31,400.00. The motion is seconded by Councilman Strahs.

VOTE: 5 Ayes 0 Nays Motion carried.

**XXVII. Small Loan for Marlene Smith 6:22**

Councilman Eagle moved to approve of a small loan in the amount of \$2,500.00 for a vehicle for Marlene Smith. She works at MEC. The motion is seconded by Councilman Strahs.

VOTE: 4 Ayes 0 Nays 1 Abstention (VJB) Motion carried.

**XXVIII. Ronnie Eagle Motor Fuels Tax Credit**

Councilwoman Brugh moved to approve of a tax reimbursement for motor fuels gas tax in the amount of \$384.56 for Ronnie Eagle. The motion is seconded by Councilman Strahs.

VOTE: 5 Ayes 0 Nays Motion carried.

**XXIX. Flickertail Micro Surfacing Blacktops Route 12 & 2: Curt Wells 1:52**

Councilman Strahs moved to approve Flickertail a roads construction contractor to micro surface route 12 & route 2 blacktops in Mandaree and Four Bears through an ARRA contract. The motion is seconded by Councilman Whitecalfe.

Discussion: Roads Department is to get estimates for parking pads for the new homes.

VOTE: 5 Ayes 0 Nays Motion carried.

**XXX. ADJOURNMENT:**

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

The meeting adjourned at 6:29 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 Special Meeting thereof duly called, notice, convened and held on the 25<sup>th</sup> day of May, 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 15<sup>th</sup> day of July, 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

