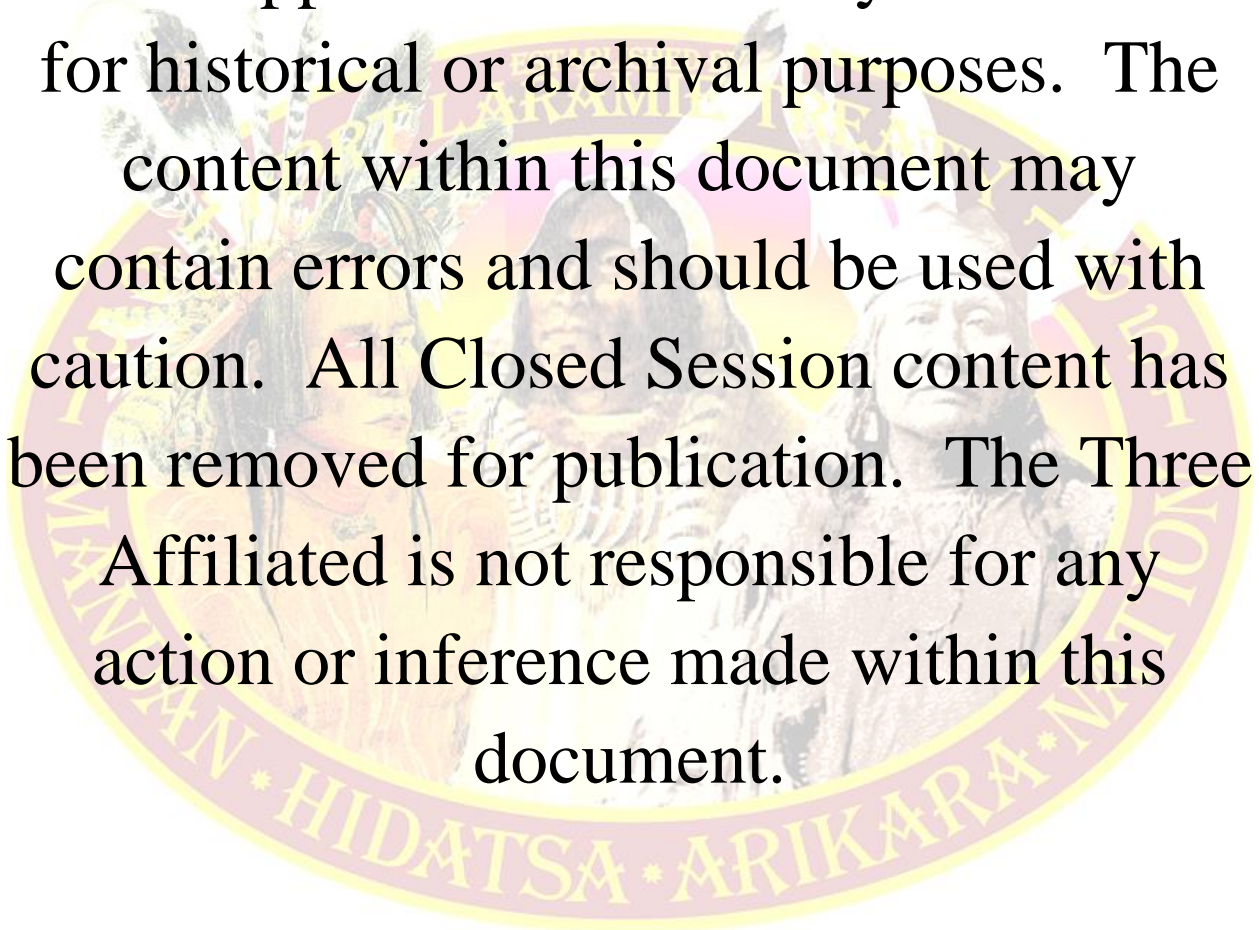


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**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING 10-30-VJB
October 12, 2010, 9:00 A.M.**

I. CALL TO ORDER:

The meeting was called to order at 4:35 P.M.

II. PRAYER:

Mark Fox gave the invocation.

III. ROLL CALL:

Chairman Marcus Levings, Councilman Arnold Strahs, Councilman Scott Eagle, Councilman Mervin Packineau, and Councilwoman V. Judy Brugh are present. A quorum is established. For the record, Councilman Frank Whitecalfe (sick leave) and Councilman Barry Benson are not present.

IV. APPROVAL OF AGENDA:

Add-ons:

Councilman Eagle: Resolution Aging Program Survey: Polly Chase VI. C. 1.

Councilman Packineau: Resolution I.H.S Contract Renewal VII. D.

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

Discussion:

The rest reserve their add-ons.

VOTE:

5 Ayes 0 Nays Motion carried.

V. APPROVAL OF MINUTES:

August 6, 2010

August 11, 2010

August 24, 2010

Councilman Eagle moved to approve of three sets of Minutes, subject to review and concurrence of the Executive Secretary. The motion is seconded by Councilman Strahs.

VOTE: 5 Ayes 0 Nays Motion carried.

VI. CHAIRMAN'S REPORT: Marcus Levings

A. Federal Programs Executive Officer: Camie Gosnell

1. Resolution 10-125-VJB: Extension of Contracts with H.H.S.

Councilman Packineau moved to approve of a resolution entitled, "Authorization and request for Extension of Contract No. HHS-I-241-2011-00008, as a term contract." The motion is seconded by Councilman Eagle.

VOTE: 5 Ayes 0 Nays Motion carried.

2. Resolution 10-126-VJB: Master Contracts (B.I.A.)

Councilman Packineau moved to approve of a resolution entitled, "Recontracting of Program Functions, Services and Activities in FY 2011 under a mature-status

Master Contract, as provided under P.L. 93-638, with the Bureau of Indian Affairs.” The motion is seconded by Councilman Eagle.

VOTE: 5 Ayes 0 Nays Motion carried.

3. Road Maintenance (BIA)

This will be forwarded to the October 26, 2010 TBC meeting.

4. Law Enforcement (BIA)

This is forwarded to the October 26, 2010 TBC meeting.

5. Consultant Contracts Ted Danks, El Marie Conklin, Laurie Pemberton: Marvin Danks

This is forwarded to the October 26, 2010 TBC meeting.

B. Chief Executive Officer: Terry Red Fox

This was not addressed.

C. Programs Analyst: Kim Red Fox

This was not addressed.

VII. TREASURERS REPORT: Mervin Packineau

A. Chief Financial Officer Report: Lenny Abrams

1. Small Loans

a. Art Smith Loan

This is deferred to the October 26, 2010 continuance of the Regular Tribal Business Council meeting.

b. Kelly Driftwood Home Mortgage, Wolf Point MT (closed session)

Addressed

c. Aaron Bell Loan

This will be deferred to the October 26, 2010 continuation Tribal Business Council meeting.

d. Small Loans Report

The Small Loans Department will bring back a more detailed report on repayment of loans and their organizational chart. They will be preparing for an audit.

B. Clear Voice Telecommunication: Scott Wilson/Jason Two Crow

Councilman Packineau moved for approval to direct the CFO to do a foreclosure on the Clear Voice Telecommunications Business Loan. The motion is seconded by Councilman Eagle.

Discussion: The selling of the equipment, loan repayment, and amount being taken out of their checks will be addressed.

VOTE: 5 Ayes 0 Nays Motion carried.

C. Lloyd Vigen Loan Request

Councilman Packineau moved to approve to change loan payment to \$10,000.00 with due date to be December 1ST annually. This is subject to working with the CFO. The rate of 6.25 % will stay the same. The motion is seconded by Councilman Eagle.

Discussion: Get with the CFO and draw up a contract with terms. At this lower payment, Lloyd will be paying for a longer period of time with more interest.

VOTE: 4 Ayes 0 Nays 1 abstention Motion carried.

D. Cody Brugh Request

This will be brought back to the October 26, 2010 meeting.

VIII. COMMITTEE REPORT:

A. Executive Committee

1. Four Bears Casino: Spencer Wilkinson Jr.

2. Gaming Commission: Mark Fox

a. Gaming Commission Executive Director Position

Councilman Eagle moved for approval to appoint Marion Wolf as acting-Gaming Commission Executive Director for the Four Bears Casino and Lodge until the position is advertised and filled. The motion is seconded by Councilman Strahs.

Discussion: The current Gaming Commission Executive Director recommends her for the position. Councilman Packineau thinks Marion is the best qualified for the position based on the regulation side. Mark Fox last day is October 15, 2010.

VOTE: 4 Ayes 1 Nays Motion carried.

b. Gaming Commission Report

Mark Fox, Gaming Commission Executive Director gave a report.

c. FY' 2011 Budget for Gaming

Councilman Eagle moved for approval of the FY' 2011 Gaming Budget, seconded by Councilman Strahs.

Discussion: Revenue has dropped by about \$100,000.00 since last year.

VOTE: 5 Ayes 0 Nays Motion carried.

3. Personnel: Barlow Wells

a. 477 Cost of Living: Leo Cummings

Personnel will be deferred to the October 26, 2010 meeting.

4. Enrollment: John Charging

This is forwarded to the October 26, 2010 TBC meeting.

5. Ft. Berthold Housing Authority: Becky Knight

This is forwarded to the October 26, 2010 TBC meeting.

6. Resolution: Mandaree Appointment to KMHA/MHA Board

This is forwarded to the October 26, 2010 TBC meeting.

7. FY'11 Grant for Headstart: Sara Young Bird

This is forwarded to the October 26, 2010 TBC meeting.

8. Resolution 10-127-VJB: Elder Needs Assessment Survey: Polly Chase

Councilman Eagle moved to approve of a resolution entitled, "Authorization for Tribal Participation I a Nationwide Elder Needs Assessment Survey for the Title VI Grant Funding Year 2011 through 2013." The motion is seconded by Councilwoman Brugh.

VOTE: 5 Ayes 0 Nays Motion carried.

B. Economic/Education Committee: Scott Eagle

There was nothing presented.

C. Health Committee: V. Judy Brugh

1. Elbowoods Health Care Facility Update & Contract Renewal: Jim Foote

This is forwarded to the October 26, 2010 TBC meeting.

2. Tribes Adoption of Federal Regulations on Meat Inspection: Verlee Whitecalfe-Saylor

This is forwarded to the October 26, 2010 meeting.

3. I.H.S. Personnel: Stella Berquist

This is forwarded to the October 26, 2010 meeting.

D. Judicial/Human Resource Committee: Mervin Packineau

1. Tribal Bar Board & Jurisdiction

Councilman Eagle moved for approval to have the TAT Judicial Committee make up the members of the Tribal Bar Board. The motion is seconded by Councilman Packineau.

Discussion: The members are to be made up of Roger Bird Bear, Tyra Wilkinson, Jen Fyten, with alternates to be made up of Leonika Charging, Tom Disselhorst, Steve Kelly, and Tom Fredericks.

A budget will need to be put in place.

VOTE: 5 Ayes 0 Nays Motion carried.

2. Opinion on Chief Judge

This was not addressed.

3. Law Enforcement: Lisa Redford

This is forwarded to the October 26, 2010 TBC meeting.

E. Natural Resource Committee: Barry Benson

1. CGG Veritas Seismic Survey in White Shield: Mark Fisbach

Mark Fisbach was not present.

2. Resolution Zenergy: Fred Fox/Kelly Bryant

Councilman Strahs moved to approve of a resolution entitled, "Approval to leases 20 acres of Lands located in Mountrail County to Dakota-3 E & P Company, LLC, for Oil and Gas Development on the Fort Berthold Reservation." The motion dies due to a lack of a second.

This will be brought back to the October 26, 2010 continuation Tribal Business Council meeting.

3. Marathon Update on Drilling Commitment: Fred Fox

Terry Kovacevich gave an update on Marathon activity.

4. EOG Assignment of Leases: Fred Fox

This will be brought back to the October 26, 2010 continuation meeting.

5. Resolution 10-123-VJB: Tall Salt Financial Group: Steve Gunderson/Fred Fox

Councilman Packineau moved to approve of a resolution entitled, "Approval of Engagement Letter – Tallsalt Financial Group." The motion is seconded by Councilwoman Brugh.

Discussion: The governing Arizona laws will be changed to North Dakota Laws. The deliverables are listed in the agreement. A data base would be created on IMDA's and Leases using software. VOTE: 5 Ayes 0 Nays Motion carried.

6. Energy Department Personnel: Fred Fox

Personnel items are forwarded to the October 26, 2010 meeting.

7. Resolution: Dan Hall Land Exchange Amendment: Ed Fox

This will be forwarded to the October 26, 2010 TBC meeting.

8. Resolution: Arrow Pipeline: Spencer Wilkinson Jr.

No motion or action taken on a resolution entitled, "Two (2) Mile Buffer Zone Requirement for all tribally approved oil and gas gathering systems on the Fort Berthold Reservation."

9. Contract for Economic Report on the Taken Area: Fredericks, Peebles, & Nash

This will be forwarded to the October 26, 2010 meeting.

10. Resolution 10-124-VJB: Dakota-3 E&P 20 Acres Leased

Councilman Strahs moved to approve of a resolution entitled, "Approval to Lease 20 Acres of Lands Located in Mountrail County to Dakota-3 E& P Company, LLC for Oil and Gas Development on the Fort Berthold Reservation." The motion is seconded by Councilman Eagle.

Discussion: The rate will be 22.5 %. This will be a standard term sheet set forth.
VOTE: 5 Ayes 0 Nays Motion carried.

IX. LEGAL: Damon Williams

A. Resolution 10-122-VJB: Solstice Oil & Gas Ratification on JDA: Fred Fox

Councilman Strahs moved to approve of a resolution entitled, "Ratification of Solstice Energy LLC Joint Development Agreement and Approval of Incorporating the terms and provisions of the Joint Development Agreement into an Indian Mineral Development Agreement." The motion is seconded by Councilman Packineau.

Discussion: This is the same terms negotiated, recommended, and put into an IMDA.

VOTE: 3 Ayes 1 Nays 1 Abstention Motion carried.

B. Business Licenses

This will be forwarded.

X. NEW BUSINESS:

A. Sah'nish Millenium Project Arikara Language Program: White Shield School/White Shield School Board

This will be forwarded to the October 26, 2010 meeting.

XI. OLD BUSINESS:

A. Landfill & Well Sites Proposal: Clair Fox

Councilwoman Brugh moved to approve of a letter of intent with CCS Corporation to build a waste management facility. The motion is seconded by Councilman Eagle.

Discussion: More information is requested. A resolution will follow. The location is still under discussion. CCS Corporation, Clair Fox, Damon Williams, and Fred Fox are to work on this. This is to come back to the October 26, 2010 continuation meeting.

VOTE: 5 Ayes 0 Nays Motion carried.

XII. ADJOURNMENT:

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

The meeting adjourned at 11:35 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 Meeting thereof duly called, notice, convened and held on the 15 day of February, 2011; 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 day of February, 2011.

ATTEST:

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

Tribal Chairman, Tex G. Hall
Tribal Business Council,
Three Affiliated Tribes

