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**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING NO. 11-02-TGH
SEPTEMBER 14, 2011**

CALL TO ORDER:

Chairman Tex G. Hall called the meeting to order at 1:39 p.m.

INVOCATION:

The invocation was said by Karen Sitting Crow.

ROLL CALL: Present) Chairman Tex G. Hall, Councilman Barry Benson, Councilman Frank Whitecalfe, Councilman Scott Eagle, Councilman Mervin Packineau, and Councilwoman V. Judy Brugh. Absent) Councilman Arnold Strahs.

01. MOTION ONE: APPROVAL OF AGENDA:

Councilman Eagle moved for approval of the agenda as amended. Councilwoman V. Judy Brugh seconded the motion.

Amendments/additions to the agenda: Civil Traffic Code (Make it a requirement to include log books;) Elmer Fredericks Financial NB, (Closed session) Finley Family, 2.g. Mayor Uran City of New Town, Truck Route, Old Business (4I) Trailer Purchase, (j) financial request Doreen Yellow Bird (j) (3g1) Presentation Quest star scanning system (2a) ?(K)Fema Trailers (L)Marcus Levings

VOTE: 6 Ayes. Motion carried.

02. MOTION TWO-RESOLUTION NO. 11-102-VJB, Enforcement of Tribal Motor Vehicle Laws."

Councilwoman V. Judy Brugh moved for approval of a Resolution entitled, "**Gracie May Fox, Layla April Little Owl, Sarah Johnson, and Ross Little Owl Special Resolution for the Enforcement of Tribal Motor Vehicle Laws.**" Councilman Eagle seconded the motion.

VOTE: 6 Ayes. Motion carried.

02. ELMER FREDERICKS MEDICAL LOAN REQUEST:

Councilman Packineau moved for approval of a Medical Loan request of \$30,000, subject to the requirements of the Small Loan Program Policies. Councilman Whitecalfe seconded the motion.

VOTE: 6 Ayes. Motion carried.

03. DOREEN YELLOW BIRD SMALL LOAN REQUEST:

Councilman Frank Whitecalfe moved for approval of an \$8,900 loan to Doreen Yellow Bird, by combining her two loans to become current and subject to the Small Loan requirements. Councilman Scott Eagle seconded the motion.

VOTE: 6 Ayes. Motion carried.



04. THUNDER BUTTE LAGOON APPROVAL of \$149,870 for FY 2012:

Councilwoman V. Judy Brugh moved for approval of a proposal from Lightowler Johnson Associates, Architects and Engineers to complete the planning of the Thunder Butte Subdivision for a total budget approval request of \$34,670; and for the installation of interim sewer services, septic tank and installation @ \$4,000 @18 units for a total of \$72,000, and a septic tank pumping services twice a month at a cost of \$100 per pump for a total of \$200 per month @ 18 units @ \$43,200 for a total budget of \$115,200, for a grand total of \$149,870 for FY 2012. Councilman Packineau seconded the motion.

VOTE: 6 Ayes. Motion carried.

DISCUSSION: The Indian Health Services Engineers Neil Austin and Chad Snell are working with the Four Bears Segment Office and will coordinate all of the above work with the Three Affiliated Tribes Utilities and the Lightowler Johnson Associates to complete the interim sewer services before the winter season.

05. CITY OF NEW TOWN TRUCK ROUTE DEVELOPMENT:

The City of New Town, Mayor Dan Uran addressed the Tribal Business Council to request a letter of support for an alternative by-pass, truck route. The proposed route is described as such: the South side of the truck route will be a quarter of a mile from the Health Center; and on the North side 300 ft. It will be a slow speed. The proposed cost is estimated at 7.5 Mil first phase. This request will be forwarded on to the Easement office.

06. ELBOWOODS HEALTH CENTER: Housing Project

Councilman Eagle moved for approval of a Phase 1, \$1.2 Million Street Construction Phase for the Elbowoods Clinic. Councilwoman Brugh seconded the motion.

VOTE: 6 Ayes. Motion carried.

08. FORT BERTHOLD RURAL WATER RESOLUTION NO. 11-103-VJB

Councilman Scott Eagle moved for approval of a Resolution No. entitled, "Tribal Business Council Approval of Fort Berthold Rural Water Programs' Water Depot Project." Councilwoman V. Judy Brugh seconded the motion.

VOTE: 6 Ayes. Motion carried.

09. FORT BERTHOLD RURAL WATER—RDO EQUIPMENT CO.

Councilman Eagle moved for approval of a purchase of a 2010 John Deere 4IOU for \$92,278.36 and a 2010 Arrow Forklift Forks, 2010 for a total of \$149,158.36 from the Fort Berthold Rural Water Budget. Councilman Packineau seconded the motion.

VOTE: 6 Ayes. Motion carried.



10. TRIBAL HOUSING EQUIPMENT PURCHASE APPROVAL:

Lawrence Baker requested approval to purchase a back hoe and trailer, estimated at \$75,000. There is money in the FY-2011 Budget and RDO Equipment has them on hand. There is available funding in the 3 Mil. Budget for FY 2011.

Councilman Packineau moved to approve the purchase of a backhoe and trailer not to exceed \$75,000. Councilman Scott Eagle seconded the motion.

VOTE: 6 Ayes. Motion carried.

11. TRIBAL HOUSING REQUEST TO PURCHASE MOBILE HOME SIDRICK BAKER:

Lawrence Baker presented a proposal to purchase a 1995 Mobile Home for one of the displaced families one being Kevin Finley, and to move it on the Locken lots in Dakota Drive. Councilman Eagle moved for approval of the purchase of a mobile home for \$20,000 from Sidrick Baker with the payment to come out of the Tribal Housing Funding. Councilwoman Brugh seconded the motion.

VOTE: 6 Ayes. Motion carried.

12. ELDERS MEDICARE SUPPLEMENT INSURANCE:

The MHA Elders Organization recommends that the “Twin Buttes proposed Insurance Plan” to be held in abeyance until a full feasibility study can be formulated and completed. They also recommend that MHA Elder members be involved in this study. The Tribe doesn’t have a list for all of the elders— only for the Twin Buttes area.

13. ESTABLISHMENT OF A TRIBAL ELDERS LIAISON OFFICE:

Councilman Eagle moved for approval to establish a Tribal Elders Liaison Office with a staff of two to concentrate on enrolling Tribal Elder members in a proposed Insurance Plan —to set the budget at an \$800,000 cap in the 2012 Budget. Councilwoman Brugh seconded the motion.

VOTE: 6 Ayes. Motion carried.

14. NATIONAL INDIAN GAMING ASSOCIATION BUILDING EXPANSION

Councilman Whitecalfe moved for approval of a \$10,000 donation to the National Indian Gaming Association Building Expansion. Councilman Packineau seconded the motion.

VOTE: 6 Ayes. Motion carried.

15. ITMA CONFERENCE:

Councilman Mervin Packineau moved for approval of \$1,000 donation to the ITMA Conference. Councilman Scott Eagle seconded the motion.



VOTE: 6 Ayes. Motion carried.

16. IN-HOUSE TRANSFERS:

Councilman Packineau moved for approve to transfer Dennis Fox from the Tribal Analyst position to the Chief Executive Officer position effective immediately, and to transfer Karen Sitting Crow to the Tribal Analyst position, effective immediately.

VOTE: 6 Ayes. Motion carried.

17. CLEAN AIR REFINERY PROJECT:

Councilman Whitecalfe moved for approval to transfer Richard E. Mayer from the Three Affiliated Tribes, Chief Executive Officer Position to the Clean Air Refinery Project as the Interim Chief Executive Officer position. Councilman Packineau seconded the motion.

VOTE: 5 Ayes, 0 Nays, 1 Abstention, 0 Not voting. Motion carried.

18. TAT-CLEAN AIR REFINERY BUDGET:

Councilman Frank Whitecalfe moved for approval of a \$1,829,149.34 budget for the Clean Air Refinery Project. Councilman Scott Eagle seconded the motion.

VOTE: 6 Ayes. Motion carried.

19. RESOLUTION NO. 11-104-VJB "ESTABLISHMENT OF THE THEE AFFILIATED TRIBES, STANDARDIZED RATED FOR THE ISSUANCE OF RIGHT-OF-WAY EASEMENT SCHEDULE:

Councilwoman Brugh moved for approval of a Resolution entitled, "Establishment of the Three Affiliated Tribes Standardized Rates for the issuance Right-of-Way Easement Schedule." Councilman Eagle seconded the motion.

VOTE: 6 Ayes. Motion carried.

20. HEADSTART REQUIRED NON-FEDERAL SHARE FUNDING REQUESTS:

Councilman Eagle moved for approval of the financial request from the Headstart Program of \$340,707.00 for the required Non-Federal Share amount of the grant. Councilman Packineau seconded the motion.

VOTE: 6 Ayes. Motion carried.

21. HEADSTART GENERAL FUNDS:

Councilman Scott Eagle moved for approval of the budget request of \$30,189.00. Councilman Mervin Packineau seconded the motion.

Budget Request:
\$11,139.00 Wasp Time Clock
\$6500.00 Polo Shirts
\$12,550.00 10 monitors and mounting.

VOTE: 6 Ayes. Motion carried.



22. FORT BERTHOLD COMMUNITY COLLEGE:

Councilman Eagle moved for approval of a FY 2011-2012 Budget request from the Fort Berthold Community College for unmet Needs in the amount of \$1, 697566.12. Councilwoman V. Judy Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried.

23. HUMAN RESOURCES DEPARTMENT:

See Personnel Action Forms.

24. Councilman Eagle left the meeting at 7:30 p.m.

The meeting was opened to the public at 8:45 p.m.

25. QEP SCADA AUTOMATION ND:

Terminology Scada is the acronym for Supervisory Control and Data Acquisition

26. WELL SITE PRICING:

Presentation by Clair Fox No action taken

26. ENVIRONMENTAL CIVIL CODE:

Third Reading

Citation Issue: Ready Serve received first fine Sept.2 \$5,000 fine two more going out this week. Had another spill and get a copy to the Tribal Business Council for an update. Spill Investigation Sensitive Confidential on Report. Agencies are meeting on Friday. Additions: Enforcement Personnel (Page 2) Penalty Policy

NOTE: Councilman Benson left the meeting at 10:00 p.m. Lost quorum.

REGION 8 EPA PRESENTATION: Basics of the UIC Program and Ground Water Protection:

- Injection Well
- Regulations speak
- Mandates unnecessarily Permitting process
- Consistent permanent
- Equality GGG

The meeting was recessed at 11:00 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 _____ were present at the Meeting thereof duly called, notice, convened and held on the _____ day of _____, 2011; that the foregoing Minutes were amended and/or duly adopted at such meeting by the affirmative vote of _____ members; _____ members opposed; _____ members abstained; _____ Members not voting.

Chairman () Voting () Not Voting

Dated this _____ day of _____, 2011.

ATTEST:

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

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

