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**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
CONTINUATION MEETING NO. 11-17-TGH
OCTOBER 06, 2011**

CALL TO ORDER:

Chairman Tex G. Hall called the meeting to order at 2:00pm and recognized the Chase family and asked for prayers for them.

ROLL CALL: Present: *Chairman Tex G. Hall, Councilman Barry Benson, Councilman Scott Eagle, Councilman Mervin Packineau, and Councilwoman V. Judy Brugh.*

Absent: *Councilman Frank Whitecalfe.*

PRAYER:

Councilman Eagle said the invocation.

01. APPROVAL OF AGENDA:

Councilman Packineau moved for approval of the agenda as amended. Councilman Eagle seconded the motion.

Amendments: Councilman Benson-(4E) Add-on Salt water mineral resolution Marvin Danks. Waste Disposal Pit-Marvin Danks (4f). Councilman Mervin Packineau reserved add-on.

VOTE: 5 Ayes. Motion carried.

02. CHAIRMAN REPORT: GAIL RICHARDS

A. FEMA –

Gail Richards introduced herself to the Tribal Business Council and presented a Mitigation plan she would design to combat disasters within the Reservation. She will bring it together and make it a complete document. Traffic oil and environment resources to combat these disasters are at a minimal potential for fire oil field resources disasters minimum outnumbered 10-1 numbered 10-1. Compiling it so this document with parts that would be pertinent and would be a living working document. Once this Mitigation Plan is done, it has to be administered. Clifton Whitman was mentioned as being a Mitigation Officer for the Tribe. A Tribal Mitigation Plan is done or an Officer of another entity on State Mitigation Officer that you have a Tribal Mitigation Office so that they work on even ground. The fact that you have a plan put you into the arena for many types of grants. The Management team would finalize the the Organizational Chart. Tribal Public Safety Commissioner would be part of the Management team to oversee all compliance issues with enviromental, TERO traffic and the two big civil codes that the Tribe passed. This position would be high on Organizational Chart and should be considered as a need to elevate to a Tribal Mitigation Officer.



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- 03. RESOLUTION NO. COMPILATION OF 638 CONTRACTS:** *Bonnie Red Fox*
Councilman Packineau moved for approval of an amendment to Resolution No. 11-00-VJB, with the amendment being: Councilman Eagle seconded the motion.

VOTE: 5 Ayes. Motion carried.

NOTE: Councilwoman Brugh said to defer assigning a Resolution Number until the original Resolution copy is found and amended.

DISCUSSION: Reconsolidated Under Self Determination we would *only need one. Putting it back to 11 and and from Road Maintenance put all back into the consolidated. Didn't have a Resolution several other programs that we believe it was changed from Fy 12 to 11. Jennifer Fyten reviewed and this addendum didn't have a Resolution under the Self Determination Contract is mature and was changed to FY 12 to FY 11 don't have to come back Road Maintenance, Law Enforcement was included in the other one and was put all back into the Consolidation contract. AAO understands those have separate contracts and that's all this revising the FY on the other part use this Resolution to conform to the other contracts. Jen did review the clarification of resolution. See page 2 of 3 services and functions 638 all BIA.*

UNFINISHED BUSINESS:

- 04. LAND SALE/HOME SALE: Sue Romero**
Prior to marketing it to non-natives she wants to offer it to the membership. With the situation and opportunity to sell at that level. She said tribal members expressed interest in purchasing the home. Whats your thought about appraisal its been seven months waiting. Unfortunately she doesn't have the appraisal ready yet but did solicit a request from Minot and appraisal has not been done. Her asking price is \$180,000. It was decided that she would brin an appraisal to the next meeting agenda. October 12, 2011.
- 05. CONVEYANCE FBHA HOME/DOROTHY RABBITHEAD:**
The Fort Berthold Housing Authority went on record to address the Conversion and/or Conveyance Program at their next meeting. This issue was referred back to the housing authority.
- 06. ACCOUNTING/FINANCE MAJOR SCHOLARSHIP: Sevant Taft**
No action taken.
- 07. 2011 FLOOD ASSISTANCE FEMA TRAILERS:**
Lawrence Baker gave a report on the Flood assistance in the form of a FEMA Trailer. He has ordered 110 FEMA pull trailers and will look at the Emergency Displacement. theres a lot of tribal members that need housing. Tribe has to have a plan to obtain



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FEMA Trailers and place tribal members in as they need housing as soon as possible. This issue will be brought forward and discussed at the retreat.

08. CHILD ENFORCEMENT 2012 BUDGET: Ellen Wilson

Councilman Eagle moved for approval of the 2012 Child Enforcement Application for Federal Assistance Budget Tribal match of 20% non-federal share of \$164,157.00 Councilman Packineau seconded the motion.

DISCUSSION: The 2012 budget includes salary increases for the seven-person office. It will be reviewed by Human Resources prior to any raises.

VOTE: 5 Ayes. Motion carried.

09. CHILD SERVICE ENFORCEMENT APPOINTMENT OF JUDGE CHASE IRON EYES:

Councilman Packineau moved for approval of a Consultant Agreement with Chase Iron Eyes at \$89.38/hr to serve as Child Service Enforcement Judge. Councilwoman Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried.

10. REPLACEMENT OF TERO BOARD OF COMMISSIONER/FOUR BEARS 11-105-VJB:

Councilman Mervin Packieau moved for approval of the Four Bears Segment Tribal Council Representative's change of Board Appointments for TERO, to replace Everett Hall with Robert Brugh, Jr., effective immediately. Councilman Scott Eagle seconded the motion.

VOTE: 5 Ayes. Motion carried.

11. ENROLLMENT OF 30 APPLICANTS TO THE THREE AFFILIATED TRIBES, RESOLUTION NO. 11-106-VJB:

Councilwoman Brugh moved for approval of 30 applicants for Enrollment into the Three Affiliated Tribes. Councilman Packineau seconded the motion.

NOTE: You need to insert the names of applications approved.

VOTE: 5 Ayes. Motion carried.

12. RELINQUISHMENT OF NIKOLAS DAVID JETTY, RESOLUTION NO. 11-107-VJB:

Councilman Eagle moved for approval of the conditional relinquishment of Nikolas David Jetty Enrollment # 301U-10934 from Membership of the Three Affiliated Tribes. Councilman Packineau seconded the motion.



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NOTE: All of the relinquishments will have the conditional relinquishment until actual acceptance is received from the other tribe.

VOTE: 5 Ayes. Motion carried.

13. REPORTS: CEO REPORT: Dennis Fox Jr.

COMPLETION OF WATER HOOK-UPS:

MOTION: Councilman Eagle moved for approval to utilize \$250,000 of Construction Project funds to complete the water tie-ins for Mandaree, Parshall and New Town Segment homes not hooked-up to Rural Water.” Councilwoman V. Judy Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried.

DISCUSSION: Northern Improvement Company reported they were hired only to finish the one project.

14. 2013 TOURISM INFRASTRUCTURE GRANT PROGRAM:

Councilman Eagle moved for approval of the \$750,000, one to one Matching Grant from the State Department of Commerce and Tourism to pay for the construction on to the Interruptive Center’s Showcase entrance to the Earth Lodge. Councilman Packineau seconded the motion.

NOTE: Actual money investment has to be set aside in the Tribal budget for this one to one match— as In-kind will not be considered.

15. TAT MAINTENANCE VEHICLE BID:

Councilman Eagle moved for approval of a Vehicle Maintenance Bid-of to purchase four trucks for a total of \$86, 833.01 for the tribal Maintenance Department —and for North Segment to purchase one pick-up that is in pretty good shape for \$20,000 which will be placed in the JTAC II line item—with the remainder of \$66,833.01 to come from the Tribal Maintenance Budget. Councilwoman Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried.

16. ZONING CONTRACT CONSULTANT AGREEMENT:

Councilman Eagle moved for approval of a six month Consultant Agreement between the Three Affiliated Tribes and El Marie Conklin at \$89.38 that could be up for negotiation. Councilwoman Brugh seconded the motion.

VOTE: 4 Ayes, 0 Nays, 1 Abstentions, 0 Not voting. Motion carried.



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17. HIDATSA HILLS ROAD ACCESS:

Councilman Eagle moved for approval of the Three Affiliated Tribes Preliminary Opinion of Probable Cost, Hidatsa Hills Access Road in the amount of \$453,550 –to see if the Bureau has any start-up funds to begin the process to come from the BIA Tip Construction Fund. Councilman Packineau seconded the motion.

VOTE: 5 Ayes. Motion carried.

18. SMALL LOAN DEPARTMENT:

Councilman Eagle moved for approval of Small Loans No. 2,4,6,7,8,9,11,12,15,16,17,18,19, 20,21 being:

ahtima Finley	\$1,500.00	Personal	Current owes \$3,815.42
Nina Crows Breast	\$3,000.00	Property Taxes	Current owes \$1,662.44
Silas Howling Wolf	\$3,500.00	Personal	If becomes current \$952.43
Roy Morsette	\$3,500.00	Personal	Current Owes \$24,329.59
Sadie Young Bird	\$3,500.00	Personal	Current owes \$2,418.77
Shawn Berryhill	\$4,500.0	Personal	Doesn't owe
Clarence Sun	\$5,000.00	Vehicle	Current owes \$3,115.52
Frank Felix	\$5,000.00	Personal	Calf crop in November
Marty Fredericks	\$5,000.00	Personal	Current owes \$34.76
Denny Wolf	\$5,000.00	Personal	Current owes \$2207.02
Narcisse Olson	\$8,000.00	Personal	Current owes \$4,712.95
Jamie Hall	\$8,000.00	Personal	Current owes \$3,881.00 No app.
Richard Hall	\$2,000.00	Personal	Current owes \$6,103.64 No. app.
Robert Brugh Jr.	\$12,000.00	Vehicle Repairs	Doesn't owe
Helen Spotted Bear Zarfos	\$10,000.00	Personal	Doesn't owe



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Francine White	\$12,500.00	Personal	Current owes \$917.59 and Education \$10,633.23
Bert Krueger	\$12,996.34	Personal	Doesn't owe

VOTE: 5 Ayes. Motion carried.

20. EDUCATION LOANS:

Councilman Benson moved for approval of the following Education Loans. Councilman Eagle seconded the motion.

VOTE: 5 Ayes. Motion carried.

EDUCATION LOANS: 10-06-11

Destiny M Steel	\$2,250.00
MaDonna Gonzalez	2,250.00
Cadence G. Charging	2,250.00
Whisper Fox	2,250.00
Martha J. Phelan	2,250.00
Jazmin V. Lambert	2,250.00
Taylor Zarfos	2,250.00
Destray Zarfos	2,250.00
James Brugh	2,250.00
Dakota Eagle	2,250.00

21. PROGRAM ANALYST: Karen Sitting Crow

Discussion: Flow Chart FEB 15th 2011. Manage programs accordingly and within budget. No action taken.

22. IMMEDIATE NEEDS HOUSING PROGRAM UPDATE AND INFORMATIVE PRESENTATION:

Fort Berthold Housing Authority's Housing Chief Executive Officer, Barb Pegg updated the TBC of the immediate needs and did an informative presentation.

23. 2012 FORT BERTHOLD HOUSING AUTHORITY REQUEST:

Councilman Packineau moved for approval of the \$1,222,650 Million dollar request from the Fort Berthold Housing Authority, to be taken out of 2012 JTAC Budget. Councilman Eagle seconded the motion.

VOTE: 5 Ayes. Motion carried.



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24. ASPHALT ZIPPER:

Purchase price \$ 126,725.00 Include into equipment purchase from Shakopee loan. Deferred

25. FULTZ CONTRACTING LLC.

Councilwoman V. Judy Brugh moved for approval of Fultz Contracting LLC., Payment for water trucks -@ \$151,222 for the construction of Bureau of Indian Affairs Road 14, with a bid price of \$1,096,687.68. Councilman Scott Eagle seconded the motion.

VOTE: 5 Ayes. Motion carried.

26. SILVER STATECAPITAL PROPOSITION FOR FOUR BEARS CASINO AND LODGE:

27. SALT WATER DISPOSAL: OPERATION AND MAINTENANCE PLAN. NON-HAZARDOUS OIL FIELD WASTE DISPOSAL FACILITY:

Councilman Mervin Packineau moved for approval of the "Salt Water Disposal, Operation and Maintenance Plan – Oil Field Waste Disposal Facility, pending on EPA and the Legal Department issuing a permit. Councilman Scott Eagle seconded the motion.

VOTE 5 Ayes. Motion carried.

28. MHA Energy Department Report. Fort Berthold Reservation IMDA Oil and Gas Tribal Wells Production, Royalty and Tax Projections.

29. ESTABLISHMENT OF A TRIBAL ELDERS LIAISON OFFICE:

Councilman Packineau moved for approval to hire Cheryl Bruce as a Health Benefits Consultant to assess, and define a feasibility study and put together the data to establish a Health Insurance Plan for tribal elders; at a rate of 1040 hours for a total of \$50,000, break-down to \$48.08 per hour, consultant will file a 1099 form. Councilwoman Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried.

30. HUMAN RESOURCES DEPARTMENT: Val Finley Jr.

See Personnel Action Forms.



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31. ADJOURNMENT:

Councilman Benson moved for approval to adjourn the meeting at 9:50p.m.
Councilman Eagle seconded the motion.

VOTE: 5 Ayes. Motion carried.

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

