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**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
CONTINUATION OF
REGULAR MEETING 11-021-TGH
DECEMBER 22, 2011, 2:00 P.M.**

CALL TO ORDER:

Chairman Tex G. Hall called the meeting to order at 2:40 P.M.

PRAYER:

Councilman Arnold Strahs gave the invocation.

ROLL CALL:

Present: Chairman Tex G. Hall, Councilman Barry Benson, Councilman Arnold Strahs, Councilman Mervin Packineau, and Councilwoman Brugh. A quorum is established.
Absent: Councilman Frank White Calfe, Councilman Scott Eagle arrived later in the meeting at 3:44 P.M.

01. APPROVAL OF AGENDA:

Add-ons: Chairman Hall: Resolution Kodiak Salt Water Injection Well: John Fredericks-NEW BUSINESS

Resolution Kodiak Approval of 1st & 2nd Mortgage Liens: John Fredericks-OLD BUSINESS

Councilman Strahs: Discussion on Pouch Point: Karen Sitting Crow-NEW BUSINESS

Councilman Packineau: Law E-Tech Calvin Lawrence Contract-OLD BUSINESS

Councilman Packineau moved to approve of the agenda as amended. The motion is seconded by Councilman Strahs.

VOTE: 5 Ayes. Motion carried.

02. UNFINISHED BUSINESS: Four Bears \$3 Million Allocation Budget Per Year for 210 Homes

This will be forwarded to a budget meeting with Council only.

03. UNFINISHED BUSINESS: Chaplaincy Program: Elise Packineau

This is deferred.

04. UNFINISHED BUSINESS: Personal (closed session): Kandace Sanchez

See Personnel Action Form.

05. UNFINISHED BUSINESS: Personal (closed Session): Jonelle Abe

06. UNFINISHED BUSINESS: Resolution 11-143-VJB: Disposal Pit for Nonhazardous Dry Cutting: Marvin Danks

Councilman Strahs moved for approval of a resolution entitled, "Permitting an Oilfield Disposal Pit for Nonhazardous Dry Cuttings." The motion is seconded by Councilman Packineau.

VOTE: 5 Ayes. Motion carried.

07. UNFINISHED BUSINESS: Law E-Tech Calvin Lawrence Contract with TERO:
This is deferred until later in the meeting.

(Councilman Scott Eagle arrives at the meeting)

08. NEW BUSINESS: Resolution 11-144-VJB: Missouri River Resources-First Right of Refusal: Dave Williams

Councilman Eagle moved for approval of a resolution entitled, "Missouri River Resources Right of First Refusal to Mineral Interests of the Three Affiliated Tribes." The motion is seconded by Councilman Strahs.

Discussion: The amendment to the first "therefore be it resolved" is for 60 days. Dave advises the council to negotiate if this is in someone else's spacing area. Missouri River Resources has plenty of investors to choose from.

VOTE: 4 Ayes 0 Nays 2 Abstention. Motion carried.

09. NEW BUSINESS: Resolution 11-145-VJB: Authorizing Participation in the Slawson Well Through Missouri River Resources: Dave Williams

Councilman Eagle moved for approval of a resolution entitled, "Election to Participate in Spyder #3-17H Well." The motion is seconded by Councilman Packineau.

Discussion: Lynn Helms who works with the N.D. Energy Department is working on the location of the well.

VOTE: 6 Ayes. Motion carried.

10. NEW BUSINESS: Missouri River Resource Board: Dave Williams

Councilman Packineau moved for approval to appoint Ken Hall as the Missouri River Resource Board Chairman. The motion is seconded by Councilman Eagle.

VOTE: 6 Ayes. Motion carried.

- 11. UNFINISHED BUSINESS: Dragswolf Well: Fred Fox/Dave Williams**
Councilman Packineau moved for approval to pay \$300,000.00 for the Dragswolf Well. Councilman Eagle seconded the motion.
- VOTE: 6 Ayes. Motion carried.
- 12. NEW BUSINESS: Marathon Oil & Gas Requesting to Lease 320 Tribal Acres: Fred Fox**
NOTE: Missouri River Resources has first right of refusal on it.
- 13. NEW BUSINESS: Pouch Point: Karen Sitting Crow/Murphy Sitting Crow**
Councilman Eagle moved for approval for a temporary authorization for Stanford Sitting Crow on Lot 25 in Pouch Point until the Natural Resource Department presents a modification to the seasonal lease. The motion is seconded by Councilman Strahs.
- Discussion: Since the recreation area is opening up, a corridor for electricity and the sewer system must be in place. An ordinance should be drafted by the Natural Resource Department.
- VOTE: 6 Ayes. Motion carried.
- 14. REPORTS: Law Enforcement Summit Budget: Karen Sitting Crow, Programs Analyst**
Councilman Packineau moved for approval of the Law Enforcement Summit Budget in the amount of \$36,200.00 to be held January 10, 2012 at the Four Bears Event Center. The motion is seconded by Councilman Eagle.
- Discussion: The Judicial Committee Chairman will be added on the summit agenda. This will come out of the 380 account.
- VOTE: 6 Ayes. Motion carried.
- 15. UNFINISHED BUSINESS: TERO Consultant Contract with Law E-Tech Calvin Lawrence:**
Councilman Packineau moved for approval of a consultant contract between TERO and Law E-Tech for \$5,000.00. The motion is seconded by Councilwoman Brugh.
- Discussion: The computer program equipment is purchased already. Calvin Lawrence will come back this upcoming year to complete the work.
- VOTE: 6 Ayes. Motion carried.

16. UNFINISHED BUSINESS: Resolution 11-146-VJB: Dr. Biron Baker Loan: Biron Baker/Lindsay Bartch

Councilman Packineau moved to approve of a resolution entitled, "Approval of a Business Loan in the Amount of Four Hundred and Fifty Thousand Dollars (\$450,000.00) for Dr. Biron Baker." The motion is seconded by Councilman Eagle.

Discussion: The resolution was amended to remove wording "BIA Guaranteed Loan." Collateral will be Biron Bakers IIM Account (Ketterling Process will apply if in default).

VOTE: 6 Ayes. Motion carried.

17. LEGAL:
This is deferred.

18. UNFINISHED BUSINESS: Resolution 11-147-VJB: Arrowhead Lonestar Energy Services: Marcus Levings/Bernie Fox

Councilwoman Brugh moved for approval of a resolution entitled, "Approval of Term Sheet with Arrowhead Lonestar Energy Services LLC, 5005 Riverway, Ste. 350, Houston, Texas 77056 for Joint Venture Project-Thunder Butte Development Park." The motion is seconded by Councilman Eagle.

VOTE: 6 Ayes. Motion carried.

19. UNFINISHED BUSINESS: Resolution 11-148-VJB: Prohibition of Man Camps in Parshall:

Councilman Packineau moved to approve of a resolution entitled, "Prohibition of Constructing and/or Operating Oil Field Worker Camps aka "Man Camps" on Tribally Owned Land within the Parshall/Lucky Mound Segment of the Fort Berthold Reservation." The motion is seconded by Councilwoman Brugh.

VOTE: 6 Ayes. Motion carried.

20. UNFINISHED BUSINESS: Amended Resolution 11-142-VJB: Kodiak Oil and Gas Corp. Salt Water

Councilman Strahs moved for approval to amend Resolution entitled, "Acknowledgement and Acceptance of Twin Buttes Community Residents' approval and support for the Proposed Kodiak Oil & Gas Corp. Salt Water Disposal Well." The motion is seconded by Councilman Benson.

VOTE: 6 Ayes. Motion carried.

- 21. UNFINISHED BUSINESS: Resolution 11-149-VJB: Kodiak Lease Loan: Linsay Blevins/Mike Murray, Kodiak Oil Company**
Councilman Strahs moved for approval of a resolution entitled, "Approval of Consent for Kodiak Oil & Gas (USA) Inc.'s amended and restated first lien mortgage and second lien mortgage of oil and gas leases on Lands/mineral interests owned by the Three Affiliated Tribes and/or the title to which is held in trust by the United States for the benefit of the Tribes or subject to Federal restrictions against alienation." The motion is seconded by Councilman Eagle.
- VOTE: 3 Ayes 2 Nays 1 Abstention. Motion carried.
- 22. REPORTS: Elbowoods Memorial Healthcare Clinic: Jim Foote/Dawn Berg**
Jim Foote gave an update on Elbowoods Memorial Healthcare Clinic housing.
- 23. NEW BUSINESS: MHA Systems Invoice for Elbowoods: Jim Foote**
Councilman Strahs moved for approval to pay an invoice for I.T. services from the MHA systems for the Elbowoods Memorial Healthcare Clinic in the amount of \$4,049.60. The motion is seconded by Councilman Benson.
- Discussion: Mr. Reeves of MHA Systems will take the invoice to Whitney Bell, TAT CFO.
- VOTE: 6 Ayes. Motion carried.
- 24. NEW BUSINESS: Marilyn Young Bird Invoice for Elbowoods Consultant Work: Dawn Berg**
No action taken. The TAT CFO and Clinic CEO will follow-up on this request.
- 25. NEW BUSINESS: Thunder Butte Petroleum Board Appointment: Richard Mayer**
Councilman Packineau moved for approval to appoint James P. Simon to the Thunder Butte Petroleum Board for a term of 2 years. The motion is seconded by Councilman Strahs.
- Discussion: This will be for two years. An acknowledgement will be drawn up by a lawyer and signed. This will be for \$1500.00 per quarter which breakdowns to \$500.00 per meeting.
- VOTE: 6 Ayes. Motion carried.
- 26. RESOLUTIONS: Resolution 11-150-VJB: 17 Enrolled Applicants: Sevant Taft**
Councilman Strahs moved to approve of a resolution entitled, "Approval of 17 Applicants for Enrollment into the Three Affiliated Tribes." The motion is seconded by Councilman Packineau.

Full Name	Fathers Full Name	Mothers Full Name	DOB	Tribe Blood
Baker, Alan Fritz	Baker, Lydell Mathew	Bird Bear, Rebecca Cora	5/29/2008	21/32
Chase, Cole Aaron	Chase, Joseph Jerald	Baker, Ethel Louise	1/26/2007	55/128
Conaway, Christian Blake	Conaway, Chantz Christian	Jackson, Monika Jean	8/8/2011	3/16
Foote, Aubree Kaydence	Foote, Morgan Payne	Everett, Michelle Shanice	11/17/2011	65/128
Garcia, Leah Ann	Garcia, Bernardo Steve	Caylor, Amanda Ann	4/25/2011	19/128
Hall, Jordan Taylor	Hall, Sr., Robin	Hall, Rhonda Rae	11/4/2011	23/64
Keck, Grace Kennedy	Keck, Paul Christopher	Keck, Melissa Dawn	9/18/2011	15/64
LaJeunesse, Shontal Marie	LaJeunesse, Willard Marvin	Yellow Bird, Mary Ellen	8/24/1978	3/16
Mason, Khloe Grace	Mason, Marlon Marcel	Mason, Kristen Ruth	10/22/2008	63/128
Mason, Kylee Glynn	Mason, Marlon Marcel	Mason, Kristen Ruth	1/11/2006	63/128
Paiaina, JamieLee Maipoinaiaoealohano	Martinez, Cory	Floor, Julia Elizabeth	6/7/2010	3/16
Petri-Gunderson, Fynn Mela Ellyette	Gunderson Jr., Melford Willis	Petri, Gabrielle Halee	7/1/2011	5/32
Redday, Sophia Ione	LaJeunesse, Willard Marvin	Yellow Bird, Mary Ellen	8/7/1979	3/16
Smith, Beauty Khiyanna Mae	Smith, Weston Gene	Hale, Karcen Taylor	9/10/2011	17/32

Starr, Georgianna Jolene		Starr, Marvella Marie	6/19/2011	31/128
Yellow Bird, Xavier	Yellow Bird, Glen Lee	Two Crow, Alicia Ann	1/12/2011	43/64
Zacher, Megan Marie	Fox, Robert Franklin	Zacher, Renee Elizabeth	4/16/1987	7/32

VOTE: 6 Ayes. Motion carried.

27. NEW BUSINESS: Relinquishment Issue: Sevant Taft

Discussion: There is a policy in place. If a person pays back, how many times can a person relinquish? The Enrollment staff will meet with the TAT Legal Department on procedures.

28. UNFINISHED BUSINESS: Resolution 11-151-VJB: Nancy Fox Land Trade: Ed Fox, Natural Resource

Councilwoman Brugh moved to approve of a resolution entitled, "Approval of Land Exchange between the Three Affiliated Tribes and Nancy Fox." The motion is seconded by Councilman Eagle.

VOTE: 6 Ayes. Motion carried.

NOTE: Nancy Fox, 301-U001389: Allot. No. 1883, an undivided 1/07 interest within the N2SE4,NE4SW4,SE4NW4, Lot 2&3 Section 31, T148N., R93W., Fifth Principal Meridian, Dunn County, containing 310.00 acres, more or less, which her interest is 44.28 acres, valued at \$17,032.97. Tribal Land: Allot. No. T1276, within NE4SE4 Section 10, T148N., Fifth Principal Meridian, McLean County, containing 40.00 acres, more or less, valued at \$15,760.00. The Three Affiliated Tribes will pay Ms. Fox the difference of \$1,272.97.

29. REPORTS: Four Bears Casino and Lodge Report: Pat Packineau/Scott Wilson

Manager of the year was selected as Donald Chapin with runner-up being Cindy Packineau. The year-end financial report is given.

30. REPORTS: Four Bears Casino and Lodge Year-End Report Approval: Pat Packineau/Scott Wilson

Councilwoman Brugh moved for approval of the 2011 Four Bears Casino and Lodge year-end financial report. The motion is seconded by Councilman Strahs.

VOTE: 6 Ayes. Motion carried.

31. UNFINISHED BUSINESS: Four Bears Casino Expansion: Lloyd Vigen/MJ Gunderson/Pat Packineau/Scott Wilson

Councilman Strahs moved for approval to authorize a new sole source resolution to be written for a contract agreement with Darkhorse & Alliance Building Group and the Four Bears Casino & Lodge. Councilman Eagle seconded the motion.

Discussion: The TAT Legal Department will give a legal opinion on the resolution first before this project will move forward. Damon Williams will draft the resolution. All council present at this meeting agrees on sole source. Darkhorse will be the primary contractor. This resolution will be presented in the January 12, 2011 meeting.

VOTE: 6 Ayes Motion carried.

32. REPORTS: Four Bears Casino December 2011 Year-End Report: Pat Packineau/Scott Wilson

Councilwoman Brugh moved for approval of the December 2011 Report for the Four Bears Casino & Lodge. The motion is seconded by Councilman Strahs.

VOTE: 6 Ayes. Motion carried.

33. NEW BUSINESS: Katherine Young Bear Medical/Appliance Loan Request

Councilman Packineau moved for approval to assist Katherine Young Bear with a \$3,500.00 medical loan based on an application with the small loans department and an IIM Assignment (Ketterling Process) and a resolution that approves and authorizes it. A pickup title is offered for collateral. The motion is seconded by Councilwoman Brugh.

Discussion: Motion and second withdrawn.

34. UNFINISHED BUSINESS: Tribal Vehicle Purchases by Cliff Whitman and Maryann Connors

Councilman Packineau moved for approval for Cliff Whitman and Maryann Connors to purchase vehicles from their respective departments based on the property departments guidelines. The motion is seconded by Councilwoman Brugh.

VOTE: 5 Ayes. Motion carried.

35. NEW BUSINESS: Consultant Agreement for Healthcare Clinic: MJ Gunderson

This will be brought back to the TBC.

- 36. UNFINISHED BUSINESS: Severance for Joy Chapin and Brandee Brugh**
Councilwoman Brugh moved for approval of severance pay for Vernie Joy Chapin and Brandee Brugh for years of service. This is based on severance policy and procedures which is \$625.00 per year of service, not to exceed \$5,000.00. The motion is seconded by Councilman Packineau.

Discussion: Councilman Strahs has another name to be brought in for retirement.

VOTE: 5 Ayes. Motion carried.

- 37. NEW BUSINESS: Small Loans: Whitney Bell**
Councilwoman Brugh moved for approval of the Small loans list. Mary Ann Connor is approved for \$500.00 and Ashley Thorton is approved for \$3,000.00 based on Jamie Thorton co-signing. The motion is seconded by Councilman Packineau.

VOTE: 5 Ayes. Motion carried.

- 38. ADJOURNMENT:**
Councilman Strahs moved to adjourn. The motion is seconded by Councilman Packineau.

The meeting adjourned at 10:40 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 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

