



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING 11-029-SE  
February 22, 2011, 3:30 P.M.**

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**CALL TO ORDER:**

Vice Chairman Scott Eagle called the meeting to order at 3:40 P.M.

**PRAYER:**

Councilman Arnold Strahs gave the invocation.

**ROLL CALL:**

*Present:* Councilman Scott Eagle, Councilman Mervin Packineau, Councilman Arnold Strahs, and Councilwoman Brugh. Councilman Barry Benson is conference into the meeting. *Not present:* Chairman Tex G. Hall is on sick leave and Councilman Frank Whitecalfe is on sick leave. A quorum is established.

**01. Agenda Approval:**

*Add-Ons:*

Councilwoman Brugh: Charles Foote Personnel Issue: 10B

Councilman Packineau: SPEC OPS: Chris Lipke/Charles Rasch: Under Natural Resources

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

VOTE: 5 Ayes. Motion carried.

**02.2012 MSU Cultural Awareness: Wylie Hammond/Evelyn Kimple/Martha Hunter/Annette Mennem**

NOTE: A tote bag is given as a token of appreciation. \$10,000.00 is the request to the tribe for the MSU Indian Club.

Councilwoman Brugh moved to approve of \$5,000.00 for the Minot State University Indian Club. Councilman Packineau seconded the motion.

Discussion: The Four Bears Casino has donated room packages but not any funding. The expenses for the pow wow will be more expensive this year.

VOTE: 5 Ayes. Motion carried.

**03. Mandaree Senior Class Trip: Garrett Vigen**

Councilman Strahs moved for approval across the board for every segment that all the graduating seniors if they choose when going on a class trip; that it be \$750.00 per student. The motion is seconded by Councilman Packineau.

Discussion: This is not to exceed \$750.00 per senior. The Mandaree Senior's have raised \$5,000.00 and will raise another \$2,000.00 before the trip. The tribe is figuring @ 10 students that \$750.00 will bring them close to their budget of \$14,425.00.

VOTE: 5 Ayes. Motion carried.

**04.Small Loans: Terri Logg**

Councilman Packineau moved to approve of the small loan list. Councilman Strahs seconded the motion.

Discussion: Number 12 is discussed and approved.

Name of Applicant	Loan Amount	Action	Collateral is needed.	
Donovan Bird	\$2,000.00	Approved	Collateral is needed.	
Tyrel Smith	\$2,500.00	Approved		
Vernon Young Bear	\$7,500.00	Approved		
Evangeline Conklin	\$10,000.00	Approved		
Michael Young Bird	\$12,200.00	Approved		
Micheal Short Bull	\$9,195.00	Approved		
Thomas Plenty Chief	He will present a business proposal to the TBC			
Gloria Huff	\$1,000.00	Approved		
Francine White	\$1,500.00	Approved		
Jackie Fox-Powell	\$6,000.00	Approved		
Ardene Perkins	\$8,900.00	Approved	No Collateral	
Diana Poitra	\$14,060.00	Approved	Using Car as Collateral	
Marva Pretends Eagle	\$2440.00	Approved		
Doris J. Fox	\$2,500.00	Approved	Check is to be made out to Vehicle repair shop.	

VOTE: 5 Ayes. Motion carried.

**05.Enrollment 12-013-VJB: Sevant Taft:**

Councilman Packineau moved for approval of a resolution entitled, "Approval of 52 Applicants for Enrollment into the Three Affiliated Tribes." The motion is seconded by Councilwoman Brugh.

VOTE: 5 Ayes. Motion carried.

**06. Enrollment 12-014-VJB: Sevant Taft: Relinquishment of Raven Dawn Teboe**  
Councilman Packineau moved to approve of a resolution entitled, "Approval of the Conditional Relinquishment of Raven Dawn Teboe Enrollment #301U-06773 from Membership of the Three Affiliated Tribes." The motion is seconded by Councilman Strahs.

VOTE: 5 Ayes. Motion carried.

**07. SPEC OPS Proposal: Chris Lipke/Jim Rasch**

No action taken.

NOTE: The presentation will be e-mailed to the Tribal Business Council members. They are to meet with the Natural Resource Committee or the Economic Development Committee.

**08. IRS Taxation Update: Mark Fox**

NOTE: A meeting will be held on March 14-15, 2012 at Prairie Knights Casino with all tribes. This will be regarding the aggressiveness the IRS is with liability concerns on how money is being spent; what they are deeming as services and what is income.

**09. McKenzie County Water Sales: Mark Fox/Ken Royce**

Councilwoman Brugh moved for approval for Ken Royce and the Three Affiliated Tribes MR&I Department to renegotiate the water agreement with McKenzie County Rural Water District. The motion is seconded by Councilman Packineau.

Discussion: The meter will need to be checked on because the reading is low.

VOTE: 5 Ayes. Motion carried.

**10. Resolution 12-015-VJB: Bartlett and West MOA: Mark Fox**

Councilman Packineau moved for approval of a resolution entitled, "Approval of a Memorandum of Agreement between the Three Affiliated Tribes of the Fort Berthold Indian Reservation and Bartlett and West Inc." The motion is seconded by Councilman Strahs.

VOTE: 5 Ayes. Motion carried.

**11. Resolution 12-016-VJB: N.I.G.A. Dues Approval: Mark Fox**

Councilman Packineau moved for approval of a resolution entitled, "2012 Delegates to the National Indian Gaming Association." The motion is seconded by Councilman Strahs.

Discussion: The dues depend on the gross revenue and will range between \$3,500.00 and \$5,000.00. Mark will check on it, he is uncertain as to the exact amount.

VOTE: 5 Ayes. Motion carried.

**12. Alliance Group/Dark Horse Presentation on Elbowoods Housing Project: Lloyd Vigen/Jeff Manning/James Colberger**

Tabled.

NOTE: The Tribal Business Council would like to look at more options to compare and not to sole source. The council would like to see the Elbowoods staff select their own lot and then move forward with a mortgage.

**13. CNG Energy Corp. & Geophysical 3-D Seismic: Eric Dale, CFO of the Chief Commerce Office/Bill Wiseman, CEO/Phillip Mertz, Business Development**  
Councilman Packineau moved for approval of the CNG Energy Corp. for the compressed Natural Gas Project to work with the Three Affiliated Tribes; CNG Energy Corp. is to work with Damon Williams (TAT Attorney), Dennis Fox (TAT CEO), and Dave Williams to do the due diligence on the project. The motion is seconded by Councilwoman Brugh.

Discussion: The Company is looking to be in the field in 12 weeks time and they would like the Three Affiliated Tribes to push the operators to cut their flares. The gas will be transported to a pipeline or to where ever the tribe would like it taken.

VOTE: 5 Ayes. Motion carried.

NOTE: The resolutions need to go through the legal department for due diligence, then brought back to the Tribal Business Council for approval.

**14. 3-D GEO Inc. Seismic Survey**

Councilman Packineau moved for approval of 3-D GEO Incorporated Proposal for 3-D Seismic data Project. The motion is seconded by Councilman Strahs.

VOTE: 5 Ayes. Motion carried.

NOTE: The resolutions need to go through the legal department (Damon Williams) for due diligence, then brought back to the Tribal Business Council for approval.

**15. Elbowoods Health Board: Dr. Walker/Dawn Berg/Arnie Sorenson**

Tabled.

NOTE: A Special Tribal Business Council meeting will be held on March 7, 2012 at 1:00 P.M. with the Health Board.

**16. Law E-Tech work with Sex Offender Registration: Calvin Lawrence/Kasey Hall:**

No action is taken.

**17. Resolution 12-017-VJB: Contract and Resolution for Law E-Tech: Calvin Lawrence**

Councilwoman Brugh moved for approval of a resolution entitled, "Approval of the Renewal –Law E Tech Compliance Project Management-Professional Consultant Contract from January 1, 2012 through September 30, 2012. The motion is seconded by Councilman Packineau.

Discussion: Also with the understanding that Calvin Lawrence will complete the Sex Offender Contract.

VOTE: 5 Ayes. Motion carried.

**18. Four Bears Pow Wow 2012: Barb Smith**

No action taken.

NOTE: The pow wow committee will submit their request for the budgeted pow wow funds in the amount of \$40,000.00.

**19. Elbowoods Healthcare Facility Report: Jim Foote**

A handout was given with his update on the Elbowoods Healthcare Facility.

**20. Resolution 12-018-VJB: Missouri River Resources 320 Acres: Dave Williams**

Councilwoman Brugh moved to approve of a resolution entitled, "Approval of an Oil & Gas Mineral Lease of 320 Acres to Missouri River Resources for Oil and Gas Development on the Fort Berthold Reservation." Councilman Strahs seconded the motion.

Discussion: The Tribe is giving up a \$1.9 Million Bonus for a 26% royalty. The council will wait to see how it fairs in the long term. The thought is to have a higher percentage if you're going to have a working interest.

VOTE: 5 Ayes. Motion carried.

**21. Oil Refinery to Extend Contract with Civil Engineer: Richard Mayer**

Councilman Packineau moved for approval to extend a contract with Arctic Slope to do the civil engineering on the Oil refinery. The motion is seconded by Councilman Strahs.

VOTE: 5 Ayes. Motion carried.

**22. Prairie Winds Trailer Park Issue Land Trade: Verdell Smith/Rebecca Deschamp**

No action taken.

NOTE: Dennis Fox will meet with John Reese to make sure that the tenants of Prairie Winds Trailer park are notified by letter of the extension of eviction, he did visit with the tribe, and unoccupied trailers will be dealt with.

**23. TERO Oil Field Issue: Hanks Bolman**

No action taken.

NOTE: The Economic Development Chairman will speak with the TERO Director.

**24. Small Loans Department: Thomas Plenty Chief Loan**

Councilman Packineau moved for approval of a business loan for \$15,000.00 for Thomas Plenty Chief. This is subject to the small loans guidelines. Councilwoman Brugh seconded the motion.

VOTE: 4 Ayes 1 Abstention. Motion carried.

**25. Housing Issue: Anglita Star Little Dog**

No action taken.

NOTE: Angelita Little Dog is requesting to keep a FBHA apartment in Mandaree. She is to check with FBHA to see if she meets the guidelines for the Parshall Tax Credit Apartments. Councilman Strahs will check to on a few nights stay at the 4 Bears Casino. The CEO will call FBHA.

**26. Resolution 12-019-VJB: Sex Offender Registration**

Councilwoman Brugh moved to approve of a resolution entitled, "Adoption of Amended Sex Offenders Registration and Notification Act." The motion is seconded by Councilman Strahs.

Discussion: The process for non-registration is given. The 30 day comment period is questioned.

VOTE: 5 Ayes. Motion carried.

**27. Harvard Project on American Indian Economic Development: Roger White Owl**

No action is taken. This was informational only.

NOTE: This is a free study to focus on the Tribal Government as an entity separate from the allottees. This is a written comprehensive study which will compile the adverse effects of the Federal Governments bureaucratic hold on the development of Oil and Gas industry on the Ft. Berthold Indian Reservation. The Harvard Project team will come to the Tribe to meet with the council members in the second week of May 2012.

**28. Resolution 12-020-VJB: Appointment of Associate Judge Chase Iron Eyes:  
Hazel Heart**

Councilman Packineau moved to approve of a resolution entitled, "Approval and Appointment for Chase Iron Eyes as Associate Judge in the Fort Berthold District Court." The motion is seconded by Councilwoman Brugh.

VOTE: 5 Ayes. Motion carried.

**29. Consultant Contract with Chase Iron Eyes: Hazel Heart (Closed Session)**

**30. Tribal Court Budget: Hazel Heart (Closed Session)**

**31. Tribal Court Administrator Position: Kermit Heart/Hazel Heart/Norma Flying Horse (Closed Session)**

**32. Tribal Court Personnel (Closed Session)**

**A. Receptionist Position (Closed Session)**

**B. Domestic Violence Judge (Closed Session)**

Councilman Packineau moves for approval for BJ Jones to be the Associate Judge for Domestic Violence. The motion is seconded by Councilman Strahs.

Discussion: The funding will come from a grant for Domestic Violence. Sadie Young Bird is in charge of the grant that will be used for hiring a judge.

VOTE: 5 Ayes. Motion carried.

**33. Hazel Heart Husband Medical Travel to Stanley**

Councilwoman Brugh moved to approve a council action grant for Hazel Heart for \$500.00 to transport her husband to Stanley, ND daily for 10 days until medication has administered and completed. The motion is seconded by Councilman Packineau.

VOTE: 5 Ayes. Motion carried.

**34. Treasurer Report: Mervin Packineau**

Deferred.

**35. Chief Executive Officer Report: (Closed Session)**

**36. Ft. Berthold Rural Water Personnel: Dennis Fox, CEO (Closed Session)**

**37. Head Start Budget Salary Increase: Dennis Fox, CEO (Closed Session)**

**38. Programs Analyst Report: Karen Sitting Crow (Closed Session)**

**39. TERO Director: Karen Sitting Crow (Closed Session)**

**40. Mandaree School Construction Payment: Councilman Strahs (Closed Session)**

**41. Dale Little Soldier Beaver Creek Partition: (Closed Session)**

No action taken.

**42. Adjournment:**

Councilwoman Brugh moved to adjourn the meeting at 2:05 A.M. The motion is seconded by Councilman Strahs.

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### 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 \_\_\_\_\_, 2012; 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 \_\_\_\_\_, 2012.

**ATTEST:**

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

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

