



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING NO. 13-13-TGH  
NOVEMBER 21, 2013**

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**CALL TO ORDER:**

Chairman Tex G. Hall called the meeting to order at 11:15 a.m.

**INVOCATION:**

Councilwoman Judy Brugh gave the invocation.

**ROLL CALL:** Present) Tex G. Hall, Councilman Fred Fox, Councilman Randy Phelan, Councilman Ken Hall, Councilwoman Judy Brugh, Councilman Mervin Packineau (left Meeting at 2:00 pm and returned.) Absent: Councilman Barry Benson.

**01. APPROVAL OF AGENDA:**

Councilman Fred Fox moved to approve the agenda. Councilman Ken Hall seconded the motion as amended.

VOTE: 5 Ayes. Motion carried.

ADDITIONS: 1 Off the Grid 2. Koty Brugh

**02. MINUTES OF OCTOBER 10, 2013:**

The minutes were tabled.

**03. RILEY BLANKENSHIP SPONSORSHIP:**

Councilman Ken Hall moved to approve the sponsorship for \$4,000 to participate in the rodeo finals. Councilwoman Judy Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried.

**04. RESOLUTION NO. 13-175-AUTHORIZATION FOR A DISBURSEMENT TO THE ELDERS:**

Councilman Randy Phelan moved to approve Resolution No. 13-175-VJB. Councilman Fred Fox seconded the motion.

VOTE: 6 Ayes. Motion carried.

**05. RESOLUTION NO. 13-176-VJB MANDAREE SCHOOL BUDGET:**

Councilman Randy Phelan moved to approve Resolution No. 13-176-VJB. Councilman Fred Fox seconded the motion.

VOTE: 6 Ayes. Motion carried.



**06. RESOLUTION NO. 13-177-VJB ELBOWOODS MEMORIAL HEALTH CENTER:**

Councilwoman Judy Brugh moved to approve. Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

**07. RESOLUTION NO. 13-178-VJB PRAIRIE RESOURCES CAPITAL MANAGEMENT:**

Councilman Randy Phelan moved to approve Resolution No. 13-178-VJB, "Consultant contract with Prairie Resources Capital Management/Leslie Morsette for internal accounting services and ARRA." Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

**08. FORT BERTHOLD RURAL WATER:**

Councilman Randy Phelan moved to approve upon clarification —for salary adjustment of \$3.00 raise for FBRW staff from account 638. FBRW is eligible for up to 50% of Section 17 Water Sales under water projects. Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

**09. RESOLUTION NO. 13-180-VJB—FY-014 & 2015 TERO OFFICE:**

Councilman Randy Phelan moved to approve the TAT Fiscal Year-014& 2015 TERO Budget. Councilman Fred Fox seconded the motion.

VOTE: 5 Ayes. Motion carried.

ELECTION BOARD: John Danks would like to have the budget adjusted. He would like to come back to the council to show the pros/cons of two vendors.

**10. OFF THE GRID: WHITE SHIELD**

Councilman Randy Phelan moved to approve the White Shield Cultural Center off the Grid Project of \$37,500. Councilman Fred Fox seconded the motion.

VOTE: 5 Ayes. Motion carried.



**11. SMALL LOANS/EDUCATIONAL LOANS:**

Councilman Fred Fox moved to approve the following seven (7) small loans. Councilwoman Judy Brugh seconded the motion.

01.	Whispering Willow Smith	\$5,000
02.	Billie Jo Three Irons	6,000
03.	Ashleigh Heavy Gun	17,400
04.	Janice St. Clair	16,500
05.	Delreen Simpson	13,400
06.	Stephanie Matthews	18,200
07.	Patrick Dubois	17,600.

VOTE: 5 Ayes. Motion carried.

**12. KOTY BRUGH:**

Councilman Randy Phelan moved to approve a contract with Koty Brugh to construct fences around the cemeteries reservation wide. Councilman Fred Fox seconded the motion.

DISCUSSION: He was directed to work with Claryca Mandan on this. She would like to utilize what material she purchased for the fencing program.

VOTE: 5 Ayes. Motion carried.

NOTE: Councilman Mervin Packineau entered the meeting at 2:00 pm.

**13. CHAIRMAN HALL'S REPORT:**

- Support tribal regulations of energy development, etc.
- Tax tribal energy resources
- Return tribal lands
- Properly record tribe's ownership of riverbed.

**14. FINANCIAL REQUESTS:**

**A. JUSTIN YOUNG:**

Justin Young wants to merge his loan with his Home Mortgage. He currently owes 6,000 now. This issue is referred to Dennis Fox to see if the tribe can help him.

**B. KEENAN CAROLYN FINANCIAL REQUEST:**

Councilman Ken Hall moved to approve a \$1500 grant, subject to policy. Councilman Randy Phelan seconded the motion.

For the record: Councilman Randy Phelan states that all grant requests should be the same, subject to verification of minutes and policy from the Executive Secretary. Dennis Fox will write up policy.





VOTE: 6 Ayes. Motion carried.

**C. MOLLY WILKINSON:**

Councilman Randy Phelan moved to refer to the White Shield school district for Molly Wilkinson request. Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

NOTE: Councilman Mervin Packineau left the meeting at 2:30 pm.

**D. KARMAN BLAKE MEDICAL ASSISTANCE:**

Councilman Ken Hall moved to approve medical assistance in the amount of \$2,500 for June Blake. Councilwoman Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried.

**E. JOANNA GONZALEZ:**

Councilman Fred Fox moved to approve \$500 to Joanna Gonzales and the Four Bears Segment will match the \$500 for a total of \$1,000. Councilwoman Judy Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried.

**F. IRIS JACKSON HOMESITE AGREEMENT:**

Councilman Ken Hall moved to approve the Natural Resources to cancel out the home site lease with Iris Jackson and award to Beulah Lockwood.

DISCUSSION: Natural Resources can't find a lease with Iris. Dennis felt we should find her another lot.

VOTE: 4 Ayes, 1 Nay. Motion carried.

**G. RON FOSTER/BEULAH LOCKWOOD HOUSE:**

Councilman Fred Fox moved to approve \$41,000 to move Beulah Lockwood's house adding a crawl space. Ron Foster would be the contractor and taken out of account 380. Councilman Randy Phelan seconded the motion.

VOTE: 5 Ayes. Motion carried.

**H. SAFE HAVEN HOUSE:**

Councilman Fred Fox moved to approve a \$75,150 contract with Ron Foster to clear the area around Safe Haven and paid out of the Drug and Task Force account. Councilman Randy Phelan seconded the motion.

VOTE: 5 Ayes. Motion carried.



**I. REFURBISH HOUSE FORMERLY OWNED BY BEULAH LOCKWOOD:**

Councilman Randy Phelan moved to approve \$35,000 to refurbish Beulah Lockwood old unit. Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

**15. BUSINESS LICENSES: LEGAL DEPARTMENT**

Councilman Fred Fox moved for approve the Business Licenses as presented. Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

**16. AMENDMENT TO TRIBAL CRIMINAL CODE "PROHIBITING VANDALISM OF TRIBAL PROPERTY."**

Councilman Randy Phelan moved to approve the second reading of the Tribal Criminal Code prohibiting vandalism. Councilman Fred Fox seconded the motion.

**PROPOSED AMENDMENT:** Purposely or recklessly damaging any public or tribal property, violation of this subsection shall be a class I misdemeanor. Upon conviction the perpetrator shall be ordered to pay restitution for the damages caused to such property.

**17. AMENDMENTS TO CHAPTER IV-A MOTOR VEHICLE CODE OF THE THREE AFFILIATED TRIBES TRIBAL CODE."**

Councilman Randy Phelan moved to approve the second reading of "Motor Vehicle Code." Councilman Fred Fox seconded the motion.

NOTE: Department of Transportation will be given notice.

VOTE: 5 Ayes. Motion carried.

**PROPOSED AMENDMENT:** *Section 39-29: It shall be illegal for any individual to operate any off road vehicle including all terrain vehicles between the hours of 11pm and 7am within the city limits of any community on the Reservation. Violation of this section shall result in a fine of \$100.00.*

**PROPOSED AMENDMENT:** *Section 39-30: All operators of motor vehicles on the Reservation shall be required to use headlights during all hours of the day. Violation of this section shall result in a fine of \$50.00.*

VOTE: 5 Ayes. Motion carried.

NOTE: Publish these notices in the paper, MHA Timers, Schools. Get language from Legal Counsel, Jen Fyten.





**18. ETHICS CODE:**

Bring back in December meeting.

**19. ROADS DEPARTMENT CONTRACT ROUTE 22 -JACK SAWYER:**

Councilman Ken Hall moved to approve a contract with Jack Sawyer of \$1.2 Million to seal coat and crack seal to Route 22. Councilman Randy Phelan seconded the motion.

VOTE: 5 Ayes. Motion carried.

**20. RESOLUTION NO. 13-181-VJB WHITE SHIELD INC.**

Councilman Ken Hall moved to approve \$100,000 for surveys. Councilman Randy Phelan seconded the motion.

VOTE: 5 Ayes. Motion carried.

**21. RESOLUTION NO. 13-182-VJB SCORIA RESOLUTION:**

Councilman Randy Phelan moved to amend the "Scoria Resolution to include the Tribal Ranch subject to Legal review." Councilman Fred Fox seconded the motion.

VOTE: 6 Ayes. Motion carried.

**22. RESOLUTION NO. 13-183-VJB WEST SEGMENT DEVELOPMENT CORP:**

Councilman Ken Hall moved to approve Resolution for West Segment Development Corp to drawdown FY 14 of 3 Million. Councilman Randy Phelan seconded the motion.

VOTE: 5 Ayes. Motion carried.

**23. CHRISTMAS BONUSES:**

Councilman Randy Phelan moved to approve Christmas bonuses up to \$500 coming out of Segment or Program funding. Councilman Fred Fox seconded the motion.

VOTE: 5 Ayes. Motion carried.

**24. TRIBAL BUSINESS COUNCIL INCREASE:**

Councilman Randy Phelan moved to approve a \$5.00 salary increase for all Tribal Council members. Councilman Fred Fox seconded the motion.

For the Record: Chairman Hall did not accept the increase.

VOTE: 5 Ayes. Motion carried.



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**25. HUMAN RESOURCES DEPARTMENT:** Closed Session.

**25. ADJOURNMENT:**

Councilman Randy Phelan moved to adjourn the meeting. Councilman Fred Fox seconded the motion.



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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 \_\_\_\_\_, 2014; that the foregoing and/or amended Minutes were duly adopted at such meeting by the affirmative vote of \_ members; \_0\_ members opposed; \_0\_ members abstained; \_0\_ Members not voting.

Chairman (X) Voting ( ) Not Voting

Dated this \_\_\_\_ day of \_\_\_\_\_, 2014.

**ATTEST:**

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

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

(Seal)