



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
MEETING NO. 04-04-2014-TGH
FEBRUARY 28, 2014**

RECONVENE MEETING/CALL TO ORDER:

In the absence of Tribal Chairman, Tex G. Hall, Vice-Chairman presided over meeting and called it to order 11:15 am.

ROLL CALL: Present: Vice-Chairman Fred Fox, Councilman Randy Phelan, Councilman Barry Benson, Councilman Ken Hall, and Councilwoman Judy Brugh. **Absent:** Chairman Tex G. Hall (On official travel) Councilman Mervin Packineau (Family Health.)

INVOCATION: Councilman Randy Phelan said the invocation.

01. CONTINUATION OF AGENDA—CHIEF FINANCIAL OFFICER:

A. DREAM CATCHER HOUSING—: PURCHASE PRICE FORMULA:

Councilman Randy Phelan moved to approve the “Purchase Price Formula for the Dream Catcher Homes.” Councilman Barry Benson seconded the motion.

VOTE: 5 Ayes. Motion carried.

B. LINDA DRIVER: Tabled. Refer to Fort Berthold Housing Authority.

C. FORT BERTHOLD DEVELOPMENT CORPORATION:

Councilman Randy Phelan moved to negotiate a counter offer of \$39,546.45 as opposed to Brady Martz billing statement of \$49,546.45 for the Fort Berthold Development Corporation close-out, Subject to supporting documentation, invoices Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

D. MINOR TRUST FUND ACCOUNT:^{1147 -11:52}

Councilman Randy Phelan moved to direct Whitney Bell to send out an RFP to Investors to draft a financial distribution plan “interest percentages for distribution” and to do quarterly reports on the “Minor Source Fund.” Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

E. MARQUETTE ADVISORS FEASIBILITY STUDY:

Councilman Randy Phelan moved to approve the “Marquette Advisors to do a Feasibility Study for a new Casino in Twin Buttes, North Dakota. Councilman Barry Benson seconded the motion.

VOTE: 5 Ayes. Motion carried.

F. SPECIAL PROJECTS CONSULTANTS: Lonnie Burr

Councilman Randy Phelan moved to approve the lowest bid on RFP from BMD Consulting Group, Walker, Minnesota at \$65 per hour recommendation by Special Projects Administrator, Lonnie Burr, subject to Legal review. Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.



G. SPECIAL PROJECTS TWIN BUTTES HOUSING PROJECT:

Councilman Randy Phelan moved to approve the Scope of Work for the Housing Project in Twin Buttes, North Dakota. Councilman Barry Benson seconded the motion.

VOTE: 5 Ayes. Motion carried.

H. RPMS ADMINISTRATIVE ACCESS

Councilman Mervin Packineau moved to direct Dennis Fox, CEO to negotiate administrative access with the IHS Office in Aberdeen, South Dakota, to make sure that full administrative assess is granted immediately and RPMS be fully functional by March 15, 2014. Councilman Ken Hall seconded the motion.

VOTE: 6 Ayes. Motion carried.

H. MEDICAL GRANT ASHLEY WHITE FAMILY:

Councilman Randy Phelan moved to approve a Medical Grant of \$3500.00 to be divided between Bernard White (\$1750.00 and Donna Howling Wolf (\$1750.00). Councilman Ken Hall seconded the motion.

VOTE: 6 Ayes. Motion carried.

I. SMALL LOAN FOR TBC ACTION 2-28-2014:

Councilman Randy Phelan moved to approve Small Loans 1, 2, 3, 4, 5, 6, and 7, Subject to the TAT Small Loan Policy and Collateral. Councilman Ken Hall seconded the motion.

VOTE: 6 Ayes. Motion carried.

J. EDUCATION LOANS FOR TBC ACTION 2-28-2014

Councilman Randy Phelan moved to approve two Education Loans as presented. Councilman Ken Hall seconded the motion.

VOTE: 6 Ayes. Motion carried unanimous.

K. JEAN BAKER COLLATERAL CLARIFICATION:

Councilman Ken Hall moved to approve the request from Ardel Jean Baker to use her payroll check and IIM Account as collateral for a loan. Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

L. NICOLE HENRY:

Nicole Henry has a house for sale \$265,000.00 first offer to the Tribe. The Tribe asked for them to get a third party appraiser and bring back to the tribe.



M. 2014 DENVER MARCH POW-WOW:

Councilman Randy Phelan moved to approve a sponsorship of \$5,000 to the Denver-March Pow-wow. Councilman Barry Benson seconded the motion.

VOTE: 5 Ayes. Motion carried.

02. NATURAL RESOURCES COMMITTEE: *Claryca Mandan – N.R. Director*

1. DRAFT SET BACK VARIANCE RESOLUTION:

2. WATER HYDROLOGIST: Defer no one here.

3. SOLID WASTE/REZ CO. Patrick Dubois

Councilman Randy Phelan moved to approve a past billing statement owing \$54,928.13 to Rezco—paid from the 380 account.

Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

F. ECONOMIC DEVELOPMENT/EDUCATION:

1. LEONARD HOSIE: Taken care of.

2. LINGUISTIC MANDAN TEACHER: INDREK PARKS: 90 DAY PRORATED FROM CONTRACT

Councilman Randy Phelan moved to hire of Indrek Parks for 90 days to commit to the Twin Buttes community perpetuating the Mandan language payment to come out of 380 Code. Councilman Ken Hall seconded the motion

VOTE: 5 Ayes. Motion carried.

3. TRACKING EQUIPMENT: Cameron Keluche

H. JUDICIAL COMMITTEE:

1. RESOLUTION NO 14-035-VJB: CHILD SUPPORT CONTRACT GREG KIDDER:

Councilman Randy Phelan moved to approve a contract with Greg Kidder not to exceed \$10,000 and coded to the Program Budget, to teach the staff how to use Access software to collaborate Child Protection Cases.

Councilman Barry Benson seconded the motion.

VOTE: 5 Ayes. Motion carried.

2. CHILD SUPPORT EMPLOYEE OVER-TIME:

Councilman Randy Phelan moved to approve overtime hours to Child Support staff to be completed within a 2 week time period, not to exceed \$10,000 payment for overtime hours. Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.



2. RESOLUTION NO. 14-036-VJB—JUDGE DIANE JOHNSON:

Councilman Randy Phelan moved to approve a Resolution No. 14-036, entitled, “District Court Judges Joel Medd and John Mahoney.”

Councilwoman Judy Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried.

3. RESOLUTION NO. 14-037-VJB: LEGISLATIVE COMMITTEES APPROVAL TO HIRE EMPLOYEES & CONSULTANT “CLAUSE FOR EMERGENCY CASES THAT CAN’T MAKE IT TO FULL COUNCIL WILL BE RATIFIED BY THE FULL COUNCIL NEXT MEETING.”

Councilman Randy Phelan moved to give each Legislative Committee the authority to hire employees & consultants on emergency basis and ratified at the next Tribal Business Council Meeting. Councilwoman Judy Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried.

5. DAMON WILLIAMS ESQ.

Tribal Chairman Kickapoo Tribal

6. CONSULTANT AGREEMENTS FOR YVETTE FALCON AND BILLIE DECOTEAU:

Councilman Randy Phelan moved to approve consultant agreements for Yvette Falcon and Billie Decoteau for the Fort Berthold District Court, supervised by Diane Johnson. Councilwoman Judy Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried.

H. HEALTH COMMITTEE:

1. RESOLUTION NO. 14-038-VJB WILSON HEALTH PLANNING COOPERATIVE:

Councilman Randy Phelan moved to approve Resolution No. 13-038-VJB, “Health Care Design Summit.” Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

2. RESOLUTION NO. 14-039-VJB, AUTHORIZATION OF SIGNATORY AUTHORITY FOR THE THREE AFFILIATED TRIBES.

Councilwoman Judy Brugh moved to approve Resolution No. 14-039-VJB, “Authorization of Signatory Authority for the Three Affiliated Tribes. Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.



I. FOUR BEARS CASINO AND LODGE:

Pat Packineau, General Manager gave a quick summarized report.

L. APPROVAL OF MINUTES OF THE TRIBAL BUSINESS COUNCIL:

1. SEPTEMBER, 12, 2013:

2. OCTOBER 10, 2013:

Councilman Randy Phelan moved to approve the minutes of October 10, 2013. Councilwoman Judy Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried.

OCTOBER 22, 2013:

Councilman Randy Phelan moved to approve the minutes of October 10, 2013. Councilwoman Judy Brugh seconded the motion.

4. NOVEMBER 14th, 2013:

Councilwoman V. Judy Brugh moved to approve the minutes of November 14, 2013. Councilman Randy Phelan seconded the motion.

VOTE: 5 Ayes. Motion carried.

5. NOVEMBER 15th, 2013:

Councilwoman V. Judy Brugh moved to approve the minutes of November 15, 2013. Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

6. NOVEMBER 21st 2013:

Councilwoman V. Judy Brugh moved to approve the minutes of November 21, 2013. Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

7. DECEMBER 17TH 2013:

Councilman Ken Hall moved to approve the minutes of December 17, 2013. Councilman Randy Phelan seconded the motion.

VOTE: 5 Ayes. Motion carried.

8. JANUARY 09, 2014 T.B.C. MEETING

Councilman Randy Phelan moved to approve the minutes of January 9, 2014 with corrections. Councilman Ken Hall seconded the motion. (I)

Discussion corrections: 5. Page 4 Crestwood Pipeline Scapa

9. JANUARY 31, 2014

Councilman Randy Phelan moved to approve the minutes of January 31, 2014. Councilwoman Judy Brugh seconded the motion.



VOTE: 5 Ayes. Motion carried

10. FEBRUARY 13, 2014

Councilman Randy Phelan moved to approve the minutes of February 13, 2014. Councilwoman Judy Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried

VIII. ADJOURNMENT:

Councilman Randy Phelan moved to adjourn the meeting at 5:00 pm.
Councilman Ken Hall seconded the motion.

VOTE: 5 Ayes. Motion carried.

***RESCHEDULE MARCH 27, 2014. TBC MTG. 8:00 am.**



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 28th day of February, 2014; 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 _____, 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)