



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING 14-001-MF
November 13th, 2014, 10:00 am.**

CALL TO ORDER: Chairman Mark Fox called the meeting to order at 10:15 a.m.

PRAYER: June Lockwood

ROLL CALL: Present- Chairman Mark Fox, Councilman Fred Fox, Councilman Randy Phelan, Councilman Ken Hall, Councilman Mervin Packineau, Councilman Frank Grady, and Councilman Cory Spotted Bear.

I. APPROVAL OF AGENDA:

Motion to approve the agenda made by Councilman Randy Phelan, seconded by Councilman Frank Grady.

Vote 7 ayes. Motion Carried.

Chairman Mark Fox- aye

Councilman Cory Spotted Bear -aye

Councilman Fred Fox- aye

Councilman Randy Phelan- aye

Councilman Frank Grady- aye

Councilman Mervin Packineau- aye

Councilman Ken Hall- Aye

II. APPROVAL OF MINUTES:

Minutes deferred to the end of the agenda.

Councilman Fred Fox moved to have all motion votes be done by roll call votes. Councilman Ken Hall seconded the motion.

Vote 7 ayes. Motion Carried.

Chairman Mark Fox- aye

Councilman Cory Spotted Bear -aye

Councilman Fred Fox- aye

Councilman Randy Phelan- aye

Councilman Frank Grady- aye

Councilman Mervin Packineau- aye

Councilman Ken Hall- Aye

III. SPECIAL GUESTS/ELDERS:

A. Twin Buttes Elders-Deferred

B. Elbowoods Health Care Center; Jim Foote

Elbowoods residential development update- Phase 1 includes 49 homes

Phase 2 includes 61 homes.

Total cost of project projected to be \$28 million dollars.

C. Natural Resources- George Abe-

A status of the environmental cleanup by Crestwood. Data was collected from all three spill sites but not all results have been completed.

126,000 gallons of frac water was released at the estimated depth of 6 feet below ground surface, and approximately 1,700 acres from lakeshore.

Councilman Randy Phelan moved to approve Edmund Baker to do an assessment of the spills and provide a final cost due to the tribe. Motion seconded by Councilman Fred Fox

Vote 7 Ayes. Motion carried.

Chairman Mark Fox- aye

Councilman Cory Spotted Bear –aye

Councilman Fred Fox- aye

Councilman Randy Phelan- aye

Councilman Frank Grady- aye

Councilman Mervin Packineau- aye

Councilman Ken Hall- Aye

D. MHA Nation Tomorrow: Ed Hall

Requested to sit in on the upcoming program meetings so that they may better assist with resources they may have available.

E. Scoria Issue: Ron Brugh

Tribal Council directed legal to review the issue of the use of Scoria.

IV. UNFINISHED BUSINESS:

A. Terrance Fredericks: *Deferred*

B. Justin Deegan:

A oral history video documentary on all three of the Three Affiliated Tribes, the Mandan, Hidatsa, and Arikara tribes presented by Justin Deegan. Tribal Council referred Justin to the Economic and Education Committee for further review.

V. NEW BUSINESS:

A. TAT Enrollment Department: Sevant Taft

Councilman Randy Phelan moved to approve **Resolution #14-183-KH** entitled “Approval of 32 Applicants for Enrollment into the Three Affiliated Tribes”.

Councilman Fred Fox seconded the motion.

Vote 7 ayes. Motion Carried.

Chairman Mark Fox- aye

Councilman Cory Spotted Bear –aye

Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

Enrolled member count: 14,130 members.

B. TAT Small Loans Department: Mary Ellen Sun:

Councilman Cory Spotted Bear moved to approve Small Loans sections A, B, C subject to TAT Small Loans Policy and collateral. Motion seconded by Councilman Frank Grady.

Discussion: number 11 applicant is granted to use her IIM account as collateral.

Vote 6 Ayes. 1 abstention. Motion Carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- abstain
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

C. Sidrick Baker Sr. (brought forth to present under enrollment)

Okimaskwew Mary Jane Baker is the granddaughter of Sidrick Baker Sr, the daughter of Nelson Baker and is being denied enrollment based upon lack of Hidatsa blood quantum.

Chairman Mark Fox clarified that the people voted on a minimal 1/8 blood quantum requirement.

Councilman Randy Phelan moved to have Caleb of legal department review the option of having the TAT Tribal Government be able to announce the base roll members before 1936 to be qualified as 4/4 members of the Three Affiliated Tribes. Councilman Frank Grady seconded the motion.

7 Ayes. Motion carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

D. Guardianship: Gerald Packineau

Agenda item to be put on the next health committee meeting

E. White Shield Project: Lon Burr

An update was given to the Tribal Council on the three upcoming projects for the white shield community. Council advised Mr. Burr that the projects would be put in the review processes at the upcoming budget meeting.

F. U.S.A.T.F. Junior Olympics Cross Country:

Councilman Fred Fox moved to approve the financial sponsorship for Jessilyn Long Feather, daughter of Adele Phelan and Dante Merrill, son of Bear Star Perkins qualifying runners for the 2014 USATF National Junior Olympics in the amount of \$4,500.00 each and to be taken out of the 380 account. Councilman Cory Spotted Bear seconded the motion.

Vote 6 Ayes. 1 Abstention. Motion Carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- abstained
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

G. Personal Request: Bridgette LaVallie

(Addressed under small loans agenda item)

H. White Horse Woman Request: Wendi Wells

Councilman Fred Fox moved to approve the financial request of White Horse Woman in the amount of \$20,000.00 and to be taken out of the 380 Tribal Account. Councilman Randy Phelan seconded the motion.

Vote 7 Ayes. Motion Carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

I. Johnson Family Matching Fund Request: Maranda Johnson

Councilman Mervin Packineau moved to approve the medical financial request of Miranda Johnson for her daughter, Brighten Johnson's medical visits to the Children's medical center in Denver, Colorado in the amount of \$4,500.00. This amount is to be taken out of the 380 tribal account. Councilman Frank Grady seconded the motion.

Vote 6 Ayes. 1 Abstention. Motion carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- abstention
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

J. North Segment Community Development Corporation: Scott Baker

Councilman Ken Hall moved to approve **Resolution #14-184-KH** entitled “Request for the North Segment Community Development Corporation to be appropriated \$850,000.00 from the Land Purchases Fund for Land Acquisition for the purchase of the Golden Manor trailer park in the northwest part of New Town, ND with the intention of construction and maintaining affordable housing for Tribal Members” Councilman Mervin Packinaeau seconded the motion.

Vote 7 Ayes. Motion Carried.
Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

K. Carl Artman- deferred

L. Financial Request

1. Financial Request for Bernadine Young Bird

Councilman Frank Grady moved to approve financial medical request of Bernadine Young Bird on behalf of her son, Robert Young Bird in the amount of \$4,500.00. This amount is to be taken out of the 380 fund and is subject to documentation verifying medical need. Councilman Randy Phelan seconded the motion.

Vote 7 Ayes. Motion Carried.
Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

2. Andrea Vigen- medical financial request

Councilman Fred Fox moved to approve the medical financial request of Andrea Vigen in the amount of \$1,230.00. This amount is to be taken out of the 380 tribal account and to be paid to the Prairie Rose Family Dentists 121 E Front Ave Bismarck, ND 58504. Councilman Randy Phelan seconded the motion.

Vote 7 Ayes. Motion Carried.
Chairman Mark Fox- aye
Councilman Cory Spotted Bear -aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

3. White Shield Elders

Councilman Fred Fox moved to approve the sponsorship of the White Shield Elder trip to the Heritage Center in Bismarck, ND and the Prarie Knights Casino in Standing Rock, ND in the amount of \$10,000.00. Councilman Randy Phelan seconded the motion.

Vote 7 Ayes. Motion Carried.
Chairman Mark Fox- aye
Councilman Cory Spotted Bear -aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

4. Wanda McKee- Medical Request

Councilman Fred Fox moved to approve a \$7,000.00 loan for a vehicle purchase for handicap accessibility. This amount is to be taken from the 380 Tribal account. Councilman Randy Phelan seconded the motion.

Vote 7 Ayes. Motion carried.
Chairman Mark Fox- aye
Councilman Cory Spotted Bear -aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

5. Trudy Garcia- financial request

Councilman Fred Fox moved to approve the sponsorship of Trudy Garcia's daughter for a trip to Washington DC to attend the Apple Student Tours in the amount of \$2,695.00. Councilman Randy Phelan seconded the motion.

Vote 7 Ayes. Motion Carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear -aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

6. Amanda Felix- Medical financial request

Councilman Fred Fox moved to approve the medical financial request of Amanda Felix in the amount of \$2,500.00. Councilman Randy Phelan seconded the motion.

Vote 7 ayes. Motion carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear -aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

7. Educational Finance Request- Stephanie Charging

Councilman Cory Spotted Bear moved to approve the educational finance request of Stephanie Charging in the amount of \$500.00 as a grant and the remaining amount of \$1,900.00 as a tribal loan. Councilman Fred Fox seconded the motion.

Vote 7 ayes. Motion carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear -aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

8. Natural Disaster finance request

Councilman Mervin Packineau moved to approve \$4,000.00 for Barbra Helton for Natural disaster assistance to be taken from the TAT Emergency Request Fund code #0380-51090. Councilman Cory Spotted Bear seconded the motion.

Vote 7 ayes.
Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

VI. REPORTS:

A. CHAIRMAN’S REPORT: Mark Fox

1)N.A.R.F.

2) Inauguration

Inauguration is set for December 4th, 2014. The cost of the event will be reviewed at the upcoming budget meeting.

B. Chief Executive Officer

1. Avis Mayer unit

Councilman Ken Hall moved to allow the CDC to use the Avis Mayer unit for available housing. Councilman Mervin Packineau seconded the motion.

Vote 7 ayes. Motion carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

2. Request for transfer of property

Councilman Fred Fox moved to approve the transfer and purchase of the Tribal vehicle, 2015 Honda Pilot by Cheryl Bruce. Councilman Randy Phelan seconded the motion.

Vote 7 Ayes. Motion carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

3. Jerome Dancing Bull

Councilman Mark Fox stated that Mr. Jerome Dancing Bull will continue as the acting Director for the 477 program at the wage amount of \$33.44.

C. Tax Department *deferred.*

D. Legal- Damon Williams

Councilman Mervin Packineau moved to approve Damon William to purchase his home, Resolution #14-182-KH. Motion seconded by Councilman Frank Grady.

Vote: 7 Ayes. Motion Carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

Councilman Randy Phelan moved to approve the resignation of Damon Williams with the payout of the remaining time on his contract of nine months in the amount of \$97,000.00. Motion seconded by Councilman Fred Fox.

7 Ayes. Motion carried.
Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

Mortgage Program signature authority

Councilman Ken Hall moved to approve **Resolution #14-185-KH** entitled “authorization for the Tribal Chairman or the Vice Chairman to sign documents on behalf of the mortgage loan program of the MHA Nation.” Councilman Mervin Packineau seconded the motion.

Vote 7 Ayes. Motion carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye

Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

E. Treasurers Report

1. Native American Development Corporation: Toni Cuni- Deferred

2. Sal Beston-

Councilman Fred Fox to approve the mortgage program request with subject to documentation being provided to the Home . Motion seconded by Councilman Randy Phelan seconded the motion.

Vote 7 Ayes. Motion carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

F. Natural Resource Committee

1. Frank White Calf- Dakota Chemicals-
Presentation was given on Dakota Chemicals by Frank White Calf for the Tribal Council.

G. Economic Development

1. Business Loan approval- Toni Starr

Councilman Randy Phelan moved to approve the two applicants, Andrea Keeney “Mightcould Do Entertainment” and James & Ashley Thorton “the Right One”. Councilman Mervin Packineau seconded the motion.

Vote 7 Ayes. Motion carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

H. Judicial Committee-deferred

I. Health Committee: Kathy Eagle

Councilman Fred Fox moved to approve the contract of Samuel S. Johnson, MD beginning November 17th, 2014 through November 17th, 2016.
Councilman Frank Grady seconded the motion.

Vote 7 Ayes. Motion Carried.
Chairman Mark Fox- aye
Councilman Cory Spotted Bear –aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

J. Four Bears Casino and Lodge- *deferred*

K. Oil and Gas Energy Department- *deferred*

VII. CLOSED SESSION REQUESTS:

1. Human Resources-

Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

VIII. Minutes:

Councilman Mervin Packineau moved to approve the October 16th, 2014 TBC minutes. Councilman Fred Fox seconded the motion.

Vote 5 Ayes. 2 Abstentions. Motion Carried.

Chairman Mark Fox- abstain
Councilman Cory Spotted Bear –abstain
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

Councilman Ken Hall moved to approve the October 20th, 2014 minutes.
Councilman Randy Phelan seconded the motion.

Vote 4 Ayes. 3 Abstentions. Motion Carried.

Chairman Mark Fox- abstain
Councilman Cory Spotted Bear –abstain
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- absain
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

November 11th, 2014- Councilman Randy Phelan moved to approve the November 11th, 2014 TBC Meeting minutes. Councilman Ken Hall seconded the motion.

Vote 7 Ayes. Motion carried.

Chairman Mark Fox- aye
Councilman Cory Spotted Bear –Aye
Councilman Fred Fox- aye
Councilman Randy Phelan- aye
Councilman Frank Grady- Aye
Councilman Mervin Packineau- aye
Councilman Ken Hall- Aye

IX Adjournment:

Councilman Randy Phelan moved to adjourn at 8:46 P.M. Councilman Fred Fox seconded the motion.

Vote 7 Ayes. Motion carried.

Chairman Mark Fox- aye

Councilman Cory Spotted Bear -Aye

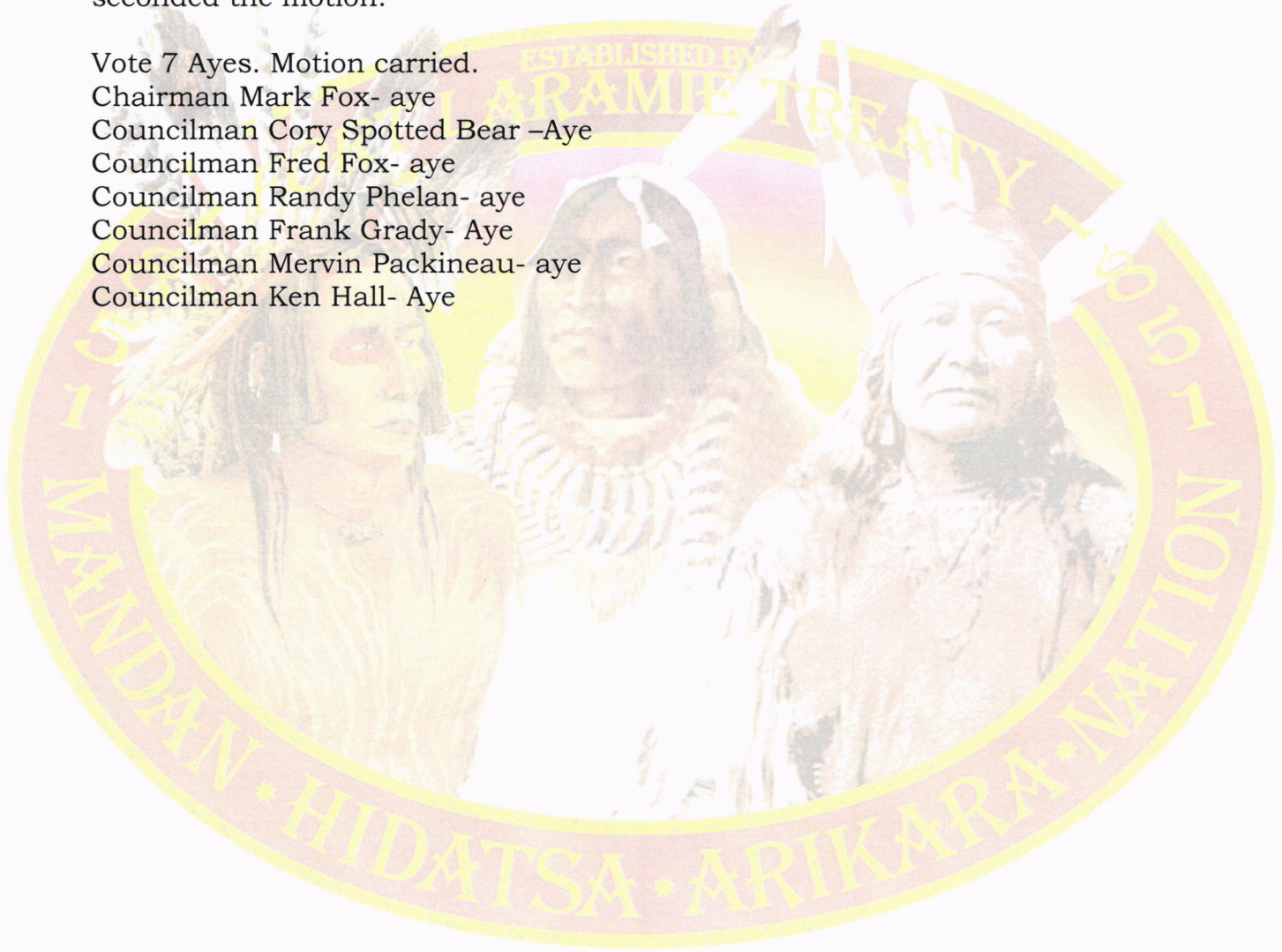
Councilman Fred Fox- aye

Councilman Randy Phelan- aye

Councilman Frank Grady- Aye

Councilman Mervin Packineau- aye

Councilman Ken Hall- Aye




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 five () constitute a quorum _____ were present at the Regular Tribal Business Council meeting thereof duly called, noticed, convened and held on the 5th day of December, 2014; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of _____ members; _____ members opposed; _____ members abstained; _____ members not voting.

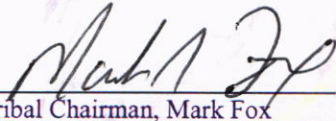
Chairman [] Voting. [] Not voting.

Dated this 5th day of December, 2014.

ATTEST:



Tribal Secretary, Ken Hall
Tribal Business Council,
Three Affiliated Tribes



Tribal Chairman, Mark Fox
Tribal Business Council,
Three Affiliated Tribes