



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
MEETING NO. 06-03-NH
JANUARY 13, 2006**

CONVENE MEETING AND INVOCATION:

Tribal Chairman Tex G. Hall, called the meeting to order at 11:04 p.m., with invocation by Theodora Starr.

ROLL CALL:

Members present: Chairman Tex G. Hall, Councilman Daylon Spotted Bear, Councilman Frank Whitecalfe, Councilman Malcolm Wolf, Councilman Mervin Packineau and Councilman Nathan Hale. A quorum was established with six members present. Councilman Marcus D. Wells Jr., was on a teleconference call at 11:15 p.m. This action made all seven members present.

01. APPROVAL OF THE AGENDA:

Councilman Hale moved to approve the agenda as amended. Councilman Packineau seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

02. MONA BEAR FINANCIAL REQUEST:

Councilman Packineau moved to approve a \$1,000 grant to Mona Bear to help with a down payment on a vehicle. Councilman Whitecalfe seconded the motion

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

03. LEVI BRUCE FINANCIAL REQUEST:

Councilman Whitecalfe moved to recommend to the Independence Program approval of a business loan submitted by Levi Bruce, subject to the requirements of the program. Councilman Hale seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

04. ELBOWOODS WORKS; [Reference Resolution No. 06-13-NH,]

Councilman Packineau moved to approve signatory authority for the Director of Elbowoods Works program. Councilman Wolf seconded the motion.

Councilman Packineau moved to rescind and modify the previous action and to direct the legal department to draft a Resolution transferring the program under the organizational structure of the tribe; and authorizing the establishment of a checking account with a financial institution of its choice, provided that the authorized signatories on such account shall be Chairman Hall and Tribal Treasurer, Whitecalfe. Councilman Wolf concurred with the amendment.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

05. PATRICIA REED FINANCIAL REQUEST:

Councilman Wolf moved for approval of a \$500 grant to Patricia Reed to attend a seminar in Washington, D.C. "A once in a lifetime opportunity to discover American History first-hand." Councilman Packineau seconded the motion.



VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

06. MELISSA BACA FINANCIAL REQUEST:

Councilman Hale moved to approve a \$3,500 Small Loan and a \$1,000 grant from the Helping Hand to Melissa Baca to assist her in the purchase of a mobile home. Councilman Packineau seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

07. ANNA/REBA FOOTE GRANTS AND DONATIONS:

Councilman Packineau moved for approval to grant Anna and Reba Foote each \$250 for educational services that will be taken from the General Budget-grants and donations line item. Councilman Whitecalfe seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

NOTE: Councilman Wells came available by teleconference at 11:15 a.m.

08. CARLA CLARKE SALE OF MOBILE HOME:

Councilman Wells moved for approval to authorize the Tribal Housing to negotiate with Carla Clarke to purchase their mobile home for Sadie Mann and modify the budget to include the costs. Councilman Wolf seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

09. ON-CALL CLINIC SCHEDULES AND KIDNEY DIALYSIS UNIT SCHEDULES:

Councilman Hale moved for approval to authorize Deb Hall-Thompson meet with Dr. Harchanko to develop an on-call schedule for dialysis patients. Councilman Packineau seconded the motion.

Councilman Hale amended, "and to include an on-call schedule for the outlying clinics in Parshall and White Shield. Councilman Packineau concurred with amendment.

Note: These clinics do not serve dialysis patients

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried

10. REQUEST AAO TO PURCHASE MEDICATION DISPENSING CABINET:

Councilman Wells authorize staff to make the request to Don Lee at the Aberdeen Area Office to purchase a medication dispensing cabinet and to pay for the maintenance of the machine. Councilman Whitecalfe seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

11. JAMES KAVANY KIDNEY DIALYSIS PATIENT:

Councilman Wells moved to authorize the admittance of a non-member, James Kavany as a patient with the Kidney Dialysis Unit and his insurance will be third party billed. Councilman Hale seconded the motion.



VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

12. KDU CONSULTANT AGREEMENT:

Councilman Wells moved to authorize the KDU Director to execute a \$2,000 consultant agreement with Aileen Jackson to “train two KDU staff in “Cost Report Third Party Billing.” Councilman Whitecalfe seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried

13. EIDE BAILEY -KDU CONSULTANT AGREEMENT:

Councilman Whitecalfe moved to approve a consultant agreement with Eide Bailey with a cost of \$5,000. Councilman Hale seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

14. LEAD BILLING COORDINATOR/MEDICAL RECORDS CLERK:

Councilman Packineau moved to hire permanently Brenda Howling Wolf as the Lead Billing Coordinator/Medical Records Clerk at \$15.00 per hour. Councilman Hale seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

15. DIABETES PROGRAM, “FOOT-CARE PROGRAM:

Councilman Wells moved to authorize Deb Hall-Thompson to write a letter to Indian Health Services’ Acting CEO Cheryl Bruce, requesting them to continue funding the Diabetes Programs’, “Foot Care Program.” Councilman Packineau seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

16. JOLENE SWIFT EAGLE:

Councilman Packineau moved to approve a \$1500 Small Loan, subject to the requirements of the Program. Councilman Wolf seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

17. RANGE UNIT NO. 18:

Councilman Wolf moved to award Range Unit 18 to Matthew Mason and Edward S. Danks, Jr., / Solly T. Danks, until Matt Masons son returns from the Armed Services. Councilman Whitecalfe seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

18. MALCOLM WOLF APPLICATION FOR LAND EXCHANGE:

Councilman Whitecalfe moved to approve a land exchange: Allotment 797A, Legal Description, S2, 34-149-94, total acres of 320.00, McKenzie County; Allotment, 798A, N2, 27-149-94, Total Acres, 320; Allotment, 799A, Legal Description, N2, 35-149-94, Total Acres 320, McKenzie County; Allotment 800A, N2, Legal Description N2, 34-149-94, McKenzie County; with the tribe for the following Allotment 372, Legal Description: N2 of Sec 8, T.150N, R92W, Acreage of 320.00 acres,



with tribal interest 59%; with the remainder to approve RU 42 to Spencer Elk. Councilman Hale seconded the motion.

VOTE: 5 Ayes, 0 Nays, 1 Abstention, 0 Not voting. Motion carried.

19. RANGE UNIT 5:

Jim Mossett was awarded Range Unit 5 – Pete Fredericks is disputing the award, that he has all of the requirements, especially 100% ownership of cattle. The BIA did an air count because Jim wouldn't let them on his range to do a head count. 80 head was seen from the air flight. Pete Fredericks, Sr. is proposing that 2000 acres adjacent to RU 5 which is the SE End of 5 be transferred back to RU11. Pete is also requesting that Jim Mossett show ownership of cattle. This matter will be discussed on January 23, 2006.

20. PRIORITIZE STELLA BERQUIST AUM:

Councilman Wells moved to prioritize Stella Berquist' application for a range unit and place her at the top of the list when and if AUMS comes available. Councilman Wolf seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

21. FARM PASTURE LEASE MERVIN PACKINEAU :

Councilman Wells moved to approve a Farm Pasture Lease Application from Mervin Packineau, the following described Tribal land, for a period of five years on a year to year basis, Beginning January 1, 2006 and ending December 31, 2010, Allot. No. TF0010, described as S25, E4,SE4, SW4,S25, SW4,SW4, less Hwy R/W, Section 1, Twp. 151, Rge.91, W. Fifth Principal Meridian, North Dakota 65.0 hay cutting acres for a cash rent of \$7.50 and 63.6 pasture acres for the cash rent of \$7.50 per bale for a total amount of \$963.75 per year. Councilman Whitecalfe seconded the motion.

Councilman Wells amended his motion "to change the payment to \$6.00 per bale." Councilman Whitecalfe concurred with the amendment.

VOTE: 5 Ayes, 0 Nays, 1 Abstention, 0 Not voting. Motion carried.

22. RESOLUTION NO. 06-01-NH, LAND EXCHANGE ANITA DEANE:

Councilman Packineau moved to approve a land exchange between Anita Deane; individual ¼ interest 80 acres in Allotment 1774, legal description, E 28-1512-94, Co55, 320 acres in exchange for Tribal Allotment 317A-A, legal description, Lot 1 and 2 04-149-90, Co. 25, 78.37 acres. Councilman Hale seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

23. WHITE SHIELD INDIAN CLUB:

Councilman Whitecalfe moved to approve a \$6,300 (%50) grant to the White Shield School's Indian club from the General Fund Budget- Grants and Donations line item. Councilman Packineau seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstention, 0 Not voting. Motion carried.



24. **TEAM NORTH DAKOTA 2006:**

Councilman Wells moved to contribute \$15,000 from to Team North Dakota to allow tribal youth to participate in the Summer Games held in Denver, Colorado with the funds to come out of the General Fund. Councilman Packineau seconded the motion.

DISCUSSION: Proposals will be accepted from the public to set up a fund mechanism for tax breaks. Verlee Saylor will be asked to bring in a proposal to the next meeting.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

25. **REMINGTON'S RESTAURANT:**

Councilman Packineau moved to approve a Business loan of \$10,000 to the Remington Restaurant. Councilman Wells seconded the motion.

NOTE: All business requests will be referred to the Independence Program with the recommendation from the Tribal Business Council. The Director was authorized to check into a depository agreement.

Councilman Packineau amended his motion, "to bring a proposal regarding the Remington's Restaurant request to the next meeting." Councilman Wells concurred with the amendment.

VOTE: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not voting. Motion carried.

26. **FOUR BEARS COMMUNITY COUNCILMAN WELLS:**

Arlie Knight presented a letter requesting the removal of Marcus D. Wells, Jr. who is currently paid by the Tribe for representation of Four Bears Community but left them without representation and is presently receiving compensation from the Army Reserves.

Arlie also requested that Roy Bird Bear be considered as a replacement for Marcus Wells, Jr., as the representative for the Four Bears Area. He was informed it is his right as a tribal member to confer with legal counsel for an opinion on "removal of a tribal Councilman." This subject is not included in the current Constitution; however, the Code of Ethics does address the conduct of the Tribal Business Council.

Councilman Wells submitted a resolution asking for additional administrative leave to attend Officers Training until February 9, 2006.

27. **RESOLUTION NO. 06-02-NH, "AUTHORIZATION AND EXTENSION OF ADMINISTRATIVE LEAVE FOR FOUR BEARS SEGMENT REP. MARCUS WELLS, JR., TO ATTEND ADVANCED INDIVIDUAL TRAINING FOR THE US ARMY RESERVE DURING JANUARY 2006."**

Councilman Whitecalfe moved to approve a Resolution entitled, "Authorization and Extension of Administrative Leave for Four Bears Segment Rep. Marcus Wells, Jr., to attend advanced individual training for the US Army Reserve during January 2006. Councilman Hale seconded the motion.

Councilman Whitecalfe amended his motion to include language: "that any compensation that Councilman Wells receives from the Army Reserves will be donated to the Four Bears Boys and Girls Club." Councilman Hale concurred with the amendment.



VOTE: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not voting. Motion carried.

28. **BARLOW WELLS FINANCIAL REQUEST:**

Councilman Packineau moved to approve a short-term \$5,000 Small Loan to Barlow Wells that will be repaid with a lump sum once he receives a home equity loan with Wells Fargo Financial and his 2005 tax return. Councilman Whitecalfe seconded the motion.

VOTE: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not voting. Motion carried.

29. **RESOLUTION NO. 06-03-NH, APPROVAL OF THE SALE OF INDIVIDUAL RESIDENTIAL LOTS IN THE NORTHERN LIGHTS SUBDIVISION IN ACCORDANCE WITH TITLE XII, CHAPTER 1 OF THE THREE AFFILIATED TRIBES CODE:**

Councilman Hale moved to approve a Resolution entitled, "Approval of the sale of Individual Residential Lots in the Northern Lights Sub-division in accordance with Title XII, Chapter 1 of the Three Affiliated Tribes Code. Councilman Spotted Bear seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

30. **CREDIT MANAGEMENT LOAN POLICY:**

Councilman Wells moved to approve a Credit Management Loan Policy for the Tribal Housing Program. Councilman Hale seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

31. **AUTHORIZATION FOR IN-HOUSE TRANSFER:**

Councilman Whitecalfe moved to transfer Kami Houle to the Tribal Health with a salary of \$12.00 per hour, beginning January 23, 2006. Councilman Wolf seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

32. **TWIN BUTTES SCHOOL CONSTRUCTION:**

Councilman Spotted Bear moved to authorize Twin Buttes Custom Homes and Hulsing to work in partnership as a prime and to authorize Fredericks Law Firm to send out a RFP for Construction Management with Steve Kelly to work out the legalities. Councilman Wells seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

33. **FINAL PAYMENT TO CONSULTANT JOHN MELK WITH TWIN BUTTES SCHOOL:**

Councilman Spotted Bear moved to pay John Melk a final payment of \$19,529.00 with Twin Buttes Segment funds that will be reimbursed by Twin Buttes Custom Homes. Councilman Wells seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.



34. SALARY INCREASES, CHAIRMAN STAFF:

Councilman Whitecalfe moved to approve salary increases for the Chairman’s staff as listed: 1) Karen Steven from \$15.00 to \$18.00, 2) Joan Young Bird from \$16.00 to \$17.00, and 3) Phyllis Lincoln from \$13.00 to \$15.00, effective this date. Councilman Hale seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

35. SALARY INCREASE PUBLIC RELATIONS OFFICER:

Councilman Packineau moved to approve a salary increase for Glenda Embry from \$18.00 to \$20.00 per hour. Councilman Spotted Bear seconded the motion.

NOTE: This staff member has not received a salary increase for the past eight years.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

36. RESOLUTION NO. 06-04-NH, ENROLLMENT APPLICATIONS:

Councilman moved to approve of 43 pending enrollment applications with the Three Affiliated Tribes membership. Councilman seconded the motion.

FULL NAME	BIRTH DATE	STATUS
01. Albert, Joseph Jason	07-30-97	Pending
02. Baker, Rainee Anna	04-25-92	Pending
03. Berry, Kaylee Jaden	05-04-096	Pending
04. Bolman, Travis Layne	06-11-05	Pending
05. Brugh, Alexandra Lisette	10-09-04	Pending
06. Danks, Blaire Lindsay	08-18-086	Pending
07. Erback Sylvia Mary	04-20-35	Pending
08. Fox, Justice Kingsley	04-08-04	Pending
09. Fox, Victoria Janet	04-16-03	Pending
10. Garcia, David James	12-17-02	Pending
11. Garcia, Haven James	06-01-05	Pending
12. GoodIron, Antwone Noah	12-24-03	Pending
13. Grant, Diedrick Tyler	09-11-03	Pending
14. Hager, Evan Elijah	01-02-97	Pending
15. Halmrast, Ashlee Elizabeth	01-28-93	Pending
16. Heavy Gun, Jessee Belle Elizabeth	10-22-05	Pending
17. Howard, Cierra Marie Lorenzo	03-25-00	Pending
18. Irwin, Samuel Lewis Lorenzo	11-29-90	Pending
19. Irwin, Tessa Ann	07-14-93	Pending
20. Knight, Danielle Renee	02-13-70	Pending
21. Mancha, Quintin Nishu	11-15-04	Pending
22. Mayer, Steven Daniel	09-28-01	Pending
23. McKenzie, Shyla Rae	11-05-97	Pending
24. Medicine Stone, Bryce Alexander	06-14-98	Pending
25. Mongram, Ashlee Dawn	07-22-85	Pending
26. Monteau, Keyshawn John	08-11-00	Pending
27. Morsette Jr. Kaylem Charles	12-02-05	Pending



28. Ramirez, Adrian Guadalupe	04-27-04	Pending
29. Ramirez, Ariana Lee Ann	06-07-02	Pending
30. Ramirez, Juan Antonio	09-05-99	Pending
31. Ruiz, Selma Maricopa	08-31-05	Pending
32. Savage, Kaydence Elizabeth	03-19-02	Pending
33. Savage, Kayleen Erin	05-28-05	Pending
34. Shije, Adriane Miles	02-23-97	Pending
35. Smith, Sr. Harvey Allen	06-20-90	Pending
36. Standish, Jahden Zane	01-24-05	Pending
37. Touchine, Dylan Hans	08-20-92	Pending
38. White Owl, Aris Danin	06-13-05	Pending
39. Wilkie Brenda Rochelle	09-20-99	Pending
40. Wilkie, David Wayne	01-15-02	Pending
41. WilkieTasina Rose	02-10-04	Pending
42. Ziman, Bridget Suzette	08-28-84	Pending

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

37. **RESOLUTION NO. 06-05-NH, WILLIAM BELL, III RELINQUISHMENT:**
 Councilman Hale moved to relinquish William Bell, III, Enrollment number, 301U-10406, from the membership rolls of the Three Affiliated Tribes. Councilman Whitecalfe seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

38. **RESOLUTION NO. 06-06-NH, HARRY GERO HOPKINS III RELINQUISHMENT:**
 Councilman Hale moved to relinquish Harry Gero Hopkins III, Enrollment number 301U-07489, from the membership rolls of the Three Affiliated Tribes. Councilman Whitecalfe seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

39. **RESOLUTION NO. 06-07-NH, KYLA MARIE PLENTY CHIEF RELINQUISHMENT:**
 Councilman Hale moved to relinquish Kyla Marie Plenty Chief Enrollment number 301U- 08611 from the membership rolls of the Three Affiliated Tribes. Councilman Whitecalfe seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

40. **RESOLUTION NO. 06-08-NH, LEONA GRACE ROASTING STICK RELINQUISHMENT:**
 Councilman Hale moved to relinquish Leona Grace Roasting Stick, Enrollment number 301U-08008 from the membership rolls of the Three Affiliated Tribes. Councilman Whitecalfe seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.



41. **RESOLUTION NO. 06-09-NH, DUSTIN YUPEE RELINQUISHMENT:**

Councilman Hale moved to relinquish Dustin Youpee, Enrollment number 301U- from the membership rolls of the Three Affiliated Tribes. Councilman Whitecalfe seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

42. **RESOLUTION NO. 06-10-NH, ASSOCIATE JUDGES:**

Councilman Hale moved for approval of a Resolution entitled, "Approval of Associate Judges." Councilman Wolf seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

DISCUSSION: Legal has some concerns that Judge Millers ruling wasn't in accordance with the Grazing Resolution. It is imperative that the legal counsel is aware of the Grazing Resolution as there may be more appeals run through the Tribal Court. Judge Berryhill recommended that 1st quarter Judge B.J. Jones and 2nd quarter Judge Terry Terricuta be approved for 2006 and to hold off on the third quarter Judge, Lori Miller.

43. **CHIEF JUDGE CONTRACT:**

- Evaluations in place
- This item will be addressed on Tuesday, January 17, 2006 and brought to the next TBC meeting.

NOTE: RECONVENE MEETING ON JANUARY 23, 2006 – 10:00 a.m.

44. **PURCHASE OF VAN FOR HEADSTART:**

Councilman Hale moved to approve the purchase of a 2006 Terraza AWDCXL-1SD van for \$32,024 from the Rensch's Chevrolet. Councilman Packineau seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

45. **HIGH PLAINS HOLDING CONSORTIUM, LLC; ERVIN LEE:**

Informational – Did a presentation on High Plains Holding Consortium, LLC. Ervin Lee was directed to work with Steve Kelly.

46. **RESOLUTION NO. 06-11-NH, APPROVAL OF \$2,157,500 LOAN FOR A CAPITAL INJECTION INTO FORT BERTHOLD DEVELOPMENT CORPORATION:**

Councilman Whitecalfe moved to approve a Resolution entitled, "Approval of \$2,157,500 loan for a capital injection into Fort Berthold Development Corporation. Councilman Spotted Bear seconded the motion.

VOTE: 4 Ayes, 2 Nays, 0 Abstentions, 0 Not voting. Motion carried.

47. **RESOLUTION NO. 06-12-NH, APPROVAL OF FINANCING FOR THE TWIN BUTTES SCHOOL LOAN.**

Councilman Spotted Bear moved to approve a Resolution entitled, "Approval of Financing for the Twin Buttes School. Councilman Whitecalfe seconded the motion.



VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

48. RESOLUTION NO. 06-13-NH, TRANSFERRING ELBOWOODS BACK TO THE TRIBES: Reference motion four Modifies Resolution No. 03-061-RP

Councilman Packineau moved to authorize the Director of Elbowoods Works signatory authority for the program. Councilman Wolf seconded the motion.

Councilman Packineau moved to rescind and modify previous action and to direct the legal department to draft a Resolution transfer the program back under the organizational structure of the tribe; and authorize the Elbowoods Works to establish a checking account with a financial institution of its choice, provided that the authorized signatories on such account shall be Chairman Hall and Tribal Treasurer, Whitecalfe. Councilman Wolf concurred with the amendment.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

49. TWIN BUTTES HEADSTART-DAYCARE SCHOOL:

Councilman Spotted Bear moved to authorize the payment of overruns of the Twin Buttes Daycare Program and authorize the savings in the Brancko funding budget category and the BOR Settlement dollars. Councilman Whitecalfe seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

50. BRANKCO SETTLEMENT

Councilman Hale moved to approve the Brancko Settlement of \$53,500 which was accepted in an Executive Committee Meeting. Councilman Packineau seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

51. DIRECTIVE TO THE OFFICE OF TRUST FUND MANAGEMENT TO TRANSFER FROM THE THREE AFFILIATED TRIBES ECONOMIC RECOVERY FUND TO FINANCIAL INSTITUTIONS TO BE FINANCED BY THE TRIBES:

Councilman Whitecalfe moved to approve an amended Resolution entitled, "Directive to the OTFM to transfer from the TAT-JTAC Economic Recovery Fund to financial institution selected by the Tribe." Councilman Spotted Bear seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

Amendment Reads: "allows transferring the JTAC Interest from OTFM to a private placement to be invested and a line of credit of \$7, is established to fulfill the 2006 budget shortfall."

52. LAY-OFF OF KYLE BAKER:

Councilman Hale moved to approve the lay-off of Kyle Baker due to budgetary constraints. Councilman Whitecalfe seconded the motion.

VOTE : 4 Ayes, 0 Nays, 1 Abstentions, 0 Not voting. Motion carried.



53. RESOLUTION NO. 06-15-NH, CONTINUANCE GRANT OF FAMILY VIOLENCE PREVENTION AND SERVICES ACT OF TITLE III, P.L. 103-295:

Councilman Whitecalfe moved to approve a Continuance Grant of Family Violence Prevention and Services Act of Title III. Councilman Packineau seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

54. LOCATION OF DOMESTIC VIOLENCE:

Councilman Whitecalfe moved to have the CEO research the purchase of the building with Dominick Sillitti where the "Domestic Violence Program is located and bring back to the next meeting. Councilman Packineau seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

55. SOCIAL SERVICES DEPARTMENT:

Councilman Whitecalfe moved to hire Edmund Fixico and Angela Stiffarm as full-time employees with benefits based on 6 months of temporary status. Councilman Packineau seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

56. LYDIA SAGE-CHASE:

CEO will draft a letter for the Chairman to continue negotiations with the staff of FBCC on behalf of tribal elder. The Tribal Business Council all concurred to give \$500 to Lydia Sage-Chase to subsidize her medical costs.

57. CULTURAL INTERPRETATION CENTER:

Scott Eagle informed the Council that money was received to build earth lodges asked for authority to work out a contract with approval from the legal department, and the Chairman or whoever he needed to as he said that he couldn't wait another month.

Councilman Whitecalfe moved to authorize Scott Eagle to negotiate a sole source contract with the Fort Berthold Development Corporation for the building of the earth lodges funded by a grant of the Cultural Interpretation Center; and to authority to use the Fru-Con building. Councilman Packineau seconded the motion

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

58. MIS DIRECTORSHIP:

Councilman Hale moved to approve the hire Clair Fox as the MIS Director at the established rate of pay and transfer the MIS Directors salary reserves from October 1, 2005 to present to pay the wages of Deb Chase-Bell. Councilman Whitecalfe seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

59. DALE LITTLE SOLDIER-LAKE SAKAKAWEA CASINO:

- Chairman clarified according to the resolutions there is no financial obligation of the tribe, Reference Resolutions 99-13-DSB ; 05-122-NH



- Dale Little Soldier has the option to negotiate with other financial institution could work with the Heritage – before the 23rd of the month without using tribes' collateral. Could bring in options A&B by the 23rd of January 2006.

60. MOBILE HOME RE-NEGOTIATE, CARLA CLARK:

Councilman Spotted Bear moved to purchase a mobile home from Carla Clark at the current 2005 appraisal price of \$22,650, to include the stove, skirting, central air, and blocking, excluding the deck and the fridge; as opposed to the \$16,915.00 book price submitted by Tribal Housing Director, provided that the purchase price remains within the budget modification of \$26,215.00.. Councilman Hale seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

61. FEDERAL RECREATION FUNDS TO PAVE ALL OF THE ROADS IN

Ted Danks –Informational Mandaree Recreation Roads.

62. RECESS MEETING:

Chairman Tex G. Hall recessed the meeting until January 23, 2006.

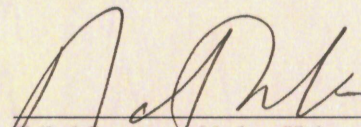
CERTIFICATION

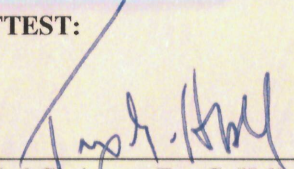
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum 7 were present at the SPECIAL Meeting thereof duly called, noticed, convened and held on the 13 day of FEBRUARY, 2006; that the foregoing Minutes were amended and duly adopted at such meeting by the affirmative vote of 5 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Chairman Voting. Not voting.

Dated this 13 day of February, 2006.

ATTEST:


Tribal Secretary, Nathan Hale
Tribal Business Council,
Three Affiliated Tribes


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