

# MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

HC3 Box 2 • New Town, North Dakota 58763-9402

## SPECIAL COUNCIL MEETING MINUTES

JUNE 17, 1997, 1:05 P.M.

TRIBAL BUSINESS COUNCIL  
701-627-4781  
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### 01. Call to Order, Prayer & Roll Call.

A Special Meeting of the Three Affiliated Tribes' Tribal Business Council was held on Tuesday, June 17, 1997, in the Tribal Council Chambers, for the purpose of completing the agenda from the June 16th meeting. The meeting was called to order by Chairman Russell D. Mason, Sr., at 1:05 p.m. A moment of silent prayer was held. Members present were Chairman Mason, Vice Chairman Gillette, Secretary Spotted Bear, Treasurer Mark Fox, New Town/Little Shell representative Thomas Bird Bear, and Four Bears representative Edwin Hall. Mandaree representative Tex Hall joined the meeting at 1:10 p.m. All members present.

02. **Approval of Agenda.** Motion to approve agenda, with additions, was made by Austin Gillette, seconded by Thomas Bird Bear. Vote: 7 in favor. Motion carried.

03. **MOU between TAT and BIA regarding Coordination of Law Enforcement Services.** Memorandum of Understanding was presented by Supervising Attorney Christopher D. Quale. The MOU lists the responsibilities of the Tribe along with the responsibilities of the Bureau. Discussion. Motion to approve, with changes requested by council, was made by Austin Gillette and seconded by Tex Hall. Vote: 7 in favor. Carried.

04. **R97-142. BIA Law Enforcement to Enforce Tribal Laws.** In accordance with 25 CFR S.12.22, resolution provides for BIA law enforcement of all laws of the TAT. Motion to approve was made by Tex Hall and seconded by Mark Fox. Discussion. Captain Tex Fox thanked the council for providing uniforms, etcetera, for the CopsFast officers. A letter will be sent to the chairman affirming the council's interest and assistance in providing a good police force. Vote: 7 in favor. Motion carried.

05. **R97-143. FY98 HOME Grant Application.** Motion to approve by Edwin Hall, seconded by Mark Fox. Discussion. If approved, the Tribe would be required to match the amount received, and pay administrative costs. Vote: 6 in favor, Mr. Gillette not present during vote. Motion carried.

06. **97-144. 1997 Youthbuild Grant Application.** Mike Cross gave a verbal report on the progress of the Youthbuild program during the past year. Mr. Cross was commended by council for his work in getting this

program started and for the success that it has become. The program has successfully graduated 12 students, 8 have completed their GED's, and 5 are enrolled in FBCC. Students Mike McKenzie and Jennifer Wilkie accompanied Mr. Cross, along with Dennis Fox, staff member. This program has become one of the new, innovative welfare-to-work programs. Motion was made by Mark Fox and seconded by Edwin Hall to approve the resolution supporting their 1997 HUD Grant Application. Vote on motion: 7 in favor. Motion carried.

07. **Donation for Tribal Representatives to Travel to Little Big Horn Commemoration.** Motion was made by Austin Gillette to donate \$1,250 to the Ree Scouts and White Shield Sacred Arrow Indian Club. Mark Fox seconded the motion, under the condition that Mr. Gillette coordinate the expenditures. Vote: 7 in favor. Motion carried.
08. **UNIBAND Softball Tournament Donation Request.** Motion was made by Austin Gillette and seconded by Tex Hall to authorize the Chairman and Treasurer to deal with this request. Discussion. Vote: 7 in favor. Motion carried.
09. **Motion for \$250 Senior Citizen Partial Payment.** Councilman Tex Hall inquired about the \$500 payment to senior citizens in July 1997 that the Tribal Business Council had approved per R96-231. This payment was "contingent on availability of funds" and also stated that it could be paid in increments. Treasurer Fox said there were no monies to pay this now, but a payment could be made when the Docket G interest monies come in. A motion was made by Tex Hall and seconded by Edwin Hall for a partial payment of \$250 to be made when the Docket G interest monies come in, and to pay the balance when the JTAC monies come in. Mr. Gillette stated he would have to vote against a payment at this time, since the Tribe has no money to pay this right now; Mr. Bird Bear said he would have to vote against this, since the amount is supposed to be for \$500--not \$250. Chairman Mason called for the vote. Vote: 4 in favor, 3 opposed. Motion carried. After the vote, a roll call vote was requested by Mark Fox. Tex Hall, aye; Edwin Hall, aye; Daylon Spotted Bear, aye; Russell D. Mason, Sr., nay; Mark Fox, aye; Austin Gillette, nay; Thomas Bird Bear, nay.
10. **R97-145. Mandaree Little Plume Head Start Site Location.** Motion by Tex Hall and seconded by Austin Gillette to approve. Vote: 6 in favor, 1 not present during vote. Carried.
11. **Personal Request, August Little Soldier.** Motion was made by Mark Fox and seconded by Tex Hall to approve a loan of \$1,000 for medical purposes, subject to getting all the proper security documents in place on the repayment. Discussion. Secretary Spotted Bear will work with David Brendsel on completion of the security documents. Vote: 7 in favor. Motion carried.
12. **Personal Request, Betty Young Bird.** Motion by Tex Hall, second by Austin Gillette, to direct this request to the IKIPI Project and that her daughter be a part of that. Vote: 7 in favor. Motion carried.

13. **Education Request, Denise Juneau.** Motion by Austin Gillette, second by Thomas Bird Bear, to send her a letter informing her that she will be awarded some unmet need funding to pursue her education this Fall. Discussion. Ms. Juneau has a B.A./Masters and is going to be working on her PHD at the University of New Mexico. Referred to the Education Committee so they can try to develop on this. Vote: 7 in favor. Motion carried.
14. **Personal Request, Stacy and Gerald Driver.** Motion by Mark Fox, second by Edwin Hall, to expedite this loan to move their loan applications up so monies can be available to them on Monday, June 23. Vote: 6 in favor, 1 opposed. Motion carried.
15. **Personal Request, Germaine Fox.** Motion by Tex Hall to approve a \$500 loan for her. Second by Edwin Hall. Discussion. Motion amended to approve loan, based upon her eligibility. Vote: 5 in favor, 2 opposed. Motion carried.
16. **Personal Request, Christine Solis.** Motion by Edwin Hall, seconded by Tex Hall, to approve an emergency loan for \$300. Discussion. Vote: 6 in favor, Mr. Spotted Bear not present during vote. Motion carried. Loan shall be based on eligibility and criteria set forth by Credit Department (Small Loan Office).
17. **Personal Request, Alan Smith.** Mr. Smith is requesting a \$1000 loan for home repair. He proposes to repay the loan with his lease income. The paperwork has already been done. Discussion. Mr. Smith is to be notified that he may be eligible for monies from the MEPA account at FBHA, and that he should attend their meeting on Thursday, June 19, at 10:00 a.m. to explore this further.

Break at 3:11 p.m. Reconvened at 3:34 p.m.

18. **JTAC Discussion.** Mr. Tex Hall said he would be in favor of presenting a motion or resolution to stop any JTAC obligations until the full plan is in and has been approved by council. He inquired as to how the other council members felt about this. Chairman Mason stated that he felt the council was in agreement that they would not obligate any of the JTAC funds until the plan is in. So far, JTAC funds have not been obligated directly, with the exception of the loan that was obtained from Community First to continue tribal operations at the end of 1994. Councilman Tex Hall requested that the council stay in agreement on this. Other comments: There should be a separate JTAC board that would hear any and all individual or community loan requests. The Tribal Business Council is responsible for taking care of these monies. The legislation provides for an annual report on all expenditures from these funds--the council could make it more strict so the members do know that the council is authorizing proper use of these monies. We don't do business loans right now, since we don't have the capital, and probably won't until JTAC comes along. Work on the plan for JTAC needs to begin immediately at the local level. The later the plan is submitted, the later the funds will come in. The

plan should go to the Secretary of Interior by the end of August. It was also suggested that comments from members living off the reservation should be sought, since there is an entitlement to all enrolled members. Public comments should be allowed for 30 days. By August 1, all the comments from off reservation and communities should be in. By the third week in August, the Tribes' plans could be solidified. Comprehensive Management will be tallying the individual and community requests.

19. **R97-146. Creation of TAT Comprehensive Health Care Committee.** Committee shall be created for the purpose of developing and presenting health care options that will most benefit the residents of the Fort Berthold Reservation. Discussion. Members are Edward Lone Fight, Diane J. Avery, Phyllis Cross, Madonna Azure, Susan Fredericks, Fred Baker, Doctor Folkert, including ad hoc committee members NTE four (4) to be selected by the committee. The committee shall analyze health care systems and options and present to members at community meetings. Community board members shall be designated as community health committees to work with the Comprehensive Health Care Committee. Their objectives will be to finalize a health care system for recommendation to the council. The committee shall also be responsible for implementing the approved health care system and providing assistance during the transition. Motion to approve, Edwin Hall; second, Mark Fox. Discussion. AG request to Susan Fredericks, 2800 increase the amount of coverage that the elders have. Amend motion to include additional ad hoc members NTE 4 members to be determined by the committee. Vote: 7 for. Motion carried.
20. **Addition of Four Bears CopsFast to Agenda.** Motion to add Four Bears CopsFast to agenda was made by Edwin Hall and seconded by Austin Gillette. Vote: 6 in favor, Mr. Spotted Bear not present during vote. Carried.
21. **Parshall/Lucky Mound Segment Employment Program.** Motion by Mark Fox for approval to reorganize his NE Segment Office. Second by Edwin Hall. Vote: 6 in favor, 1 not present during vote. Carried.
22. **White Shield Segment Employment Program.** Motion by Austin Gillette to hire Thomas Loans Arrow as segment worker. Second by Edwin Hall. Discussion that Darrell J. Morsette resigned, so Thomas Loans Arrow will be replacing him, effective Monday, June 23. Vote: 6 in favor, 1 not present for vote. Carried.
23. **Selection of Four Bears CopsFast Officer.** Motion by Edwin Hall, seconded by Austin Gillette, to hire Jay James as police officer under CopsFast for Four Bears area. Vote: 6 in favor, 1 not present during vote. Carried.

24. **Attorney License Fees Lawsuit.** Motion by Tex Hall, second by Mark Fox, to rescind 89-235-TL, and to have all attorneys and advocates pay the tribal court attorney license fees. Discussion that responsibility for payment will be dealt with later. Resolution to rescind 89-235-TL to be presented later in meeting. (See Item 35 below.) Vote on motion: 7 in favor. Carried.
25. **Business License for Valarian Three Irons Fireworks Sales.** Motion to approve, Thomas Bird Bear. Second, Austin Gillette. Vote: 5 in favor, 1 opposed, 1 abstained. Carried.
26. **Motion to Amend R97-054 on Title I and II Adoption of Tribal Code Amendments.** Motion by Mark Fox, second by Tex Hall, to only approve the tribal code amendments adopted in February 1997 for 150 days rather than 180 days. Tribal code amendments adopted February 13 will therefore expire on July 13. Vote: 7 in favor. Carried.
27. **R97-147. TAT Support of New Town High School in Request for State Sales Tax Exemption for Expansion Project at New Town High School.** Motion to approve, Austin Gillette. Second to motion, Edwin Hall. Vote: 7 in favor. Carried.
28. **Finance General Ledger Accountant Selection.** Motion to hire Donna Howling Wolf made by Mark Fox; second, Daylon Spotted Bear. Vote: 7 in favor. Carried.
29. **Finance Assistant Secretary Selection.** Motion to hire Monica Rabbithead, based on rating, made by Tex Hall and seconded by Thomas Bird Bear. Vote: 4 in favor, 2 opposed, 1 abstained. Carried.
30. **Deferment of Clinical Nurse Selection.** Motion to defer Dialysis Supervisory Clinical Nurse selection to June 23 made by Austin Gillette and seconded by Tex Hall. Vote: 7 in favor. Carried.
31. **Project HOPE Principal Investigator Re-selection.** The previous selectee had accepted a job at FBCC. Motion to hire Lawrence Parker was made by Austin Gillette. Second by Edwin Hall. Vote: 6 in favor, 1 abstained. Carried.
32. **Equipment Operator at White Shield.** Motion to hire Eugene White III by Austin Gillette. Second by Mark Fox. Vote: 7 in favor. Carried.
33. **College Intern Selections.** Motion by Tex Hall, seconded by Austin Gillette, to approve selection of Jay Dancing Bull for Administration. Vote: 7 in favor. Carried. Motion by Mark Fox, seconded by Thomas Bird Bear, to approve selections of Lisa Finley, Melanie Johnson, Roychelle Morsette, and Shannon Fox as 1997 college summer interns. Motion included authority for Mark Fox and Thomas Bird Bear to choose interns from their segments before Monday and submit names to Personnel. Vote: 7 in favor. Carried.


34. **White Shield Senior Citizens Meal Service.** Motion by Austin Gillette to authorize payment to Badlands Food Service for delivery of meals to the senior citizens, beginning Monday, June 23. Second by Mark Fox. Vote: 7 in favor. Carried.
35. **R97-148. Rescinds Resolution 89-235-TL.** Motion by Mark Fox to rescind R89-235-TL on exemptions for payment of attorney license fees to tribal court. Second by Tex Hall. Vote: 7 in favor. Carried. (Reference Item 24 above.)
36. **Next Meeting.** Special Meeting to be held on Monday, June 23, 1997, at 10:00 a.m.
37. **Motion to Adjourn.** Motion by Mark Fox, second by Edwin Hall, to adjourn the meeting. Meeting adjourned at 5:50 p.m.

**CERTIFICATION OF MINUTES**

As Executive Secretary of the Tribal Business Council of the Mandan Hidatsa Arikara Nation, Three Affiliated Tribes of Fort Berthold Reservation, I hereby certify that the Tribal Business Council is composed of seven members, of whom five members constitute a quorum. Five (5) members were present at a Special Meeting held on the 21st day of July 1997, whereupon the Special Council Meeting Minutes of June 17, 1997, were presented for approval by the Three Affiliated Tribes' Recorder. Said minutes were duly approved by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members absent and not voting.

Daylon Spotted Bear  
Daylon Spotted Bear, Executive Secretary  
Three Affiliated Tribes' Tribal Council

**ATTEST:**

  
Russell D. Mason, Sr., Chairman  
Tribal Business Council