



# MANDAN, HIDATSA, & ARIKARA NATION

*Three Affiliated Tribes • Fort Berthold Indian Reservation*

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

## REGULAR COUNCIL MEETING MINUTES

SEPTEMBER 16, 1997

TRIBAL BUSINESS COUNCIL  
701-627-4781  
Fax 701-627-3805

**01. Call to Order, Prayer & Roll Call.**

The Regular Meeting of September was called to order by Chairman Russell D. Mason, Sr., at 11:15 a.m. in the Tribal Council Chambers. A moment of silent prayer was held for those who are sick and in the hospital, and for the family of Hans Fredericks of Twin Buttes. All members were present, as follows: Chairman Russell D. Mason, Sr., and Councilmen Thomas Bird Bear, Mark N. Fox, Austin Gillette, Edwin Hall, Tex G. Hall, Daylon Spotted Bear.

**02. Approval of Minutes of August 12-13 and August 19.** After review and correction of both sets of minutes, a motion was made by Austin Gillette and seconded by Mark Fox to approve the Minutes of August 12 and 13. Vote was 7 in favor. August 12-13, 1997, Regular Meeting Minutes approved and certified. Motion was made by Mark Fox and seconded by Thomas Bird Bear to approve the minutes of August 19, 1997. Vote was 6 in favor, with 1 abstaining, due to being absent from the meeting. August 19 Minutes approved and certified.

**03. Announcements.** The Tribal Council Summit held during United Tribes' Pow Wow was very successful, with 100% participation at all times, by the Three Affiliated Tribes' Business Council. Several TAT department staff participated and gave presentations, as well, including the Tribes' Tax Department. The Fort Berthold Unity Riders won first place, once again, in the United Tribes' Parade. Chairman Mason reported on recent meetings held in Washington, D.C. on various issues. Treasurer Mark Fox gave a brief report on tribal finances, and stated the Tribe needs to finalize the JTAC expenditure plan. Council decided to hold a special meeting to finalize the JTAC plan on October 8.

**4. Approval of Agenda.** Motion to approve agenda, with addition of 17 items, was made by Austin Gillette. Second by Tex Hall. Discussion on the agenda was to handle as many of the items as possible today, and have another meeting on the 26th. Vote: 6 in favor, 1 opposed. Carried. Note: Meeting recessed at 1:00 p.m. for lunch. Reconvened at 2:15 p.m. All members present.

**05. R#97-195-DSB. Board/Committee Delinquency Resolution.** Motion to re-approve the resolution, with the amendments that were requested at the last meeting (See August 19 minutes), was made by Austin Gillette and seconded by Daylon Spotted Bear. Discussion that this does not apply to school boards, and does not allow for restructuring. Roll Call

Vote. Aye: Gillette, Fox, Mason, Spotted Bear, Edwin Hall. Nay: Thomas Bird Bear, Tex Hall. 5 in favor, 2 opposed. Motion carried.

06. **R#97-203-DSB. FY 1998 Head Start Grant Application.** Motion to approve, Austin Gillette; second, Mark Fox. Discussion by Mr. Gillette that he would like to know if salary increases for the staff are included, and if it is in compliance with COLA increases. Mr. Gillette said he was basing his motion to approve on the condition that Head Start gives the TBC a copy of the grant application and it includes COLA. Vote: 7 in favor. Motion carried.
07. **R#97-204-DSB. FY 1998 Recontracting of 477 Program and Request for Mature Status.** Motion to approve, Austin Gillette; second, Mark Fox. Discussion. Vote: 7 in favor. Motion carried.
08. **R#97-205-DSB. FY 1998 Recontracting of 638 Programs.** Motion to approve, Austin Gillette; second, Daylon Spotted Bear. Discussion. Vote: 5 in favor, 2 abstained. Motion carried.
09. **Discussion on Fort Berthold Development Corporation/IHS Clinic Expansion.** FBDC did some extra basement work on the clinic expansion, which was not covered in the contract. Their request was for the Tribe to pay for this in the amount of \$12,000. Motion was made by Mark Fox to approve. No second to motion. Denied. Discussion that IHS should be able to pay for this. A request will be submitted by the chairman. Deferred to next meeting.
10. **R#97-206-DSB. 1999 North American Indigenous Games.** Resolution requests an appropriation of \$10,000 to the 1999 indigenous games. Motion to approve, Austin Gillette; second, Tex Hall. Vote: 5 in favor, 2 abstained. Motion carried.
11. **R#97-207-DSB. Appointment to FBHA Board of Commissioners.** Resolution appoints Marva Pretends Eagle from New Town/Little Shell as district representative on the housing board. Motion to approve, Thomas Bird Bear; second, Austin Gillette. Vote: 7 in favor. Motion carried. Note: A motion was made by Thomas Bird Bear, seconded by Austin Gillette, to appoint William Wells, Jr. to the TERO Commission. Discussion that this may be a conflict of interest in view of the fact that Mr. Wells is a private contractor. Motion and second withdrawn. Deferred to next meeting.
12. **R#97-208-DSB. Docket 350-G Interest Monies Drawdown Request and Disbursement Plan.** Resolution to request the federal government to release these monies for drawdown, with the Tribes' plan for distribution of the monies attached. Motion to approve, Mark Fox; second, Tex Hall. Discussion on amount to be spent on senior citizens (25%) and amount to be spent on land purchases (15%). This will be the only time a second elder payment will be made. Roll Call Vote. Aye: Mason, Fox, Edwin Hall, Tex Hall, Spotted Bear; Nay: Gillette, Bird Bear. 5 in favor, 2 opposed. Motion carried. Note: A motion was made by Austin Gillette to disburse senior citizen funds to only those

members who received a senior citizen assistance payment in December. No second to motion. Denied. Discussion. Disbursement will be made to those who are 60 years of age (and over) as of the date of this resolution, e.g., September 16, 1997.

13. **Motion to Add to Agenda.** A Motion was made by Tex Hall and seconded by Mark Fox to add Arlie Knight to the agenda. Vote: 5 in favor, 1 abstained, Mr. Gillette not present for vote. Motion carried.
14. **R#97-209-DSB. Detention Planning Appropriation.** Resolution calls for \$80,000 to be appropriated for the purpose of securing the technical assistance necessary to continue the planning and development of a detention center. Motion to approve, Mark Fox; second Edwin Hall. Discussion by Mark Fox that he has been working with KK&E a/e firm out of Minneapolis, MN, for the last few months, and they have also agreed, as part of the \$80,000, to assist with a design and plan for the peninsula and the casino expansion. A contract will be drawn up with the firm. Vote: 5 in favor, 2 opposed. Motion carried.
15. **R#97-210-DSB. Parshall Nuxbaaga Pow Wow.** Resolution to provide a \$5,000 grant to the 1998 pow wow committee, plus \$5,000 to be deducted from what they would receive next year. The request is due to a shortage of funds and outstanding bills. Motion to approve, Mark Fox; second, Edwin Hall. Vote: 5 in favor, 1 opposed, 1 abstained. Carried.
16. **FY 1998 Grazing Rates.** Thomas Bird Bear made a motion to keep the FY 1998 grazing rate fees for allotted lands at \$5.71. Motion seconded by Tex Hall. Discussion that BIA's Carey Dreher had made the recommendation to the NRC to drop the rates to \$4.30, based on his research and appraised valuation and market value. Roll Call Vote. Aye: Thomas Bird Bear, Tex Hall; Nay: Edwin Hall, Austin Gillette, Bud Mason; Abstained: Mark Fox; Not present during vote: Daylon Spotted Bear. Vote: 2 in favor, 3 against, 1 abstained, 1 not present during vote. Motion denied. New motion was offered by Edwin Hall for \$4.30 on tribal land to be consistent with the recommendations of BIA. Second by Mark Fox. Discussion. Vote: 2 in favor, 5 opposed. Motion denied. Motion made by Austin Gillette for \$5.00 per animal unit. Second by Tex Hall. Vote: 4 in favor, 1 opposed, 2 abstained. Motion carried.
17. **R#97-211-DSB. BIA FY 1998 Reorganization Plan.** Motion to approve, Austin Gillette; second, Daylon Spotted Bear. Vote: 6 in favor, 1 abstained. Motion carried.
18. **MOU (TAT/BIA) for Supervision of Tribal Employee by BIA Branch of Land Operations.** The purpose of the MOU is to provide on-the-job training and supervision for Titus Hall, temporary TAT compliance officer; objective is to enable Mr. Hall to become knowledgeable in implementing procedural guidelines, permit provisions, and applicable parts of the Code of Federal Regulations. Motion to approve, Mark Fox; second, Austin Gillette. Vote: 7 in favor. Motion carried.

19. **R#97-212-DSB. Prince Wilhelm Visit to Fort Berthold.** Resolution provides for the purchase of four round-trip airline tickets for Prince Wilhelm (descendant of Prince Maximillian) and 3 others to visit the Fort Berthold Reservation in October 1997. Motion to approve, Tex Hall; second, Mark Fox. Vote: 4 in favor, 2 opposed, 1 abstained. Motion carried.
20. **R#97-213-DSB. Non-profit Corporate Charter Issued for West Segment Development Corporation.** Motion to approve, Tex Hall; second, Mark Fox. Vote: 6 in favor, 1 opposed. Motion carried.
21. **R#97-214-DSB. Sanction of Exploration of Internet Bingo Enterprise by West Segment Development Corporation.** Motion to approve, Tex Hall; second, Daylon Spotted Bear. Vote: 5 in favor, Mr. Gillette and Edwin Hall not present during vote. Motion carried.
22. **South Segment Administrative Assistant Position.** Motion was made by Austin Gillette, seconded by Thomas Bird Bear, to approve District Representative to hire a new administrative assistant, due to departure of Whitney Bell. Vote: 7 in favor. Motion carried.
23. **Arlie Knight.** Motion was made by Tex Hall and seconded by Thomas Bird Bear, to request the Housing Director to contact Greentree, on behalf of the Housing Authority, to discuss the possibility of Fort Berthold Housing assuming the ownership of Arlie Knight's house, with payment to be made through whatever programs are available, if possible. Vote: 4 in favor, 3 abstained. Motion carried.
24. **Temporary Hire, Commodity Program.** Motion was made by Tex Hall, seconded by Thomas Bird Bear, to temporarily hire Wayne Hunter for the position of Commodity Warehouse Foreman. Discussion that the position is currently being advertised, but a temporary worker is needed. Vote: 7 in favor. Motion carried.
25. **Hiring of Dialysis Drivers.** Motion to hire the top three applicants, e.g., Richard Young, Evalon Bachmeir, and Kevin Grady, for three dialysis driver positions, was made by Daylon Spotted Bear and seconded by Tex Hall. Vote: 6 in favor, 1 abstained. Motion carried.
26. **R#97-215-DSB. Native American Finance Cooperative Association, Inc.** Resolution provides for a general obligation of funds from the Three Affiliated Tribes (as well as the Cheyenne River and Standing Rock Sioux Tribes) to serve as an equity financing base for a proposed Native American finance corporation, which would be organized for profit and for the purpose of establishing a lending base for livestock producers. The proposal is based on an attempt to secure the BIA FY97 year-end monies available for guaranteed loans under the Indian Financing Act. The Tribes' participation in the operation of the program will depend upon whether or not the organizers get this funding. At this time, there is no commitment, and procedures and guidelines governing the proposed operation have not been set up. Motion to approve was made by Austin Gillette and seconded by Tex Hall. Vote: 6 in favor, 1 opposed. Motion carried.

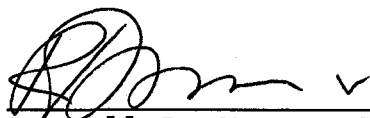
27. **Rose Solis Small Loan Application.** Motion was made by Edwin Hall and seconded by Thomas Bird Bear to move Rose Solis to the top of the small loan applicant list. Discussion that no status sheet from Credit has been submitted. Motion and second were amended to obtain a status sheet for Rose Solis from Credit and submit to the Executive Committee for decision and action, based on her eligibility. Vote: 6 in favor, 1 opposed. Motion carried.
28. **Next Meeting.** Friday, September 26, 1997, 9:00 a.m.
29. **Motion to Adjourn.** Motion to adjourn was made by Tex Hall and seconded by Edwin Hall. Vote: 7 in favor. Motion carried. Meeting adjourned at 7:50 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. Seven members were present at a Special Meeting held on the 26th day of September 1997, whereupon the Special Council Meeting Minutes of 09/16/97 were presented for approval by the Three Affiliated Tribes' Recorder. Said minutes were duly approved by the affirmative vote of 7 members.

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

**ATTEST:**

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