

THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
UNITED TRIBES, BUILDING 61

Regular Council Meeting
January 22, 1992

- PRESENT: Wilbur D. Wilkinson, Chairman; Titus Hall, Vice Chairman; John J. Rabbithead, Jr., Secretary; Austin Gillette, Jim Mossett, Theodore Lone Fight, III., Councilmembers and LaVerne Brady, Recording Secretary.
- ABSENT: Roger Bird Bear, Treasurer in at 10:05.
- OTHERS: Johanna White Bear, TERO; Jeannette Coffey, Economic Development; Lonnie Burr, LCM Board of Director Dayved White Owl, LCM General Manager; Terry Walter BIA Superintendent; Marcus Wells, Sr., Comptroller; Elgin Crows Breast, TERO Commission; Perry Brady, TERO Commission; Leo Cummings, JTPA Director; Virgil Wilkinson, Economic Development; Ken Deane, Jr., Economic Development; Ervin Lee, Tax Commission; Joe Walker, Tax Commission; Joan Hilleran, Tax Commission; Tom Needham, Tax Commission; Marcus Wells, Jr., TERO Director; Richard Hall, TERO Officer and ElMarie Conklin, Legal Attorney; Charles Hobbs and Hans Walker, Jr., Attorneys.
- ITEM 01: CALL TO ORDER:
Meeting called to order at 9:30 AM.
- ITEM 02: ROLL CALL:
Roll called by Secretary Rabbithead.
Quorum established. Prayer by Perry Brady.
- Before the meeting began, Chairman Wilkinson called for introductions of Commissioners and others to Legal Counsel, Charlie Hobbs and Hans Walker, Jr.
- Urban Bear Don't Walk, In-house Attorney in at 9:34
- ITEM 03: RESOLUTION/NORTHEAST QUADRANT-TRIBAL TAX JURISDICTION: Reso #92-001-JJR.
Chairman Wilkinson gave the floor to Mr. Hobbs who gave a overall review for the Tribal Business Council to adopt this resolution on the tax code.
- Discussion on litigation.
- Resolution read by Secretary Rabbithead. There was a missing paragraph which should have read "Section 111. Bases for Tribal Tax Jurisdiction. No tax

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TRIBAL TAX JURISDICTION RESOLUTION (CON'T):
shall be imposed on any person unless one or more
of the following factors apply to the taxpayer or
to the taxpayer's activities to be inserted in 3rd
whereas and was corrected by Jeannette Coffey.

Discussion on comfort level and Fort Berthold Dis-
trict Court.

Elmarie, Urban and Ervin were asked to come up to
the table by Chairman Wilkinson. Their opinions
were questioned of the Fort Berthold Tribal Court
and Tribal Court. Some clarification to be done
regarding this term: Fort Berthold Tribal Court.

Shawn Fredericks, Mandaree Electronics CEO and
Roger Bird Bear, Business Council Treasurer in
at 10:05.

Mr. Hobbs developed language to include in resolu-
tion for the term starting with "27. Wherever the
term "Fort Berthold District Court" appears in this
code, it shall be deemed to refer to the Fort Ber-
thold Tribal Court of general jurisdiction."

Discussion on civil code.

Last item to be included starting with "Now, There-
fore, be it further resolved, that the above recom-
mended amendments to the Fort Berthold Tribal Tax
Code be and hereby are approved, and the entire
Tribal Tax Code consisting of Chapters 1 through 8
thereof, be and hereby is reenacted as amended."

Discussion on TERO Code, Police Patrol and language
in the resolution.

John Fox, Jr., Finance Officer of Communications
Enterprise in at 10:50.

Discussion on governmental services, tribal and
city taxes, and established rate of tax.

Chairman Wilkinson entertained motion to approve.

Vice Chairman Hall made a motion to approve, secon-
ded by Councilman Mossett.

Vote: 6 for, 0 opposed, 1 not voting.
Motion Carried.

ITEM 04: RESOLUTION/LCM: Resolution #92-002-JJR.
Lonnie Burr, Chairman of LCM Board of Directors gave presentation regarding bonding and projects. John Fox, Jr., Vice Chairman was present also but he was here representing Communications Enterprise.

It was mentioned the Attorneys had drafted up this resolution.

Discussion regarding employees, land holdings and bond fees. It was explained by Dayved White Owl, General Manager that we will pay 3 1/2% fee across the board with 20% line of credit upfront.

Danile Henry, Legal Clerk and Cletus Medicine Crow Personnel Clerk in at 11:32.

Chairman Wilkinson entertained motion to approve resolution.

Councilman Lone Fight made motion to approve, seconded by Councilman Mossett.

Vote: 5 for, 1 opposed. Motion Carried.

ITEM 05: COLLEGE STUDENTS FINANCIAL ASSISTANCE:
Treasurer Bird Bear stated Vice Chairman Hall will look into these requests through INMED.

ITEM 06: SMALL LOAN PROCEDURES:
Treasurer Bird Bear stated they have not been established yet.

ITEM 07: MANDAREE ELECTRONICS FINANCIAL REQUEST:
A report to the Tribal Business Council of the plant given by Shawn Fredericks, CEO, as requested by Councilman Lone Fight, President of Mandaree Inc

Report on employees, mentor protege, economy, Day Care groundwork and financial statements.

Shawn requested for a \$6,000.00 loan with payback of \$500.00 a month with interest. He also requested for travel to Seattle WA.

Discussion on resources, work ethics, building rent and other financial assistance. Marcus Wells, Sr. to provide on financial assistance to Mandaree Electronics from Tribe.

MANDAREE ELECTRONICS RESOLUTION (CON'T):
Chairman Wilkinson entertained motion to approve.

Councilman Lone Fight made motion to approve \$6,000 loan and \$2,200.00 travel, seconded by Councilman Gillette.

Discussion to utilize programs like JTPA or TERO.

Motion to include cost share, if possible.

Discussion also for businesses to stand alone as they should not rely on someone else to do everything for them.

Vote: 5 for, 0 opposed, 1 not voting.
Motion Carried.

ITEM 08: MINERAL RIGHTS PURCHASE:

Mary Ellen Knight would like to sell her mineral rights of 11 tracts to the Tribe for \$5,000.00.

Councilman Rabbithead has been working with Arlie and Mary on this and recommended supporting them on this request as it will provide electricity to their homesite. The Natural Resources Committee has already recommended approval.

Discussion on acreage. Is this comparable with BIA? Mr. Walters, who was present, was asked to explain and he stated that the Bureau of Land Management has been contacted but the Tribe will own minerals only and not the surface. Right of ways were questioned if there should be a lease on the minerals. It was stated that all right of ways have been signed off by interest owners.

Chairman Wilkinson entertained motion to purchase minerals.

Secretary Rabbithead made motion to approve purchase, seconded by Councilman Lone Fight.

It was further discussed that the Tribe should help out in some other way.

Vote: 3 for, 3 opposed. Motion failed.

Discussion: It was stated that we should try to help them in some way as a loan was made with Watford's First International Bank in good faith

MINERAL RIGHTS PURCHASE (CON'T):
and that the Bank would be paid through this sale.

It was suggested that since Councilman Lone Fight is from their segment, he work with Councilman Rabbithead and the Knights to make a sincere effort to get them some help or a solution to this problem.

Councilman Lone Fight directed to work with the Arlie and Mary Ellen Knight.

ITEM 09: RESOLUTION/COMMUNICATIONS ENTERPRISE: Reso #92-003.
This resolution is to secure a loan in the amount of \$15,000.00 with the Lakeside State Bank.

It was brought to the attention of Council by Secretary Rabbithead that the set agenda will be adhered to. New items will be at the discretion of the Chairman.

John Fox, Jr., Communications Enterprise Finance Officer was present and explained the circumstances of the request for the Resolution.

Secretary Rabbithead read resolution.

Chairman Wilkinson questioned Mr. Wells when the '92 loan will be paid off. Response was by the end of this month.

Chairman Wilkinson entertained motion to approve the resolution contingent upon the '91 loan paid off.

Vice Chairman Hall made motion to approve on the condition, seconded by Secretary Rabbithead

Discussion on '93 banking, operating capital, dockets and balance of monies.

Vote: 6 for, 0 opposed. Motion Carried.

ITEM 10: RESOLUTION/EDUCATION: Resolution #92-004-JJR.
Resolution read by Secretary Rabbithead. This pertains to the Department wishing to recognize contributions of components of the Reservation educational system and provide tribal members with complete information on available services.

EDUCATION RESOLUTION (CON'T):
There was no discussion.

Chairman Wilkinson entertained motion to approve.

Councilman Lone Fight made motion to approve,
seconded by Vice Chairman Hall.
Vote: 5 for, 0 opposed, 1 not voting.
Motion Carried.

ITEM 11: RESOLUTION/BLUE CROSS/BLUE SHIELD INSURANCE: #010.
Cletus Medicine Crow, Personnel Clerk was present
and explained that the insurance resolution that
needed approval was not ready at this time and it
was understood by the Department that Personnel
Selections were not on the agenda at this time,
so Cheryl White, Personnel Director was not in
attendance. He stated he was here on behalf of
the Gaming Commission.

Chairman Wilkinson felt they should go ahead and
approve the insurance resolution and it can be
prepared later so he entertained motion to approve.

Councilman Lone Fight made motion to approve,
seconded by Vice Chairman Hall.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 12: RESOLUTION/GAMING: Resolution #92-005-JJR.
This resolution was prepared by the Legal Dept
pertaining to the Annual Gaming License fee be
increased to \$250.00.

Chairman Wilkinson questioned if this resolution
was coming from the Gaming Commission.

Mr. Medicine Crow spoke on behalf of the Commission
stating he was selected as a member. There are 50
license holders and he touched a bit of the code,
audit, regulations and reported on the Commission
meeting held. He stated everything will come be-
fore the Tribal Business Council for their review.

Chairman Wilkinson stated for Councilman Mossett
and himself to set up a meeting with the Economic
Development Commission soon.

Resolution read by Secretary Rabbithead.

GAMING RESOLUTION (CON'T):

Chairman Wilkinson entertained motion to approve.

Councilman Mossett made a motion to approve resolution, seconded by Councilman Lone Fight.

Vote: 6 for, 0 opposed. Motion Carried.

ITEM 13: RESOLUTION/ATTORNEY CONTRACT: Resolution #92-006. This resolution pertains to the extended contract and amount of compensation.

Mr. Hobbs requested earlier to be on the agenda.

It was mentioned a resolution pertaining to this had already been passed. Mr. Hobbs stated they would like to request for \$130,000.00.

Chairman Wilkinson entertained motion to approve contract and compensation amount at \$120,000.00

Councilman Mossett made motion to approve contract for three years at \$120,000.00, seconded by Secretary Rabbithead.

Discussion: Mr. Hobbs stated they have a lot of expenses and their cost of living has gone up considerably but are willing to work under that rate for one year but could they apply for an increase after that time? Response was yes.

Vote: 6 for, 0 opposed. Motion Carried.

Mr. Hobbs stated on this same contract, he would like to make another request stating out team includes Karen Funk who does the lobbying. She is a very important contact person for the Three Tribes when they come to Washington. The request is an increase for Mrs. Funk from \$70.00 to \$80.00. She will only do work requested by you, the Tribal Business Council.

Councilman Mossett made motion to approve request, seconded by Secretary Rabbithead.

Vote: 6 for, 0 opposed. Motion Carried.

ITEM 14: ADJOURNMENT:
Meeting adjourned at 1:10 PM.

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Approved

John J. Rabbithead, Jr.
Secretary, John J. Rabbithead, Jr.

Disapproved

1/24/92
Date

ATTEST:

Wilbur D. Wilkinson
Chairman, Wilbur D. Wilkinson

1/24/92
Date



MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

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TRIBAL BUSINESS COUNCIL

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COUNCIL MEMBER
Jim Mossett
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AGENDA

Regular Council Meeting
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1. Call to Order
2. Roll Call
- Resolutions:
3. *Northeast Quadrant/Tribal Tax Jurisdiction
4. *LCM on bonding and projects
5. College students financial assistance
6. Small Loan Procedures
7. Mandaree Electronics Financial Request
8. Mineral Rights Purchase
- Resolutions:
9. *Communications Enterprise
10. *Education
11. *Blue Cross/Blue Shield Insurance
12. *Gaming
13. *Attorney Contract
14. Adjournment