

THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
TRIBAL CHAMBERS

Regular Council Meeting  
June 10, 1993

PRESENT: Wilbur D. Wilkinson, Chairman; Ivan Johnson, Vice Chairman; John J. Rabbithead, Jr., Secretary; Roger Bird Bear, Treasurer; Jim Mossett, Council Member; Austin Gillette, Council Member; George Fast Dog, Council Member; and Leigh Foote Wolf, Recording Secretary.

ABSENT: None

OTHERS: Enrolled Members: Deloris Packineau, Carol Young Bear, Linda Baker, Charlene Charging, Gabriella Du-bois, Pete Coffey III, Pete & May Coffey, and Laurie Alberts.  
Staff: Marian Spotted Bear, Assistant CEO; Spencer Wilkinson, CEO; Phoebe Dixon, Aging Services Coordinator; Daniele Henry, Legal Secretary; Gordon Blake, Tax Commissioner; Tom Needham, Assistant Tax Commissioner; Mark Fox, Legal Assistant; Harry Sitting Bear, Administrative Assistant; Glenda Embry, CDBG Project Director; Urban Bear Don't Walk, Legal Attorney; Kandace Eagle, Dialysis Project Secretary; and Clement Wells, Summer Youth Monitor. Others were Lee Carson of Cheyenne Aviation and Jim Jondahl of EPIC Real Estate.

ITEM 01: CALL TO ORDER  
Meeting was called to order at 1:55 PM.

ITEM 02: ROLL CALL  
Roll called by Secretary Rabbithead. Prayer by Perry Brady, Sargeant at Arms.

ITEM 03: RESOLUTION/WHITE SHIELD SCHOOL: #93-68-JJR  
Resolution read by Secretary Rabbithead.  
This resolution authorizes the White Shield School to propose a contract with the Bureau of Indian Affairs for the administering of a repair/maintenance project and also authorizes the White Shield School Board President to sign documents necessary to secure such contracts with the Bureau on behalf

Regular Council Meeting  
June 10, 1993  
Page two

WHITE SHIELD SCHOOL (CON'T)  
of the Three Affiliated Tribes.

Mr. LaFrombois and Mr. White Bear were asked to comment on the resolution. The White Shield School had a project approved by the BIA in 1989. However nothing has been done on that project. They are attempting to get something done by this route. One of the things needed is a roof repair. If they are able to contract with the approval of this resolution, they could get the construction started within a couple of weeks. Chairman Wilkinson was thanked for going to Albuquerque with them in February to eliminate the delay of this project for another year. If it is not contracted, they will have to wait another year to start construction. It has been on hold for about four years.

Vice Chairman Johnson motioned to approve the resolution, seconded by Secretary Rabbithead.

Chairman Wilkinson acknowledged motion and second.

Councilman Mossett inquired about minutes from the school board. A reply was given that the school board has discussed this for quite some time.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 04: RESOLUTION/NATIVE AMERICAN RIGHTS FUND  
Resolution read by Secretary Rabbithead.  
This resolution pertains to a Special Counsel Contract with the NARF for legal services in the case of A-1 Contractors and Lyle Stockart vs. Honorable William D. Strate. This contract would be effective April 1, 1993 through March 31, 1994 at the rate of \$125 per hour plus other expenses not to exceed \$20,000 for such period.

Mr. Bear Don't Walk explained this case is in reference to whether a non-Indian can sue another non-Indian in Tribal Court. Mr. Bear Don't Walk further explained the aforementioned case.

Regular Council Meeting  
June 10, 1993  
Page three

NARF (CON'T)

Vice Chairman Johnson questioned our existing legal counsel. Mr. Bear Don't Walk explained this case would take the complete devotion of an attorney's time.

Discussion on the case. This is about two non-Indians using Tribal Court, where one is a resident of the reservation. There was also discussion on the financing of another attorney. Mr. Bear don't Walk is currently working on numerous cases for the Tribe and does not have the devoted time needed for this case.

Councilman Mossett questioned how this would benefit the Tribe and what would happen if the case is lost. Mr. Bear Don't Walk replied that non-Indians could then not be sued in Tribal court for civil matters. It is a matter of jurisdiction.

Councilman Gillette mentioned an Ordinance, 76-1, which is a requirement on all leases that are issued on behalf of the Tribe. It states that all non-Indians who have a dispute regarding their farm and pasture leases with the Tribe will go to Tribal Court.

Chairman Wilkinson entertained a motion to approve the resolution. There was no motion.

ITEM 05: APPROVAL OF BUSINESS AND LIQUOR LICENSES

Councilman Mossett motioned to approve all licenses.

Secretary Rabbithead read the list of those businesses seeking licenses which are as follows:

James H. Wolf, Wolf's Trading Post License #17-93  
Roy Azure, III, Azure Sky Star Quilt Manufacturing License #16-93

Raymond Perkins, Ravens Nest, License #14-93  
Ben & Dennis Glueckert, City Laundry & Dry Cleaning, License #11-93

Anita M. Hall, Anita's Kitchen, License #09-93  
Dee Driver & Debra Fox, Dee's & Deb's Ceramic &

Regular Council Meeting  
June 10, 1993  
Page four

APPROVAL OF LICENSES (CON'T)

Gift Shop, License #12-93

Dennis McDaniel, Food Services of America,  
License #13-93

Bruce H. Lien Co., Four Bears Casino & Lodge,  
Liquor License #01-93

Vice Chairman Johnson seconded the motion. Motion and second were acknowledged by Chairman Wilkinson.

Discussion on location of businesses. They need licenses to operate on the reservation. Councilman Fast Dog mentioned they also need to pay the TERO fee.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 06: RESOLUTION/ALCOHOL ORDINANCE: #93-69-JJR  
Resolution read by Secretary Rabbithead.  
This resolution pertains to the Three Affiliated Tribes pursuant to its constitutional authority, to adopt, enact, and amend Chapter II, Section 5, of the Three Affiliated Tribes Alcoholic Beverage Control Ordinance to provide for the introduction, sale, and use of alcoholic beverages on Sunday, and also to include the provision for Tribal Sunday Alcoholic Beverage Permits.

Chairman Wilkinson entertained a motion to approve.

Councilman Mossett motioned to approve, seconded by Vice Chairman Johnson.

Vote: 4 for, 3 opposed. Motion carried.

ITEM 07: RESOLUTION/FEE FOR SUNDAY PERMITS: #93-70-JJR  
Resolution read by Secretary Rabbithead.  
This resolution pertains to the establishment of the fee for an annual Tribal Sunday Alcoholic Beverage Permit by the Tribal Council.

Chairman Wilkinson suggested the amounts of \$1,000 and \$10,000. Vice Chairman Johnson suggested \$25.

Regular Council Meeting  
June 10, 1993  
Page five

SUNDAY PERMIT FEE (CON'T)

This is a flat fee for the permits, for whoever is licensed.

Discussion on the fee amount. Chairman Wilkinson entertained a motion and a fee amount. The fee determined was \$25 and no more than \$1,000.

Councilman Mossett motioned to approve, seconded by Vice Chairman Johnson.

Discussion on how many licenses the businesses are required to have. Response was two, one is a state license and the other must be a city or tribal license.

Vote: 5 for, 1 opposed, 1 not voting. Motion carried.

ITEM 08: RESOLUTION/FREEDOM ACT BILL: #93-71-JJR  
Resolution read by Secretary Rabbithead.  
This resolution is in support of Senators Kent Conrad and Byron Dorgan to co-sponsor and support the legislation that will protect Native American religions and basic religious freedom, introduced by Senator Inouye.

Mr. Bear Don't Walk commented this resolution basically deals with the attempt to secure religious freedom. It also protects sacred sites and the traditional use of peyote.

Chairman Wilkinson entertained a motion to approve.

Vice Chairman Johnson motioned to approve, seconded by Councilman Fast Dog.

Vote: 5 for, 0 opposed. Motion carried.

ITEM 09: RESOLUTION/VETERAN'S HOUSING: #93-72-JJR  
Resolution read by Secretary Rabbithead.  
This resolution pertains to Native American veteran direct loans to those qualified for the purchase, construction, or improvement of homes on trust

Regular Council Meeting  
June 10, 1993  
Page six

VETERAN'S HOUSING (CON'T)  
lands. This resolution is the adoption of an ordinance pertaining to leasehold mortgages which include eviction procedures, model residential leases, and a memorandum of understanding.

Chairman Wilkinson entertained a motion to approve.

Vice Chairman Johnson motioned to approve, seconded by Secretary Rabbithead.

Vote: 5 for, 0 opposed. Motion carried.

ITEM 10: RESOLUTION/FORMULATION OF A JURY LIST: #93-73-JJR  
Resolution read by Secretary Rabbithead.  
This resolution amends the existing Tribal Court Procedures providing for jury lists, both civil and criminal, to a single, uniform system of formulating a jury list for jury trials. This provision shall amend and substitute Rule 24 (A) of the Criminal Procedures and Section 8 (d), (e), and (f) of the Civil Procedures of the Three Affiliated Tribes.

Mr. Mark Fox, Legal Assistant, stated the recommended alternative would be for the annual random selection of jurors from a list, prepared and presented by the Clerk of Tribal Court, of eligible voters residing on the Fort Berthold Reservation. Fifty (50) names shall be drawn from this list, by the official members of the Judiciary Committee, to comprise the permanent list to be utilized by the Clerk of Tribal Court for jury duty. Any replacements or substitutions shall be selected by the Tribal Clerk of Court, subject to the approval of the Tribal Judiciary Committee.

Chairman Wilkinson entertained a motion to approve.

Councilman Gillette motioned to approve, seconded by Vice Chairman Johnson.

Discussion on the pay schedule. Mr. Fox mentioned

Regular Council Meeting  
June 10, 1993  
Page seven

JURY LIST (CON'T)

the pay schedule and mileage should be updated, but that is not an issue at this time.

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

ITEM 11: RESOLUTION/TAX COMMISSION APPOINTMENT: #93-74-JJR  
Resolution read by Secretary Rabbithead.  
This resolution pertains to the appointment of Delvin Driver, Sr. to the Tax Commission membership for a three (3) year term.

Discussion on nominations of the Tax Commission. Gordon Blake explained a list was formed by the Tax Commissioner and the Legal Department of those people who would be the most qualified, and beneficial to the Tax Commission.

Chairman Wilkinson entertained a motion to approve.

Secretary Rabbithead motioned to approve, seconded by Vice Chairman Johnson.

Councilman Gillette mentioned Mr. Driver's relationship to Secretary Rabbithead.

Vote: 3 for, 1 opposed, 1 not voting. Motion carried.

ITEM 12: RESOLUTION/TAX COMMISSION APPOINTMENT: #93-75-JJR  
Resolution read by Secretary Rabbithead.  
This resolution pertains to the appointment of Floyd White to the Tax Commission as an alternate.

Secretary Rabbithead motioned to approve, seconded by Councilman Gillette.

Chairman Wilkinson acknowledged motion and second.

Vote: 3 for, 1 opposed, 1 not voting. Motion carried.

Regular Council Meeting  
June 10, 1993  
Page eight

ITEM 13: RESOLUTION/TAX COMMISSION APPOINTMENT  
Resolution presented by Secretary Rabbithead.  
This resolution pertains to the appointment of  
Jerry Irwin to the Tax Commission for a two (2)  
year term.

Secretary Rabbithead motioned to approve.

Motion acknowledged by Chairman Wilkinson.

Motion failed due to lack of a second.

ITEM 14: RESOLUTION/GAMING COMMISSION APPOINTMENT:  
#93-76-JJR  
Resolution read by Secretary Rabbithead.  
This resolution pertains to the appointment of  
Karen Reynolds to the Gaming Commission.

Councilman Fast Dog explained a non-Indian is  
needed on the Gaming Commission, as Tom Gunderson  
has resigned.

Secretary Rabbithead mentioned his community, at a  
meeting on May 20, had voted to have representation  
on the Gaming Commission. Councilman Fast Dog  
replied the Gaming Commission feels the membership  
should stay as it is. Secretary Rabbithead men-  
tioned that all segments should have representation  
on the Gaming Commission.

Discussion on representation of Gaming Commission.

There are currently seven members on the Gaming  
Commission. Councilman Fast Dog is the Chairman,  
Mark Bluestone is Vice Chairman, Sandy Eagle is  
Secretary, Delly Spotted Bear is Comptroller, Ed-  
mund White Bear, Vice Chairman Johnson, and Karen  
Reynolds is the non-Indian on the Commission.

Vice Chairman Johnson motioned to approve the  
resolution, seconded by Councilman Fast Dog.

Secretary Rabbithead requested consideration of a  
member of the Northeast Segment as an alternate for



Regular Council Meeting  
June 10, 1993  
Page nine

GAMING COMMISSION (CON'T)  
the Gaming Commission. Motion amended to include the stipulation there be a designee from the Northeast Segment as an alternate.

Councilman Gillette mentioned the Gaming Ordinance states the commission shall have five members and one alternate, and of those five members, one shall be a non-Indian. Councilman Gillette further stated the standard procedure is to amend the Gaming Commission provision to include how many members are wanted.

Chairman Wilkinson asked for the vote.

Vote: 4 for, 1 opposed. Motion carried.

Chairman Wilkinson suggested the issue of membership be on the next full council agenda.

ITEM 15: RESOLUTION/FY '94 RECONTRACTING FOR PROGRAMS:  
#93-77-JJR and #93-78-JJR  
Resolutions presented by Secretary Rabbithead. These resolutions authorize the resubmittal of contracts for the existing BIA and IHS contract programs.

Chairman Wilkinson entertained a motion to approve the resolutions.

Vice Chairman Johnson motioned to approve the resolutions, seconded by Secretary Rabbithead.

Vote: 5 for, 0 opposed. Motion carried.

ITEM 16: RESOLUTION/SUPPLEMENT FOOD COSTS/AGING SERVICES  
Resolution read by Secretary Rabbithead. This resolution pertains to the supplemental pay of \$20,00.00, from the Tribe, for the Title VI Aging Program for food costs.

Phoebe Dixon Aging Services Coordinator, explained the program does not get enough funding for Mandaree and New Town. Some of the administration costs

Regular Council Meeting  
June 10, 1993  
Page ten

AGING SERVICES (CON'T)

come out of this program funding which also cuts the amount of food that can be supplied. The food line was only about \$4,000.00, and this is not enough to feed the people.

Vice Chairman Johnson requested a breakdown of the actual costs for the cooks and the food who operate the Aging Services in Mandaree. Mrs. Dixon explained the cook salary for one year is \$9,396.00 plus fringe benefits. The food is bought in New Town.

Mrs. Dixon explained there are no grants currently available for her program. This is why she is requesting this money from the council. Treasurer Bird Bear suggested Mrs. Dixon write a request of additional funds for the chairman's signature from the central office of the Administration of Aging/ U.S. Department of Health and Human Services.

Chairman Wilkinson entertained a motion to approve.

Councilman Fast Dog motioned to approve, seconded by Vice Chairman Johnson.

Discussion on available funds for the program. Treasurer Bird Bear stated there are none available.

Councilman Mossett questioned if this money will also feed Twin Buttes. Mrs. Dixon replied it will not, just Title VI communities and Twin Buttes is a Title III community. Mrs. Dixon no longer works with Title III.

Secretary Rabbithead asked Mrs. Dixon if she has someone working on the surveys. Mrs. Dixon replied she does not.

Councilman Mossett stated it takes about \$180,000 to feed the senior citizens and we get \$78,000 and \$26,000. Mrs. Dixon mentioned that is what we are supposed to get, however, we did not get much.

Regular Council Meeting  
June 10, 1993  
Page eleven

AGING SERVICES (CON'T)

Councilman Mossett stated all of the communities get counted for the program, but only three of the communities get served. There is just not enough money.

Treasurer Bird Bear stated we can give this money, but then we would be subsidizing the contracts. This is a contract the U.S. Government is supposed to deal with, when we give money, it is paying to work. The Tribe would be paying all the docket money to subsidize federal contracts.

Vote: 3 for, 4 opposed. Motion failed.

ITEM 17: RESOLUTION/SUPPLEMENT SALARY INCREASE  
Resolution read by Secretary Rabbithead.  
This resolution pertains to supplemental funding of \$9,996.56 from the Tribe for the pay increase of the Title VI Aging Program Director.

Chairman Wilkinson stated this has already been authorized. It just has to be carried out.

Treasurer Bird Bear reminded Mrs. Dixon he had previously asked Mrs. Dixon to see if her program would pay for that salary increase. Treasurer Bird Bear suggested Mrs. Dixon submit this request to those agencies along with the food source request in a letter with the chairman's signature.

ITEM 18: RESOLUTION/SUPERVISION CHANGE  
Resolution read by Secretary Rabbithead.  
This resolution places the Title VI Aging Program Director under the direct supervision of the Chairman of the Human Resources Committee, which is Secretary Rabbithead.

Chairman Wilkinson stated this is fundamentally wrong, we have an organizational structure to carry out administrative functions. Everyone has to work within the existing structure.

Chairman Wilkinson entertained a motion to approve.

Regular Council Meeting  
June 10, 1993  
Page twelve

SUPERVISION CHANGE (CON'T)  
Discussion on this issue.

Mrs. Dixon was questioned why she is requesting this change of supervision. She explained it is very stressful and hard to cope with her current supervisor. It was determined these issues will be submitted to the Human Resources Committee.

ITEM 19: RESOLUTION/RETIREMENT PLAN: #93-80-JJR  
Resolution read by Secretary Rabbithead.  
This resolution amends Resolution #86-139-C to reflect a change in Employee Contributions to be voluntary payments between 0 to 10% of total annual salary. This plan is effective July 1, 1993.

Chairman Wilkinson entertained a motion to approve.

Councilman Mossett motioned to approve, seconded by Secretary Rabbithead.

Discussion on current employee contribution, which is 2 percent.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 20: RESOLUTION/TRIBAL ENROLLMENT PROGRAM: #93-81-JJR  
Resolution read by Secretary Rabbithead,  
This resolution places the supervisory authority over the staff of the Tribal Enrollment Office in the Tribal Enrollment Clerk.

This resolution makes the Tribal Enrollment Program independent. Chairman Wilkinson stated this was placed under the Personnel Office as a matter of convenience because they do the tribal identification cards.

Chairman Wilkinson entertained a motion to approve.

Treasurer Bird Bear motioned to approve, seconded by Councilman Mossett.

Regular Council Meeting  
June 10, 1993  
Page thirteen

TRIBAL ENROLLMENT (CON'T)

Discussion on current Tribal Enrollment staff.

Councilman Gillette stated the Enrollment Clerk should report to the Secretary of the Business Council, as the constitution states the Secretary handles the enrollment. Motion and second amended to reflect the Tribal Enrollment Clerk will function under the Tribal Secretary.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 21: RESOLUTION/WORK SCHEDULE: #93-82-JJR  
Resolution read by Secretary Rabbithead.  
This resolution changes the work schedule from 8:00 A.M.-5:00 P.M. to 8:00 A.M.-4:30 P.M. with a half hour lunch. This resolution shall be effective June 14, 1993.

Chairman Wilkinson entertained a motion to approve.

Vice Chairman Johnson motioned to approve, seconded by Secretary Rabbithead.

Discussion. Councilman Mossett mentioned some people do not want this. The employees in Twin Buttes require more than a half hour for lunch because they must go home for lunch.

Vice Chairman Johnson withdrew his motion to approve.

More discussion on basis of this change.

Councilman Mossett motioned to approve, seconded by Vice Chairman Johnson.

Chairman Wilkinson acknowledged motion and second.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 22: RESOLUTION/CONTRACT PREPARATION FEE ACCOUNTS:  
#93-83-JJR  
Resolution read by Secretary Rabbithead.

Regular Council Meeting  
June 10, 1993  
Page fourteen

PREPARATION FEE ACCOUNTS (CON'T)

This resolution pertains to Tribal contracting of the Preparation Fee Accounts now held by the Bureau of Indian Affairs.

Chairman Wilkinson explained the Council was informed of \$50,000.00 of unclaimed preparation fees. Vice Chairman Johnson has taken the lead in the structuring of a program to accommodate some of the operators. Vice Chairman Johnson explained this program will not only benefit the operators, but also the land owners with cross fencing, water development, and increase of carrying capacity.

Chairman Wilkinson entertained a motion to approve.

Vice Chairman Johnson motioned to approve, seconded by Councilman Mossett.

Discussion.

Vote: 6 for, 0 opposed. Motion carried.

ITEM 23: RESOLUTION/NORTHEAST SEGMENT COMMUNITY BOARD LOAN:  
#93-84-JJR

Resolution read by Secretary Rabbithead.

This resolution authorizes the Northeast Segment Community Board of Directors to secure a \$2,500.00 from the Lakeside State Bank to be repaid by March 30, 1994 from annual Tribal Docket 350-C&D Community Development Funds FY '94. This also authorizes the tribal chairman and treasurer to execute the required bank loan documents and assignment of Trust Income Forms.

Chairman Wilkinson entertained a motion to approve.

Vice Chairman Johnson motioned to approve, seconded by Secretary Rabbithead.

Vote: 2 for, 0 opposed, 4 not voting. Motion carried.

Regular Council Meeting  
June 10, 1993  
Page fifteen

ITEM 24: CHEYENNE AVIATION PRESENTATION/LEE CARSON

Mr. Carson is a member of the Northern Cheyenne Tribe in Lame Deer, Montana who is a commercial jet pilot and is the owner of Cheyenne Aviation. Mr. Carson has researched the amount of money paid by the IHS, nation wide, on travel. He found most are paying non-Indian businesses for their travel needs. Mr. Carson would like to have the chance to provide flying services for the IHS and the tribes. Mr. Carson also mentioned the possibility of offering an air ambulance for the IHS. He would also like to work with the youth and schools to encourage them about the aviation field of careers.

The purpose of Mr. Carson's visit today, is to introduce his business and his goals to our Tribe. Mr. Carson passed out summaries of his proposal for review by the Council.

Mr. Carson expects to be operational in the Aberdeen, Phoenix, and Billings areas within the next twelve months. He currently has no contracts, but hopes to secure a contract with Aberdeen in the near future. Mr. Carson mentioned he would like to put a hangar in New Town to provide these services to the IHS and the Tribe.

ITEM 25: REINTRODUCTION ON PREPARATION FEE ACCOUNTS

Resolution #93-85-JJR

The \$50,000 mentioned earlier is off the lease and grazing fees. The availability of this money was confirmed by the BIA. The accounts need to be consolidated for the draw down process.

Secretary Rabbithead motioned to consolidate the accounts, seconded by Vice Chairman Johnson.

Chairman Wilkinson acknowledged motion and second.

Vote: 5 for, 0 opposed. Motion carried.

ITEM 26: NORTH SEGMENT EXPANSION UPDATE

Councilman Fast Dog explained there are three architects scheduled to be here on Monday. HUD has

Regular Council Meeting  
June 10, 1993  
Page sixteen

NORTH SEGMENT EXPANSION (CON'T)

sent a letter stating the propane tank needs to be moved two hundred feet from the building for safety. North Segment is planning to move everything from the back of the building.

- ITEM 27: NORTHEAST SEGMENT COMMUNITY BUILDING  
Secretary Rabbithead explained the safety requirements for the distance of an 18,000 gallon propane tank is currently being discussed. A different site is also being considered.
- ITEM 28: FOUR BEARS M,R&I BUILDING  
Treasurer Bird Bear explained he is still working on this with Don Morgan. Treasurer Bird Bear will follow up on this for the next council meeting.
- ITEM 29: DRUG TESTING UPDATE  
No report given at this time.
- ITEM 30: NISHU ROAD CONSTRUCTION PROJECT  
Councilman Mossett stated the issue here is if this is to be 638 contracted or if the Bureau will do it.

Chairman Wilkinson entertained a motion for one of options.

Vice Chairman Johnson motioned to contract, seconded by Secretary Rabbithead.

Discussion on contracting the project and equipment available. Councilman Gillette questioned which system would be quicker. Gene White of Roads, had previously informed Councilman Gillette it would be quicker to let the Bureau put it out in ads. Councilman Gillette mentioned we are eligible for \$20,000 for transportation planning. Councilman Mossett stated that is not for this, though. Councilman Gillette mentioned the quickest way then, would be for the Bureau to do it. Councilman Mossett stated the Bureau is ready to go, they just put it on bids.



Regular Council Meeting  
June 10, 1993  
Page seventeen

NISHU ROAD (CON'T)  
Discussion on Indian contractors.

Vote: 4 for, 3 opposed. Motion carried.

ITEM 31: RESOLUTION/CEASE OF TERO WAIVER: #93-86-JJR  
Resolution read by Secretary Rabbithead.  
This resolution pertains to the Tribal Council putting a cease to waivers of the TERO requirements of the TERO Ordinance, in any way or form and that any attempts to waive such requirements shall cease immediatly.

Marcus Wells, Jr., explained each time these waivers are brought up, it challenges TERO. TERO needs the full support of the Council, any leeway in any way is causing problems. They are currently in three court cases and are in need of this support.

Chairman Wilkinson mentioned a billing statement for Bruce H. Lien for the TERO fee. This agreement with Bruce Lien Co. involved the waiver of the TERO fee and action was taken by the Council to waive the TERO fee. Chairman Wilkinson stated Lien Co. has complied with the employment practices.

Chairman Wilkinson stated the issue raised is FmHA's direct challenge to TERO on the FBCC project. They said if the TERO is waived, the loan documents can be processed and have the money available within 45 days. Chairman Wilkinson stated he received a fax from St. Joes stating the Tribe must waive the TERO requirements. Mr. Wells responded this stems from North Dakota's challenge to waive the TERO. Mr. Wells mentioned Cheyenne River, in South Dakota, had a housing project with the same type of loan and the TERO requirements were kept in place. Mr. Wells stated any time this is waived, the Tribe is waiving its sovereignty.

Chairman Wilkinson entertained a motion to approve.

Councilman Fast Dog motioned to approve the

Regular Council Meeting  
June 10, 1993  
Page eighteen

TERO (CON'T)  
resolution, seconded by Treasurer Bird Bear.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 32: LIQUOR SERVICE ISSUE

Councilman Fast Dog mentioned he has had complaints concerning 18 year olds serving liquor in the casino. Vice Chairman Johnson stated they can serve cocktails if there is a supervisor present who is 21 or over.

Vice Chairman Johnson motioned to have anyone who works serving liquor must be 21 or over, motion seconded by Councilman Fast Dog.

Chairman Wilkinson acknowledged motion and second.

Vote: 5 for, 0 opposed. Motion carried.

ITEM 33: HIP LIST FOR RENOVATIONS

Chairman Wilkinson stated LCM was authorized two years ago by the Council to do the HIP List. This was in a contract. A month ago, a letter was received that LCM got the money, but they don't want to do the HIP contract. Chairman Wilkinson stated this needs the Council's attention. LCM needs to be held accountable for this.

Some work has been done, but nothing has been completed. This needs to be taken up with Lonnie Burr along with the other LCM issues.

Marcus Wells, Jr. also commented on this issue and on the Motor Lodge renovation issue. Mr. Wells explained there were large amounts of supplies that came in for the renovations from all over just two weeks into the project. When Mr. Burr was asked about this, he turned them down, stating they were not interested in the first phase. They were just concentrating on phase II.

Councilman Mossett and Councilman Fast Dog were asked by Chairman Wilkinson to compile reports on

Regular Council Meeting  
June 10, 1993  
Page nineteen

HIP (CON'T)

HIP and on the procurement. Councilman Mossett stated this has been 638 contracted, the Material Resource Department can submit this list and any three councilmen can do this. A meeting was scheduled for June 11, 1993 to do this list.

ITEM 34: DISCUSSION ON SUPPLEMENTAL PAY REQUEST

Councilman Gillette mentioned page 15 of the Gaming Code states "to fund tribal government operations or programs". Councilman Gillette questioned the possibility of projections from the Gaming Commission on how we can supplement some of the programs that are short of money.

Chairman Wilkinson mentioned a proposed distribution could be worked on for presentation.

ITEM 35: FORT BERTHOLD COMMUNICATIONS DOCKET LOAN

This loan was already authorized by the Council.

Treasurer Bird Bear will follow up on this.

ITEM 36: FINANCIAL ASSISTANCE REQUEST FOR PETE COFFEY, III AND SCOTT BAKER TO ATTEND A FOOTBALL BOWL IN AUSTRALIA

Chairman Wilkinson stated he would like to see some action done on this request. Treasurer Bird Bear stated he will have the financial reports reconciled soon, but now he is getting a total of the rest of the requests today for consideration also, so the Council is not inconsistent with themselves.

Secretary Rabbithead read a letter of request submitted for action by the Council.

These two individuals were selected by the International Native American Football Committee and the International Sports Directors to play on the All American Team in the football bowl in Australia on June 15, 1993. The request is to help defray travel expenses. They are requesting \$6,000.00 to be split between them.

Regular Council Meeting  
June 10, 1993  
Page twenty

FINANCIAL REQUEST (CON'T)

Chairman Wilkinson entertained a motion to approve.

Secretary Rabbithead motioned to approve for \$3,000 each, seconded by Treasurer Bird Bear.

Discussion on availability of funds.

Vote: 5 for, 1 opposed, 1 not voting. Motion carried.

The Coffey family thanked the Council for assisting the athletes.

ITEM 37: PERSONNEL SELECTIONS/CHILD PROTECTION INVESTIGATOR

ITEM 37: PERSONNEL SELECTION/CHR-NEW TOWN AREA

Regular Council Meeting  
June 10, 1993  
Page twenty-one

ITEM 38: PERSONNEL SELECTION/DATA COORDINATOR/SECRETARY-HRD

ITEM 39: PERSONNEL SELECTIONS/DRIVER-DIALYSIS PROJECT  
Chairman Wilkinson read the list of applicants.

Regular Council Meeting  
June 10, 1993  
Page twenty-two

PERSONNEL SELECTION (CON'T)

ITEM 40: PERSONNEL SELECTION/SUMMER YOUTH MONITOR/COUNSELOR  
Chairman Wilkinson read the list of applicants.

ITEM 41: FINANCIAL ASSISTANCE REQUEST/GABRIELLA DUBOIS  
Ms. DuBois explained she was hit by another car and  
the insurance has not paid for the damages to her  
car. She needs assistance to pay for the damages  
to the car.

Regular Council Meeting  
June 10, 1993  
Page twenty-three

FINANCIAL ASSISTANCE (CON'T)

Councilman Mossett motioned to approve a \$500.00 grant for Ms. DuBois, seconded by Vice Chairman Johnson.

Chairman Wilkinson acknowledged motion and second.

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

ITEM 42: WAGE ASSIGNMENT LOAN REQUEST/LINDA BAKER  
Ms. Baker is requesting \$500.00.  
Chairman Wilkinson entertained a motion to approve.

Vice Chairman Johnson motioned to approve, seconded by Councilman Fast Dog.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 43: WAGE ASSIGNMENT LOAN REQUEST/SHERRY GILLETTE  
Chairman Wilkinson entertained a motion to approve.

Councilman Mossett motioned to approve, seconded by Treasurer Bird Bear.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 44: GRANT REQUESTS FOR INMED STUDENTS  
These requests are for \$150.00 each.  
Vonnie Alberts  
Robert Bird Bear  
Ruth Ann Suarez  
Demetrius Mandan

Chairman Wilkinson entertained a motion to approve.

Vice Chairman Johnson motioned to approve, seconded by Treasurer Bird Bear.

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

ITEM 45: PAT BLACK HAWK/LOAN REQUEST  
Mr. Black Hawk has a pending land sale and is re-

Regular Council Meeting  
June 10, 1993  
Page twenty-four

FINANCIAL ASSISTANCE REQUEST (CON'T)  
requesting \$200.00. He is currently working at the  
police department.

Chairman Wilkinson entertained a motion to approve.

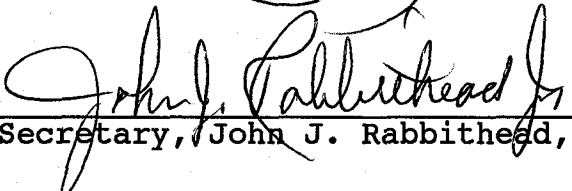
Councilman Fast Dog motioned to approve, seconded  
by Treasurer Bird Bear.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 46: ADJOURNMENT  
Meeting was adjourned at 5:25 PM.

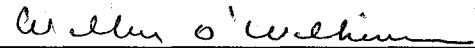
Approved

Disapproved

  
Secretary, John J. Rabbithead, Jr.

6-12-93  
Date

ATTEST:

  
Chairman, Wilbur D. Wilkinson

6-12-93  
Date





# MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

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

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

## AGENDA

Regular Council Meeting  
June 10, 1993

CHAIRMAN  
Wilbur D. Wilkinson

VICE CHAIRMAN  
Ivan Johnson  
Mandaree  
(701) 759-3377

SECRETARY  
John "Jack" Rabbithead, Jr.  
Parshall/Lucky Mound  
(701) 862-3841

TREASURER  
Roger Bird Bear  
Four Bears

COUNCIL MEMBER  
Austin Gillette  
White Shield  
(701) 743-4244

COUNCIL MEMBERS  
Jim Mossett  
Twin Buttes  
(701) 938-4403

COUNCIL MEMBER  
George Fast Dog  
New Town / Little Shell  
(701) 627-3484

1. Call to Order
2. Roll Call
3. Resolution/White Shield School: #93-68-JJR.
4. Resoluton/Native American Rights Fund
5. Approval of Business & Liquor Licenses
6. Resolution/Alcohol Ordinance: #93-69-JJR.
7. Resolution/Fee for Sunday Permits: #93-70-JJR.
8. Resolution/Freedom Act Bill: #93-71-JJR.
9. Resolution/Veteran's Housing: #93-72-JJR.
10. Resolution/Formulation of a jury list: #93-73-JJR.
11. Resolution/Tax Commission Appointment: #93-74-JJR.
12. Resolution/Tax commission Appointment: #93-75-JJR.
13. Resolution/Tax Commission Appointment:
14. Resolution/Gaming Commission Appointment: #93-76-JJR.
15. Resolution/'Recontracting for Programs: #93-77/78-JJR.
16. Resolution/Supplemental Food Costs/Aging:
17. Resolution/Supplemental salary increase:
18. Resolution/Supervision Change:
19. Resolution/Retirement Plan: #93-80-JJR.
20. Resolution/Tribal Enrollment Program: #93-81-JJR.
21. Resolution/Work Schedule: #93-82-JJR.
22. Resolution/Contract Preparation Fee Accounts: #93-83-JJR
23. Resolution/Northeast Segment Community Board Loan:93-84.

Agenda  
Page two

24. Cheyenne Aviation Presentation/Lee Carson
25. Reintroduction of Preparation Fee Accounts: #93-85-JJR.
26. Northeast Segment Expansion Update
27. Northeast Segment Community Building
28. Four Bears M,R,&I Building
29. Drug Testing Update
30. Nishu Road Construction Project
31. Resolution/Cease of TERO Waiver: #93-86-JJR.
32. Liquor Service Issue
33. HIP List for renovations
34. Discussion on Supplemental Pay Request
35. Fort Berthold Communications Dockets Loan
36. Financial Assistance Request/Pete Coffey III and Scott Baker to attend football bowl in Australia
37. Personnel Selection/Child Protection Investigator  
Personnel Selection/CHR-New Town area
38. Personnel Selection/HRD-Data Coordinator/Secretary
39. Personnel Selection/Dialysis Project Driver
40. Personnel Selection/Summer Youth Monitor/Counselor
41. Financial Assistance Request/Gabriella Dubois
42. Wage Assignment Loan Request/Linda Baker
43. Wage Assignment Loan Request/Sherry Gillette
44. Grant Request for Inmed Students
45. Pat Black Hawk Loan Request
46. Adjournment