

THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
TRIBAL CHAMBERS

Regular Council Meeting  
August 17, 1993

- PRESENT: Wilbur D. Wilkinson, Chairman; Ivan Johnson, Vice Chairman; Roger Bird Bear, Treasurer; Austin Gillette and George Fast Dog, Councilmembers and LaVerne Brady, Recording Secretary.
- ABSENT: Jim Mossett, Councilmember and John J. Rabbithead, Jr. in at 10:55 AM.
- OTHERS: Enrolled Members: Alva Irwin, Doreen Yellow Bird, Sally White, Royce Irwin, John Danks, James Danks, Virgil White Owl, David White Owl, Martha White and Clarine Ross.  
Employees: Johanna White Bear, TERO Secretary; Abigail Bingen, Vice Chairman's Assistant; Carol Good Bear, Assistant to Councilman Fast Dog; Marcus Wells, Sr., Comptroller; Perry Brady, Sargeant at Arms and Richard Hall, Security.
- ITEM 01: CALL TO ORDER:  
Meeting called to order at 10:25AM.
- ITEM 02: ROLL CALL:  
Roll called by Vice Chairman Johnson.  
Quorum established.
- ITEM 03: REQUEST OF DOREEN YELLOW BIRD:  
Chairman Wilkinson explained Doreen is seeking a settlement on issues of her employment with Fort Berthold Communications Enterprise. It was explained she wants payment from the tribe for accumulated leave, unpaid balance of employment contract, punitive damages of wrongful termination and misapplied travel credits.
- Ms. Yellow Bird explained she has contacted a lawyer for a lawsuit but she has come to the Tribal Council today to see if they would negotiate as she felt she did a good job while she was the Director of Communications Enterprise. She stated she is not suing the tribe but is suing the Communications Board. Some of the Tribal Business Council members

Regular Council Meeting  
August 17, 1993  
Page two

YELLOW BIRD REQUEST (CON'T):

felt they should have more time to study the situation before acting on the issue today. It was suggested this should be resolved through tribal Court. It was decided that Doreen's case will be considered at a special meeting scheduled on August 26. Note also to advise Personnel Department to reschedule the hearings for Maxine Harrison and Theodora Starr for this date.

- ITEM 04: RESOLUTION/FORT BERTHOLD RESERVATION DECLARED AS DISASTER AREA: Resolution #93-104-JJR. Resolution read by Chairman Wilkinson. This resolution pertains to all lands within the boundary of the Fort Berthold Reservation be designated as a disaster area to enable livestock operators to harvest forage from conservation for much needed feed for the upcoming winter months.

Chairman Wilkinson entertains motion to approve.

Councilman Fast Dog made a motion to approve, seconded by Vice Chairman Johnson.

Vote: 5 for, 0 opposed. Motion Carried.

- ITEM 05: RESOLUTION/SPECIAL APPOINTMENT OF JUDGE ROBERT HOLTE AS A SPECIAL DISTRICT COURT JUDGE FOR THE MONTH OF AUGUST: Resolution #93-105-JJR. This resolution was read by Chairman Wilkinson and pertains to the appointing of Mountrail County Judge Robert Holte to serve as Special District Court Judge for cases scheduled for August 20 & August 27, 1993 due to medical conditions of Judge P. Diane Avery.

Chairman Wilkinson entertained motion to approve.

Vice Chairman Johnson made motion to approve the Special Appointment seconded by Councilman Gillette

Vote: 5 for, 0 opposed. Motion Carried.

Regular Council Meeting  
August 17, 1993  
Page three

ITEM 06: RESOLUTION/AID TO TRIBAL GOVERNMENT:

Resolution read by Chairman Wilkinson. This resolution pertains to Program savings for the following: Criminal Justice, Fish & Game, Geographic Information Systems, Social Services, Special Education and Water Resources Plan.

Treasurer Bird Bear stated that he will define the scope to negotiate with the contracting officer. These monies are what these programs never spent in FY'92. Discussion on why the programs were asking money from the tribe when they had all these extra funds. It was mentioned these monies were only from the BIA and there should be more out there at the other federal agencies like IHS. This issue is to be scheduled for next meetings agenda and to notify all the respective administrators attend on behalf of their program.

Also another issue brought up was the Tribal Liaison position. Note to notify the following persons for interviews on August 26 as part of the agenda. Also the Councilmen who have resolutions to present on the proposed distribution must have those. If everyone agrees with the draft presented by Councilman Fast Dog, then it's fine or there is anything different, then bring it to next scheduled meeting. Discussion on the wake funds.

Secretary Rabbithead in at 10:55 AM.

It was mentioned if the Tribal Council was going to act on any money requests, the Fort Berthold Community College has expressed a real definite need and an individual who needs money due to flood damage in her home. It was also mentioned that a member of the reburial committee expressed a need.

Discussion on gaming monies (40% VS 60%), Management agreement, obtaining of CPA, and reports to Tribal Business Council.

Regular Council Meeting  
August 17, 1993  
Page four

ITEM 07: CLARINE LINSETH REQUEST:

Clarine is requesting for a \$900.00 loan due to flood damage in her basement apartment in Fargo.

Chairman Wilkinson entertained motion to approve.

Secretary Rabbithead made motion to approve loan in the amount of \$500.00, seconded by Councilman Fast Dog.

Vote: 4 for, 1 opposed, 1 not voting.  
Motion Carried.

ITEM 08: LEO STANDISH REQUEST:

Leo is requesting for a \$500.00 loan to fix water well as he has been without water for some time.

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

Chairman Wilkinson acknowledged motion and second.

Vote: 6 for, 0 opposed. Motion Carried.

ITEM 09: SHAROL JOHNSON REQUEST:

Sharol is requesting for a \$1,500.00 loan for car repairs as she had a car accident. The party involved would pay for the damages but she needs this amount to get her car out right away as she needs it for work. The payback will be at \$100.00 per month.

Councilman Fast Dog made motion to approve \$1,500 loan for Sharol, seconded by Vice Chairman Johnson.

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

Regular Council Meeting  
August 17, 1993  
Page five

ITEM 10: REPORT BY COMPTROLLER:

Marcus Wells, Comptroller reported the first subject is the line of credit with First International which was approved. The Fiscal Year has been changed to September 30, and all the bills should be paid by the 15th. There was a line approved on May 18 on which the docketed were collateralized but it was not the terms the tribe set it up on. The income has been assigned from the federal programs to this, so it ensures that all the bills would be paid timely. Now a resolution is called for to waive the sovereign immunity. This would be a means to make sure the payability is there and it will be paid back by September 30.

ITEM 11: RESOLUTION/WAIVER OF SOVERIGN IMMUNITY:

Resolution #93-106-JJR. Resolution read by Chairman Wilkinson.

There was a question on the Small Loan Program.

Treasurer Bird Bear made motion to approve resolution, seconded by Secretary Rabbithead.

Chairman Wilkinson acknowledged motion and second.

Discussion on Aid to Tribal Government resolution and shortfalls of Indirect.

Vote: 3 for, 2 opposed, 1 not voting.  
Motion Carried.

Discussion on drawdown of monies electronically and why Aberdeen has put a hold on the monies.

ITEM 12: MARY ELK REQUEST:

It was explained that Mary has farm lease and will pay \$100.00 a month.

Councilman Fast Dog made motion to approve loan

Regular Council Meeting  
August 17, 1993  
Page six

LOAN REQUEST (CON'T):  
seconded by Councilman Gillette.

Discussion on any current loans.

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

ITEM 13: STATUS OF SMALL LOAN PROGRAMS REPORT:  
Marcus Wells, Comptroller reported that due to the most recent funerals, The program is in deficit.

Discussion regarding posting, audit, administration of billings by the banks of Minot/Watford City. This is only the handling of the paperwork as they have the sophistication of their computers. This would make everything up to date. Training was suggested for the Small Loan Program staff.

Treasurer Bird Bear made motion to approve the line of Credit for the Small Loan Program without the administration, seconded by Secretary Rabbithead.

Discussion: Policies of program.

Vote: 3 for, 2 opposed, 1 not voting.  
Motion Carried.

ITEM 14: RESOLUTION/SKUNK CREEK ROAD CONSTRUCTION:  
Resolution \*93-107-JJR.  
James Danks was present and explained the County Board has agreed that any of the tax monies collected from the reservation are to be put back into the roads. This is the first time that any county has taken this type of action. Their main concern for many years was public access. The right of way and surveys are done. The funding which the tribe is expected to come up with is found through the County so all they want now is a resolution to the agreement. This is an opportunity as we help elect these county commissioners.  
Discussion: Mahto bay, Indian Hills and McKenzie bay all want to be exempted from the JTAC Land

Regular Council Meeting  
August 17, 1993  
Page seven

ROAD CONSTRUCTION RESOLUTION (CON'T):  
Discussion on Mahto Bay, Indian Hills and Mckenzie Bay all wanting to exempted from the JTAC Land Transfer. Resolution to be prepared by Abigail working along with Mr. Danks.

Vice Chairman Johnson made motion to approve the cost share on Skunk Creek Bay Road Construction Project with Dunn County Commissioners, seconded by Treasurer Bird Bear.

Vote: 6 for, 0 opposed. Motion Carried.

ITEM 15: ISSUE/JIM DANKS:  
Mr. Danks stated he's working with the Buffalo Project and changing boundaries of the pasture as far as the extension is concerned. He was advised to work with Vice Chairman Johnson on the details.

ITEM 16: DISCUSSION:  
This was regarding the conditional approval of loans.

ITEM 17: ALVA IRWIN REQUEST:  
Alva who was present, requested for a loan in the amount of \$700.00. She stated she has a loan which is current and the payback will be through her leases.

Chairman Wilkinson entertained motion.

Councilman Fast Dog made motion to approve for \$500.00, seconded by Secretary Rabbithead.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 18: VIRGIL WHITE OWL REQUEST:  
It was explained that Virgil got accepted at Syracuse University and looking for a school loan.

Councilman Fast Dog made motion to approve for \$500.00, seconded by Councilman Gillette.

Regular Council Meeting  
August 17, 1993  
Page eight

LOAN REQUEST (CON'T):

Discussion regarding monies in the education department.

Virgil, who was present explained he was accepted and his tuition alone was \$23,000.00. He is using his Per-capita payment plus his father's Military retirement pay for this tuition, however he is short \$3,000.00 as of date.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 19: SALLY WHITE REQUEST:

Sally, who was present, requested for a \$500.00 loan for her grandchildren's school clothes.

Chairman Wilkinson entertained motion.

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

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 20: ROYCE IRWIN REQUEST:

Royce, who was present, requested for a \$500.00 loan for school clothes and tuition also. He is attending the University of Mary and this will be his last year there and his children are attending school in Bismarck.

Chairman Wilkinson entertained motion to approve.

Councilman Fast Dog made motion to approve, seconded by Secretary Rabbithead.

Discussion regarding Special Education monies.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 21: KELLY FOX REQUEST:

It was explained that Kelly is attending college at Missoula MT University and is almost completed. He is requesting for a \$500.00 loan.



Regular Council Meeting  
August 17, 1993  
Page nine

LOAN REQUEST (CON'T):

Chairman Wilkinson entertained motion.

Councilman Fast Dog made motion to approve,  
seconded by Councilman Gillette.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 22: PATRICIA YOUNG BIRD REQUEST:

It was explained that Patricia is requesting for  
a \$500.00 loan.

Chairman Wilkinson entertained motion.

Vice Chairman Johnson made motion to approve,  
seconded by Councilman Gillette.

Discussion: Patricia is taking care of her grand-  
children and needs loan for school items.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 23: YVETTE LACROIX REQUEST:

It was explained that Yvette was requesting for  
a \$500.00 wage assignment. She already has one  
which is current.

Councilman Gillette made motion to approve, secon-  
ded by Secretary Rabbithead.

Chairman acknowledged motion and second.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 24: SHARON WHITE BEAR REQUEST:

It was explained that Sharon is requesting for  
a \$500.00 loan for funeral expenses.

Councilman Gillette made motion to approve, secon-  
ded by Secretary Rabbithead.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 25: CHERYL DANKS REQUEST:

It was explained that Cheryl is requesting for a loan in the amount of \$5,000.00 for debt consolidation purposes. She has enclosed her vehicle title as collateral and is employed at the Indian Affairs Commission and willing to make monthly payments.

Councilman Gillette made motion to approve \$5000.00 conditional approval, seconded by Councilman Fast Dog.

Chairman Wilkinson acknowledged motion and second.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 26: BELVA ROWE REQUEST:

It was explained that Belva is requesting for a medical loan in the amount of \$3,780.00 for her daughter who needs to go through surgery. Her insurance company would pick up most of the charge but the above amount she has to pay herself.

Discussion regarding Fort Berthold Indian Health Service, Insurance, residency and Aberdeen Indian Health Service.

Ms. Delores White, Public Relations Assistant was directed to make telephone calls to the Aberdeen IHS regarding this request. If there is no resource found, it will be re-presented at next Thursday's meeting.

Chairman Wilkinson entertained motion.

Treasurer Bird Bear made motion to table request, seconded by Vice Chairman Johnson.

Discussion regarding the Sisseton IHS, on and near service areas and urban Indian services.

Vote: 5 for, 0 opposed. Motion Carried.

Regular Council Meeting  
August 17, 1993  
Page eleven

ITEM 27: MARTHA WHITE REQUEST:

Martha, who was present, requested for a \$500.00 loan to pay her medical bills. Payback will be through a landsale which is pending.

Chairman Wilkinson entertained motion.

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

Vote: 5 for, 0 opposed, 2 not voting.  
Motion Carried.

ITEM 28: VANS ISSUE:

This issue is to amend motion of August 2 to raise the purchase amount of \$10,000.00 to \$20,000.00 per van. These vans were to be used to haul employees to the Four Bears Casino & Lodge.

Treasurer Bird Bear made motion to amend the authorization from \$10,000.00 to \$20,000.00 per van, seconded by Vice Chairman Johnson.

Vote: 6 for, 0 opposed. Motion Carried.

Discussion on where to purchase the vans. It was stated that for any councilmember, whatever negotiations were done, it would have to come back to the Tribal Business Council, then Council would reserve the right to approve or disapprove.

ITEM 29: MELVA DRIVER REQUEST:

Melva, who was present, requested for an \$1,800.00 loan. She needs to have engine repair done on her vehicle. The payback will be through her retirement withdrawal with a wage assignment.

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

Vote: 6 for, 0 opposed. Motion Carried.

Regular Council Meeting  
August 17, 1993  
Page twelve

ITEM 30: VEHICLE DEPRECIATION ALLOWANCE:

It was discussed whether Councilmembers who do not drive tribally owned vehicles can receive a depreciation allowance.

Treasurer Bird Bear made motion that he will apply some figures for Council, seconded by Vice Chairman Johnson.

Chairman Wilkinson acknowledged motion and second.

Vote: 6 for, 0 opposed. Motion Carried.

ITEM 31: FUNERAL LOAN REQUEST:

It was explained that Marlene Starr is requesting for a \$200.00 loan to help with Hunts Along funeral

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

Vote: 6 for, 0 opposed. Motion Carried.

ITEM 32: FUNERAL LOAN REQUEST:

It was explained that Geraldine Wounded Face is requesting for a \$200.00 loan to help with Hunts Along funeral.

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

Vote: 6 for, 0 opposed. Motion Carried.

ITEM 33: CLARINE ROSS REQUEST:

Clarine, who was present, requested for a relocation loan of \$500.00.

Councilman Fast Dog made motion to approve loan conditionally with follow up, seconded by Councilman Gillette.

Chairman Wilkinson acknowledged motion and second.

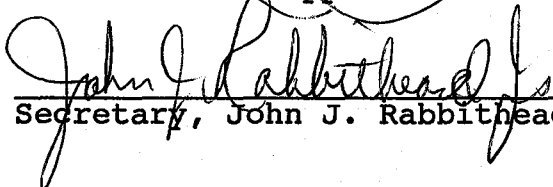
Vote: 6 for, 0 opposed. Motion Carried.

Regular Council Meeting  
August 17, 1993  
Page thirteen

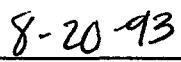
ITEM 34: DISCUSSION:  
There was a discussion regarding calling cards.

ITEM 35: ADJOURNMENT:  
Meeting adjourned at 12:30 PM.

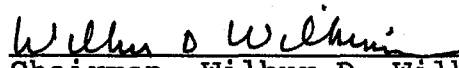
Approved

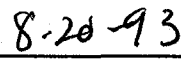
  
Secretary, John J. Rabbithead, Jr.

Disapproved

  
Date

ATTEST:

  
Chairman, Wilbur D. Wilkinson

  
Date



# MANDAN, HIDATSA, & ARIKARA NATION

*Three Affiliated Tribes • Fort Berthold Indian Reservation*

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

## A G E N D A

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

Regular Council Meeting  
August 17, 1993

CHAIRMAN

Wilbur D. Wilkinson

01. Call to Order

VICE CHAIRMAN

Ivan Johnson

Mandaree

(701) 759-3377

02. Roll Call

SECRETARY

John "Jack" Rabbithead, Jr.

Parshall/Lucky Mound

(701) 862-3841

03. Request of Doreen Yellow Bird

04. Resolutions: Fort Berthold declared as disaster area

TREASURER

Roger Bird Bear

Four Bears

05. Resolution: Special Appointment of Judge Robert Holte as a Special District Court Judge of the month/August

COUNCIL MEMBER

Austin Gillette

White Shield

(701) 743-4244

06. Resolution: Aid to Tribal Government

COUNCIL MEMBERS

Jim Mossett

Twin Buttes

(701) 938-4403

07. Clarine Linseth Request

08. Leo Standish Request

COUNCIL MEMBER

George Fast Dog

New Town / Little Shell

(701) 627-3484

09. Sharon Johnson Request

10. Report by Comptroller

11. Resolution: Waiver of Sovereign Immunity

12. Mary Elk Request

13. Status of Small Loan Program Report

14. Resolution: Skunk Creek Road Construction

15. Issue/Jim Danks

16. Discussion

17. Alva Irwin Request

18. Virgil White Owl Request

19. Sally White Request

20. Royce Irwin Request

21. Kelly Fox Request

22. Patricia Young Bird Request

23. Yvette LaCroix Request

Agenda  
August 17, 1993  
Page three

24. Sharon White Bear Request
25. Cheryl Danks Request
26. Belva Rowe Request
27. Martha White Request
28. Vans Issue
29. Melva Driver Request
30. Vehicle Depreciation Allowance
31. Funeral Loan Request
32. Funeral Loan Request
33. Clarine Ross Request
34. Discussion
35. Adjournment