



MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

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

TRIBAL BUSINESS COUNCIL
Office (701) 627-4781
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REGULAR COUNCIL MEETING December 8, 1994

PRESENT: Russell Mason Sr., Tribal Chairman, Daylon Spotted Bear, Vice Chairman, Twin Buttes Representative, Marcus Wells Jr., Secretary, Four Bears Representative, Mark Fox, Treasurer, Parshall/Lucky Mound Representative, Austin Gillette, White Shield Representative, Ivan Johnson, Mandaree Representative and George Fast Dog, New Town/Little Shell Representative.

ABSENT: None

OTHERS: Damon Brady, Thomas Goodall, Heather Bearstail, Cameron Deegan, Kelly Perkins, Anthony Esquibel, Samuel Gardner, Chris Standing Alone, Charles Hunter, Jr., Wayne Perkins, Pat Poitra, Jennifer Mountain, James Everett, Tiffany Hawkins, Theodore Everett, III, Daunelle Marsette & Kasey Marsette, Urban Bear Don't Walk, Tribal Attorney; Perry Brady, Security; John Danks, Tribal Analyst; Danile Henry, Legal Staff; Cheryl White, Personnel; Edward Lone Fight, Programs Manager; Teresa Charging, Elgin Crows Breast, Adam Mandan, Ed Hall, Beulah Chapin, Paul Fredericks, Virgil Eagle, Bonnie Baker, Abigail Bingen, Terry Fredericks, Clarence O'Berry, Clarine Charging, Jackie Jackson, Frank Henry, Ted Danks, Diane Avery, Jim Mossett, Carol Good Bear, Cleo Wells, Marian Spotted Bear, Titus Hall, Jerry Irwin, Ron Smith, Ron Aadnes, Veteran and Skip Wing, Veteran Officers; Bernadine Young Bird, Solly Danks, Norman Baker, Texx Lone Bear, Myrna Jacobs Bear, Jim Danks, John Stone, Jr., Ken Rabbithead, Phyllis Walker, Ken Dragswolf.

PRAYER: Opening Prayer was given by Damon Brady, Teacher at White Shield School.

ITEM #1: CALL TO ORDER:

Meeting Called to Order at 10:30 AM.

ITEM #2: ROLL CALL:

Roll Called.
Quorum Established.

ITEM #3: APPROVAL OF AGENDA:

Russell Mason Sr., Chairman; entertained a motion to approve the agenda.

Mr. Mark Fox, Treasurer; requested to see listed under 6F, Finance resolutions concerning the docket and also concerning the short-term loan that we are going to discuss.

MOTION was made by Ivan Johnson, to approve the agenda as amended, **SECOND** by Mark Fox.

Vote: 7 for: 0 opposed. Motion Passed.
Chairman Voting.

ITEM #4: APPROVAL OF MINUTES:

Minutes were read by Mr. Marcus Wells Jr., Secretary: beginning 12/1/94 - no corrections, 11/29/94 - no corrections, 11/28/94 - no corrections, 11/23/94 - Corrections made.

Chairman Mason; Entertained a Motion to accept the minutes as amended.

Motion was made by Mark Fox to approve the minutes as amended. Second by Daylon Spotted Bear.

**Vote: 7 for: 0 opposed. Motion Passed.
 Chairman Voting.**

ITEM #5: FOUR BEARS COUNCIL REPRESENTATIVE ELECTION UPDATE:

Chairman Mason: Before we go on to the resolution, I have a couple of announcements and also there is an issue that I discussed with a couple of you and I discussed this with Marcus and that is in regards to the letter that was received by the Council from Ed Hall and I have asked Mr. Bear Don't Walk to give us some legal advice as to what the Council position or what action we should take regarding that letter.

Mr. Urban Bear Don't Walk; Thank you very much, I have prepared some folders, I will pass them out. There are factual issues, legal issues that really need to be looked at and I kind of left a paper trail there in regards to how I have looked at it.

A. - Letter from William Woods Jr.; Attorney for Edwin Hall.

Mr. Bear Don't Walk; I think we can, first of all, we can start with the letter from William B. Woods, Jr. and you have a copy of that letter in your packet and it is dated December 5, 1994. And in there he wants an opinion from legal counsel to be given to the Tribal Council and he says that should be done by the end of the business day tomorrow.

B. - Letter received from Terry Walters, Superintendent:

Mr. Bear Don't Walk; The next document is the letter from Terry Walters, Dated November 30, 1994, addressed to Chairman Mason. And as you will know on the CC or the copies, there is a long list, 10-25 people he sent copies of that letter to. So, it has had a broad circulation, so to speak. And we're next to the bottom, you can see where we rank, right, Tribal Legal Department.

C. - Function of Tribal Election Board:

Mr. Bear Don't Walk; Then the next document, is on the function of the Tribal Election Board. And I write it down there, so you can take the time to read that. That, of course, is taken directly from the Tribal Constitution and the Tribal Ordinance. Then we go on here, with what is the role for the Tribal Court with respect to the elections. Then we are going on here, with respect to an election contest-- what is the role of the Tribal Business Council. And I think, if you read that paragraph to paragraph, you will note that about the role of the Tribal Business Council with regards to election challenges or election contests. I don't think the Tribal Business Council has much of a role, if any, in election contests. But, remember, I said there are other issues, than just the election contest, that were raised in Mr. Woods letter.

ITEM #6: RESOLUTIONS:

- 6.A. Resolution #94-32-MW, Felecia Felix Fox Case Settlement, by Urban Bear Don't Walk.** The Resolution was read aloud by Mr. Bear Don't Walk and also showed the video of Newscast and explained the case to the Tribal Council.

MOTION was made by Marcus Wells Jr., to Approve such Resolution, SECOND by Mark Fox.

Discussion:

Mr. Gillette; I would like to have that amended to under the Wilkinson Administration, to include it as such. The record will reflect that it is their case and not your administration. You (Chairman Mason) straightening it out..if it is alright with the guys making motions?

Mr. Fox; I would also like to see an amendment above that "alleged" wrongful termination case.

Mr. Gillette; before the wrongful put "alleged" wrongful termination case..."against the Wilkinson Administration filed" by..

Mr. Wells and Mr. Fox accepted the amendments to the resolution & motion.

Chairman Mason; Any further discussion.

Vote: 7 for: 0 opposed. Motion Passed.
Chairman Voting.

- 6.B. Child Welfare Code Amendment by Urban Bear Don't Walk.** The Resolution was read aloud by Mr. Bear Don't Walk and explained the resolution to the Tribal Council. And recommended approval.

MOTION was made by Marcus Wells Jr. to approve such Resolution on amending the Tribe's Child Welfare Code. SECOND by Austin Gillette.

DISCUSSION:

Mr. Fox; It's really not on the point, but I want to raise the issue at this time, I think it is appropriate about prosecutor's current actions coming under challenge. We all have reports, I think from at least one tribal member about what the prosecutor has been doing over there. We don't have the evidence to decide one way or another at this time but it would be my recommendation that we look into the matter and when you have selective enforcement of the law rather than equal enforcement of the law, and these types of situations occur and **FOR THE RECORD:** I would like to indicate that is a concern of mine before we place them on this child protection team that there may be some problem with the prosecutors' office itself.

Mr. Gillette; Well, my concern is similar to Mark and Bud's. I've gone over there a couple of times and the same reluctance in regards to some cases. And say somebody else, some other party did something wrong and here you have the same prosecutor on the other side and they are privy to some knowledge that they just might hammer you whereas the guy next door will get away with it.

Mr. Bear Don't Walk; Basically, what you are trying to do is work with these families and you're kind of helping them and then you turn around and zap them.

Mr. Fox; Who are the primary proponents of this inclusion of the prosecutors office, social services?

Mr. Bear Don't Walk; Yes, social services, Hugh Baker.

Mr. Gillette; I seconded the motion just to get some action out of it, I am really not in favor of prosecutors being in on this.

Mr. Bear Don't Walk; Maybe you can table it and wait for the prosecution and Hugh to be here. I said I would present it, I think what this does is, you know, is maybe someone said this says attorney and I am an attorney and I can't be on there, that is kind of why I was wiping it away, if you will, but I think the Tribal Council needs to look at it a little bit more.

Mr Gillette; Withdrew his Motion

Mr. Wells; Withdrew his Second

MOTION was made by Austin Gillette to table the resolution for further review, SECOND WAS MADE by Mark Fox.

**Vote: 7 for: 0 opposed. Motion Passed.
 Chairman Voting.**

CHAIRMAN MASON; RECESSED FOR LUNCH AT 12 NOON TO RETURN AT 1:00 pm

CHAIRMAN MASON; RECONVENED THE MEETING 1:10 PM.

6.C. Mandaree Electronics - Line of Credit; by Clarence O'Berry.

Discussion:

Mr. O'Berry gave a report on the status of the Mandaree Electronics situation, he explained the problems with back debt, and provided the Tribal Council with a solution, which would be available to save the jobs of ten (10) employees, by entering into a lease agreement with Killdeer Mountain Manufacturing, which would pick up our monthly expenses, and our payroll. By doing this, Mandaree Electronics would save employment, keep Mandaree Electronics doors open, and keep it from going bankrupt.

The Tribal Council asked Mr. O'Berry various questions regarding the situation that Mandaree Electronics was in. In addition asked about resolution that was in front of them.

Mr. O'Berry explained that he had another resolution coming, and he explained all that he is asking for is a secured loan utilizing the casino revenues, referring to the set aside amount of 25% for economic development.

Since Mr. O'Berry's Resolution he was expecting to present was not available yet, the Tribal Council tabled until it arrived later in the afternoon.

6.D. Tribal Court - by Diane Avery.

6.D.a. Dennis Johnson Contract

Mr. Wells; Read the resolution.

Motion was made by Ivan Johnson to approve such resolution. Second by George Fast Dog.

Discussion:

It was the concensus of the Tribal Council to hold off on any action on this until such time as Judge Diane Avery could be in attendance to answer the questions that they had on this issue.

Mr. Fast Dog; withdrew his Second,

Mr. Johnson; withdraw his Motion.

MOTION was made by Mark Fox to table this Resolution until further time that Judge Avery or any court personnel can come before this council and claim the need. SECOND by Daylon Spotted Bear.

**Vote: 7 for: 0 opposed. Motion Passed.
 Chairman Voting.**

6.D.b. Private Land Transfer.

Chairman Mason; stated that this was already tabled.

6.E. Natural Resources; MR&I Cooperative Agreement.

Chairman Mason; stated that they came in and said they weren't prepared for it.

Tribal Council Agreed to table such item.

6G. RESO# 94-33-MW, - Tribal Short Term Loan. Presented by Mark Fox and Frank Henry, Assistant Comptroller. Resolution was read and explained by Frank Henry, Finance; Resolution for a short term loan was needed to set up the payroll need for tomorrow. Short term loan from the Lakeside to assign our Casino check on the 15th, for the immediate payroll need for \$280,000. Mr. Fox; explained the need to change the bottom two paragraph's around, JUST FOR THE RECORD.

MOTION made by Austin Gillette to approve the resolution, SECOND by Daylon Spotted Bear.

DISCUSSION:

Mr. Gillette; I would like to ask Frank, we get conflicting reports of the status of the Tribes' finances. If we did not have difficulties we wouldn't be doing this, but how much do we, the Tribe, owe today to different vendors, reimbursements of federal contracts we have received already? Give us a ballpark figure.

ITEM #7. ACTION ITEMS:

7.A. Road Department - Front End Loader and a Wing & V Plow Attachments for the Motor Grader that serves the Four Bears Segment and Little Shell/New Town Segment for Snow Removal. By Virgil Eagle.

Mr. Eagle; gave a report on the circumstances surrounding this request for additional snow removal equipment for the Four Bears Segment and Little Shell/New Town Segment. He explained to the Council the need to have a loader follow the motor grader around in case it got stuck. And that the Four Bears Area has never had any equipment on its own, so one operator had to handle two segments with one motor grader that is not equipped for snow and that Four Bears needs its own front end loader. Also explained that Kent Jaeger, of Midwest Industrial, would be available, if the council would want to meet with him as far as on the price, but that is the price he's got going.

Tribal Council discussed the issues carefully and asked Mr. Eagle questions regarding the request, what alternatives we had, why we had to pay for the government obligation of the BIA.

MOTION was made Marcus Wells Jr., to approve the 2 loaders at 3 months at \$3750 per loader for \$22,500 subject to available funds. SECOND by Austin Gillette.

Chairman Mason; The Motion has been made and received a Second, any further discussion.

**Vote: 6 for: 0 opposed. 1 abstain. Motion Passed.
Chairman Voting.**

MOTION was made by Marcus Wells Jr., to approve the purchase on an installment basis subject to the availability of funds, a V-plow and wing for the motor grader (blade) for Four Bears & Little Shell Segments, not to exceed the amount of \$17,085.00. Second was received by Austin Gillette.

Discussion:

Mr. Gillette; Mr. Chairman, we got 10 vehicles out there that we are really not using and they're all paid for, we should sell them, buy something that is worthwhile.

Chairman Mason; We are getting an appraisal on them right now.

**Vote: 5 for: 0 opposed. 2 abstain. Motion Passed.
Chairman Voting.**

7.B. White Shield School - Grant Request for All Nation Pow-Wow & White Shield School Government Class observation of Tribal Council Meeting. By Damon Brady Instructor.

Mr. Brady was moved up on the agenda, due to the time of the day, he had students present to observe the Tribal Council in session, that had to return back to their homes in White Shield.

Mr. Brady made a formal request for a donation to the First Annual Pow-Wow, to be held in conjunction with the Third Annual All Nation Basketball Tournament for the 27th-29th of December, and was requesting an

amount of \$5,000.00 to defray the expenses of this celebration. In addition, Mr. Brady explained that it would be a total cost of around \$10,000.00 to put on this Pow Wow and that Standing Rock verbally Committed \$5,000.00.

Chairman Mason; expressed his support for the event, however, it's a matter of the availability of funds, they are not there, so most of our decisions have to be made based on availability of funds.

Mr. Fox; also expressed the same, and offered some suggestions as how to possibly defray the costs of this event, and proceeded to make a motion for the record to show support for this activity.

MOTION made by Mark Fox that we cooperate with the fellow council and reservations that are involved with this tournament to arrange the financial support on a type of rotation basis so that this event can be conducted and in particular with Standing Rock we are willing to work something out where we would be obligated or at least temporarily obligated to finance that in the upcoming years. SECOND by Austin Gillette.

**Vote: 6 for: 0 opposed. 0 abstain. Motion Passed.
Chairman Voting.**

Chairman Mason then opened up the floor to give the White Shield Students an opportunity to ask questions.

Mr. Chris Standing Alone; On the bonuses, why were the bonuses paid to the council?

Mr. Fox; I'll give an answer to that. The bonuses that were paid by the former administration, not this administration, former administration, all basically boiled down to a resolution that some members of the council thought supported those bonuses, allowed them to do it legally, and which other members of the council felt that they should not, that resolution didn't support and ultimately it came down to the court making that decision as to whether or not that resolution was legal. We, as a council, can do that at anytime, if we're all in session here and there is a quorum provided, put it to a vote and we have a resolution that states that these councilmen will receive "X" amount of dollars in the upcoming year. We can do that if we choose to do so. That is within our power. As a tribal government, we could do it. But the question that came down when it was done nearly 2 1/2 years ago was the resolution that they had that supposedly provided for that, did that state that clearly enough to where everybody understood they were getting compensation for getting a bonus and the court took that document and they said, "Nope, based on that resolution and the words you have there, it doesn't provide for any compensation, you can't get a bonus based on that wording there." So, what they did is, they ordered those individuals that received those bonuses, that did not turn them back in, to repay those bonuses and that is where it is at right now.

Chairman Mason; Assured Mr. Standing Alone, that this would not be done again.

ITEM #6.D.a.: Resolution #94-35-MW, Tribal Court - Dennis Johnson Contract; by Diane Avery.

Tribal Council had previously tabled this item, until such time that Judge Avery could be in attendance, Judge Avery did appear so this Resolution was brought back to the table.

Chairman Mason: stated to (Judge Avery) that we weren't really clear but there was some discussion but it was an agreement among the council but we'd sooner have you explain the resolution on the prosecutor before we act on it, if you would please.

Judge Diane Avery: Explained that Dennis Johnson has always been the prosecutor for the tribe. When Dennis Johnson's previous or consultant agreement expired, it was never renewed. It was always my intent to renew it and request a judiciary committee meeting and to have that, that was always on the proposed agenda. And that the reason for the resolution is Dennis Johnson will not act or serve as a fulltime prosecutor for the court. Only in those instances where ElMarie has a direct conflict, for example, say a close relative like a brother or sister or father or mother is brought into court, then in those instances, we would need to have a special prosecutor and I was also going to put in the resolution that in the event criminal complaints are brought against individuals of the tribal business council, that in those cases, it would be best to have a special prosecutor for the court so that it kind of de-politicizes ElMarie, and ElMarie's position in the court. With her being full time it has been working out extremely well but this is just in those instances where she, say for example, there's a brother or a sister of hers that's charged with a criminal complaint and to avoid the appearance of impropriety, we should bring in a special prosecutor in that instance. It would be paid out of the fines and costs budget. But like I said there hasn't been, ElMarie has been on board since the first week of June and since the first week of June, she hasn't been in a situation like that, that I'm aware of.

Mr. Wells; stated to Judge Avery that the Tribal Council has received such a complaint from an enrolled member.

Mr. Fox; But for the record: I'd like to restate as I did earlier when Judge Avery wasn't present, and I didn't have a chance to come forward that there have been some enrolled member complaints that came forward about the Prosecutor and her role and her duty and how she's been performing at that court which is for the record to indicate that and put that on notice. Another concern that I have in regards to Mr. Johnson and Sundeen, when Mr. Johnson was special prosecutor and I understand he's only going to be used for certain cases now but when he was tribal prosecutor that, in some instances he was reluctant to prosecute certain types of cases before the tribal court and he would not do them and the claim was always Dennis Johnson does not do those type of cases for the court so there's nobody really to advocate that position.

Judge Avery; I think what that is Mark, is Dennis Johnson represents or he will prosecute all criminal cases before the court but I think your concern about him has to do with child welfare or juvenile petitions or to represent child welfare, he doesn't do that. He's just hired to be criminal prosecutor and not to take on child welfare cases or to represent child welfare.

Motion by Mr. Ivan Johnson to approve such resolution. Second was made by Mr. George Fast Dog.

Discussion:

Mr. Fox; I would like to see this resolution amended to indicate what Judge Avery indicated, that the expenditures for providing for these are to come out of fines and costs and that the final, BE IT FURTHER RESOLVED that would be the source of support, financial support would be fines and costs.

Vote: 7 For 0 Opposed. Motion Passed.
Chairman Voting.

ITEM #6.D.b.: Resolution #94-36-MW, - Private Land Transfer; by Diane Avery.

Council had previously tabled this item.

Mrs. Diane Avery: Mr. Chairman, I have another pending resolution that has been pending before this tribal business council for about a year and, all of a sudden I was told that because the resolution was passed at the

October 14 meeting that there was some question and I would like to get that resolved today. I talked to Mark and Marcus about it yesterday.

Mr. Wells: She wanted to do a land transfer. It was tabled due to 1/4 mile land.

Mr. Gillette: I brought that up because we passed that in the '70's and it was updated in the '80's. It was regarding "taken area land" the tribe owned property near and we reserved those from a land trade status and forgot all about it which showed up so that's where that's at. There's been other land trades proposed that have been denied because of that.

Mr. Fox: Yes, the homesite, and that's the concern I have, as well. Texx (Lone Bear) on one hand, comes forth and lists the application and says, yea, homesite is fine, allows her to establish there and comes for a basic land exchange and now he's back in saying we can't do it, you know.

Chairman Mason; But until then.

Mr. Fox; Well, we could take care of that now, if we had to or else at the next meeting, either one, but it's a matter of looking at the '88 resolution and 88-261-TL granting approval of the land exchange with Diane Avery with a simultaneous granting of exception to that 88-261-TL, so that it could be approved.

Mr. Fox: The resolution shall be amended with an exception to the resolution 88-261-TL passed by a prior administration in 1988.

Motion was made by Ivan Johnson, SECOND by Mark Fox.

**Vote: 5 For 1 Opposed. 1 Abstain. Motion Passed.
Chairman Voting.**

ITEM #6.C. MANDAREE ELECTRONICS, was brought back to the Table by John Danks & Clarence O'Berry.

Mr. John Danks: apologized to the Tribal Business Council for having to take up more time, but felt a need to brief the council and to give the Council a clear understanding where Mandaree Electronics is coming from. Mandaree Electronics is a tribally chartered Tribal corporation. It is owned by the Three Affiliated Tribes. They have come to the Tribal Business Council many, many times with operating information, expressing operating problems. They currently have a debt owed IRS, they currently have a debt owed the Bureau of Indian Affairs in which, the Three Affiliated Tribes, as far as I'm concerned are going to inherit. The tribe, Mandaree Electronics came to the Tribal Business Council two weeks ago soliciting a \$12,000.00 line of credit thinking that with this line of credit, they could continue to go out on the market, to secure jobs, bid on the jobs, get work and continue or expand their industry. Since that line of credit was approved, their entire operation has experienced another setback or experienced another situation. Their major client for work is Killdeer Mountain Manufacturing. Killdeer Mountain Manufacturing has informed Mandaree Electronics that the work they have been doing in which they've been primarily surviving on, that project is nearly complete and for all practical purposes, no more work will be subbed to Mandaree Electronics for this project, after tomorrow. What Mr. O'Berry needs from the Tribal Business Council, I believe today, as this primarily is a Tribal Business enterprise, he needs some direction from the Tribal Business Council. Do you want me to continue this dialogue? Do you want me to begin the negotiations in this area, perhaps what I can develop on the tribes' behalf? On the interim, the only employment available to the current MEC employees is if they will file an application with Turtle Mountain, I mean KMM.

Chairman Mason; Yes John, what do you want from us right now?

Mr. Danks; I think, really what he wants is an expression, yes, continue to negotiate, continue your dialogue and he is an employee of the tribe and has a consulting arrangement with the tribe. He needs that answer, I believe.

Chairman Mason; I guess I would like to ask the respected councilman from Mandaree if he recommends that we go along with Mr. O'Berry to pursue getting this contract with KMM.

Mr. Johnson; Well, I would recommend any kind of employment down there and now you say we don't have any work coming in?

Mr. O'Berry; I don't agree with John at all. When we came to the Council a couple of weeks ago and asked for \$12,000.00 loan, that was not to open any doors for us to go and market any other customers because we still have this back debt, we don't have any operating capitol, that's what is holding us back. Two, Killdeer did not approve or did not say they would hire our people but what we're doing with them is, yes, this work that we had going which we had no commitment on, it was just piecemeal work, off load work, that we got per each PO and there was no commitment, there was not a contract and that's what we've been doing for the past two and a 1/2 years. What I arranged with Killdeer was that our people go down there since we did complete this work, that they go down there and work at it this year, do craft work and bring it back home, that's what I arranged.

Mr. Danks; It's just a difference in understanding. It's not an opinion, it's what you reported back with me and that's how I heard you cause I'm not trying to lessen the opportunity, I'm trying to accelerate our communications.

Chairman Mason; I guess I would ask for someone to introduce a motion for Mr. O'Berry to pursue, you know, any effort that would enhance the economic development or expansion of that facility.

Mr. Fox; I would like to request more discussion before any motion has been entered. It's kind of dangerous, the tribe is going into these loan agreements rather than the corporation, that's the whole idea of setting up corporations so you don't get your assets attacked.

Mr. Johnson; You've got your job. You're trying to keep this place going. Are we just putting a band aid on or are we...

Mr. Fox; Are we delaying the inevitable?

Mr. Johnson; Right.

Mr. Fox; And if we get debts wiped out and we try to kick it in, but are we delaying the inevitable? Are we going to close at a future date? Are we going to lose the \$62,000.00. That's what I'm concerned about, you know. I'd feel a little bit different if MEC had been giving revenues back to the Tribe. I'd be obligated to say, yeah, we have to give them money. They're a benefit to the tribe but as far as I know, has any money ever been paid to the tribe? It never has, has it? That's kind of the problem that we have. I'm willing to work with them as well, but it's going to take us, we have some revenues coming up this month and of course, more coming in, in January. It's possible to work something out. We need to come up with a short term plan to keep the corporation alive, for, at least, the next sixty days and then it's a possibility for us to pledge those kind of assets. It might be a possibility.

Mr. Johnson; I'll run up there with you to Killdeer and we'll see this Don Hedger but how about that \$12,000.00 one, that first one we were going to do for you? Take that and you should be able to work out some kind of a plan with them.

Mr. O'Berry; That's just prolonging it, you know. But that last resolution was to cosign for a loan for us though. I suggest we not do that.

Mr. Danks: Thank you for your time.

Chairman Mason: This is really hard to deal with and again it just shows us what kind of financial situation we're in. You know if you try to and I know it means jobs and you know.

Mr. Fox: Business is business. I mean you look at the Casino itself. We have employment there and we get direct revenues back. It's a successful business. So if we're willing to make investments like that with an agreement and pay them off. If we continue to do something like that, I don't know. We need more of a success rate, than that.

SPECIAL ITEM: Emergency Wake fund for July Yessilith.

Ms. Jackie Jackson: Janice White Body, on her niece, she was two years old and she passed away. She wasn't enrolled but the baby's mother was enrolled. The mother is enrolled and the child was not enrolled. The mother is 1/2 so that would make the child 1/4 and she's eligible to be enrolled, so she does qualify for the wake fund, right?

Mr. Fox: Yeah, qualified to be enrolled? I don't know about that, can you get a wake fund for someone that's eligible for enrollment?

Chairman Mason: Entertained a motion to pass the purchase order for the \$1,600.00 wake fund to the niece of Janice White Body for \$1,600.00 wake fund.

Titus Hall: She's from Chinle. She's in Arizona, right now. Janice is here and Janice is going to go down.

Chairman Mason: Well, make it out to the mother then.

Motion made by George Fast Dog to approve such wake fund request for \$1,600 to be made out to her mother July Yessilith. Second by Mark Fox.

**Vote 7 For. 0 Opposed. Motion Passed
Chairman Voting.**

7.C. Personnel Department; Personnel Selections, by Cheryl White.

7.D. Education Department; Bernadine Young Bird, Administrator.

Mrs Bernadine Young Bird: Presented a Resolution that would approve the proposal for the Development of the Comprehensive Education Plan for the Three Affiliated Tribes, which will also be utilized by the Administrator to meet the requirements of her Specialist Degree program at UND. She then proceeded to read the Resolution Aloud. And further stated that the third page is the plan. The basis for my requesting this, is that the current education system has been a tragic failure for a majority of the students for the Mandan, Hidatsa & Arikara on the Fort Berthold Reservation, Western ND. Overall graduation rates and achievement scores on the comprehensive tests on basic skills and the last page is the proposed timelines and this is contingent upon working with a Native American Rights Foundation consultant who will be coming in January to finalize the tribal code which all of you have received copies of. It's in the second draft that we disseminated everywhere but we are now in the final phases of it and we request their assistance for final submission to the tribe. We don't have the legal knowledge to look at the issues that we're not even fully aware of so this individual will be assisting us to any legal concerns cause this is a government to government issue. This is not a school or state or district to district issue. This is a tribal government issue. It's a sovereign responsibility or sovereign issue for our tribe to consider and I brought it forth today so you're aware that I want to accomplish it. It is part of my responsibility to do so but I'm requesting this unique situation where it will be approved for me through my program. The other thing is that a part of that packet, I drafted a three page position regarding our education on Fort Berthold. I titled it "A Nation in Danger" because we have to take responsibility I feel for education and be accountable for it and so you have this copy also but I like to formally present that for your minutes, for the record.

Discussion:

The Tribal Council had questions and concerns as to whether this was a request for education leave or a part of the duties that she was already required to perform. Which it was found that it was only a request to approve the proposal, not a leave request. In addition they requested information as the type of study it would be, and who it involves. A question was also asked as to what type of involvement Melody McCoy had with the resolution. But it was found she had no involvement with this resolution.

Chairman Mason: Entertained a motion to approve the study, with the understanding that the resolution was not needed on this action.

Motion was made by Mr. George Fast Dog to approve the study, Second was made by Mr. Ivan Johnson

Further Discussion:

Mr. Gillette: Mr. Chairman, you know, in regards to studies, sometimes they're beneficial in the long term. Dr. Uthus of UND did the study on diabetes in the early seventies and did part of his clinical work in that. The study resulted into that Mickey Leland Center right across the street.

**Vote 7 For 0 Opposed. Motion Passed.
Chairman Voting.**

ITEM #8. Natural Resources; Informal Discussion Regarding Grazing Resolution. by Texx Lone Bear.

Mr. Tex Lone Bear: Gave an update on what was happening with the grazing resolution and how it was arrived at, Mr. Lone Bear informed the council that the resolution was a group effort, and that the gentlemen were also in attendance to support the resolution. He provided a brief overview of the resolution, noting the important points of the resolution, such as the request from the cattle owners to have it changed from a five (5) year time period to a ten (10) year time period, which he had no problem with, in addition to the 80% ownership of livestock requirement, which was requested by the rancher committee.

Chairman Mason: inquired about the small operators and what could be done to insure that they were taken into account on this resolution.

Mr. Lone Bear: assured the council that there are range units available for the small operator. Mr. Lone Bear also responded to questions about what a bonafide official operator was by saying that determining a bonafide ranchers is really a difficult process, but the resolution basically tells of the requirements to apply for a allocation, the allocation is basically set up for Indian ranchers to get their own cows in there first, before it goes out to bid. Any excess, anybody can bid on them then. The allocation process was set up for tribal members in the cattle business to apply for grass before anybody could competitively bid against them.

Chairman Mason: Stated that this could be presented on the December 13, meeting.

Mr. Gillette: Requested that the Natural Resources Department give a copy of all the past regs and reso's passed since 1976 to the council, so we have something to compare with, including the last 10% Reso.

Mr. Jim Danks: Stated to the Council that he was enjoying this new recognition that the ranchers are involved. And also requested if this could continue in this process, all the way through, until the last allocation is made.

Chairman Mason: Stated, Sure, I don't have any, In fact, I think that's what we are about now, is to get people to participate in this process, you know, and not be exclusive, so thank you.

8.B. Cultural Preservation Office Report; by Elgin Crows Breast, Cultural Preservation Officer.

Mr. Elgin Crows Breast, Cultural Preservation Officer gave a brief overview of what his office does what it has been doing for the Tribe, since his employment. And also provided a packet for each council member to read over. And stated the names of the agencies and institutions that he has worked with: Army Corp, BLM, US Park Service, National Park Service, Western Area Power Administration, Native American Rights Fund, National Congress of American Indians, ND Historical Society, ND Council of Arts, Micro Business Marketing, ND Indian Affairs Commission, ND State Highway Department, Nebraska Indian Commission, ND Legal Department, Hobbs-Strauss, ND Department of Tourism, of Billings, ND Park & Recreation of Fort Lincoln, Accounting, Tiger Associates, Turtle Mountain Chippewa Tribe, Standing Rock and Devils Lake. Also stated that there was a couple statements that got back to him, that "He should be older and he should know how to speak his language." he felt that this was beside the point when you run this office. This is more of a technical paper shuffling office. I am not going to be telling how to run a sun dance or smoke a pipe or whatever, like that. That's not my, that's not my goal. 65% of my time has been taken up in the repatriation and reburial of lot of ancestral human skeletal remains that we bring back and rebury. Right, now, as of today, we buried over 4,000 individuals and my own opinion of the amount of money I get paid is not enough, because of the spiritual ramifications.

Mr. Wells: provided a recommendation to the Council to delegate down to our property, to Harry Sitting Bear to help move Elgin to an office space, so he can get out of his basement.

Mr. Crows Breast: stated that it is really crazy because it's at home. You try to run an office. You don't have a phone. You don't have a fax. You don't have nothing. You're still working out of there and you know people ridicule you, it's a kind of a crazy thing.

Chairman Mason: added that John Danks has been looking into getting office space so that's already being handled.

Mr. Fox: requested that, in addition to the office space, you know of course, he's going to need access to some short term supplies whether it's paper or what have you and also a telephone. He can utilize our fax machine that we have in the central mail office, at the same time but some nominal administrative supplies and assistance. He'll need that so just make that in addition to the office situation.

8.C. Veterans Service Office: by Gene. H. "Skip" Wing

Mr. Gene Skip Wing: Requested support for Stanley who is a part of the final group for a Veterans basic care facility and the type of facility that they have in mind is more of a dormitory or a domiciliary type of facility, it's not a nursing home. It's designed for veterans and their spouses or widows or to be able to go there and live at a reasonable price with a little bit of care. What we would like from you, would be that at the least would like to have your support, written support, by resolution or whatever you would feel for us to have this located up here. If you think it's beneficial to you to have this, this close to here, we would like to have a representative from the Council go with us to Carrington and be part of our presentation group. It's a facility that will hold sixty veterans and really that probably isn't enough for this area. We think that can be filled very quickly but that's what we're looking for. We are not asking for money, that's always a first relief.

Chairman Mason: Stated that if that's your presentation, I would suggest Austin Gillette. He's the commander of the Joseph Young Hawk & Elmer Bear Post, to be our representative and also draft up a resolution for us to support because I know there's some, I know there's a couple veterans that I know of who are in a facility where they could probably have better care if they were, you know, given some attention. Slight disabilities.

Chairman Mason: Do we have a motion to support the facilities to be located in Stanley as well as a proclamation and in addition to that for Austin to participate in the December 17 meeting at Carrington.

Motion was made by Mark Fox, that we allow the Chairman to issue a tribal proclamation of support for Stanley to be the site of a veterans service center and home. Second was made by Ivan Johnson.

**Vote 6 For 0 Opposed. Motion Passed.
Chairman Voting.**

Mr. Fox: I want to know what the other veterans also think. Did you want to go down yourself? We've got three or four veterans sitting here and anybody willing to go outside of Austin.

Mr. Fast Dog: No, Austin can go.

Motion was made by Mark Fox, that Austin be the representative of the Three Affiliated Tribes at the discussed meeting of December 17. Second was made by Ivan Johnson.

**Vote 6 For 0 Opposed. Motion Passed.
Chairman Voting.**

Discussion:

Mr. Wing: Austin, could we have your address so we could send you a letter with the exact time. Thank you, we appreciate this. If we get the facility, I hope it works out to all our satisfaction.

8.D. - RESOURCE CENTER BY JERRY IRWIN:

Mr. Jerry Irwin: I'm here for tribal members. My name is Jerry Irwin, if you guys don't know me. I know most of you guys here. I'm from the Parshall Resource Center and what it is, it's exactly like on the paper there. It's a residential treatment center for the chemically dependent. It's been around Fort Berthold here for two years. We served like about 198-199 people, the majority of these being residential, inpatient people. We also have outpatient, detox services, aftercare service, family care services, just about anything that goes with treatment for addiction. We try to have it but we are on a very limited budget and what I would like to propose today to make a plan together so that maybe we could merge with the alcoholism department of the tribe and therefore see we're funded by the state and we do get money from them twice a year to run this thing. That's where our entire funding has come from the state, although we serve all the tribal members. I feel like, as a tribal member myself, that we should get involved with this and it's very important to the resource center that the tribe does get involved. I stated this to the last representative that we had and unfortunately it kind of got lost there but in order for us to keep that state money coming in to fund the resource center, there has to be some involvement by the tribe and you know I think with the resource funding and with the tribal alcoholism funding, we could make a bigger and better program for alcoholics and addicts and right there is probably the majority of my proposal. I don't want to take up much of your time.

Chairman Mason: Good! Well, Jerry, I would like to share with the group and since the alcoholism substance abuse has been my forte and I worked in it for almost 30 years, I've been very impressed with the amount of work that the resource center has done there with the limited resources that they have been provided by the state and it's kind of embarrassing to even compare that with our Circle of Life and I shared with a couple of the councilmen of the situation in where people have called me in the Circle of Life is a 5 day operation from 8:00 to 4:30 of this sort and I've had people who called me on weekends and I call up Jerry and refer them to the resource center. They've taken them in and also I've been very impressed with their support systems. You go over there Wednesday night and their group participation on these Wednesday night activity amounts to about anywhere from 15 to 30 people and also I've been impressed with the resource centers community activities. They've gone and had breakfast sales, they've had bake sales, they've had community dinners. The recent one was the fall festival which you all had. They've had dances of sobriety and I just really think that you know, I would like to see a long range plan where we can integrate the Parshall Resource Center with the Circle of Life but also even expand beyond that where we can have a reservation wide alcoholism and drug abuse program and I would sure count on Mr. Irwin to help us take the lead on that planning as well as Bruce Gillette from over in Twin Buttes and Delilah White Yellow Bird from over in White Shield. They've proven themselves as far as a commitment in their community so I just wanted to enhance what you had to say about the good work that you've been doing over there Jerry I'm really impressed.

Mr. Irwin: If you'll look in the back, from day one, we've included the Circle of Life as we work real close with the Circle of Life. The other departments work real closely, from day one with the four bears casino. They were sending people to us and they still are but we still haven't received any kind of financial support or any kind of official support from them either, that's important but it's not the priority. It's the care of the client and it's the tribal members from everyone of your segments. Everyone of your segments have participated in that program and one of the things that we like to, with the Circle of Life and with the tribal department, what we'd like to enhance is the support care that, after they leave which is even more important because we need that follow up service in Mandaree, in Four Bears and in White Shield and a handful of us like you mentioned, Delilah and Bruce and a few other people from other communities, we've been trying that on our own, but in order to get it going, we need to work together on this anyway. That's what I've got to say and I'd like to meet maybe later on, if you would consider an official proposal or maybe we'd like to receive it as a resolution or whatever it is.

Chairman Mason: Entertained a motion that the Parshall Resource Center become part of a overall Three Affiliated Tribes comprehensive effort in the treatment and prevention of alcohol and substance abuse to become an integral part of our comprehensive effort.

Motion was made by Austin Gillette, to have Parshall Resource Center become part of our efforts although they are tribal efforts anyway but, combine everything for a more effective service, cost effective spending. Second by Mark Fox.

**Vote 6 For 0 Opposed. 1 Abstained. Motion Passed.
Chairman Voting.**

8.E. NDSU Extension Service - JAC Membership; Mary Fredericks.

Mr. Johnson; requested it be done another, time, because Mary Fredericks was not present.

ITEM#9.A. Ken Dragswolf & Phyllis Dragswolf Walker - Land Issue.

Mr. Ken Drags Wolf: My name is Ken Dragswolf and my sister is Phyllis Dragswolf Walker but you guys all have handouts here. What we wanted to do was to sell 160 acres farm land which is located North of Raub

and we wanted to take it out of trust and get the fee patent on it but after we talked, we changed our minds and what we want to do is sell the land to the tribe and the reason why I want to do this is to help my sister, she's on dialysis and she attends dialysis, 3 times a week and she doesn't get very much social security, as a matter of fact it's \$408.00 is all she receives and with that amount, she pays for her rent, her necessities but I think in selling this property would help her to buy her own house and she won't have to pay rent and her money's going to be invested which will help her also and the reason why we're here is we'd like to get approval from the Council and yourself in selling the land.

Chairman Mason: What is the appraisal on that?

Mr. Drags Wolf: The land hasn't been appraised since 1970, I'd say, and what we're asking for is \$80,000.00 and my sister and I, we both own the land so there's two owners on that. We also hired an appraiser and he's going to come down and appraise the land for us also which we will give to the BIA.

Mr. Fox: Sometimes, it does take some time, you know, but we got a Council that meets a lot now but sometimes it does take time to get land sales up to the Council for final approval and disapproval and you know, I've seen some have eight years and hopefully this won't take that long.

Mr. Johnson: Has this been appraised once?

Mr. Drags Wolf: It's been appraised, probably in 1970 and the appraisal rate, at that time, was \$72,000.00 and since that time, it's a lot more.

Chairman Mason: It's farm land, so.... It's a good investment.

Motion was made by Austin Gillette to purchase the Drags Wolf land when it's appraised. Subject to reasonable appraisal. Second by Daylon Spotted Bear.

**Vote: 6 For 0 Opposed. 1 Abstain. Motion Passed.
Chairman Voting.**

9.B. FOUR BEARS COMMUNITY DOCKET FUND REQUEST; By Marcus Wells Jr., Vice-Chairman of the Four Bears Community.

Mr. Wells: I guess I'll be the first one requesting for 1995. I'm the Vice Chairman of Four Bears. I think their request for 1995 docket funds, whatever format they would require to. This is in conjunction with X-mas celebration.

Motion was made by Austin Gillette to give everybody their money, and that all the communities that have money coming under the dockets receive it as soon as their funds are available for disbursement for 1995. Second by Marcus Wells Jr..

Discussion:

Mr. Paul Fredericks: Mr. Chairman, before you go on, I checked with Finance over there on our docket funds for each individual community and the amount is based on a nine-month projected, being fiscal year is partially used up and that's \$7,200.00 and they don't believe those will be ready for two weeks.

Chairman Mason: But we took care of yours too, so.

Mr. Fredericks: Thank you.

Vote 7 For 0 Against Motion Passed.
Chairman Voting.

9.C. TITUS HALL CONSULTANT PAY REQUEST:

Mr. Titus Hall: I was here a couple of weeks ago when you guys met, first meeting and I requested payment for consultant work. I've been working in the Vehicle Department for the tribe. I had a consultant agreement in effect for a year since January, 19 of last year and it's due, comes up this 19th, the contract will be over. So far I have an ordinance, I have the departments ordinance and I have the license plate and the last administration's CEO signed the license plate and I did a survey. The communities, the majority of the people want the license plates. It could be a self supporting program for the tribe. The license plates would be cheaper than getting it from the State. We can sell the license plates cheaper than the state cause I said it could be self supporting and I have all the necessary paperwork. Is there any questions? I hoped to bring in my consultant agreement as I have that too. During August, I was paid for two months. I was paid \$3,400.00 and he's got the dates on there too because I wasn't paid for two months and now I haven't been paid for about a month now, again. But I was paid partial payment, \$1,500.00 in November. November dates are on there. November 4.

Mr. Fox: So he's saying \$4,200.00 is what he should be getting paid for the month of October. November 4, he received \$1,500.00 for that month of October, so you minus \$1,500.00 from the \$4,200.00, he'd have \$2,700. Now then on top of that, he's claiming from November 1 through the 18th, \$1,120.00 for a total of \$3,820.00.

Chairman Mason: How long is your consultant contract?

Mr. Hall: Over January 19. This January 19th.

Chairman Mason: But that's also subject, isn't it.

Mr. Hall: Well you guys said you were going to decide to keep the program, or you going to review the program or consultants. If you were going to continue the program or maybe not.

Mr. Johnson: We didn't really go over them consultant agreements yet, did we, or did you guys do it?

Mr. Fox: No, no. Most of the consultant agreements, after the change of administration, after election, have not been back into make any claims, most of them. You're one of the few.

Mr. Johnson: Mr. Chairman, Ronald Smith has one of them consultant agreements too.

Chairman Mason: I guess I just have a problem continuing consultants, You know I mean it's, consultants are something that we should agree on but we agreed not to even bring in any other consultants but utilize some of our old people that are on staff.

Chairman Mason: What was your consultant fees for? (Mr. Smith).

Mr. Ronald Smith: Mine was to help develop the ordinance for Four Bears gaming ordinance and I sat down with Madeline and Edmund to understand what the structure of the ordinance at the casino was and that type of thing. I put in a little bit over 80 some hours on that.

Mr. Fox: Heres the problem that we have and this is a legal problem now, one, we have a Resolution #93-33-JJR. approved by this body that says "all hiring, firing will be conducted by the Tribal Business Council" now, is it your assumption that under your consultant agreements, that Tribal Business Council in full quorum, at a

meeting, hired you? Is that what you would claim at this time? (Directed to Ron Smith and Titus Hall.) Either of you?

Mr. Titus Hall: I didn't meet with the full council to be hired.

Mr. Fox: See what the problem is, is that the Chairman took his power upon himself and in spite of Resolution #93-33-JJR., and did enter into agreements with a lot of individuals like that. I can see maybe, from the 1st to what was the swearing in, the 10th, in your assumption and maybe giving you compensation for those dates.

Chairman Mason: I agree with you on that because also I know for a fact that there was no council action and I'm sure you can check with Austin that there was no council action on the consultants that were brought in and they were brought in by great numbers without and it was not in accordance with that resolution and in fact that was a way of getting around the resolution that these people were brought on board so I would go along with that, up to that date that we were sworn in which is November 10th and give them due compensation up to that time or just compensation up to that time.

Mr. Wells: You know, these individuals are not to blame for the illegal hiring or their procedure in the wrong, this is when they worked, so with that, I'd give that too, 11/1 through 11/10 for Titus but (directed to Ron Smith) for you, is it 80 hours exactly?

Mr. Smith: Yeah, there was an extra 10 but..I can claim up to Friday, which is probably 72 hours.

Chairman Mason: (directed to RS): Then you have your contract agreement?, I guess the other thing too is that you've got to, I'm sure Titus's work is in there but you've got to, at least, show a product of what you've done and in fact, the way the consultants agreement works is that you show your product first before you get your payment.

Mr. Smith: That would be no problem because I can get a letter. Edmund White Bear has confirmed that he can give you a letter pertaining to my work.

Mr. Fox: OK. (directed to Titus) You're claiming 10 hours a day you worked on this project?

Mr. Hall: Yes.

Mr. Fox: How much.

Mr. Hall: 10 hours, each and every day. Monday through Friday. I did this 10 hours a day. When I worked I went to Turtle Mountains, stayed for about three days, four days trying to get a copy of their ordinance. I went up to Fort Totten and did the same thing.

Chairman Mason: But couldn't they have mailed it to you?

Mr. Hall: I called up there, you couldn't even, it's tough to get an ordinance from another tribe. You have to pay for them. But I spent a lot of time and I just accumulated the time that I thought I spent on it and I just put it in the daily amount because that's the way the time sheet is written out.

Mr. Gillette: Mr. Chairman, let's figure that out now. Today we settled a case for an employee who was wrongfully let go. She was properly hired. But in this case, these consultants who no fault of their own were illegally hired and sure they expect to get paid but we have to arrive at what's a fair price for us to be fair and that's where we're stuck.

Chairman Mason: You know, are we going to pay for an illegal action?

Mr. Fox: That's what the risk is at the time. That's the risk right now. But he's got document in for his hours from the 5th through the 9th, but he's got nothing indicating from the 1st through the 4th so based on 5th through the 9th at 10 hrs a day would be 50 hours and you multiply that times \$10.00 rate would be \$500.00 for Titus up until the 10th so the 5th through the 9th, you've got your hours indicated on here.

Chairman Mason: Let me tell you though, I have a real question about this, what did you do on the 8th? (Directed to Titus Hall.)

Mr. Hall: On the 8th?

Chairman Mason: Of November.

Mr. Hall: I was working around here.

Chairman Mason: You were hauling voters.

Mr. Hall: No, I wasn't hauling voters.

Chairman Mason: That was on the 8th.

Mr. Hall: They brought the van to my house. Somebody was looking for a van. They parked it in front of my house. I went out and I voted. Is that what you're talking about? Somebody said that Wilbur brought the van to my house. They want that van back at Four Bears right away. They parked it and went home and I told him hey.....

Chairman Mason: That was a non-working day for employees on that day.

Motion was made by Austin Gillette to authorize the chairman and the Treasurer to finalize payments for consultants as we have honored the temporary appointments for employment for the employees, some of them up to December 31st in some cases. Second to the Motion was made by Ivan Johnson.

Discussion:

Mr. Fox: requested clarification of what date applied for consultants?

Tribal Council: specified that November 10th, 1994 would then be the cut off date.

**Vote 7 For 0 Opposed. Motion Passed.
Chairman Voting.**

9.D. Tony Mandan; Loan Request.

Mr. Mandan was not present, so this item was tabled.

9.E. Lois Benson; Twin Buttes Resident.

Ms. Benson was not present, so this item was also tabled.

9.F. Paul Fredericks; Twin Buttes Community

Mr. Paul Fredericks: I'm up here wearing two hats tonight. One is for the community chairman from Twin Buttes, the other as representative for the FBISBA Organization. FBISBA standing for the Fort Berthold School Board Association comprised of Mandaree, Twin Buttes and White Shield. With that, I'll get into the FBISBA business first. On December 27, 28 and 29, FBISBA is hosting their third annual basketball tournament which will be in Bismarck ND. Along with this organizations the basketball tournament, they are also hosting Education Conference.

Mr. Gillette: How much would you, what's the least you could get by with?

Mr. Fredericks: Well, I thought if our tribe could donate \$1,500 to each side of the organization, that would really help show the support for the schools and I think they could make it.

Mr. Gillette: Mr. Chairman, I have this suggestion. Tomorrow is payday. I would like not to out do anybody but if we seven men here give \$150.00 apiece, that's a \$1,050.

Mr. Wells: Mr. Chairman, I am a part of this organization. New Town came on record this last....New Town is a little different than these three other schools. The difference is they are Indian schools while New Town is public. I hope New Town goes into the direction of ISEP, you know each one bought a \$1.5M product for us to use. Next year, we will be a part of the ball tournament and the whole works. Next year, we'll be a part of that. I would support a contribution from the tribe but we're in a tough spot financially.

Mr. Fredericks: Mr. Chairman, that wouldn't be needed until around the 27th anyway. They have a budget, you know and they've got some time there, whatever.....

Mr. Gillette: Well we're going to meet again.

Chairman Mason: Then we'll get back with you then and see if there's anything available.

Mr. Fredericks: Now on another issue. This will be short and sweet. This is food for thought here, you guys. Austin gave me a copy of this, this public law 104-97 which is a gaming act, you know. Out of that, we have in our communities, me I know, of chairman's, all of them, they come up to us and ask us for a loan in your community, that's really a tough deal and they say well the tribe's got a revolving loan fund, etc., etc., But I was thinking maybe under some way under this revenues from the casino, like some type of local loan thing, to be limited to like a \$100.00 or something like that where's somebody's sick in their family because under our guidelines, we are not to make loans for any monies out of our community and It's a tough thing saying no. I've helped out a lot of people individually in the past and some of them can't make it up here to make their request. That's a fact.

Chairman Mason: Do you have your own charter?

Mr. Fredericks: Yes, we do.

Chairman Mason: They can't do that under the charter.

Mr. Gillette: Well, they can modify it using docket funds.

Mr. Fredericks: It's docket funds.

Mr. Fox: I think in the future, like you said, food for thought, when the revenues do come in, we've got the extra cash that we're talking about, let's give each segment a certain allocation of dollars and how they revolve

it or pay it straight out is up to the segment.

Chairman Mason: You know, I think that with all things equal, you know in fact, this is where we should have been now. We wouldn't be having all these problems. With all things equal, there's should be a lot of things that we would be doing.

Chairman Mason: But that doesn't mean, I think that all of us are looking in that direction. We're going to be able to do quite a bit, you know.

Mr. Fredericks: It's good to see that attitude, it really is, you know.

Chairman Mason: and the other thing, I think all of are were thinking along the same lines of putting things back into the communities and letting the communities be responsible rather than having this be the focal point of everything that goes on, you know. I guess you call it community empowerment.

Mr. Fredericks: Where is the tribes' utilities commission? The reason I'm asking this is some of the issues that are going on with the utilities such as the water, I think that you guys need to get your utilities commission back on track with some type of program.

Mr. Fox: I think all our committees and boards needs to be you know looked at

Mr. Gillette: and overhauled.

Mr. Fox: and overhauled, so we can get them effective.

Chairman Mason: Thank you Paul and we've had a long day. Do we have any more discussions or do we have a motion to adjourn.

Chairman Mason: go ahead.

DISCUSSION ON MEETING TO BE HELD IN MINNEAPOLIS, MINNESOTA

Mr. Fast Dog: Is there a meeting in Minneapolis too?

Mr. Fox: Oh yeah, it's still scheduled for Saturday, travel what have you.

Mr. Fast Dog: 10:00?

Mr. Fox: Starting at 10 and hopefully finish by about no later than 5 or 6PM that evening. But the thing is, is travel, travel consideration is, I know that all the council should be in attendance, if they can be there and in addition to that I've advised Finance to go down to review, help us review the audit and additionally, at least one gaming commission member.

Mr. Fast Dog: What about the liaison?

Mr. Fox: The liaison, Carol Good Bear, she wanted to propose to go, I mean is that acceptable with council? We also had an administrative assistant that may wanted to go? George's, is that allowable for her to go?

Chairman Mason: I don't think that we ought to take administrative assistants now. You know. What's the justification for taking an assistant?

Mr. Fox: Well, that a councilman's request. The justification is we try to honor each councilman's request. He can explain that too, I guess.

Mr. Fast Dog: Yeah, I've always said, you know, two people can catch more than one person.

Mr. Wells: I was reluctant to sign some assistant's travel, I didn't know what the wishes of the Treasurer and Chairman were.

Mr. Fox: But now we're getting all the consensus of the council here, it's up to the council and that's how we operate.

Mr. Spotted Bear: I'm not taking an assistant.

Mr. Johnson: I'm taking three. Well, you know if George is going to pay part of the expenses and stuff, heck you know, motel room or whatever, ain't going to break us anymore than we are already, I guess.

Chairman Mason: We need a motion to, are we going to take our, let's just have someone make a motion whether we take assistants or not and we'll vote on it.

Mr. Fox: Well the only thing you need to consider is in adjacent to those parties that we listed and named, will we allow George to bring his assistant along cause I don't think anybody else is bringing theirs along.

Chairman Mason: Right.

Mr. Fox: That's what the motion will have to be.

Chairman Mason: Is there a motion after discussion?

Mr. Johnson: I'll move. I'll make a motion that George's assistant goes just with the motel room and per diem. **Mr. Fast Dog:** Second of the Motion.

**Vote 3 For 4 Opposed. Motion Failed.
Chairman Voting.**

ITEM #10 ADJOURNMENT:

Chairman Mason: Motions been made by Mr. Wells to adjourn. Second by Mr. Spotted Bear.

**Vote 5 For 1 Opposed. 1 Abstain.
Chairman Voting.**

Meeting Adjourned at 7:32 P.M..

Approved

Disapproved


Secretary, Marcus Wells Jr.

8-7-95
Date


Chairman, Russell Mason Sr.

8-7-95
Date