

THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
TRIBAL CHAMBERS

Special Meeting
January 6, 1995

Present: Russell Mason, Sr., Chairman; Edwin Hall, Acting Vice Chairman; Acting Secretary, Daylon Spotted Bear; Treasurer, Mark Fox; Ivan Johnson and Austin Gillette, Councilmembers.

Absent: George Fast Dog in at 2:04PM.

Others: Enrolled members: Dennis Fox, Jr., Beulah Chapin, Donna Morgan, Theodora Starr, Titus Hall, Rosie White Owl and Katherine Young Bear.

Employees: Edward Lone Fight, Programs Manager; John Danks, Programs Analyst; Merle Bruce, Acting Security; Cheryl White, Personnel Director; Fayann Moberg, Benefits Specialist; Danile Henry, Legal Clerk, Urban Bear Don't Walk, Legal Counsel; Marcus Wells, TERO Director; Marian Spotted Bear, Assistant to Acting Secretary and LaVerne Brady, Recording Secretary.

CALL TO ORDER:

Special Meeting called to order at 1:58PM.

ROLL CALL:

Roll called by Acting Secretary Spotted Bear.
Quorum established.

Chairman Mason explained this is a Special Meeting for the purpose of acting on Personnel actions and update of legal ramifications of the election at Four Bears, also a resolution for an assignment which is critical at present to meet payroll.

ITEM 01: Resolution/Assignment #95-43-DSB

Resolution read by Treasurer Fox 5and pertains to negotiating a short term loan with Lakeside State Bank in the amount of \$500,000.00 to meet financial needs.

It was explained that last year, we made the same type of loan obligating our docket funds, IIM & Casino Revenues. The old note was paid off and this will be a new note based on just Docket G and we should get this paid off by September

Special Meeting
January 6, 1995
Page two

Assignment Resolution (Con't):

Chairman Mason entertained motion to approve resolution.

Councilman Johnson made motion, seconded by Councilman Gillette.

Discussion included whether we will be doing this again in two weeks. Explanation was hopefully we won't as we are expecting some drawdowns on Casino revenues.

Chairman Mason acknowledged motion and second.

Vote: Unanimous. Motion Carried.

ITEM 02: Tribal Court Injunction/Urban Bear Don't Walk:

Chairman Mason relayed that after Mr. Bear Don't Walk does his presentation, this meeting will be a closed session for Personnel actions.

Urban thanked the Chairman, Councilmembers and guests and proceeded "I've been asked to discuss what impact, if any, the election contest of the Four Bears segment has on the working on the Tribal Business Council. A decision was rendered on January 3, 1995 consisting of eight pages with some attachments. What that decision did is rule that the Special Election held on December 20, 1994 was null & void and reaffirmed the General Election results of Marcus Wells, Jr's., vote count tally of 146VS145. The counting of Gary Dank's ballot was rescinded. That was an issue. There was some concern about the election board in regards to carrying out their duties." Mr. Bear Don't Walk indicated that "if it stood that the election board was not performing their duties then the Council would have to take some fairly drastic action because they have a duty imposed upon them that's very important for this whole election process but what happened is that the Chairman of the election board is experienced. In a previous election, where there was a Special runoff, they dispensed with the election committee. In addition to the election board, which is appointed by the Tribal Business Council, the election board appoints committees. The election board reviews what that committee does at the polling places. So the election board kept one judge and attempted to wear two hats, if you will.

Special Meeting
January 6, 1995
Page three

Injunction (Con't):

So in conclusion, it was, in my opinion, wrong to not appoint an election committee but the whole purpose of an election is to allow those who have the right to vote and count their ballots and the ones who don't have a right to vote, don't count their ballots and that is what you call a fair election."

"Now, Mr. Hall and his attorney did go into court and they asked Judge McClees for a Writ of Prohibition prohibiting the Tribal Election Board from certifying the opinion or decision made on January 3, 1995. The Writ of Prohibition was issued by exparte.

The case was supposed to be heard today but was postponed until January 12, 1995 at 10:30AM but the Tribal Business Council is not a party to that unless otherwise. The appeal from the decision has not been filed yet, as I understand but that's up to Mr. Hall and his attorney. It's in the court system now and that is probably the best place to be and that's where it's going to be decided."

Chairman Mason reiterated "the court is where it is now and it has to take it's course through there." A question was raised about how the Tribal Election Board handled or conducted the election as a whole. A comment was also made about the Tribal Business Council taking a hard look at all the boards of how they respond and how they perform.

ITEM 03: Personnel Selections/Cheryl White, Personnel Director:

#1: Selection of position for Mandaree Community Health Representative:

Special Meeting
January 6, 1995
Page four

Personnel Selections (Con't):

#2: Selection of position for Twin Buttes Community Health Representative:

#3: Selection for position of Community Health Representative Coordinator:

Special Meeting
January 6, 1995
Page five

Personnel Selections (Con't):

#4: Selection for Programs Manager position:

#5: Program Analyst position:

Special Meeting
January 6, 1995
Page six

Personnel Selections (Con't):

#6: Selection for Temporary appointment of Social Service Clerk Typist Position:

#7: Selection for Temporary appointment of Building Maintenance Technician for the BIA office:

#7: Selection of Temporary appointment for a Clerk of Court:

Special Meeting
January 6, 1995
Page seven

Personnel Selections (Con't):

#7: Directive for all Tribal Departments:

#8: Consideration for extension of Laison Personnel,

Special Meeting
January 6, 1995
Page eight

Personnel Selections (Con't):

#9: Selection for temporary appointment of Sargeant at Arms position.

Special Meeting
January 6, 1995
Page Nine

Presentation (Cont'd):

Comments were made as to use this type of bar graph in the financial situations like Direct, Indirect Costs, T-2, etcetera.

Dennis Fox, Jr., and John Danks were commended for their work.

ITEM 06: Employee Travel Request:

Ursula Eagle Staff, Day Care Director, had requested travel from January 9th through the 13th, 1995, to attend the Bush Foundation Workshop to get some support for funding and get a grant application for funding. It is a centralized meeting which she was invited to.

Acting Secretary Spotted Bear made a motion to reject this travel request of Day Care Director, seconded by Councilman Johnson.

Discussion: The only ones permitted to travel at this time are the Tribal Business Councilmembers.

The Tribal Programs Manager explained that the State Program will reimburse the tribe for this workshop so there wouldn't be any tribal monies involved, and he recommended approval.

Motion and second were withdrawn.

Councilman Gillette made motion to approve this travel request, seconded by Councilman Johnson.

Vote: 5 for, 1 abstention, 1 not voting. Motion Carried.

ITEM 07: Range Program.

Treasurer Fox made a motion to extend the application deadline for the Range Program until next Friday, January 13, 1995. Seconded by Councilman Gillette.

Discussion: This extension is to be aired on KMHA.

Vote: 6 for, 1 abstention. Motion Carried.

ITEM 08: ADJOURNMENT.

Councilman Gillette made a motion to adjourn at 4:29 p.m., seconded by Secretary Spotted Bear.

Vote: Unanimous. Motion Carried.

Special Meeting
January 6, 1995
Page ten

Approved

Disapproved

Daylon Spotted Bear
(Acting) Secretary, Daylon Spotted Bear

1-13-95
Date

ATTEST:


Chairman, Russell Mason, Sr.

1-13-95
Date

Addendum to January 6, 1995 Special Meeting:

Corrections as such:

Page one:

Mark Fox: Change small term loan to read as short term loan.

Additions as such:

Personnel Selections portion:

Page six:

*Minutes read and approved with changes for January 6, 1995 Special Meeting at January 12, 1995 Regular Council Meeting. Motion made by Councilman Johnson to approve and accept minutes with changes, seconded by Acting Secretary Spotted Bear.

Vote: Unanimous. Motion Carried.