



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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MINUTES OF

SPECIAL TRIBAL BUSINESS COUNCIL MEETING

WEDNESDAY, APRIL 12, 1995, 01:12 P.M.

I. CALL MEETING TO ORDER & PRAYER.

Meeting called to order by Chairman Russell D. Mason, Sr.
Moment of silent prayer held.

II. ROLL CALL.

A. Members Present:

1.	Russell D. Mason, Sr.	Present
2.	Mark Fox	Present
3.	Austin Gillette	Present
4.	Edwin Hall	Present
5.	Ivan Johnson	Present
6.	George Fast Dog	Absent
7.	Daylon Spotted Bear	Absent

Five members present; two members absent; quorum established.

B. Employees Present:

Marian Spotted Bear, Recording Secretary;
C. J. Packineau, Sergeant at Arms; P. Diane Avery,
Tribal Court Administrator; Kyle Baker, Natural
Resources Administrator; Luther Grinnell, Tribal
Court.

C. Others Present: Robert Lattergrass

III. APPROVAL OF AGENDA.

- A. HUD Resolution for HOME Program Application
- B. Tribal Court Resolutions
- C. Proposed Land Purchase
- D. Meeting with ND Governor Ed Shafer

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Motion: Mark Fox motioned to approve agenda including items of HUD Resolution; Consideration for Land Purchase; Tribal Court Resolutions.
Second: Austin Gillette
Vote: Unanimous (5 for, 2 absent)
Agenda Approved with Additions.

Motion: Austin Gillette motioned to have Vice Chairman Edwin Hall sign resolutions and minutes for this meeting on behalf of Executive Secretary Daylon Spotted Bear, who is on travel.
Second: Ivan Johnson
Vote: Unanimous (5 for, 2 absent)
Vice Chairman Hall to sign minutes and resolutions on behalf of Secretary Spotted Bear.

Note: Mr. Fast Dog entered the meeting at 1:15 p.m. After discussion of proposed HUD Resolution, Council decided to go to the next item, while waiting for Mr. Robert Lattergrass to appear.

IV. NEW BUSINESS.

A. Proposed Land Purchase.

Mark Fox said there was farmland for sale in the Parshall area for \$11,800.00. If the tribes wanted to be considered in the bid process, they would have to get their bid in immediately. This involves 296 acres of farmland out of a total of 400 acres.

Mr. Gillette said the Natural Resources Committee had met on this and it was their recommendation to bid on it. He said 300+ acres of this is fee patent land, and it is located within the boundaries of our reservation. Mr. Gillette then moved to authorize purchase of this property. Seconded by Mr. Edwin Hall.

Discussion: There was some concern about having enough cash revenue to do this; however, it was decided that the tribes could do this. The tribes would bid \$400.00 an acre.

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Motion: Austin Gillette
Second: Edwin Hall
Vote: 5 for, 1 abstention (Mark Fox), 1 absent.
Motion Carried.

Note: Robert Lattergrass entered the meeting at 1:35 p.m.

B. Gravel Pit.

Edwin Hall requested clarification of legal status of the gravel pit by the Little Shell Pow Wow Grounds. Mr. Kyle Baker was asked to give an account. Mr. Baker said gravel was a surface at the time this pit was dug up, but now it has been made a mineral. He said this pit is owned 100% by the tribes. Mr. Hall said it was his understanding the pit had been locked up for safety reasons, because of the pow wow; and another reason was that someone processed the gravel, but it didn't meet the specifications for chip and seal.

Chairman Mason requested Mr. Baker to do some research on this and find out the exact status on this gravel pit, as far as who has the rights to it, who can use it, etcetera. Mr. Baker said he would do so. He was asked to coordinate this with Ted Danks, Transportation Planning Director; and Virgil Eagle, Roads Department Administrator.

V. APPROVAL OF RESOLUTIONS.

A. HUD Resolution for Home Program Application.

Council requested clarification from Mr. Robert Lattergrass on the two amounts submitted for the tribes matching share. Mr. Lattergrass said, after discussions with Mr. John Danks, whom he had been advised to work with, it had been decided to increase the tribes matching fund share so the tribes' scoring points on the grant application would be higher, thereby giving more leverage to the tribes. Gaming revenue was identified as the tribes' source of funds.

Motion for approval of HUD Resolution for Home Program Application was made by Mr. Ivan Johnson, seconded by Mr. Fast Dog.

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Discussion: Mr. Gillette asked about putting some wording in the resolution that wouldn't lock the tribes in at 44.5 percent. The difference between the two percentages of 44.5 and 37.5 would be 5 points more on the application. Mr. Lattergrass said 150 residences had been identified somewhat, and there are approximately 75 applications on file, with pictures. Should the grant be awarded, the council will work with the Director of the project to do actual selections based upon need and feasibility. Mr. Gillette said the council would have to look at the past records of home renovations. Chairman Mason advised the criteria could be discussed in the future. A vote was called for.

Motion: Ivan Johnson
Second: George Fast Dog
Vote: 6 for, 1 absent. Motion Carried.

RESOLUTION NO. 95-080-EH

B. Tribal Court - Extension of Appointments of Associate Judge and Alternate Associate Judge for 24 Months.

Mr. Ivan Johnson made a motion to approve, seconded by Mr. Austin Gillette.

Vote: 6 for, 1 absent. Motion Carried.

RESOLUTION NO. 95-081-EH

C. Tribal Court - Supervisory Associate Judge Responsibilities, to Include Authority to Appoint Special Judges in Emergency-Type Situations.

Mr. Ivan Johnson made a motion to approve, seconded by Mr. Austin Gillette.

Discussion: Mark Fox made a recommendation that this resolution include an amendment that would reflect a need for the Tribal Business Council to make final approval of appointment(s) made by Judge Avery, within thirty (30) days after making appointment. Discussion continued on court costs, need for a new detention facility, and other matters.

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Chairman Mason requested the annual figure on contract costs spent on the three county jails. Judge Avery said one contract is about \$285,000.00; and she would get these figures immediately. Judge Avery also stated she would have information on the work the consultant(s) had done on criteria for a jail facility, along with the costs of contract jail facilities for the last two years, to be presented at the next Judicial Committee Meeting.

Motion: Ivan Johnson
Second: Austin Gillette
Vote: 6 for, 1 absent. Motion Carried.

RESOLUTION NO. 95-082-EH

Gordon Grady approached the council regarding a schedule for maintenance and security. He was asked to consult with the Tribal Programs Manager and Tribal Programs Analyst on this.

VI. ADJOURN.

Motion to adjourn was made by Mr. Ivan Johnson, seconded by Mr. Mark Fox. 6 for, 1 absent. Meeting Adjourned at 5:00 p.m.

NOTE: Due to this being a special meeting, with no prepared agenda, council did not approve any minutes at this meeting.

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CERTIFICATION FOR MINUTES

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members, of whom five (5) members constitute a quorum.

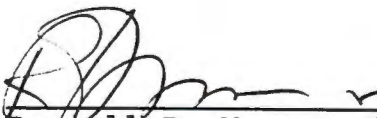
6 members were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14th day of June 1995, whereupon the foregoing minutes were presented for approval by the Three Affiliated Tribes Recording Secretary.

Said Minutes were duly approved by the affirmative vote of 6 member(s), 0 member(s) opposed, 0 member(s) abstained, 1 member(s) absent and not voting; and that these Minutes have not been rescinded or amended in any way, except as noted by council when approved.

Dated this 29th day of June, 1995.

Daylon Spotted Bear
Daylon Spotted Bear, Secretary
Tribal Business Council

ATTEST:



Russell D. Mason, Chairman
Tribal Business Council