



MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

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

TRIBAL BUSINESS COUNCIL
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MINUTES OF

REGULAR TRIBAL BUSINESS COUNCIL MEETING

FRIDAY, APRIL 14, 1995, 09:50 A.M.

I. CALL MEETING TO ORDER & PRAYER.

Meeting was called to order by Chairman Russell D. Mason.
Prayer was said by Roberta Crows Breast.

II. ROLL CALL.

Recording Secretary was asked to take roll call.

A. Tribal Business Council Members Called:

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

Quorum Established. Five members present.

B. Employees Present:

Marian Spotted Bear, Recording Secretary; C. J. Packineau, Sergeant at Arms; Ted Danks, Transportation Planning; Hazel Blake, Tribal Health Director; Janet Gunderson, Social Services Director; Carol Walker, TCSCC, Social Services; Elgin Crows Breast, Historic Preservation Officer; Christopher D. Quale, Tribal Attorney; Cheryl M. White, Part-Time Personnel Director; Virgil Eagle, Roads Administrator; Renita Otterman, Roads Secretary; Kyle Baker, Natural Resources Administrator.

C. Others Present:

Captain Gerald T. Fox, BIA Law Enforcement; Sherry King, IHS Sanitarian; Duane C. Gravos and Sharon Gravos, Gravos Construction; Roberta Crows Breast, Domestic Violence; Karen M. Hartman; Karen J. Gillis, President, FBCC; Susan Paulson, IHS; Holly D. Fox; Ken Danks; Pete Coffey, Jr.; May H. Coffey;

Glenda Embry; Claryca Mandan; Curt Danks; Clarence O'Berry, CEO, Mandaree Electronics; Larry Dauphinais, District Sanitarian, IHS, Minot, ND.

III. APPROVAL OF AGENDA.

A. Additions to Agenda were as follows:

1. Temporary Roads Worker
2. Temporary Natural Resources Worker
3. Four Employment Recommendations for Head Start
4. Social Services Comprehensive Report
5. MOA for Knife River Indian Villages NHS
6. Resolution to Amend Segment Employment Program
7. Constitutional Revision Grant
8. Land Purchase in Parshall Area
9. Holly D. Fox, Healthy Start Temporary Worker
10. Minutes of January 26, 1995
11. Security
12. Fish & Game Director Selection
13. Resolution on Developing Agreements for Reburial Payments to Repatriation Members

B. Recommended by Mark Fox that Approval of Minutes be deferred to a later date, due to large agenda.

C. Motion to Approve Agenda, with Additions and Deletions.

Motion: Mark Fox
Second: Edwin Hall
Vote: 5 for, 2 absent.
Amended Agenda Approved.

D. Chairman's Announcements.

There will be a meeting with Governor Ed Shafer on Friday, April 21, 1995, in Bismarck, ND. The meeting will be on the open records issue of Indian Gaming. The Secretary of Agriculture will also be in Bismarck that day, and they have set aside a time for Native American concerns. Mr. Ed Lone Fight and someone from Natural Resources should attend this, along with the chairman, and any of the other councilmembers who wish to attend.

The Three Affiliated Tribes got a letter from the Secretary of Interior's Office formally supporting us in the return of the "taken area". The council may

have to return to Washington, D. C. to meet further with the Interior Department on this. Senator Daschle from SD has supposedly submitted some proposed legislation not to return these taken areas; hopefully, he is only talking about the lands in SD.

Chairman Mason has some news releases on the repeated attempts of the Clinton Administration to sell the Western Area Power Administration (WAPA), which would have an impact on our trust fund under JTAC. If WAPA is sold, there is no guarantee that we will get the balance for our trust fund.

Ivan Johnson was thanked for the invitation to the community meeting. It was a good meeting, and this could be the beginning of a real constructive period for the communities. The Chairman had also been to a good meeting in White Shield.

Note: Councilman Fast Dog entered the meeting at 10:10 a.m.

IV. NEW BUSINESS.

A. Social Services - Children's Services Coordinating Committee Comprehensive Five-Year Plan.

Janet Gunderson, Social Services Director, stated this plan had been developed over the last six months. This is a plan which lists the services that are felt to be needed on the reservation for children and families. Each community was involved, including the schools and the elders; so, in effect, the Plan was put together by the whole reservation. Everyone who was interested had a part in this. The plan is ready to be submitted to the State now. Kyle Cross was hired as Consultant and Carol Walker hired as Coordinator. The plan contains a lot of statistics, which will be shared with other programs, if need be.

Chairman Mason said he would encourage all of the councilmembers to read this document, which he felt contained a lot of good, concise information and statistics on the Social Services Program. He said he was impressed with the report, and he thanked Mrs. Gunderson and all the people who worked very hard on this.

Chairman Mason advised Mrs. Gunderson that he would recommend that she attend the Albuquerque Meeting on the updating of Social Services Programs.

Mark Fox inquired as to whether or not they had taken any steps to protect the copyright interests of the document. Carol Walker stated, if they could get Mr. Fox's assistance on this or the assistance of the Legal Department, they would like to do this. Mr. Fox then commended them on the report also.

Chairman Mason then asked for a motion to approve the document. Motion made by Mr. Ivan Johnson for approval, seconded by Mr. Fast Dog.

Discussion: Mr. Fox stated he agreed that it be forwarded to the State, but requested time for the council to read through it first. Chairman Mason said they would forward the letter to the State, but would withhold sending the document until all council had a chance to read through it. Carol Walker said the plan would be incorporated into the State of North Dakota's Department of Human Services overall plan for children and families.

All councilmen are asked to read the document; and, if they have any comments, to write a note, or indicate their agreement. Vote was called for.

Motion: Ivan Johnson
Second: George Fast Dog
Vote: 6 for, 1 absent.
Motion Passed. Document Approved.

B. Fort Berthold Community College on FmHA Loan.

Karen Gillis addressed the council regarding Phase II of the FBCC FmHA Loan, and requested the council to pursue these plans, which are presently pending. Chairman Mason commented that, personally, he wasn't comfortable with supporting or saying that we would commit these dollars at this time, considering the financial situation of the tribes at present. Mr. Fox stated he agreed, somewhat, with what Chairman Mason had stated; however, he thought this was a golden opportunity to support the community college. He said they had gone over it with Dave Hilleran of FmHA, and the loan is at 2.5 million dollars, and the interest rate on this loan is 5 and 1/8th percent. There is no set interest on this loan. If it can be paid off in 4 or 5 years, we only pay 5 1/8th percent on the loan for the duration that it is in place. He said FmHA has been holding this in place for a long time, and they have to do something

with the money. If the tribe doesn't act on it real soon, we stand a strong possibility of losing the opportunity to get the loan. Also, the college can defer the first payment for a year, maybe two years. He said he didn't feel Docket 350-G should be obligated, however. Mr. Fox thought the primary source of obligation should be our IIM Accounts, our T-2 monies. Mr. Fox said he thought this was a worthwhile investment, and while we have the opportunity to get this loan at 5 and 1/8th percent, he felt we should do it. Chairman Mason said if we're looking at a loan that can be paid off at any given time, rather than forty years, he would agree, however, he still felt the college should be involved and make some effort toward a fund-raising campaign to help offset costs. Mr. Fox agreed this should have been done in the past, perhaps, but the opportunity is here, and it is important to act now. He said the President and Board of the college had agreed that they would immediately begin fund-raising efforts for Phase III of the college. Chairman Mason said he would like to see something in writing on this. Mrs. Gillis said Phase I of the college was built primarily with a capital campaign and approval by the tribal business council of a Community Development Block Grant of \$300,000.00. She thought Phase II could be paid for with a tribal contribution, and Phase III could be a combination of a capital campaign and a contribution by the tribe. She said the college is using the building and the land as collateral for the loan. After comments by the general council, a motion was called for.

Mark Fox made a motion that council pass the resolution, with the third "Be it further resolved that at the time of completion, full council will be present and will make final approval of all the documentation of the loan", with the identification of the IIM Account as the pledge amount, and that the community college officers and Board of Directors prepare the additional information the council has required in regards to capital fund raising for Phase III, as well as any other documentation expressed by the council at this meeting.

Motion was seconded by Austin Gillette.

Discussion: Mr. Gillette stated he would like to have the other part in there about the casino revenue portion when the document is done, because this would address some of that expenditures. Identifying a percentage. Mr. Fox said the council could pledge that amount themselves and would have concern about putting in a document that it is going to be required. Chairman Mason requested that this be addressed later. Mr. Gillette said as long as it is the council's understanding that part of this payment is going to come from casino revenues. Chairman Mason then called for the vote.

Motion: Mark Fox
Second: Austin Gillette
Vote: 6 for, 1 absent. Motion Carried.

C. Funds for American Indian Higher Education Consortium (AIHEC).

Mrs. Karen Gillis explained that she had sent a letter to Chairman Mason earlier in March in regards to the AIHEC Conference to be attended by ten college students and three advisors. The college is a member of AIHEC. The students have held fund raisers to attend this conference, and have requested supplemental funds from the council in the past, however, the students had not received anything. They did attend, but their coffers are empty now, so she is requesting \$500.00 in reimbursement costs for them, which will go back into their student fund. Mr. Fox said he was in support of this, however, he would request that this be held up for a couple of months, before it is paid out, since the next AIHEC Conference will not be held until February 1996. After further discussion, council requested that this be presented again in ninety (90) days. Mrs. Gillis agreed.

Note: Council took five minute break at 11:10.
Reconvened at 11:15.

D. Fort Berthold Communications Enterprise Charters (KMHA Staff).

Council was addressed by Glenda Embry, who stated she was secretary of the outgoing board of directors. She stated she was sworn in July 1994, and she took over the secretary position in September 1994. She said there is a \$92,000.00 tax

bill owed to the Internal Revenue Service, which are delinquent taxes from the last quarter of 1990, all four quarters of 1991, and 1992. Within the past three weeks, IRS has levied the accounts of the Fort Berthold Communications Enterprise (FBCE) four times. IRS has stated the next step will be the seizure of the property--equipment and building. Electricity and telephone services have been shut off at both buildings, payroll checks have bounced, and two employees have still not been paid.

The charter for the FBCE has eight charters floating around. Her request was that the FBCE be planned into the tribal budget. Precedent for placing FBCE under the Tribes' Indirect Cost Budget has already been established. In 1980 an underwriting line item was assessed to each program.

Claryca Mandan spoke on the CPB (Corporation for Public Broadcasting), which she said was the mainstay of the tribal radio station program, and provides about one-third of their operating budget, income is received in May and November on this. She said, however, the CPB funds are in jeopardy at this point, due to inability to complete the 1994 Audit.

Peter Coffey, Jr., added that the \$72,000.00 in-kind contribution that has been done by KMHA is actually a very low amount, since the station charges 1/2 and sometimes 1/3 the normal rate of commercial radio stations. In reality, he thought the \$72,000.00 could be doubled or even tripled if regular rates were charged, and this is only for one year. He said the equipment should be maintained constantly by way of electricity, and should be on 24 hours a day, with a constant temperature.

Chairman Mason commented that he had received a lot of calls regarding the radio station and newspaper, however, the cause is due to the tribes' financial situation right now, which the council is trying to fix and deal with at this time. He said a management structure needed to be set up for everyone of our programs and everyone of our enterprises, wherein program/enterprise managers would be held responsible for the fundamental operations.

Mark Fox commented that he has to say "no" alot, because the reality of the situation is that "money is

gone and has been wastefully spent by the previous administration". The 1993 audit shows 2.4 million dollars in deferred revenue, which means we received the money, but we didn't expend it--if it is not in our bank account, then it is "gone" revenue. He said the council is constantly dealing with a problem that was developed, conspired and created prior to this, and any tribal revenues are in support of repayment of the federal program monies that should be here and are not. The tribe had been in a state of over-expenditure for so long, that it has affected our federal dollars. What little tribal revenues we get now, are going toward offsetting this negative balance. Mr. Fox said he would make the commitment that he is not standing against KMHA and/or MHA, he is trying to support it, and we will find a way to try to get KMHA back on the air, pay the amounts due for payroll, and try to get the electricity back on. He said, however, the tribes are having a dire problem right now. He said KMHA/MHA would not be removed from existence, we just have to deal with this as we can.

Chairman Mason said efforts to negotiate with IRS would be resurrected on behalf of KMHA/MHA, and as far as availability of funds, they will see what can be done to get the electricity back on to protect the equipment.

Mr. Edwin Hall stated that, financially, he thought Mark Fox was doing a very good job, and that he felt the council is dedicated to straightening the financial problems out. All areas of ownership are being identified. The council is committed to helping get the radio station back on air.

Mr. Austin Gillette said in the 638 Regulations, there is a provision which allows tribal programs to pay for their public announcements. He also stated another source of revenue for the paper could be the publishing of the school board minutes from the three schools. He stated he was in favor of getting the radio station back on the air and the paper published again also.

Glenda Embry mentioned again the importance of getting an official charter for the FBCE.

Chairman Mason said the council needed to agree on an interim plan of action. He asked that the KMHA

staff get with Urban Bear Don't Walk in Legal on resurrecting the negotiations with the IRS. The second item would be paying the electricity bill in the amount of \$2,200.00. There is also \$2,800.00 owed for payroll that has not been met yet for KMHA. Chairman Mason said IRS would be number one to deal with and the second issue to deal with would be getting the electricity bill paid. The third item then would be unmet payroll. Chairman Mason said if we could zero in on the first three action items listed, the fourth item would then be the operations.

Chairman Mason also asked Claryca Mandan for some documentation as to how management is going to enhance their operations.

Mark Fox mentioned to Claryca Mandan that the FBCE board membership, that was changed by Resolution 95-74-DSB, consists of Delilah Yellow Bird, Gerald Irwin, Daylon Spotted Bear, Abigail Country, George Fast Dog, Leo Lockwood, and the at-large member to be decided by the council has not yet been chosen.

Note: George Fast Dog had left the meeting at approximately 11:30 a.m. due to an emergency in his segment.

E. Gravos Construction re Old Bill to Dialysis Program.

Sharon Gravos addressed the council regarding an old bill to the Dialysis Center from June 1994.

Mark Fox made a motion to delegate authority to Chairman Mason to resolve this, along with assistance from the Legal Department. Motion was seconded by Mr. Edwin Hall. Vote called for.

Motion: Mark Fox
Second: Edwin Hall
Vote: 5 for, 2 absent. Motion Carried.

Note: Meeting adjourned at 12:15 p.m. for lunch; reconvened at 1:00 p.m. Councilman Fast Dog returned to meeting after lunch. Councilmen Johnson and Spotted Bear not present.

F. Reimbursement to Consultant on HUD HOME Grant.

After reconvening, Mark Fox advised that Mr. Robert Lattergrass had completed his work on the HUD HOME Grant Application, and was asking to be paid the

\$2,000.00 balance owed him, in addition to mileage and other expenses of \$357.49, totaling \$2,357.49.

Mr. Fox entertained a motion that the tribes pay Mr. Lattergrass \$1,000.00 today, with the balance to be forthcoming at a later date. Motion seconded by George Fast Dog.

Motion: Mark Fox
Second: George Fast Dog
Vote: 5 for, 2 absent. (IJ/DSB)
Motion Carried.

Note: Councilman Johnson entered the meeting at 1:17 p.m.

- G. Mark Fox addressed a policy which would regulate TAT Administration Building Lobby Sales. He said we have a tribal policy that favors non-profit organizations, however, there are other for-profit entities also utilizing the lobby for sales. The tribal policy would charge a nominal fee of \$5.00 for non-profit organizations, and a \$20.00 fee for other entities wishing to sell in the lobby.

Mr. Fox entertained a motion that the above policy be put into effect by the tribal business council. Motion was seconded by Edwin Hall.

Discussion: Proceeds from lobby sales fees shall be put into an employee fund to be handled by the Tribes' Personnel Department for employee functions.

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

- H. Request for Approval of Judiciary Committee and Tribal Court Actions.

Mark Fox asked for approval of actions taken by the Judiciary Committee and Tribal Court. They hired a Tribal Court Consultant to revamp the court, change the processes, etc., and update the computer systems; in addition, there will be a need to employ a temporary tribal employee to follow up and complete the changes to be made. Payment will come out of Tribal Court fees, costs and fines.

Motion by Mark Fox to approve the actions taken by the Judiciary Committee and the Court in employing a consultant and their need for a future temporary employee to follow up. Second by Mr. Hall.

Motion: Mark Fox
Second: Edwin Hall
Vote: 6 in favor. 1 absent. Motion Carried.

I. Mandaree Electronics, CEO Clarence O'Berry.

Before Mr. O'Berry's presentation, he was commended by the Chairman and the Council for the excellent job and the hard work he is putting forth with Mandaree Electronics. Mr. O'Berry reported on the status of the electronics company. Mr. O'Berry said two tribal loans had been made to Mandaree Electronics in 1992 for \$6,000.00 and \$10,000.00. His request was that the council waive these loans to Mandaree Electronics, by resolution, in an attempt to help the company get stabilized. Mr. Mark Fox suggested that this be utilized in such a way as to reflect an in-kind contribution from the tribes.

Motion was made by Mr. Ivan Johnson, seconded by Mr. Mark Fox, to approve the resolution for waiver of these loans.

Discussion: Mr. Johnson presented his reasons as to why he felt these loans should be waived. Vote was called for by Chairman Mason.

Motion: Ivan Johnson
Second: Mark Fox
Vote: 5 for, 1 opposed, 1 absent.
Motion Carried.

RESOLUTION NO. 95-083-DSB

Mr. O'Berry also requested that he be paid, as he had submitted his purchase order for payment, but it was being held up. Chairman Mason and Mark Fox both stated they would take care of it. Mr. O'Berry then thanked the council.

J. Manuscript Entitled "Community Programs for Cancer Control: The Three Tribes Program". Council Approval Requested to Publish Manuscript in IHS PRIMARY CARE PROVIDER.

Mr. Mark Fox made a motion to delegate authority to Chairman Mason to review this manuscript and approve or disapprove request to publish. Motion was seconded by Mr. Edwin Hall. (Original request and documentation was provided to Chairman Mason by Recording Secretary.)

Motion: Mark Fox
Second: Edwin Hall
Vote: 5 for, 1 not voting (GFD stepped out)
1 absent. Motion Carried.

V. APPROVAL OF RESOLUTIONS.

A. Transportation Department - Setting Royalty Rates for Gravel and Scoria Aggregates Owned by the Tribes.

Mr. Ted Danks was present to answer questions on this proposed resolution. After questions and answers, Chairman Mason requested the council to consider tabling this resolution until Mr. Danks provides more documentation on this for the council to study. Mr. Virgil Eagle, Roads Department, was also requested to provide information on gravel needs and uses.

Mr. Mark Fox then made a motion that council table the resolution until council receives further information and documentation to enable them to act on the resolution; and, in the meantime, until the resolution is acted on, that council put a stay on and prohibit any further activity in regards to removing gravel from the pit located near the Little Shell Pow Wow grounds. Seconded by Mr. Austin Gillette.

Discussion: Mr. Gillette said the Natural Resources Committee had authorized a lease/use permit on this gravel pit, and felt this should be revisited. They had thought they were talking about raw gravel when this authorization was made for .50 cents. Chairman Mason then called for a vote.

Motion: Mark Fox
Second: Austin Gillette
Vote: 6 for, 1 abstention. Motion Carried.

Note: Daylon Spotted Bear entered the meeting during discussions, and was welcomed back by the council.

B. Tribal Business Council Adopted Policy on Resolutions.

The Tribal Business Council went on record to require that proper justification, clarification and back-up documents be submitted with all future resolutions being considered for approval.

C. TAT 1995 Transportation Improvement Priority (TIP) List.

Mr. Ted Danks read this resolution aloud to the council. The resolution had been previously approved by the Material Resources and Transportation Committee. After general discussion, motion was made by Mr. Fast Dog to approve the resolution. Motion was seconded by Mr. Daylon Spotted Bear. Vote was called for by Chairman Mason.

Motion: George Fast Dog
Second: Daylon Spotted Bear
Vote: 6 for, 1 opposed. Motion Passed.

RESOLUTION NO. 95-084-DSB

D. Curt Danks Request for Reimbursement.

At this time, Council agreed to hear a request from Curt Danks on money owed him from the MR&I Water Treatment Project. Mark Fox recommended that LCM be involved in this, and that it be deferred to the next meeting. Curt Danks agreed.

E. Fort Berthold Coalition Against Domestic Violence Application for Family Violence Prevention and Services Funding in Amount of \$40,000.00.

This grant had already been submitted and funding received, however, resolution was still being requested. Discussion was held, and motion to approve was made by Ivan Johnson, seconded by Edwin Hall.

Motion: Ivan Johnson
Second: Edwin Hall
Vote: 5 for, 2 not voting. Motion Carried.
Resolution Approved.

RESOLUTION NO. 95-085-DSB

F. ND Department of Transportation Native American
Prevention Coalition.

Sherry King, IHS Sanitarian, presented two separate
resolutions, as follows:

1. Supports the Formation of a Native American
Injury Prevention Coalition by the tribes of ND
and SD.
2. Approves a Part-Time Community Traffic Safety
Coordinator Grant Position for Reservation
Traffic Safety Program, i.e., TAT Traffic
Safety Program.

Motion for approval of both resolutions was
requested by Chairman Mason. Ivan Johnson so moved.
Seconded by Edwin Hall.

Discussion: Austin Gillette asked about an increase
in indirect costs on the grant application for the
communications part. Sherry King said they had written
another grant for \$15,000.00 and they have the radio
station written into the grant. Mr. Gillette said he
would still be in favor of making this higher. After
Susan Paulson and Sherry King discussed this, they said
they could rewrite this part.

Mark Fox was concerned about some underlying motives
that the State may have in drawing the Native American
populace into a program such as this, mainly because
the State may be trying to get additional highway funds
so they can offset their administrative costs. The
State cannot include highway miles that run through our
reservation when they seek administrative costs. These
monies are also related to the Indian Highway Funds
that the State offers, and this could possibly affect
the funds the tribes receive from other sources.

Mr. Fox was also concerned that the State could use
this as an excuse to require all the tribes records for
traffic related crimes, DUI, etcetera, for their
information. Sherry King said she felt something on
this could be written into the contract. Mark Fox
requested that the council be given final approval on
the application.

Susan Paulson and Sherry King requested the resolution
be passed on those conditions, and they would amend the
contract. Final document would be done within the next

two weeks. Susan Paulson said with the coalition, we would get direct funding from the coalition.

Chairman Mason said if they would do a comparative bar graph based on 100,000 population numbers, then would be able to see the ratio talking about, epidemiological statistics the ratio would probably be doubled. Our rate is 133 per 100,000. in terms of the greater numbers on the reservation.

Susan Paulson and Sherry King agreed to do the Traffic Safety Resolution at the next meeting. Mark Fox proposed an amendment to Mr. Johnson's motion for approval of both resolutions, as follows:

- a. Amendment is to strike the "Be it further resolved" pertaining to the signing of the resolution on the coalition;
- b. Table the DOT resolution for the \$19,000 until the next council meeting. In the meantime, make corrections to contract and resolution.

Both Mr. Johnson and Mr. Hall agreed to the proposed amendments requested by Mr. Fox. Vote called for.

Motion: Ivan Johnson.
Second: Edwin Hall
Vote: 7 in favor. Motion Carried.

RESOLUTION NO. 95-086-DSB

G. Irene Burr House Loan.

Old business. Resolution had been requested at last council meeting. Mr. Christopher D. Quale, Tribal Attorney, read the highlights of the resolution to the council. Chairman Mason then requested a motion. Motion was made by George Fast Dog to approve resolution. Seconded by Mark Fox. Vote called for.

Vote: 5 in favor. 2 not voting.
Motion Passed. Resolution Approved.

RESOLUTION NO. 95-087-DSB

H. Memorandum of Agreement (MOA) Between Knife River National Historical Site and Three Affiliated Tribes.

Old business. This MOA was previously presented to the Tribal Business Council at their regular council meeting on February 09, 1995. At that time, council had requested it be reviewed by the Legal Department before council took action. Mr. Christopher D. Quale, Tribal Attorney, said it was the Legal Department's recommendation that the tribes approve the MOA.

Motion was made by Mr. Mark Fox for approval, seconded by Mr. Ivan Johnson.

Discussion: Chairman Mason asked about the appendage naming the committee members, and whether or not the council would be obliged to these. Mr. Quale said, "no". No further discussion. Vote called for.

Motion: Mark Fox
Second: Ivan Johnson
Vote: 7 in favor. Motion Carried.
MOA w/KNRI Approved.

Note: Constitution Revision Grant Reso was taken off agenda at this time.

I. Segment Employment Program.

Resolution was presented by Mr. Mark Fox. Resolution called for reducing the original amount from \$32.00 per hour per segment to \$25.00 per hour per segment, due to financial constrictions. This reduction would save about \$4,000.00 per pay period. Annually, this reduction would save almost \$100,000.00 if fringe and the actual principal amount are taken into consideration.

Mark Fox then made a motion for approval. Seconded by Ivan Johnson.

Discussion: Each councilman will have to make adjustments in their salaries they are paying to their personnel, if needed. After further discussion of other ways to save money, including reducing the councilmen's salaries again, vote on motion was called for.

Motion: Mark Fox
Second: Ivan Johnson
Vote: 5 for, 1 opposed, 1 abstained.
Motion Carried. Resolution Approved.

RESOLUTION NO. 95-088-DSB

- J. Resolution for Developing Agreements for Payments to Individuals asked to Rebury Ancestral Remains.

Mark Fox presented resolution for approval. Resolution would allow an agreement in providing compensation for reburials. He further recommended that any and all agreements established with the person who does the reburial must have mandatory subsequent approval by the full council within a thirty-day period.

Motion to approve this resolution, and the recommended amendment by Mark Fox, was made by George Fast Dog, seconded by Ivan Johnson.

Discussion: Ivan Johnson inquired as to whether or not monies were provided in the budget of Historic Preservation Office to handle this. Mr. Fox said it all came out of tribal monies. Mr. Johnson suggested any future reburials should maybe come to the council first. Mr. Fox said prior approval could be requested before reburials are done. Chairman Mason agreed with Mr. Johnson on his suggestion and said this needed to be looked into further, as to how reburials should be handled. Mr. Gillette said Mr. Ronald Little Owl should be reimbursed per Mr. Little Owl's request for payment. Council agreed. Chairman Mason then asked for a vote on the resolution.

Motion: George Fast Dog
Second: Ivan Johnson
Vote: Unanimous. 7 in favor.
Motion Passed. Resolution Approved.

RESOLUTION NO. 95-089-DSB

- K. Gaming Compact Escrow Account.

Mark Fox made a motion that the Gaming Compact Escrow Account be added to the agenda so it could be addressed at this time. Austin Gillette moved for approval of the motion, seconded by George Fast Dog. 7 in favor. Motion approved.

Mr. Fox explained that, under the tribes' gaming compact, we are required to maintain an escrow account to offset and defray the costs to the State when they regulate our gaming. This account is required to be kept at \$7,500.00 at all times, no less. He said the resolution he is about to introduce would re-establish an escrow account with Lakeside State Bank for this, and the two signatories on that would be the Tribal Casino Liaison, Carol Good Bear; and the State Agent for the Gaming Division, Kathy Roll.

Mr. Austin Gillette moved for approval, seconded by Mr. George Fast Dog.

Motion: Austin Gillette
Second: George Fast Dog
Vote: 7 in Favor. Resolution Passed.

RESOLUTION NO. 95-090-DSB

VI. OTHER BUSINESS.

A. Roads Maintenance Personnel.



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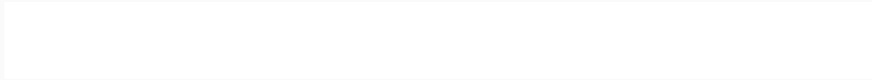
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- B. Hire Gary Dickens Temporarily in WS Roads Office.

- C. Natural Resources Game & Fish Director.

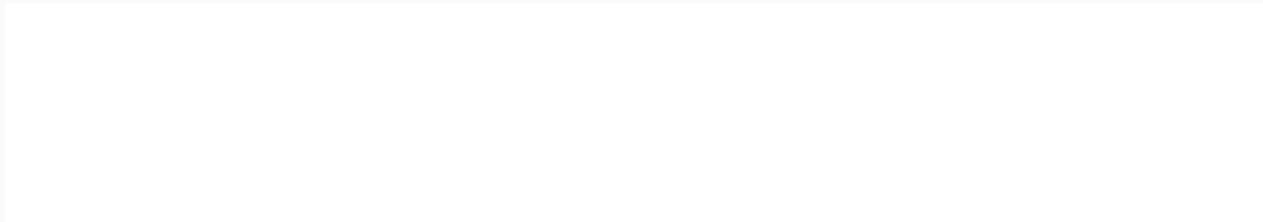
- D. Natural Resources Pesticides Enforcement Officer.



E. Natural Resources Noxious Weed Eradicators.



F. Two LPN Positions for the Dialysis Program.



G. Cook for New Town Head Start Center.



H. Cook for White Shield Head Start.

I. Temporary Appointments:

1. Cook for Parshall Head Start.

2. Teacher Assistant at Mandaree Head Start.

J. Request for Lay Off Due to Lack of Funding.

K. Termination Request Submitted by Roads Administrator for Hans Fredericks.

L. Termination Request Submitted by Credit Department Administrator for Shannon Mann due to Abandonment of Position.

- M. Termination Request Submitted by Maintenance Administrator for Charles Roszelle, due to Abandonment of Position.

- N. Healthy Start Position.

- O. Temporary Selection for Security.

- P. January 26, 1995, Minutes.

Austin Gillette made a motion to have either John Danks or Ed Lone Fight follow up on these minutes with one of the previous recording secretaries, i.e., Linda Little Soldier, by issuing a formal notice for her to return the transcribed minutes, tapes, and other documentation. If not returned within a 72-hour period, then necessary legal action shall be taken to retrieve said documents.

Motion: Austin Gillette
Second: Mark Fox.
Vote: 6 for, 1 stepped out. Motion Carried.

Edwin Hall made a motion to adjourn, seconded by Ivan Johnson. Vote was unanimous. Meeting adjourned at 5:05 p.m.

Meeting was called back to order at 5:07 p.m., so council could take action on the land purchase in Parshall.

Roll call was as follows: Edwin Hall, Daylon Spotted Bear, Russell D. Mason, Sr., Mark Fox, Austin Gillette, George Fast Dog, Ivan Johnson. All members present. Quorum established.

Q. Land Purchase in Parshall.

Mark Fox said there is a bid for farm land in Parshall. Harley Texx Lone Bear was authorized to bid on this land; however, the top bid was \$151,000.00. Question was, did the tribes wish to keep bidding on this farm and pasture land. Mark Fox said the tribes would have to give bid confirmation on Tuesday morning; and, if bid is accepted, the tribes would have to come up with the earnest money immediately. Council discussed the pros and cons of bidding on this land.

Mark Fox made a motion that the tribes pass this land up at this time, due to the high cost. Motion was seconded by George Fast Dog. Vote was as follows:

Vote: 4 for, 3 opposed. Motion Passed.

Mr. Gillette asked about another land purchase for \$12,000.00. Mr. Fox made a motion that this be tabled until the next council meeting. Motion seconded by Ivan Johnson. Unanimous vote, 7 in favor.

VII. ADJOURN.

Motion made by Daylon Spotted Bear, seconded by Mark Fox, to adjourn. Vote unanimous, 7 in favor. Meeting adjourned at 5:20 p.m.

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.

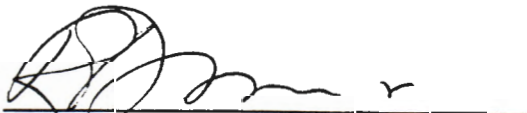
6 members were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14th day of June 1995, whereupon the foregoing minutes were presented for approval by the Three Affiliated Tribes Recording Secretary.

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

REGULAR COUNCIL MEETING
April 14, 1995