



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

THURSDAY, JULY 13, 1995, 11:34 A.M.

I. CALL TO ORDER.

Meeting called to order at 11:34 a.m. by Chairman Russell D. Mason, Sr., who asked for a moment of silent prayer to be held.

II. ROLL CALL.

Roll taken by Secretary Spotted Bear as follows:

Tribal Business Council Members:

Councilman Edwin Hall	Present
Councilman Daylon Spotted Bear	Present
Chairman Russell D. Mason, Sr.	Present
Councilman Mark Fox	Present
Councilman Austin Gillette	Present
Councilman George Fast Dog	Present
Councilman Ivan Johnson	Absent

Six members present. Quorum established.

Visitors: Lois Little Owl, Conrad Smith, Milton Little Owl; Debbie Fox, Mandaree, Inc. BOD; Head Start Parent Policy Committee Members Mariam LaFromboise, Adelle C. Payde, Bessie Mongram, and PPC Secretary, Vanessa Mandan; Jim Fitzsimmons, Attorney at Law; Joletta Bird Bear; Terry Red Fox, FBHA Director; Cletus Medicine Crow, May Coffee, Avis Mayer, Dorothy Yellow Bird, Pearl Howard, Bonnie Yellow Bear.

Employees: C. J. Packineau, Sergeant at Arms; Joe Gillies, Jr., Summer Intern; Ted Danks, Transportation; Virgil Eagle, Roads; Tom BirdBear, Tax; C. A. Fox-Harmon Wolf Eyes, Head Start Director; Ella James, Head Start; Thomas Mandan, CHR Director; Hazel Blake, Tribal Health; Diane J. Avery, Tribal Court; Glenda Embry, FBCE; Bernadine Young Bear, Education; Kyle Baker, Natural Resources.

III. CHANGES TO AGENDA & APPROVAL OF AGENDA.

A. Additions.

Mark Fox requested the financial matters with Dave Brendsel be deferred until after the minutes; he requested to add a resolution for wake fund distribution; he requested to add LCM Request for Assistance to the agenda; and he requested an update on Committee/Board Assignments be added to the agenda.

Austin Gillette requested Post 253 Legion & Auxiliary Request and a request for a Korean War Proclamation be added to the agenda.

Edwin Hall requested to place Lisa Finley on the agenda for a financial request for basketball uniforms for the indigenous games. Mark Fox requested this be deferred and discussed at the Team North Dakota Indigenous Games Meeting to be held in Minot on Friday, July 14. Mr. Hall concurred.

Mark Fox requested segment employment program and issues be added under resolutions.

Motion to approve agenda, with additions, made by Mark Fox. Motion seconded by Edwin Hall. Vote: 6 in favor, 1 absent. Motion Carried. Agenda Approved.

B. Announcements.

Chairman Mason commented on the public hearings held by the Corps of Engineers in New Town and some hearings regarding gaming that are going to be held in Washington, D. C. He has requested Mark Fox to testify at gaming hearings.

A meeting of all tribes was held in South Dakota, wherein a position was taken not to accept the tribal shares initiative by the Bureau of Indian Affairs. The Aberdeen Area Tribal Chairmen's Health Board will be meeting on July 17 in Bismarck to set some strategy and have issues to present to Doctor Lee, Assistant Secretary for Indian Health, who will be there. Information packets will be given to council. All councilmembers should attend this.

He also asked the councilmembers to remind board members and staff members about fairness and compliance.

Mr. Fox said councilmembers and gaming commission members are asked to let him know beforehand if they plan on attending the gaming hearings in DC, once it is decided whether he will be allowed to testify, so travel arrangements can be made.

Mr. Gillette asked that Lois Little Owl be moved up on the agenda.

Mr. Mason congratulated Daylon Spotted Bear on his election as Chairman of the Fort Berthold Housing Board. He also commended the Natural Resources Committee (Austin, Edwin and Ivan) for the hard work they have done.

IV. NEW BUSINESS.

A. Request from Lois Little Owl for Letter of Support on Mahto Bay Issue.

Ms. Little Owl said there hasn't been an agreement on the Mahto Bay Issue for nine years. There are 2 or 3 people who have not signed easements, so there is still no agreement, and she is still not receiving any income from the cabin owners. She is requesting a letter of support from the council to support her on this trespass issue. She said the cabin owners are all professional people and can afford to pay the small fee that she is requesting, along with some back pay. She said the cabin owners have their place all locked up, yet they trespass on her land and pay no fee.

Daylon Spotted Bear said he has told Lois that he would assist her in reaching an agreement with the cabin owners. He said he would set up a meeting on this, and bring back his recommendations to the council.

Austin Gillette said the Natural Resources Committee had looked at Lois' proposal for renewal of an agreement, based on what happened in the past. This was referred to the Legal Department. The tribe, itself, owns a part of this property that is in dispute. If a meeting is set up, it should be held at the Three Affiliated Tribes, as the Natural Resource Department has all the maps.

Mr. Gillette then made a motion to appoint Daylon Spotted Bear to establish the time, and a place on the reservation to meet, to resolve this issue. George Fast Dog seconded the motion.

Vote: 6 in favor, 1 absent.

At this time, Ms. Little Owl brought up a request for the Roads Department to maintain her road. Chairman Mason advised that Mr. Spotted Bear could take care of this.

Ms. Little Owl also inquired about the completion of MR&I and when it would become a reality. Chairman Mason said this project should have started two years

ago. He said the former tribal chairman misspent all of the MR&I money, and we have to replace it in the amount of 2.4 million dollars. He said the Treasurer and Natural Resources Committee are trying to get this started.

A garbage receptacle was also requested by Ms. Little Owl. She was referred to Natural Resources on this request.

B. Head Start Parent Policy Committee.

Melissa Starr, President of the Fort Berthold Parent Policy Committee, addressed the council on a Memorandum of Agreement for the Head Start employment process. Mr. Jim Fitzsimmons was available to answer questions on the proposed agreement.

Austin Gillette made a motion to approve the proposed Memorandum of Agreement. Motion was seconded by Mark Fox.

Discussion was on delay of services caused when the council, itself, appoints temporary workers, and how to address this. Melissa Starr said the Parent Policy Committee would have no problem meeting and selecting a temporary worker within a day or two. Council input on hiring for either a temporary or permanent worker was also discussed. Mr. Fitzsimmons said there is a recommendation that will be forthcoming from Head Start for someone from the TBC to be appointed to the PPC. This person could relay the information directly to the segment representative. Chairman Mason asked the PPC to get with the councilmen, as a matter of courtesy, on any type of situation that has to do with their program.

Vote: 6 in favor, 1 absent.

Mark Fox made a motion, at this time, that the statement, "We comply with the Office of Human Development Services, HHS Part 1304, Subpart E, Appendix B to Part 1304, Head Start Policy Manual: The Parents 70.2" include "and the Three Affiliated Tribes Personnel Policies and Procedures". Motion was seconded by Edwin Hall.

Vote: 6 in favor, 1 absent.

Memorandum of Agreement to be amended and returned for signature.

C. Mandaree, Inc. re Proposed Amendment of Resolution No. 94-003-MW.

Deb Fox, member of the Mandaree, Inc. Board of Directors requested a new payment schedule for this loan which was spelled out in Resolution No. 94-003-MW.

Austin Gillette made a motion that the Treasurer be authorized to come to an agreement with the Mandaree Community, after researching what funds were distributed in the past three years; and also any other loan documents that may exist against the docket funds.

Motion seconded by Daylon Spotted Bear.

Vote: 4 in favor, 1 abstention, 1 stepped out, 1 absent.

Note: Recess for lunch at 12:50 p.m.
Reconvened at 1:57 p.m.
Six members present. 1 member absent.

V. OTHER BUSINESS.

A. Second Annual Sobriety Ride.

Thomas Mandan advised the council of the plans for the Second Annual Sobriety Ride. His request was for monies to help feed the riders, and to reserve space north of the tribal administration building. Chairman Mason questioned why the Alcoholism Program could not pay for this, since this program seems to spend an inordinate amount of funds on food, i.e., he has a bill from Minot for \$1,600.00 for groceries for two months.

However, Chairman Mason said, for the record, he supports anything that has to do with sobriety. The point he is making has to do with organizations that wait until the last minute to ask for money from the council, without trying to do any fund raising on their part. He stated the other thing that bothers him is when he knows about how much money is being spent for groceries that are unaccounted for. He said he supports the sobriety ride, but he is concerned about the dollars and the misspending of tribal monies.

Mark Fox said the guidelines are \$300.00 for these type of requests, and his recommendation is to donate this amount to the ride, although he does support the concerns of the Chairman about expenditures of at least one program that is helping to fund it. He requested that a budget be submitted by the planners for this ride.

Mr. Fox then made a motion that the council authorize up to \$300.00, dependent upon their need for these groceries, and that a budget be attached to their request indicating the use of these funds. Motion was seconded by Edwin Hall for further discussion.

Discussion was on the \$10,000 that had been given to the Four Bears District for cultural activities, and whether or not some of these funds could be made available for this ride. Mr. Hall said this would depend on the wishes of his community. Mr. Fast Dog said this ride was for the whole reservation. Mr. Edwin Hall asked who was making the request--committee, group, etcetera? Thomas Mandan said the Tribal Health Program, Adolescent Health, Circle of Life and the CHR Program. Mr. Hall asked if they had any budgeting in their accounts for any of this activity? Hazel Blake said no. He asked if they had made any efforts to raise any monies. Hazel Blake said the programs for 638 don't have a food provision, but they use the docket funds, and the docket funds for alcoholism were taken by Mark (Fox), who said, he had to go over them, and he never gave it back to her. (Tape 2) Mr. Hall asked again about who was responsible? Tom Mandan said they had their first meeting two days ago. Hazel Blake said it's everybody.

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

B. Waterbuster and Antelope Societies' Financial Request.

Cletus Medicine Crow, President, Waterbuster Pow Wow Committee; and Bernadine Young Bird (Antelope) spoke on behalf of these two societies. Both said these societies encompass all three tribes, and therefore, they are requesting funding that was given to other pow wow committees. Austin Gillette recommended that these two societies be included in the 1996 October 1st Budget. Mr. Fox wished to clarify that monetary support was given this year for traditional activities per segment--not per committee. Every segment has \$10,000 annually to conduct whatever traditional activities they want to. Each segment received \$10,000.

Chairman Mason requested this be deferred at this time and that a proposal be submitted to the council for action at a later date. The proposal should be submitted to council referencing this meeting.

C. Home Site Road.

Joletta Bird Bear stated she has been approved to receive a house through HUD under 527, and she is requesting assistance to establish a road on her land. She requested that something be established in the future to assist all such requests.

Virgil Eagle, Roads Administrator, said rather than have that approach where she wanted it, she would like to put her road where an existing approach is; if the council would let her swap a new approach for the existing approach, the proposed road from the existing approach to her homesite is only 2/10 of a mile. It would cost about the same and take about the same amount of time as it would to build an approach for her road, but then she would need gravel. Ted Danks said they would work on this. He said Roads can build approaches, they are obligated to build approaches on the BIA system to access individuals' homes. Roads would be taking the dollars they would have spent to build an approach and use it to build a road to her house. Both Ted Danks and Virgil Eagle said they were not prepared to do this throughout the whole system-- just this one case.

D. Medical Assistance Financial Request.

Chairman Mason advised, since council has given authority to himself and Mark Fox to deal with these type of requests, they will handle this together, and will grant Orville Mandan \$500.00, which is the guideline.

E. ND Boys/Girls All Indian Basketball Team Financial Request.

It was noted this event had already occurred, so no action was taken.

F. Relocation Assistance Financial Request.

Verlee Saylor advised the council she had been accepted into medical school as a graduate student, at Grand Forks, and is requesting assistance for relocation. She needs to be there by August 1st. Her request was for \$1,500.00.

Discussion on docket funds that are available for graduate scholarships.

Mark Fox made a motion that a \$500 grant assistance be given to Ms. Saylor, along with the options for a \$500 loan, as well. Motion seconded by Edwin Hall.

Vote: 6 in favor, 1 absent.

Further discussion on the fact that Higher Ed funds prioritize undergraduates. Mrs. Sayler asked about unmet needs and whether or not the tribe would be able to subsidize her, if necessary, if she signed an agreement that she would come back to the reservation to work. Council advised there is no provision for this, at this time. Chairman Mason asked Ms. Sayler to write him a note about the status of her application for the IHS scholarship, so he could follow up on this for her.

G. Enrollment Issue.

Avis Mayer inquired about enrolling her six grandchildren who are 1/64th short of being 1/4th Indian. She also said her enrollment was "all screwed up". She is enrolled as Mandan-Arikara, yet one of her grandmothers was Hidatsa, but this doesn't show on her record. Mr. Fox said the council is limited by the constitution for enrollment qualifications; however, he told her he felt she had solid grounds to contest and appeal her enrollment records. He advised her to work with Paul Good Iron, Enrollment Clerk, on this. Mr. Fox said if she was unsuccessful in her appeal, to come back.

H. Transportation Department Resolution for an Escrow Account to be Established for the Flickertail Paving Chip & Seal Project plus a Resolution Requesting 2% of the Indian Reservation Road (IRR) Funds.

Ted Danks said they need to set up an escrow account at the bank, He said an escrow account was never set up as a part of this contract. He presented a resolution to set up an escrow account at the Watford City Bank, as per the contract documents.

Discussion on total project for this year, which has \$575,000.00 remaining in the contract. Two estimates have been drawn down on this contract.

Mr. Fox moved for approval. Second by Austin Gillette.

Vote: 5 for, 1 abstained, 1 absent. Passed.

RESOLUTION NO. 95-140-DSB

Mr. Ted Danks said he had another resolution for 2% IRR planning funds. The resolution is to support a BIA Contract with Transportation Associates of Albuquerque. He said the tribes opted to 638 contract the actual physical inventory of our road system.

Discussion on would this be administered through our current roads contract or a separate one. (separate one. Ted Danks said this is part of the revenues the BIA took off the top of roads money to administer some of the stuff they were doing and it got mired down. He said if we get this passed, Mr. Ed Hall with Transportation Associates could get an additional \$100,000.00 in planning funds for Fort Berthold through the ITA, over and above our current allocations.

Motion: Edwin Hall
Second: Daylon Spotted Bear

Further discussion on Ted Danks to get with Ed Hall on this and look into the problem of non-equitable shares.

Vote: 6 in favor, 1 absent. Passed.

RESOLUTION 95-141-DSB

I. Road Maintenance re Purchase of Equipment.

Virgil Eagle said he would like to purchase a Case tractor w/cab, and trade in two rotary mowers and two sickle mowers to offset costs. Total Program Cost would be \$5,969.00. He would also like to trade in two International tractors for a 15 foot ditch mower. This would be an even trade.

So moved by Edwin Hall, seconded by George Fast Dog.

Discussion on total cost--\$5,969.00 total.

Vote: 5 in favor, 1 stepped out, 1 absent.
Motion Carried.

Mr. Eagle stated to council that Matthew Foolish Bear had been hired under the T-2 Account as Roads Equipment Operator in Mandaree (Temporary), and he wants the same pay as the other T-2 workers.

Moved by Edwin Hall for approval. Motion seconded by Austin Gillette.

Discussion on T-2 Budget and the compromise made on this position, which is needed mostly in winter, but to keep Mr. Foolish Bear working, salary was reduced. Maybe it can be raised this winter.

Vote: 2 in favor, 3 abstentions,
1 stepped out, 1 absent. Defeated.

J. Temporary Appointment for WIC.

Delphine Baker, WIC Director, advised Grace Henry was not coming back, and she needed someone temporarily in this position. She recommended Marietta Morsette, who is going to school to be a nutritionist and is in her senior year, she will be going back to school in September. Job would be advertised in September.

Motion by George Fast Dog to approve. Second by Austin Gillette.

Vote: 6 in favor, 1 absent. Approved.

Note: Break taken at 3:35 p.m.
Reconvened at 3:55 p.m.

K. Post 253 Legion & Auxiliary Financial Request.

Bonnie Yellow Bear presented this request for Post 253 Legion & Auxiliary. They have been involved in fundraising and have raised \$4,775.00. They are asking council to match this dollar for dollar. This is for 30 members to attend the dedication of the Korean War Memorial in Washington, D. C. at the end of July. Fort Berthold has approximately 100 veterans of the Korean war. Four tribal members known to have been killed during the Korean War are Clyde Bearstail, Jasper Young Bear, Ignatius R. Spotted Bear, and Elmer Bear.

Chairman Mason commended the auxiliary for their continued involvement, participation and activity.

Pearl Howard, auxiliary member, commented:

"We started a long time before the Second World War, and the First World War, and our scouts were in that Custer's Battle; and then we even have a veteran of the Spanish American War, Ely Perkins, and all the wars that there have been, we've had our people in there, the Arikaras. But the Arikaras are people that never brag, we never bragged about what we did and how they did and all that, that's why we're not recognized a lot of times.

Mrs. Howard was thanked for her comments.

In addition, Austin Gillette stated he would like to request the Chairman to sign a proclamation for this event. Mr. Gillette also pointed out that the council had just authorized \$4,000 for the indigenous games in Minneapolis, and every four years they will be coming in for a request, whereas, this is a one-time thing. Austin Gillette made a motion to authorize \$4,000 in matching funds, seconded by Daylon Spotted Bear.

Vote: 5 in favor, 1 out, 1 absent.
Motion Carried.

Austin Gillette moved that the chairman draft up a proclamation on behalf of members of the three tribes who lost their lives in the Korean Conflict and that the purpose of going to DC is for the memorial dedication on July 27th. Second by Daylon Spotted Bear.

Vote: 5 in favor, 1 out, 1 absent. Carried.

Mr. Fox returned to meeting and was advised of previous action. At this time, he stated that all tribal expenditures need a resolution authorizing them, wherein Mr. Gillette advised that a resolution would be forthcoming. (See Item VII. I.)

VI. OLD BUSINESS.

A. Arbitration with Bruce H. Lien & Company.

On the recommendation of Tribal Attorney Christopher D. Quale, Mark Fox made a motion that the tribes take action to object to Murray Sagsveen's continued service as a neutral arbitrator, and to not take action to postpone the arbitration that has been scheduled for the end of July, pending the National Indian Gaming Commission review of the Management Agreement. Second by Edwin Hall.

Vote: 5 in favor, 1 out, 1 absent. Carried.

Request for postponement of arbitration.

Mr. Quale said this has already been made informally, on behalf of the tribes, by Henry Buffalo, and a request of Bruce H. Lien Company to agree to a postponement voluntarily. A letter was sent to Tom Shoppert. (Tape 3) We need to select and have another arbitrator appointed.

Mark Fox stated, by previous action, this body (Tribal Business Council) has delegated to the Gaming Committee authority to select and approve of a third neutral arbitrator.

B. Grazing Unit Allocation Lawsuit.

Tribal Court has selected Frank Pommersheim to serve as the judge in this lawsuit. Mr. Pommersheim is a renowned Indian law academic, currently a professor at the University of South Dakota in Vermillion. Mr. Quale updated the council on status of this lawsuit.

C. Knife River Indian Villages NHS.

Chas Cartwright, Superintendent KNRI, has sent a letter in which he has identified all human remains and burial artifacts in their possession.

Mark Fox made a motion to authorize Chairman Mason to issue forth a letter requesting all the items listed for return and repatriation, to Mr. Cartwright. Second by Edwin Hall.

Vote: 5 for, 1 out, 1 absent.

D. Return of Excess Corps Land.

Mr. Quale said the finalization of draft comments are to be submitted to the Corps of Engineers pursuant to the Federal Register Notice. The date for submission of written comments has been extended to July 14, or July 17 at the latest.

Motion made by Mark Fox that we submit this version of finalized comments on behalf of the Three Affiliated Tribes, but that they not be submitted until Monday (July 17) to give an opportunity to the councilmen to re-review or review the comments and make any other further suggestions.

Discussion on comments are wanted by Monday.

Motion amended to close of business on Friday, July 14.
Motion seconded by Edwin Hall.

Vote: 6 in favor, 1 absent. Motion Carried.

E. Financial Loan for Tribe.

Mr. David Brendsel, Financial Investment Consultant, gave a financial report on tribal revenues and expenditures of the T-2 Budget. Areas covered were Assets, Accounts Payable, Balance Sheet, and Income Statement.

F. Financial Report on Buffalo Project.

John Danks passed out a financial report for this project, that Mr. Brendsel helped Todd Hall prepare. Mr. Brendsel said the Buffalo project is requesting \$22,500.00 for their breeding program.

Austin Gillette made a motion to loan \$22,500.00 to the Buffalo Project until they are successful in getting their bank loan. Motion seconded by Mark Fox.

Discussion on doing this with Community First Bank on Monday. Chairman Mason said he had asked Todd and Frank to come up with some criteria to recommend to the council on the distribution of buffalo. This has not been received yet.

Chairman Mason also asked John Danks to come up with some written recommendations on how the conflicts between the Cattle Relending Program and the Buffalo Project can administratively be resolved .

Edwin Hall mentioned a bill, for 35 or 38 hundred dollars, for several hides that had been taken to some taxidermist outfit, along with some heads, and the buffalo project has to come up with two thousand dollars. He said he would like to know who authorized all of this. John Danks was assigned to work on this bill with the taxidermist also.

Motion: Austin Gillette
Second: Edwin Hall
Vote: 6 in favor, 1 absent. Carried.

- G. Suit for \$3,000 by Bang Construction for Maintenance of Water Well in the Buffalo Pasture.

Council was advised that Urban Bear Don't Walk had agreed to a settlement of \$3,000.00 with the attorney that represented Bang Construction. Mark Fox said Mr. Bear Don't Walk had no authority to make a settlement on behalf of the tribes, without the Tribal Business Council's permission.

Austin Gillette made a motion that the Tribal Business Council authorize Chairman Mason and Treasurer Fox to settle the issue of the well. Edwin Hall seconded the motion.

Discussion on background of suit by Mark Fox.

Vote: 6 in favor, 1 absent.

- H. LCM Request for Assistance.

John Danks said LCM needs start-up money in the amount of \$30,840. He distributed a packet on LCM, which included a letter from Kim Baker dated July 6, 1995; LCM Budget for 4-Week Period Beginning 07/10/95; LCM Projected Projects for 1995; and a letter from Ken Stevenson to Texx Lone Bear dated March 27, 1995, Subject: "Total LCM Claims on MR&I Project." He went through the packet of information with the council.

Motion for approval by Mark Fox, seconded by Edwin Hall.

Discussion on disbursements to be split into as many payments, as necessary, for them to prove their operating capacity.

Vote: 5 in favor, 1 abstention, 1 absent.

I. HUD Home Grant Application Report.

Mr. Robert Lattergrass went over the points received on the tribes' application for the FY95 Indian HOME Program funding. Two letters of protest had been submitted to HUD to no avail. Mr. Lattergrass said he would submit an application next year on behalf of the tribes' at no cost, if they so wished.

Discussion on why this application did not score higher. Mr. Lattergrass is to pursue the reasons for disapproval and to give this information to Mark Fox before July 24.

Mr. Lattergrass also informed the council that the southwestern part of the State had been funded for economic development in rural areas of ND, and Twin Buttes community will be included in this. He said there will be planning money and up to 10 million dollars available for economic development.

VII. APPROVAL OF RESOLUTIONS.

- A. Escrow Account for Chip & Seal Project. (Resolution approved under Item V. H.

RESOLUTION NO. 95-140-DSB

- B. Contract Bid for Transportation. (Resolution approved under Item V. H.

RESOLUTION NO. 95-141-DSB

- C. FBHA/Growth & Development Resolution for Support of Funding Efforts. (Youth Build)

Resolution presented by Chairman Mason. Motion for approval by Mark Fox. Seconded by Edwin Hall.

Vote: 5 in favor, 1 out, 1 absent.

RESOLUTION NO. 95-142-DSB

- D. FBCC Resolution for Support of Center for Business and Community Development.

President Karen J. Gillis presented this resolution for support of a continuation application for a Center for

Business & Community Development at FBCC. She stated the project had been completed, and they felt it was successful enough to where they want to apply to continue having some progress in developing businesses for the individual tribal members that have shown interest, and look at some community projects too, and the continuation of them.

Discussion of funds--if successful, will be approximately \$650,000 for a three year period. Contributions will be in-kind and will be provided by the college.

Mark Fox moved for approval of the resolution, seconded by Edwin Hall.

Vote: 6 in favor, 1 absent.

RESOLUTION NO. 95-143-DSB

E. Helen I. Burr Land Purchase.

Motion to approve made by Edwin Hall.
Second by Austin Gillette.

Discussion on availability of funds, and how it would affect what was done for the community college. Mr. John Danks said these funds are in a joint checking account with FmHA (RECD).

Vote: 5 in favor, 1 abstention, 1 absent.

RESOLUTION NO. 95-144-DSB

F. Social Services/Tribal Court Grant Application.

Judge Diane J. Avery presented this resolution, which is for a grant application being done in conjunction with Tribal Court, Social Services, and the Casey Family Program. Funds are available from the Office for Victim of Crimes through the Childrens' Justice Act. Application will be for the investigation and prosecution of child sexual abuse cases on Fort Berthold Reservation. A supporting resolution is part of the grant application package.

Motion to approve by Mark N. Fox. Motion seconded by Daylon Spotted Bear.

Discussion on amount being applied for, which is \$80,000.00.

Vote: 6 in favor, 1 absent. Approved.

RESOLUTION NO. 95-145-DSB

G. Revision of Constitution.

Resolution presented by John Danks. This is to begin the process of working on the constitution. The resolution outlines the establishment of a committee, and authorizes an action plan to have this before the Tribal Business Council by January 5, 1996, for review, comments, acceptance or rejection.

Motion to approve made by Edwin Hall. Second to motion made by Austin Gillette.

Discussion on cost factor of proposed workshop on constitution, and suggestion that this be deferred until October.

Motion and second were withdrawn. Mr. Edwin Hall made a motion to approve as soon as funds become available. Motion seconded by Austin Gillette.

Vote: 6 in favor, 1 absent. Approved.

RESOLUTION NO. 95-146-DSB

H. Wake Fund Increase.

Resolution presented by Mark Fox and provides for an increase in the wake fund from \$1,600 to \$2,000. Mr. Fox said:

"For the record, the full council realizes when somebody passes away we feel the impact of every death on and off the reservation because they come in for these funds. We begin to realize how some families are not in the best situation to take care of it, this is extra strife on top of the fact they have to go through something like this when some loved one passes away, it's pretty hard. The previous limits were set by a former council. The wake funds that provide for these fundings are under 350F&G and they are broken down by percentages, so whatever monies are available that come in under that, that's how we pay for the wake fund, anything above and beyond that, the T2 account would take the hit. Casino revenues have been increased to the point where we can handle helping our people during this very important time."

At this time, Mark Fox informed the council of the untimely passing of Calvin Bird Bear and cited some of the achievements of this young man.

Motion to approve made by Edwin Hall. Motion seconded by Mark Fox.

Vote: 6 in favor, 1 absent. Approved.

RESOLUTION NO. 95-147-DSB

- I. Resolution in Support of Post 253 Legion/Auxiliary Trip to Washington, DC, to honor Korean War Veterans.

Resolution presented at this time by Mr. Austin Gillette, who made a motion to approve. Motion seconded by Daylon Spotted Bear.

Vote: 6 in favor, 1 absent. Approved.

RESOLUTION NO. 95-148-DSB

- J. Oil and Gas Sale Resolution.

Resolution presented by Austin Gillette. Resolution has gone through the Natural Resources Committee. A meeting was held with Bureau of Land Management on this. Kyle Baker, Natural Resources Administrator, described the development potential on the reservation.

Motion made by Austin Gillette to approve the resolution and for Natural Resources Committee to give council some recommendations on how the tribes can improve their situation so they can better attract oil companies. Motion seconded by Edwin Hall.

Discussion on the oil industry which has been reluctant to come on the reservation, nomination process, bidding rates, and things we can do to entice oil companies to the reservation.

Vote: 5 in favor, 1 abstention, 1 absent.

RESOLUTION NO. 95-148-DSB

- K. Segment Employment Program and Issues.

Resolution presented by Mark Fox. Resolution would call for another deduction in the employment program budgets of the councilmen. from \$25.00 to \$21.00.

Mark Fox made motion for approval, seconded by Edwin Hall.

Discussion on moving it down to \$20.00 by Edwin Hall. The production of community workers in the segments was also discussed.

Vote: 2 in favor, 3 opposed,
1 abstention, 1 absent. Motion Defeated.

Further discussion on amount the tribes have to contribute in the next month or two. Mr. Gillette asked Chairman Mason if a special meeting in the next month could be called just to deal with finances only? Chairman Mason concurred. Mr. Fox felt that a pretty decent picture of the tribes finances had been presented on the overhead today by Mr. Brendsel. The amount the tribes spend for temporary labor was also discussed.

VIII. APPROVAL OF MINUTES.

A. June 16, 1995 (Special Council Meeting)

Austin Gillette moved for approval, with corrections, if any. George Fast Dog seconded. (No corrections)

Vote: 6 in favor, 1 absent.
Minutes Approved.

B. June 21, 1995 (Special Council Meeting)

Austin Gillette moved for approval, seconded by Daylon Spotted Bear.

Vote: 6 in favor, 1 absent.
Minutes Approved.

IX. COMMITTEE/BOARD AMENDMENTS.

Mark Fox made a motion to include Charles Foote on the TERO Board. Motion seconded by Edwin Hall.

Vote: 4 in favor, 2 abstentions, 1 absent.
Approved.

Daylon Spotted Bear made a motion to place Virgil Eagle on the LCM Board of Directors. Motion seconded by George Fast Dog.

Vote: 6 in favor, 1 absent.
Approved.

Mr. Edwin Hall made a motion to place Ted Danks on the LCM Board of Directors. Motion seconded by Austin Gillette.

Vote: 5 in favor, 1 stepped out, 1 absent.
Approved.

Mr. Edwin Hall made a motion to place Matthew Foolish Bear on the LCM Board of Directors. Mark Fox seconded the motion.

Vote: 4 in favor, 1 abstention, 1 stepped out, 1 absent. Approved.

X. ADJOURNMENT.

Motion to adjourn the meeting was made by Edwin Hall, seconded by Austin Gillette. 5 in favor, 1 stepped out, 1 absent. Meeting adjourned at 6:38 p.m. Next regular scheduled meeting scheduled for Thursday, August 10, 1995.

CERTIFICATION OF 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.

7 members were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 10th day of August 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 5 member(s), 0 member(s) opposed, 0 member(s) abstained, 2 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 10th day of August, 1995.

Daylon Spotted Bear
Daylon Spotted Bear, Secretary
Tribal Business Council

ATTEST:



Russell D. Mason, Chairman
Tribal Business Council