



# 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

THURSDAY, OCTOBER 05, 1995, 4:05 P.M.

#### I. CALL TO ORDER & OPENING PRAYER.

Meeting called to order at 4:05 p.m. by Chairman Russell D. Mason, Sr. A moment of silent prayer was held.

#### II. ROLL CALL.

Roll call by Secretary Daylon Spotted Bear.

##### Present:

Russell D. Mason, Sr.	Chairman
Edwin Hall	Vice-Chairman
Mark N. Fox	Treasurer
Daylon Spotted Bear	Executive Secretary
Austin Gillette	East Segment

##### Absent:

Ivan Johnson	West Segment
George Fast Dog	North Segment

Visitors Present: Arby Little Soldier, Twin Buttes School Board; Attorneys Henry M. Buffalo, Jr. and Joseph F. Halloran, Minneapolis, MN.

Employees Present: Marian Spotted Bear, Recording Secretary; Reginald Rogers, Acting Sergeant at Arms; James H. Danks, Tribal Programs Analyst; Tribal Attorney Christopher D. Quale; Staff Attorney Thomas Disselhorst; Casino Liaison, Carol Good Bear; Financial Consultant David Brendsel.

#### III. NEW BUSINESS.

##### A. Twin Buttes School District Resolution on Waiver of Requirement of Indian Policies and Procedures Concerning Residence of School Children in their District.

Arby Little Soldier presented the resolution, explaining it was a request for waiver of the requirement of PL 81-874, Section 8004, to show land descriptions of residences of all school children residing in their district. He said this was an attempt to cut down on paperwork.

**MOTION** to approve by Austin Gillette, **SECOND** by Daylon Spotted Bear.

**Discussion** by Mark N. Fox on intent of Section 8004 and whether or not any legal counsel had reviewed this before submittal. Mr. Little Soldier said he thought that Alyce Spotted Bear, School Superintendent, had this done.

**VOTE:** 5 in favor, 2 absent. **Resolution No. 95-198-DSB**

B. Tribal Sponsorship of Championship Saddle for Arby Little Soldier.

Mr. Little Soldier said last year he was fortunate to win the All Around Bulldogging Championship of the Roughrider Rodeo Association. The prior administration had promised him tribal sponsorship of the championship saddle; however, nothing was ever done. In the meantime, the saddle has been completed with an inscription "Donated by the Three Affiliated Tribes". He asked whether this council would honor this sponsorship in the amount of \$2,000.

Chairman Mason advised Mr. Little Soldier of the financial situation of the tribes at this time, and said that, possibly, this could be revisited at a later date. Arby said he understood and would wait.

C. Personnel Action on Security.

Mr. John H. Danks presented a written termination request from Security and Maintenance on one of the security officers, due to failure to abide by the personnel policies and rules.

**MOTION** by Edwin Hall, **SECOND** by Mark N. Fox, to stand behind the administration and supervisory capacity of the Security/Maintenance staff, and approve this termination request.

**VOTE:** 5 in favor, 2 absent. **Approved.**

D. Head Start Request for Approval of Temporary Hire of Cook for Tiny Tot Head Start Center.

Mr. Danks presented a written request from C. A. Wolf Eyes to approve of the temporary appointment of Cletus Fox as temporary cook for the Tiny Tot Head Start Center until position is advertised and filled. **Discussion** on whether or not the Parent Policy Committee had been involved in the selection of this temporary appointment; and that, if they hadn't been involved, they should have been.

**MOTION** to approve on condition that position be immediately advertised if it has not been already, by Austin Gillette, **SECOND** by Mark N. Fox.

**VOTE:** 4 in favor, 0 opposed, 1 abstained, 2 absent.  
Approved.

E. Administrative Assistant Position, Parshall/Lucky Mound District.

F. Healthy Start Formal Request re Data Entry Clerk Position.

G. Tribal Business Council Statements on Casino Incident (For the Record).

**FOR THE RECORD:** Chairman Mason thanked the council members for their support after the incident at the Four Bears Casino. He said it was handled in a professional manner, and everyone is trying to be as objective as possible. Treasurer Fox said this type of activity is intolerable, and won't be stood for-- elected officials have the burden and responsibility of making decisions, and verbal threats and criticism are part of the job, but physical harm requires punishment to the fullest extent of the law. Councilman Gillette said he didn't agree with what had happened at all, and agreed with Mr. Fox that all measures available should be taken. Vice Chairman Hall concurred with both Mark and Austin's statements.

H. Gaming Update from Gaming Attorneys.

Henry M. Buffalo, Jr., along with Joseph F. Halloran, updated the council and gave a legal review of the gaming management proceedings.

**MOTION** by Mark N. Fox that the council authorize the gaming attorneys to make the proper representation to the National Indian Gaming Commission that the council is willing, and continues to be willing, to negotiate this. **SECOND** by Edwin Hall. **VOTE:** 5 in favor, 2 absent. Passed.

IV. **APPROVAL OF MINUTES.**

A. September 27, 1995 (Special Meeting).

Chairman Mason asked council to read and review these minutes so they could be approved at the Regular Council Meeting on October 12, 1995.

V. **OTHER BUSINESS.**

A. Authorization for Three Affiliated Tribes' Counsel to Intervene in Lawsuit Pending against the Bureau of Indian Affairs.

Tribal Staff Attorney Thomas Disselhorst advised council of the above lawsuit, whereupon **MOTION** was made by Mark N. Fox to authorize our tribal counsel to intervene in the lawsuit presently pending between the Turtle Mountain Band of Chippewas and the Devils Lake Sioux Tribe against the Bureau of Indian Affairs, **SECOND** by Austin Gillette.

**VOTE:** 5 in favor, 2 absent. Passed.

J. Extension of Consultant Agreement for Thomas Gunderson to Continue to Work with the Child Welfare Program.

**MOTION** to approve extension of consultant agreement of Thomas Gunderson for ninety (90) days made by Austin Gillette, **SECOND** by Daylon Spotted Bear.

**VOTE:** 5 in favor, 2 absent. Passed.

VI. **ADJOURNMENT.**

**MOTION** to adjourn by Mark N. Fox, **SECOND** by Edwin Hall.

**VOTE:** 5 in favor, 2 absent. Passed. Meeting adjourned at 5:30 p.m. Next scheduled meeting will be the Regular Monthly Meeting scheduled for Thursday, October 12, 1995.

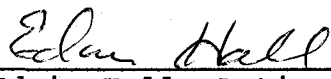
**CERTIFICATION OF MINUTES**

I, the undersigned, as Acting Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation on October 12, 1995, hereby certify that the Tribal Business Council is composed of seven (7) members, of whom five (5) members constitute a quorum.

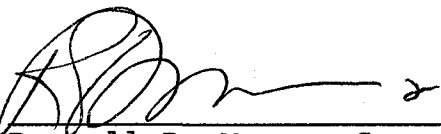
Six members were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 12th day of October 1995, whereupon the Minutes of October 5, 1995, were presented for approval by the Three Affiliated Tribes Recording Secretary.

Said Minutes were duly approved by the affirmative vote of six (6) members, no members opposed, no members abstained, one member 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 12th day of October, 1995.

  
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Edwin Hall, Acting Secretary  
Tribal Business Council

ATTEST:

  
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Russell D. Mason, Sr., Chairman  
Tribal Business Council