



MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

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

REGULAR COUNCIL MEETING

MINUTES OF SEPTEMBER 12 & 13, 1996

TRIBAL BUSINESS COUNCIL

(701) 627-4781

Fax (701) 627-3805

- A. CALL TO ORDER AND OPENING PRAYER.** The Regular Monthly Meeting of the Three Affiliated Tribes' Tribal Business Council was held on Thursday, September 12, and continued on Friday, September 13, 1996. The meeting on September 12 was called to order by Vice Chairman Edwin Hall at 11:15 a.m. in the Tribal Council Chambers.
- B. ROLL CALL.** Six members were present. Quorum established. (Chairman Russell D. Mason, Sr., was not present due to a medical emergency in his family).
- C. ANNOUNCEMENTS AND COMMITTEE REPORTS.** Mr. Fast Dog announced that the Fort Berthold Unity Rider's float took first place in the United Tribes Parade. Mr. Gillette reported that REC in Garrison has agreed to submit a proposal to the state and national level, for a \$300,000 grant for the UNIBAND Project in White Shield. JTPA will offset some of the cost of the computers purchased for training, so the maximum tribal investment may be \$100,000. Mr. Fox said he had attended the annual NIGA meeting in Denver. The 8th Circuit Court of Appeals in TAT vs. BHL&C has ordered that the issue of the validity of the management agreement must be addressed by tribal court. Federal court will still retain jurisdiction in the matter. Mr. Fox said he would like council to address whether to finalize the negotiation settlement or to continue litigation. Mr. Fox said he attended meetings with ND Economic Development & Finance, TERO, and ND Indian Gaming Association during United Tribes, and had met with Governor Shafer on the bridge. On Monday and Tuesday following United Tribes, he attended the National Indian Gaming Association Seminar.
- D. APPROVAL OF AUGUST 1996 MINUTES.**
01. August 07. Motion by Mr. Gillette to approve the minutes of August 07, 1996, with changes. Second, Mr. Fast Dog. Vote 6 in favor, 1 absent. August 07 minutes approved.
02. August 09. Motion by Mr. Gillette to approve the minutes of August 09, 1996, with corrections, if needed. Second, Mr. Johnson. Mr. Gillette noted that the appointment of Antoinette Star as election board representative for New Town/Little Shell should be put on today's agenda to confirm. Vote: 6 in favor, 1 absent. August 09 minutes approved.

(D. Approval of minutes, continued.)

03. August 21. **Motion** by Mr. Gillette to approve the minutes of August 21, 1996, with corrections, if needed. Second by Mr. Fox, for discussion. Mr. Fox requested an addition to Part C regarding the original terms of the contract that the council had to negotiate from. "The demand by BHL&C was for 18 million dollars, based upon the management contract that was signed by the former chairman. In the negotiation process of 8.65 million, we're coming from a starting point of 18 million because that is what they felt that they would have received under the contract terms signed by the former chairman." Mr. Gillette said there is a 10 million dollar difference, and that the council negotiated as best as they could, under the circumstances. Vote: 4 in favor, 1 abstained, 2 absent. August 21 minutes approved.

E. **APPROVAL OF AGENDA.** **Motion** to approve agenda (with addition of 19 items and deletion of 3 items) made by Mr. Fox. Second, Mr. Gillette. Vote: 6 in favor, 1 absent. Agenda approved.

NOTE: Meeting recessed at 12:00 p.m. due to recording problems, and to break for lunch. Reconvened at 2:00 p.m. Five members present. Quorum established.

F. **UNFINISHED BUSINESS.**

01. WS School/Former LCM Company/and TERO Fee Issue. Mr. Gillette said Staff Attorney Tom Disselhorst had reviewed this and advised that the former LCM company has some assets on hand and a disbursal sale of the excess inventory is planned. Mr. Gillette made a **Motion** that assets equal to the amount of the TERO fees of approximately \$37,000 be paid from the accounts the former LCM Company has, and that the remaining balance go to the new Fort Berthold Development Corporation. Second, Mr. Fast Dog. Vote: 5 in favor, 2 absent. Carried.

02. R#96-181-DSB, WS Application for Aging Services Grant to Serve Meals to Elders. **Motion** by Mr. Gillette to approve WS Community to apply for a \$24,870 grant under Title III. Second for discussion, by Mr. Fox. Discussion. 15% match and in-kind contribution is to be provided by the community. Mr. Fox expressed concern that all segments should have meals provided to their elders. and wondered why tribal staff has not been working towards this end. Mr. Gillette said Aging Services has had adequate time to do something about this, but nothing has been done. The deadline for this application is this month. Vote: 5 in favor, 2 absent. Carried.

a. Directive: Tribal Programs Manager/Aging Director. **Motion** was made by Mr. Fox to direct Mr. Lone Fight to immediately search out opportunities to extend (elder meal) services for the upcoming year to include all segments; second, Mr. Gillette. Vote: 5 in favor, 2 absent. Carried.

(F. Unfinished Business, continued.)

03. Tribal Motor Vehicle Code Amendments. Tabled.

04. R#96-182-DSB, Sahnish Farms Cooperative Loan/Grant Approval. Preliminary discussion was held on possible conflicts with R#96-169-DSB pertaining to the coneflower plant. Mr. Fast Dog made a **Motion** to defer this until council revisits the resolution, and until all seven members are present to address this. Motion defeated for lack of second. Mr. Gillette made a **Motion** to approve the resolution of Sahnish Farms. Second for purpose of discussion, Mr. Fox. Discussion. After discussion, motion and second were **amended** to provide for 3 demonstration gardens, rather than 5, which would reduce the request to \$29,500--\$20,000 in the form of a tribal loan and \$9,500 in the form of a grant. According to discussion, the local plant will not be disturbed. Domesticated seeds will be purchased from out of state and planted for harvesting purposes. There will be no harvesting of the wildflower plant indigenous to this area. Motion and second were **amended further** to **amend R#96-169-DSB** to correspond with this action. A roll call vote was requested by Mr. Fast Dog. Members in favor were Mr. Hall, Mr. Fox, Mr. Gillette, and Mr. Spotted Bear; Mr. Fast Dog against; Mr. Johnson and Mr. Mason not present. Motion carried. A motion was then made by Mr. Gillette to approve the new resolution with the new language. The Secretary and Treasurer requested this not be done until the new resolution is before them. Motion withdrawn.

G. **NEW BUSINESS.**

01. Harry Sitting Bear Trip Report. Mr. Sitting Bear reported on his trip to Wales that had been financed by the Welch people. Mr. Sitting Bear presented the council with a goblet that the Welch had presented to him on behalf of the Mandan people, whom they feel they have much in common with. He proposed placing the goblet in the TAT Museum, in a case with a narrative. **Motion** was made by Mr. Gillette to authorize the expenditure for Mr. Sitting Bear to prepare the goblet for display in the museum. Motion seconded by Mr. Fox. Vote: 5 in favor, 2 absent. Carried.

02. Treasurer's Request to Extend Additional Emergency Medical Assistance to Two Families. Mr. Fox explained that two families had received the maximum allowed for medical emergencies. Mr. Fox made a **motion** to grant an additional \$800 per family, depending on need, for Mariel Fox and Anita Deane families. Motion seconded by Mr. Fast Dog. Discussion by Mr. Gillette that he had a letter requesting Mr. Clyde Baker be allowed to borrow \$1,500 against his lease income. Motion **amended** to give the authority to the Credit & Finance Committee to review the situation and whatever amount is approved to report it back to the council. Vote: 5 in favor, 2 absent. Carried.

(G. New Business, continued.)

03. R#96-183-DSB to Establish a TAT Welfare Reform Work Group. Mr. Leo Cummings, 477 Administrator, presented a resolution to establish a TAT working group to keep abreast of the welfare reform legislation. The group shall consist of the 477 Program Administrator, Social Services Administrator, BIA Contract Specialist, Reservation Programs Officer, and council designee. Motion to approve resolution made by Mr. Fast Dog, seconded by Mr. Spotted Bear. Vote: 5 in favor, 2 absent. Carried. Motion by Mr. Fox that the Chairman of the Three Affiliated Tribes be the tribal designee to work with this group. Motion seconded by Mr. Gillette. Vote: 5 in favor, 2 absent. Carried.

04. R#96-184-DSB Replacement Heifer Guidelines for Cattle Relending Participants to Follow. Motion to approve resolution, Mr. Gillette, seconded by Mr. Spotted Bear. Vote: 5 in favor, 2 absent. Carried.

05. R#96-185-DSB, CY 1997 Head Start Continuation Application Grant. Motion to approve resolution, Mr. Fast Dog, seconded by Mr. Fox. Discussion by Mr. Fox regarding level of federal funding for Head Start, and what can be done to make the federal government increase the amount of pay for Head Start employees. C. A. Wolf Eyes stated when the Personnel Department completes a salary wage scale for all employees, she hopes to be able to address this within the Head Start Budget. Treasurer Fox suggested that she get all the increases that she can from the federal government and try to justify that. Vote: 5 in favor, 2 absent. Carried.

06. TAT Kidney Dialysis Unit (KDU). Tribal Health Planner Susan Fredericks explained that the following resolutions were needed to meet the requirements of the State Health Department:

a. R#96-186-DSB, TAT/KDU Medical Director Agreement. Motion to approve agreement between TAT and Mid Dakota Clinic, P. C. of Bismarck, was made by Mr. Fox; seconded by Mr. Spotted Bear. Discussion by Mr. Gillette that fees have been reduced by one-half in this new agreement, which is for the clinic to designate a qualified physician to serve as medical director of the TAT/KDU. Vote: 5 in favor, 2 absent. Carried.

b. R#96-187-DSB, to Confirm Appointment of Linda Yourzek as Chief Executive Officer of the TAT/KDU. Motion to approve resolution made by Mr. Gillette, seconded by Mr. Fox. Vote: 4 in favor, 1 opposed, 2 absent. Carried.

c. R#96-188-DSB, to Appoint Acting Supervisor of TAT/KDU During Absence of Chief Executive Officer. Motion by Mr. Fox, second by Mr. Spotted Bear, to approve Karlea Lopez to serve as Acting CEO in the absence of the Chief Executive Officer.

(G. New Business, 06.c., continued.)

Discussion. Motion and second withdrawn until Mr. Lone Fight can address council to explain incident that occurred at TAT/KDU involving the husband of Ms. Lopez. Discussion. **New motion** made by Mr. Fox to approve the resolution to read Supervisory Clinical Nurse, rather than name an individual. Second by Mr. Gillette. Vote: 5 in favor, 2 absent. Carried.

d. R#96-189-DSB, to Approve Policy and Procedure Manual for the TAT/KDU. Motion by Mr. Fast Dog to approve, second by Mr. Fox. Discussion. The Tribal Business Council is to conduct an annual review of the TAT/KDU Policies & Procedures, as stated in this resolution. Discussion by Mr. Gillette that the TAT/KDU services are above and beyond what is normal practice elsewhere, in that transportation is provided for patients, whereas a client provides his own transportation at other units. Vote: 5 in favor, 2 absent. Carried.

07. R#96-190-DSB, CY 1997 Material Resources Continuation Application for Community Services Block Grant Funding. Motion by Mr. Fast Dog to approve, second by Mr. Gillette. Vote: 5 in favor, 2 absent. Carried.

08. Request and Motion (Denied) on Community Development Docket Fund Distribution by Head Count. Bernadine Young Bird, Myrna Bear Jacobs, and Thomas Bird Bear addressed council regarding considering redistributing the community development docket funds according to head count, rather than equally. Motion by Mr. Fast Dog to approve a resolution to change the distribution to head count. Motion seconded by Mr. Gillette. Discussion held on the pros and cons of equal distribution versus per capita distribution. Mr. Gillette recounted that tribal members had decided by referendum vote, when money was first distributed, to use the head count method, but this was changed in 1990. After lengthy discussion, vote was called for by Acting Chairman Edwin Hall. Vote: 2 in favor, 3 opposed, 2 absent. A roll call vote after the vote was requested by Mr. Fast Dog. Mr. Fast Dog and Mr. Gillette in favor; Mr. Fox, Mr. Hall, and Mr. Spotted Bear opposed; Mr. Mason and Mr. Johnson not present. Motion Denied.

09. Motion for Tribe to Accept Responsibility for Copy of 1851 Fort Laramie Treaty. Mr. Gillette suggested the following action, which was made a motion by Mr. Fast Dog: Council accepts the responsibility of acknowledging the 1851 Fort Laramie Treaty is the property of all members of the Three Tribes, and the family who is the caretaker have agreed to put it in the museum for safekeeping for future generations. Necessary steps will be taken to ensure the recovery and protection of this treaty copy. Motion was seconded by Mr. Fox. Vote: 5 in favor, 2 absent. Carried.

(G. New Business, continued.)

10. Motion to Assist Graduate Student with \$1,000 Funding for School Year 1996-97. Motion was made by Mr. Fox, seconded by Mr. Gillette, to fund Ms. Tyra Wilkinson for \$1,000 from the graduate student education docket fund. Vote: 5 in favor, 2 absent. Carried.

11. Finance.

a. Motion to add Mr. David Brendsel to the Credit & Finance Committee. Motion was made by Mr. Fox, seconded by Mr. Gillette, to add David J. Brendsel as a member of the Credit & Finance Committee retroactively for two weeks. Vote: 4 in favor, 1 opposed, 2 absent. Carried.

b. Motion to Accept Bruce Johnson Offer to Prepare Tribes' IDC Proposal for 1997 and to Close-out the Final Cost Proposal for 1995. Motion to accept offer of Mr. Bruce Johnson of Johnson Associates made by Mr. Fox, seconded by Mr. Spotted Bear. Vote: 5 in favor, 2 absent. Carried.

c. Motion to Consider Miller & Schroeder for Possible Investment and Buy-Out of Casino. Mr. Fox and Mr. Brendsel said three proposals had been submitted to follow up on the possible completion of these negotiations and contracts. Mr. Brendsel recommended the financial firm of Miller & Schroeder, Mpls, MN, whose bid was \$263,000 less than the other two. Motion was made by Mr. Fox to consider Miller & Schroeder for the possible investment and buy-out of the casino. Second by Mr. Gillette. Discussion on possibility of filing a tort claim against the Bureau of Indian Affairs. Vote: 5 in favor, 2 absent. Carried.

NOTE: At this time, Mr. Fast Dog left the meeting, breaking quorum. The Treasurer, with the concurrence of the Executive Secretary, requested it be noted in the minutes that Mr. Fast Dog had left the meeting numerous times, delaying both the meeting and council business until his return. During his absence, an informal round-table discussion was held on the pros and cons of proceeding with the negotiations or continuing with litigation. Mr. Thomas Disselhorst and Mr. John Danks also participated. Council decided to meet further on this and deferred items, the next morning at 11:00 (09/13/96).

12. R#96-191-DSB, Amending R#96-169-DSB on Harvesting Traditional Medicinal Herbs and Plants. Mr. Disselhorst advised the resolution to amend R#96-169 was completed if council wished to take action at this time. (See Item F.04., Page 4.) Motion to approve the resolution was made by Mr. Gillette, seconded by Mr. Spotted Bear. Mr. Fast Dog requested a Roll Call Vote: Mr. Gillette, Mr. Fox, Mr. Spotted Bear, and Mr. Hall were all in favor, with Mr. Fast Dog opposed. Carried.

(G. New Business, continued.)

13. R#96-192-DSB, to Subsidize Garrison Ambulance Service in FY97. Resolution states a payment of \$6,500 shall be made in FY97 to the Garrison Ambulance Service to assist with ambulance services for which payment has not been made by either the patient (tribal enrollee) and/or IHS. Motion to approve made by Mr. Gillette, seconded by Mr. Fox. Vote: 5 in favor, 2 absent. Carried.

14. Motion on Grant/Program/Research Development Consultant Agreement. John Danks, Program Analyst, has proposed to retain the services of Kenneth Dean, Jr. to provide grant, program, and research development services to the Tribe via computer networking. The proposal would include purchase of computer equipment/software in the estimated amount of \$6,000 for Mr. Dean, plus a consultant fee of \$6,250 for a period of one year. Motion was made by Mr. Gillette to approve, with the stipulation that the Treasurer and Chairman try to get the cost down, seconded by Mr. Fox. Vote: 5 in favor, 2 absent. Carried. (Mr. Fox noted that approval is subject to those terms.)

15. Discussion on Hiring a GSA Property Procurement Screener. Mr. Gillette said this had been discussed previously in March or April (See 04/11/96 Minutes, Item G.10.) and made a motion for Mr. Gerald White to be the GSA Property Procurement person to target excess government equipment and furniture. Mr. Fox asked to see the consultant agreement. Mr. Danks said the the position description was done, but not the agreement. Motion withdrawn. Deferred to 09/13/96 meeting.

16. Ratification of TBC Election Board Appointment. Motion to ratify appointment of Antoinette "Toni" Star Skibsrud as election board member from New Town, made by Mr. Gillette, seconded by Mr. Fox. Disc: Retroactive to August 13. Vote: 5 in favor, 2 absent. Carried.

H. LEGAL DEPARTMENT MATTERS.

01. Approval of Six Tribal Business Licenses.

a. Motion to approve tribal business license renewal for Yellow Bird Convenience Store in White Shield made by Mr. Gillette, seconded by Mr. Fox. Vote: 5 in favor, 2 absent. Carried.

b. Motion to approve the business license application of Dave and Sandra Brendsel, Shaklee distributors, made by Mr. Fox, seconded by Mr. Fast Dog. Vote: 5 in favor, 2 absent. Carried.

c. Motion by Mr. Fast Dog to approve the remaining four business license applications for Evalon Bachmeier, farm produce wholesale; Minot City Laundry & Dry Cleaning; Sherry Rene Hoffman, Mary Kay Cosmetics; and Chad Martin, retail sale of toys. Second by Mr. Gillette. Vote: 5 in favor, 2 absent. Carried.

(H. Legal Department, continued.)

02. Motion to Charge Business License Application Fees Based on Annual Reservation Income of Business, Beginning January 01, 1997. Motion was made by Mr. Fox that the above business licenses (Items H.01.a.b.c.) and those applied for from now to 12/31/96, be approved only until 12/31/96, with pro-rated fee. Seconded by Mr. Gillette. Discussion: Beginning 01/01/97, businesses applying for a tribal license will be charged according to historical or projected annual income earned on the reservation. Vote: 5 in favor, 2 absent. Carried.

03. Ratification of Appointment of Special Judge in Election Board Appeal. S/A Christopher D. Quale said he had polled six members of the council on 09/03-04/96 to approve the appointment of Special Judge B. J. Jones to serve as presiding judge in tribal court, due to approval of Ted Lone Fight III's motion to remove Judge Dean Winkjer from the case. Appointment needs ratification. Motion by Mr. Gillette to approve Mr. Jone's appointment retroactively. Second by Mr. Fox. Vote: 5 in favor, 2 absent. Carried.

I. **PERSONNEL SELECTIONS & OTHER MATTERS.**

01. Social Services. Rosalind Walks, Social Worker I. Motion to approve recommendation of Rosalind Walks for one of the social work positions was made by George Fast Dog, seconded by Austin Gillette. Vote: 5 in favor, 2 absent. Carried.

02. Head Start.

a. Valerie Demaray, Temporary Bus Driver (Tiny Tots); Janelle Fox, Permanent Teacher Assistant (Tiny Tots); Glendon "Mickey" Rush, Permanent Teacher Aide (Little Lodge); Priscilla Hosie, Permanent Teacher Assistant (Little Lodge). Motion by George Fast Dog to approve above appointments, seconded by Austin Gillette. Vote: 5 in favor, 2 absent. Carried.

b. Kevin Claymore, Temporary Teacher (Little Plume 1); Monica Birdinground, Temporary Mental Health Coordinator. Motion by George Fast Dog to approve temporary appointments, seconded by Daylon Spotted Bear. Vote: 5 in favor, 2 absent. Carried.

c. Leroy White Singer, Permanent Teacher (Tiny Tots). Motion by Austin Gillette to approve Mr. White Singer, seconded by Mark N. Fox. Vote: 5 in favor, 2 absent. Carried.

d. Andrietta Touchine, Permanent Teacher Assistant (Little Plume 1). Motion by George Fast Dog to approve, seconded by Austin Gillette. Vote: 5 in favor, 2 absent. Carried.

(I. Personnel, 02. Head Start, continued.)

e. Lujuanna J. Wilson, Permanent Teacher Assistant (Four Feathers). **Motion** by George Fast Dog to approve, seconded by Austin Gillette. Vote: 5 in favor, 2 absent. Carried.

03. Discussion on Second Parshall CHR Position. **Motion** by George Fast Dog to select Jerolyn Old Rock Fox for Parshall CHR, seconded by Austin Gillette for discussion. Discussion on why other applicants were not on list, and where the recommendation of the CHR Director was. Vote: 1 in favor, 1 opposed, 3 abstained, 2 absent. Denied. Council requested to see complete list of applicants at meeting on 09/13/96.

04. Four Bears COPS/FAST Police Officer. **Motion** to approve selection of Noel Scott Baker made by George Fast Dog, seconded by Mark N. Fox. Vote: 5 in favor, 2 absent. Carried.

05. Administrator of Minne-Tohe Clinic Construction. **Motion** to approve Kenny Stevenson made by Mark N. Fox, seconded by Daylon Spotted Bear. Vote: 3 in favor, 2 opposed, 2 absent. Carried.

06. Tiny Tots Head Start Cook. Regina Smith, Temporary. **Motion** to approve by George Fast Dog, seconded by Mark N. Fox. Vote: 5 in favor, 2 absent. Carried.

07. Sick Leave Grant. **Motion** by Mark N. Fox to extend 30-days sick leave grant to Joelyn Foote in Child Protection Services. No second to motion. Denied. Discussion that this has been done in the past for other employees. **New Motion** by Mark N. Fox that Joelyn Foote be granted additional sick leave so she can continue with her therapy. Motion seconded by Daylon Spotted Bear, who stated that he didn't hear the first motion. Discussion. Mr. Gillette stated there have been others, in the past, that we haven't allowed this for. However, it was clarified that 30 days sick leave had previously been granted to a tribal employee. (See 06/18/96 minutes.) Vote: 5 in favor, 2 absent. Carried.

08. Northeast Segment Appointment Approval for Alvin Foote. **Motion** by Mark N. Fox to grant full-time appointment status to Alvin Foote retroactive to his start date in June 1996. Second by Austin Gillette. Vote: 5 in favor, 2 absent. Carried.

09. Approval for Credit & Finance Committee Recommendation to Advertise for a Collections Officer for the Small Loan Program. **Motion** to approve was made by Mark N. Fox. Second by Austin Gillette. Vote: 5 in favor, 2 absent. Carried.

10. Motion by Mark N. Fox to approve the hiring of Harlan Deane in the Northeast Segment Office. Second by George Fast Dog. Vote: 5 in favor, 2 absent. Carried.

(I. Personnel, continued.)

11. Request for Receipt of North Segment Employment Report. Mr. Fox requested Mr. Fast Dog to submit this report to the Treasurer's Office. Mr. Fast Dog said it was done.

J. **NEXT MEETING.** September 13, 1996.

K. **MOTION FOR RECESS.** Austin Gillette made **Motion** to recess meeting until 11:00 in the morning (09/13/96) at 6:10 p.m. Seconded by Mark N. Fox. Vote: 5 in favor, 2 absent. Carried. Meeting recessed at 6:10 p.m.

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L. **CALL MEETING BACK TO ORDER.** Continuation Meeting was called back to order Friday morning, September 13, 1996, at 11:30 a.m. by Chairman Russell D. Mason, Sr., with all members present.

M. **NEW ANNOUNCEMENTS.** Mr. Fox said a special meeting on trust funds would be held in Phoenix 09/15-17/96, which he and Dave Brendsel would be attending. An Inter-Tribal Monitoring Association Meeting will follow this, so they will be gone all week. Chairman Mason said verbal support and oppositions from the Tribe, regarding four main issues, had been relayed to the Senate Committee on Indian Affairs. The four issues are (1) to support Senator McCain's amendment to increase Indian Education Programs in the Interior Appropriations Bill, (2) to support the amendment that seeks to strike Section 118, Senator Gorton's amendment to almost "do away" with the BIA, (3) to oppose any tribal taxation measure, especially both Senators Pressler and Istook amendments regarding trust land (Istook amendment states that lands that have recently gone into trust, and have income-producing activities on them, have to pay state and local taxes), (4) to oppose Senators Gorton and Chafee anti-Indian gaming amendment which seeks to impose increased state authority and control over Indian Gaming Operations. These four major issues are being addressed--verbal recommendations have gone in on these, and letters are to be sent also. Chairman Mason said it looks like there will be a continued resolution again this year, until after the national election and inauguration.

N. **PERSONNEL SELECTIONS & OTHER MATTERS (CONT'D).**

01. Renewal of Consultant Agreements for Circle of Life. **Motion** by Mr. Fast Dog to renew the consultant agreements for two months for Cheryl Fox and Juanita Two Hearts. Second by Mr. Fox. Vote: 7 in favor. Carried.

02. Consultant Agreement for GSA Property & Supply Screener. John Danks said agreement had been completed, with exception of rate of pay. Discussion on budget limitation of \$20,000, one-year agreement,

(N. Personnel, 02., continued.)

and work as-needed. **Motion** by Mr. Gillette to approve consultant agreement, with budget limitation, for Gerald White. Motion seconded by Mr. Hall. Vote: 5 in favor, 1 opposed, Mr. Fox absent during vote. Carried.

03. North Segment Employment Program Budget Discussion. Mr. Frank Henry, TAT Finance, was present and advised that this program would be within its budget to the end of the fiscal year, if present staff salaries were reduced this pay period, as is currently planned. No official action necessary.

04. Motion to Advertise for Tribal Court Judge/Administrator. **Motion** by Mr. Fast Dog to advertise this position and to extend the time for recruiting to thirty (30) days. Second by Mr. Johnson. Vote: 4 in favor, 3 opposed. Carried.

05. Motion to Advertise for Tribal Court Magistrate. Mr. Edwin Hall made a **Motion** to advertise this position for thirty (30) days. Second by Mr. Fox. Vote: 6 in favor, Mr. Gillette absent during vote.

06. Motion to Give Authority to Acting Judicial Resources Manager to Appoint Temporary Tribal Court Magistrate. **Motion** by Mr. Fox to give Dixie Howling Wolf authority to make a temporary appointment for Tribal Court Magistrate until position is advertised and filled. Second by Mr. Hall. Vote: 6 in favor, Mr. Gillette absent during vote.

07. Selection of Second CHR for Parshall. **Motion** by Mr. Fast Dog to select Jerolyn Fox. Second by Mr. Johnson. Vote: 3 in favor, 1 opposed, 3 abstained. Carried.

O. CASINO MANAGEMENT AND BUY-OUT ISSUES.

01. Motion to Work with Casino Consultant Firms. Financial Consultant Dave Brendsel requested council approve working with casino consultant firms and placement agencies to locate and select a general manager and a comptroller for the casino. Motion by Mr. Johnson, second by Mr. Fast Dog to support Mr. Brendsel's recommendations to work with casino consultant and placement services. Vote: 5 in favor, 1 opposed, 1 abstained. Carried.

NOTE: A special meeting was decided to be held on Wednesday, September 25, at 10:00 a.m. to review settlement agreement.

02. Verification of Intent of Council on Casino Buy-Out. At the recommendation of Mr. Gillette, a straw vote on the casino buy-out was taken by the chairman. Vote was 5 in favor, 0 opposed, 2 abstained.

P. MOTION TO APPROVE ADDITIONAL MONIES FOR FOUR BEAR'S COPS/FAST OFFICER.

Motion by Edwin Hall to approve additional request of \$2,029.83 for needed supplies for Cops/Fast Officer. Second by Mr. Gillette.
Vote: 7 in favor. Carried.

Q. ADJOURNMENT. Motion by Mr. Hall to adjourn, seconded by Mr. Johnson.
Vote: 7 in favor. Carried. Meeting adjourned at 1:00 p.m.


CERTIFICATION OF MINUTES

As Executive Secretary of the Tribal Business Council of the Mandan Hidatsa Arikara Nation, Three Affiliated Tribes of Fort Berthold Reservation, I hereby certify that the Tribal Business Council is composed of seven members, of whom five members constitute a quorum. 7 members were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 10th day of October 1996, whereupon the Regular Council Meeting Minutes of September 12 and 13, 1996, were presented for approval by the Three Affiliated Tribes' Recording Secretary. Said minutes were duly approved by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members absent; and have not been amended, except as noted by council when approved.

September 12-13, 1996, Regular Meeting Minutes approved and certified
October 10, 1996.

Daylon Spotted Bear
Daylon Spotted Bear, Executive Secretary
Three Affiliated Tribes' Tribal Council

ATTEST:


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

ORIGINAL

LICENSE NO.

TRIBAL BUSINESS COUNCIL
THREE AFFILIATED TRIBES
FORT BERTHOLD RESERVATION

B U S I N E S S L I C E N S E

Pursuant to Subchapter 1, Chapter 17 of the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation, and subject to the rules and regulations set forth in said Subchapter 1, Chapter 17, and subject to the conditions set forth in this License, authority is hereby granted to conduct business within the exterior boundaries of the Fort Berthold Reservation as follows:

LICENSEE: Evalon C. Bachmeier
TERM OF LICENSE: September 12, 1996 - September 12, 1997
NAME OF BUSINESS: C.B. Farms & Greenhouse
NATURE OF BUSINESS: Farm Produce Wholesale
LOCATION OF BUSINESS: Halliday, ND

CONDITIONS:

1. Licensee shall not charge excessive prices in the sale of goods.
2. Licensee shall not indulge in practices deemed detrimental to the economic welfare of the Three Affiliated Tribes or of the members thereof.
3. Licensee shall comply with all applicable rules and regulations set forth in Subchapter 1, Chapter 17 of the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation.
4. Licensee shall generally comply with all applicable civil and criminal laws set forth in the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation.

Dated this 12th day of September, 1996, at New Town, North Dakota.

ATTEST: Daylon Spotted Bear
Daylon Spotted Bear
Secretary
Tribal Business Council

BY: Russell D. Mason, Sr. for
Russell D. Mason, Sr.
Chairman
Tribal Business Council

ORIGINAL

LICENSE NO.

TRIBAL BUSINESS COUNCIL
THREE AFFILIATED TRIBES
FORT BERTHOLD RESERVATION

B U S I N E S S L I C E N S E

Pursuant to Subchapter 1, Chapter 17 of the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation, and subject to the rules and regulations set forth in said Subchapter 1, Chapter 17, and subject to the conditions set forth in this License, authority is hereby granted to conduct business within the exterior boundaries of the Fort Berthold Reservation as follows:

LICENSEE: Sherry Rene Hoffman
TERM OF LICENSE: September 12, 1996 - September 12, 1997
NAME OF BUSINESS: Mary Kay
NATURE OF BUSINESS: Cosmetics Sales
LOCATION OF BUSINESS: Grand Forks, ND

CONDITIONS:

1. Licensee shall not charge excessive prices in the sale of goods.
2. Licensee shall not indulge in practices deemed detrimental to the economic welfare of the Three Affiliated Tribes or of the members thereof.
3. Licensee shall comply with all applicable rules and regulations set forth in Subchapter 1, Chapter 17 of the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation.
4. Licensee shall generally comply with all applicable civil and criminal laws set forth in the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation.

Dated this 12th day of September, 1996, at New Town, North Dakota.

ATTEST: Daylon Spotted Bear
Daylon Spotted Bear
Secretary
Tribal Business Council

BY: Russell D. Mason, Sr. far
Russell D. Mason, Sr.
Chairman
Tribal Business Council

ORIGINAL

LICENSE NO.

TRIBAL BUSINESS COUNCIL
THREE AFFILIATED TRIBES
FORT BERTHOLD RESERVATION

B U S I N E S S L I C E N S E

Pursuant to Subchapter 1, Chapter 17 of the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation, and subject to the rules and regulations set forth in said Subchapter 1, Chapter 17, and subject to the conditions set forth in this License, authority is hereby granted to conduct business within the exterior boundaries of the Fort Berthold Reservation as follows:

LICENSEE: Chad Martin
TERM OF LICENSE: September 12, 1996 - September 12, 1997
NAME OF BUSINESS: Chad Martin & Associates
NATURE OF BUSINESS: Retail Sales of Toys
LOCATION OF BUSINESS: Throughout Fort Berthold Reservation

CONDITIONS:

1. Licensee shall not charge excessive prices in the sale of goods.
2. Licensee shall not indulge in practices deemed detrimental to the economic welfare of the Three Affiliated Tribes or of the members thereof.
3. Licensee shall comply with all applicable rules and regulations set forth in Subchapter 1, Chapter 17 of the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation.
4. Licensee shall generally comply with all applicable civil and criminal laws set forth in the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation.

Dated this 12th day of September, 1996, at New Town, North Dakota.

ATTEST: Daylon Spotted Bear
Daylon Spotted Bear
Secretary
Tribal Business Council

BY: Edna Hall for
Russell D. Mason, Sr.
Chairman
Tribal Business Council

ORIGINAL

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LICENSEE: Dave & Sandra M. Brendsel
TERM OF LICENSE: September 12, 1996 - September 12, 1997
NAME OF BUSINESS: Quality Plus, Inc
NATURE OF BUSINESS: Distributors of Shaklee Products
LOCATION OF BUSINESS: Watford City, ND

CONDITIONS:

1. Licensee shall not charge excessive prices in the sale of goods.
2. Licensee shall not indulge in practices deemed detrimental to the economic welfare of the Three Affiliated Tribes or of the members thereof.
3. Licensee shall comply with all applicable rules and regulations set forth in Subchapter 1, Chapter 17 of the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation.
4. Licensee shall generally comply with all applicable civil and criminal laws set forth in the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation.

Dated this 12th day of January, 1996, at New Town, North Dakota.

ATTEST: Daylon Spotted Bear
Daylon Spotted Bear
Secretary
Tribal Business Council

BY: Edm Hall for
Russell D. Mason, Sr.
Chairman
Tribal Business Council

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LICENSEE: Willard Yellow Bird
TERM OF LICENSE: September 12, 1996 - September 12, 1997
NAME OF BUSINESS: Convenience Store
NATURE OF BUSINESS: Yellow Bird 9 & 10 Convenience Store
LOCATION OF BUSINESS: White Shield, ND

CONDITIONS:

1. Licensee shall not charge excessive prices in the sale of goods.
2. Licensee shall not indulge in practices deemed detrimental to the economic welfare of the Three Affiliated Tribes or of the members thereof.
3. Licensee shall comply with all applicable rules and regulations set forth in Subchapter 1, Chapter 17 of the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation.
4. Licensee shall generally comply with all applicable civil and criminal laws set forth in the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation.

Dated this 12th day of September, 1996, at New Town, North Dakota.

ATTEST: Daylon Spotted Bear
Daylon Spotted Bear
Secretary
Tribal Business Council

BY: Edw Hall *for*
Russell D. Mason, Sr.
Chairman
Tribal Business Council

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B U S I N E S S L I C E N S E

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LICENSEE: Gregg Glueckert
TERM OF LICENSE: September 12, 1996 - September 12, 1997
NAME OF BUSINESS: City Laundry & Dry Cleaning
NATURE OF BUSINESS: Laundry & Dry Cleaning
LOCATION OF BUSINESS: Minot, ND

CONDITIONS:

1. Licensee shall not charge excessive prices in the sale of goods.
2. Licensee shall not indulge in practices deemed detrimental to the economic welfare of the Three Affiliated Tribes or of the members thereof.
3. Licensee shall comply with all applicable rules and regulations set forth in Subchapter 1, Chapter 17 of the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation.
4. Licensee shall generally comply with all applicable civil and criminal laws set forth in the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation.

Dated this 12th day of September, 1996, at New Town, North Dakota.

ATTEST: Daylon Spotted Bear
Daylon Spotted Bear
Secretary
Tribal Business Council

BY: Eden Hall *for*
Russell D. Mason, Sr.
Chairman
Tribal Business Council