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7 Jan

TRIBAL BUSINESS COUNCIL MEETING NO. 5
REGULAR MEETING

CONVENED : March 12, 1998. TIME: 10:50 a.m.
RECONVENED: March 13, 1998. TIME: 10:30 a.m.

** G/E/K
w. corrects
if needed*

01. Call to Order, Prayer & Roll Call.

The Regular Meeting of March 1998 was called to order by Chairman Russell D. Mason, Sr., at 10:50 a.m. in the Tribal Council Chambers. Members present for roll call were: Chairman Russell D. Mason, Sr., Councilman Thomas Bird Bear, Councilman Mark N. Fox, Councilman Austin Gillette and Councilman Daylon Spotted Bear. Quorum established. Councilman Edwin Hall joined the meeting immediately after roll call. A moment of silent prayer was held. Councilman Tex Hall was in travel status, and joined the meeting at 1:25 p.m.

02. Approval of Minutes of Previous Meetings.

- a. Special Meeting, January 29 & February 13, 1998. Motion to approve minutes, with corrections if needed, was made by Austin Gillette and seconded by Edwin Hall. Vote: 6 in favor, 1 absent. Minutes approved.
- b. Regular Meeting, February 13 and 17, 1998. Motion to approve minutes, with amendments if needed, was made by Thomas Bird Bear and seconded by Edwin Hall. Vote: 6 in favor, 1 absent. Minutes approved.
- c. Special Meeting, March 03, 1998. Motion to approve minutes was made by Thomas Bird Bear and seconded by Daylon Spotted Bear. Vote: 5 in favor, 1 absent, Chairman Mason not present for vote. Minutes approved.

03. **Announcements.** The council members went over their itineraries and scheduled meetings. Concern over the news releases which appear to implicate drug trafficking in the Four Bears Casino was expressed by the council members. The State made an apology for listing the casino in their news release, however, the FBI has since released a news article on the same arrests, stating the "buy" was made in the Four Bears Casino. This is not good publicity for the casino. It was recommended that the chairman contact U. S. States Attorney John Schneider regarding these news releases.

04. **Approval of Agenda.** Motion to approve agenda (with additions, deletions, and changes) was made by Austin Gillette and seconded by Mark Fox. Vote: 6 in favor, 1 absent. Agenda approved.

NOTE: Policy on closed sessions for Personnel

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05. **R#98-026-DSB, Donation to Water Busters.** Motion to approve request of \$4000 was made by Thomas Bird Bear and seconded by Edwin Hall. Discussion. Vote: 2 in favor, 3 opposed, 1 abstained, 1 absent. Motion to approve \$2000 was made by Mark Fox and seconded by Austin Gillette. Vote: 6 in favor, 1 absent. Passed.

Note: Meeting recessed for lunch break at 12:10 p.m. Reconvened at 1:25 p.m. All members present.

06. **Garrison Ambulance Service.** Edward Lone Fight and John Danks led the discussion. The past two years \$6,500 has been budgeted for the Garrison Ambulance Service to provide ambulance service to the White Shield residents. This amount has usually been considered to be adequate by the Garrison Ambulance Service. Now, they have converted from a volunteer service to a 24-hour service and \$6,500 is no longer adequate. We need a copy of their audit report and other documentation to justify increase. Other alternatives discussed. John Danks and Ed Lone Fight to follow up.

07. **R#98-027-DSB, Grant to Parshall Day Care Center.** Discussion. This day care center is chaired by a member of the Three Tribes and cares for approximately 21 children, most of which are Native American. They are requesting assistance to re-do the basement in order to provide service for approximately 18 more children. Motion by Daylon Spotted Bear and seconded by Mark Fox to assist with \$4000. Vote: 7 in favor. Carried.

R#98-028-DSB, Purchase of Land. Discussion. The resolution provides for the purchase of land from Dolly Lyda Foote for the amount appraised by the Bureau of Indian Affairs. If the land is re-appraised, utilizing the former appraisal procedure, and this amount is higher, the Tribes agree to pay the difference to Ms. Foote. The Natural Resources Committee is going to meet with the Superintendent to go over the new appraisal system that they have. Motion to approve, Austin Gillette; second, Mark Fox. Vote: 7 in favor. Carried.

09. **Proposed Lewis & Clark Resolution.** Motion to approve a proposed resolution submitted by the TAT Museum Board was made by Thomas Bird Bear and seconded by Tex Hall. After discussion, it was decided the resolution needed some amendments. Motion and second withdrawn. This will be presented at a later date.

10. **R#98-029-DSB, National Indian Gaming Association (NIGA).** Resolution provides for renewal of Tribes' membership in an amount NTE \$3,000 and appoints Mark N. Fox as official representative from the Three Affiliated Tribes, with Edwin Hall as an alternate delegate. Resolution further supports Mr. Fox's potential election to the executive office and board of NIGA. Motion to approve, Austin Gillette; second, Tex Hall. Vote: 7 in favor. Carried.

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11. **R#98-030-DSB, RTC Lawsuit Telecon & Discussion.** A telephone conference was held with the Tribes' attorneys in Washington, D. C. regarding their recommendations on this case. The Tribes' Tax Commission, Tax Director and legal staff will be negotiating further on a settlement agreement with the telephone cooperatives. Motion to approve this resolution authorizing a settlement agreement that meets with the approval of the Tribal Business Council was made by Mark Fox and seconded by Daylon Spotted Bear. Vote: 6 in favor, 1 opposed. Carried.

Break taken at 4:00 p.m. Reconvened at 4:30 p.m.

12. **Whitebear Enterprises Telecon.** A telephone conference was held with Jeff Whitebear in Everett, WA, who is seeking a tribal grant/loan to assist him with his construction business. Discussion. Motion made by Mark Fox and seconded by Austin Gillette to direct Dennis Huber to work with Mr. Whitebear's business proposal, and to expedite this, so Mr. Whitebear can continue with his business. Any extra costs in helping to facilitate this the Tribe will assume. Chairman Mason called for the vote: 6 in favor, 1 abstained. Carried.

13. **Emergency Feed Discussion.** Applications are being processed the same as last year, with sole income ranchers' applications being processed first. These are all loans at 5% interest. A total of \$37,500 is being looked at. That would be the limit for now. The ranchers will get 1/2 of their allocation, if they are delinquent from last year.

Discussion on Mandaree Community Building. Some funding is available, but will need to figure out how it will be distributed between the three ongoing CDBG projects.

15. **Lake Shore Management.** An update is being requested from Tim Kolke, COE, Riverdale. The Natural Resources Committee will continue to work on this issue.

16. **Discussion on Obtaining Land for the Four Bears Lagoon Expansion.** After discussion, a motion was made by Edwin Hall and seconded by Tex Hall to accept Teresa Danks' offer of \$715 per acre for 80 acres. Discussion on need for 80 acres vs. 40 acres, and appraisal of land. Natural Resources has the appraisals--they are in. Vote on Ed Hall's motion: 2 in favor, 3 opposed, 2 abstained. Discussion. Mrs. Danks was asked to meet with the Natural Resources Committee the next week to discuss this further.

17. **R#98-031-DSB, Prioritize Four Bears Lagoon on IHS Sanitation Deficiency System List.** This would place the plan/design and construction of a new lagoon as the number one priority on the IHS Sanitation Deficiency System List. The Tribes agree to match 50% of the cost. Motion to approve, Edwin Hall; second, Austin Gillette. Vote: 6 in favor, 1 abstained. Carried.

18. **Recess.** Meeting recessed at 6:10 p.m. until Friday, March 13, 1998.

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19. **Reconvene.** The meeting was reconvened at 10:30 a.m., Friday, March 13, 1998, with Vice Chairman Gillette presiding. Chairman Mason was attending a meeting in Garrison. All other members were present. Quorum was established. Snow removal update and an update on the results of the delinquent committee members resolution were added to the agenda.
20. **Discussion on Continuance of MR&I Water Treatment Plants for Four Bears and Twin Buttes.** Mr. Spotted Bear inquired about the payment and construction plans for these two treatment plants. After discussion, it was decided to wait and see if this is part of the JTAC plan. It was also requested that Mr. Brendsel give the council a financial cost analysis of the companies involved, and that Texx Lone Bear provide the necessary information for the council at the March 18 meeting.
21. **Alyce Spotted Bear Education Request.** Motion was made by Mark Fox, seconded by Edwin Hall, to approve the request of graduate student, Alyce Spotted Bear, for an education grant of \$885.50 to cover expenses to attend a symposium related to language preservation and corresponding to the subject of her dissertation, which is charter schools. Discussion. Ms. Spotted Bear will be required to submit a report on this symposium to the council. Vote: 6 in favor, 1 absent. Carried.
22. **Emma Sallie Spotted Bear Education Request.** A funding request for a 4-week study program in Italy was submitted by undergraduate Emma Sallie Spotted Bear. After discussion, council authorized the chairman and treasurer to fund an amount up to \$500.
23. **Sarah Bell Funding Request.** Motion was made by Daylon Spotted Bear and seconded by Mark Fox to assist with \$500. Discussion that approval will be contingent upon receipt of a breakdown of other funds raised by the school and the individual. Discussion. The council has gone up to \$500 to assist individuals for sports-related requests. Vote: 6 in favor, 1 absent. Carried.
24. **Fort Berthold Housing Authority Board Appointments.** Edwin Hall made a motion to approve a resolution to reappoint John Danks as a Fort Berthold Housing Authority board member from the Four Bears District. Motion was seconded by Tex Hall. Discussion on whether or not Mr. Danks' term was up yet. After discussion, the Executive Secretary was asked to check out the housing authority's charter on appointments and length of terms. Motion and second withdrawn. This will be addressed at the next meeting.
25. **Snow Removal Update.** Update was provided by Tribal Programs Manager, Edward Lone Fight. Motion was made by Tex Hall, seconded by Mark Fox, for Mr. Lone Fight to submit a draft alcohol and drug policy to the council at the regular meeting in April. A policy addressing the rate and pay scale for snow removal equipment and operators needs to be adopted by the Tribe. Edwin Hall moved to support Virgil Eagle's

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recommendation of \$12.00 per hour for temporary snow removal operators. Motion died for lack of second. Discussion that a snow removal report has not been submitted by Mr. Eagle yet. Deferred to the Natural Resources Committee meeting next week.

26. **Physician Extender Contracts at White Shield and Mandaree Field Clinics.** Motion to approve the contracts for both locations was made by Mark Fox, with the understanding that adjustments and amendments are being requested to cover Parshall. Second by Edwin Hall. Vote: 6 in favor, 1 absent. Carried.
27. **Proclamation to Honor Older Workers.** The proclamation declares the week of March 8 through 14 as a week dedicated to celebrating and honoring our older workers, their accomplishments and contributions. Motion to approve, Mark Fox; second, Daylon Spotted Bear. Vote: 5 in favor, 1 stepped out, 1 absent. Carried.
28. **Personnel Actions.** (Closed)
29. **Renewal of Circle of Life Consultant Agreements.** Motion to approve, Daylon Spotted Bear; second, Tex Hall. Vote: 6 in favor, 1 absent. Carried.
30. **Dialysis Consultant Agreement.** Dialysis proposes to have Dominick Sillitti present a seminar at the unit on cultural awareness. Motion to approve, Edwin Hall; second, Tex Hall. Vote: 6 in favor, 1 absent. Carried.
31. **Dialysis Third-Party Billing Position.** Motion was made by Edwin Hall and seconded by Thomas Bird Bear to advertise and create a staff position for third-party billing at the dialysis unit.
32. **Personnel Resolution.** Discussion was to defer a resolution from personnel to include single/plus dependent coverage at 70% until the council can study this.
33. **Monthly Update from TAT Legal Department.** Motion was made by Thomas Bird Bear to have a monthly progress report on the work schedule completed by the Legal Department (what they are working on and how much time it takes). Second by Tex Hall. Discussion ~~that~~ ^{to} ~~this would~~ ^{have} ~~be~~ submitted with the packets at each Regular Tribal Business Council Meeting. Vote: 6 in favor, 1 absent. Carried.
34. **Adjourn.** Motion to adjourn the meeting was made by Thomas Bird Bear and seconded by Daylon Spotted Bear. Meeting was adjourned at 12:35 p.m.