

DISCLAIMER: The following Tribal Business Council minutes are uncertified or un-approved and are only to be used for historical or archival purposes. The content within this document may contain errors and should be used with caution. All Closed Session content has been removed for publication. The Three Affiliated is not responsible for any action or inference made within this document.



DRAFT

**TRIBAL BUSINESS COUNCIL MEETING NO. 6
SPECIAL MEETING
DATE: March 18, 1998 TIME: 10:30 a.m.**

as needed
TBB/TX
2/for
pse 3 of 4
#14
page 4

01. Call to Order, Prayer & Roll Call.

A Special Meeting of the Three Affiliated Tribes' Tribal Business Council was held on Wednesday, March 18, 1998, in the Tribal Council Chambers. The meeting was called to order by Russell D. Mason, Sr., Chairman. A moment of silent prayer was held for those who are in ill health and those who are less fortunate than others. Present for roll call were Chairman Mason, Vice Chairman Austin Gillette, Executive Secretary Daylon Spotted Bear, Councilmen Tex Hall and Thomas Bird Bear. Councilmen Mark Fox and Edwin Hall joined the meeting shortly after roll call.

- 02. Announcements.** Biron Baker, M. D., addressed the council sharing some of his thoughts on completing his residency, and his recommendations regarding health services being provided to the patients at the Minne-Tohe Health Center. After discussion, Chairman Mason asked for a motion to seek to recruit Doctor Baker back to Minne-Tohe. MOTION was made by Mark Fox and seconded by Edwin Hall. Vote: 6 in favor, Daylon Spotted Bear not present for vote. Carried.

Chairman Mason asked for a second motion on the development of a position description for a Master of Public Health (MPH/MPHA) type person to work directly for the tribe. MOTION was made by Mark Fox and seconded by Edwin Hall. Vote: 6 in favor, 1 not present for vote. Carried.

- 03. Approval of Agenda.** Motion to approve agenda, with changes and additions, was made by Edwin Hall and seconded by Tex Hall. Vote: 7 in favor. Agenda approved.

04. Personnel Selections (Closed).

- 05. Computer Consultant Agreement.** Motion to approve renewal of Tribal Administration computer consultant agreement with Mitchell D. Cook was made by Austin Gillette and seconded by Edwin Hall. Vote: 6 in favor, Daylon Spotted Bear not present for vote. Carried.

NOTE: Meeting was recessed at 12:00 p.m. for lunch. Reconvened at 1:15 p.m. Members present were Vice Chairman Austin Gillette and Councilmen Daylon Spotted Bear, Mark Fox, Edwin Hall, and Tex Hall. Quorum was established.

DRAFT

03 18

Minutes of Special Meeting, 01/29/98, 2 of 4

06. **R#98-038-DSB, Dale Little Soldier Consultant Agreement.** Discussion. Final changes have been made to the resolution and consultant agreement and are acceptable to Mr. Little Soldier. Motion by Mark Fox to approve the resolution and consultant agreement, as agreed to by Mr. Little Soldier. Second, Daylon Spotted Bear. Dale is to start officially on Monday, March 23, 1998. Vote: 5 in favor, 1 opposed, Mr. Mason not present during vote. Carried.
07. **R#98-032-DSB, FBCC ANA Grant Application for Language Preservation.** The college will match this grant with \$10,000 from the Tribes' 1998 Docket 350-G monies, category 5, higher education funds, that will be apportioned to the college. Motion to approve resolution, as presented, was made by Thomas Bird Bear and seconded by Tex Hall. Discussion. FBCC is receiving 60,000 from the same funding. Vote: 6 in favor, 1 not present. Carried.
08. **R#98-033-DSB, FBCC Vocational Rehabilitation Services Grant.** Resolution is to apply for grant funding to provide rehabilitation services to mentally, emotional and physically handicapped persons. Motion to approve, Mark Fox, second, Tex Hall. Vote: 6 in favor, 1 not present. Carried.
09. **R#98-034-DSB, Bruce Johnson Associates, Tribes' FY98 IDC Proposal.** Resolution gives authorization to treasurer to negotiate with Bruce Johnson Associates to prepare FY98 IDC Proposal. Motion to approve, Mark Fox; second, Daylon Spotted Bear. Discussion. Compensation comes out of IDC. 5 in favor, 1 opposed, 1 not present. Carried.
10. **R#98-040-DSB, T/A from Joseph Eve & Company NTE \$44,000.** Charges can be put under IDC. Motion to approve, Mark Fox; second, Daylon Spotted Bear. Discussion. Vote: 6 in favor, 1 not present. Carried. This will be in effect until a comptroller is hired. Vote: 6 in favor, 1 not present. Carried.
11. **R#98-035-DSB, to Support the U.S. Administration's Draft Legislation to Modify the 1996 Farm Bill.** Motion to approve, Thomas Bird Bear, second, Tex Hall. Discussion to amend motion and second to include that Mr. Bird Bear and the chairman will be authorized to follow this up on behalf of the tribe. Mr. Bird Bear will prepare a cover letter for the chairman's signature to the Senate Select Committee and the congressional delegation. Vote: 6 in favor, 1 not present. Carried.
12. **R#98-036-DSB, Amend Transportation Code Regarding Approaches.** This will authorize the Roads Maintenance Department to build approaches off other rights-of-way for tribal members, provided funds are available. Motion to approve, Tex Hall; second, Edwin Hall. Vote: 6 in favor, 1 out. Carried.
13. **R#98-037-DSB, Mileage Markers.** Reservation-wide signing project designated as #1 priority on TIP List. This will be a \$50,000 road project. Motion to approve, Edwin Hall; second, Mark Fox. Discussion. Vote: 6 in favor, 1 not present. Carried.

DRAFT

03 18
Minutes of Special Meeting, 01/29/98, 3 of 4

14. **R#98-039-DSB, Land Purchase.** The Natural Resources Committee recommended approval of the purchase of an 80-acre tract of land from Teresa Danks for the Four Bears new sewage lagoon facility. Motion to approve, Edwin Hall; second, Tex Hall. Discussion. Motion and second were amended to describe 40 acres, within the 2 parcels, that would be used for the lagoon. Vote: 2 in favor, 4 opposed, 1 abstained. Discussion. Teresa Danks is not in favor of this. She would like the east 40 acres to be used for the landfill if only 40 acres is purchased or exchanged. Edwin Hall reintroduced his motion to approve the purchase of the east 40 acres. Second by Tex Hall. Vote: 4 in favor, 3 opposed. Carried.

15. **BIA Superintendent Comments.** Superintendent Adeline Brunsell informed the council that the Area Director, Cora Jones, wants to establish a Deputy Area Director position. The money is coming strictly out of the area office--no TPA or federal funds will be used.

She also inquired about cross-deputization, and whether the Tribes are going to go through with this or not? Captain Tex Fox is going to go to each of the communities for their input, and this will be brought back to the Judicial Committee in April.

Discussion was held on the New Town Chamber of Commerce meetings held with the ND State Attorney General. Superintendent Brunsell said BIA is working with the community, and several of the businesses are not satisfied with the Tribal Court restitution of juveniles. It was decided that this would be discussed further during the Judicial Committee Meeting on Monday, March 23.

16. **Appointment of TAT/City of New Town, Cross-Deputization Tribal Representative.** Motion was made by Thomas Bird Bear and seconded by Tex Hall to delegate Cedric Baker as tribal representative for the cross-deputization agreement with the city of New Town. Vote: 7 in favor. Carried. Sidrick

Note: Break at 3:15 p.m. Reconvened at 3:25 p.m.

17. **Legal Department.**

a. Payment of Attorney's Fees (Morris Knopf re bond issue for Twin Buttes Manufacturing Company). Motion by Daylon Spotted Bear, seconded by Mark Fox to direct the Legal Department to do what they have to do to resolve the bill from Morris Knopf. 5 in favor, 2 out. Carried.

b. Business Licenses. Sharon L. White Bear, Badlands Food and Catering; Spencer Wilkinson, Jr., Charbees; Bill Wells, Bill's Construction; Butch Bell, Bell Woodworking & Jewelry; Gregg Glueckert, City Laundry & Dry Cleaners, Inc.; Motion to approve, Mark Fox; second, Daylon Spotted Bear. Vote: 6 in favor, 1 out. Approved.

DRAFT

03 18

Minutes of Special Meeting, 01/29/98, 4 of 4

18. **Garrison Ambulance Service Discussion.** John Danks and Edward Lone Fight are to continue negotiating on this.
19. **Discussion and Motion on Funding for Completion of Water Treatment Plants & Waterline for Twin Buttes & Four Bears.** Motion was made by Austin Gillette that the Four Bears waterline and treatment plant and Twin Buttes waterline and treatment plant be included in the JTAC Plan, when it is submitted, with the understanding it will be reimbursed by future BOR funding. Discussion on possibly securing a loan for this. Mr. Gillette amended his motion to include the possibility of securing a loan, if the commitment is forthcoming from BOR or any other federal agency. Motion was seconded by Edwin Hall. Discussion to get a letter of commitment from BOR that it will be reimbursed. Vote: 5 in favor, 1 opposed, 1 abstained.
20. **Ron Brugh Request.** Mr. Brugh requested the council revisit their open and closed range policy, to clarify whether or not unfenced areas revert back to open-range status. There appears to be a discrepancy between the original resolution passed in 1990 and the amendment (97-174). It was decided to research this further and attempt to resolve this in Natural Resources Committee.
21. **Discussion on Appointments to Fort Berthold Community College Board of Directors (BODs).** Motion to add this to the agenda and address the concerns of the community college was made by Mark Fox. Second by Edwin Hall. Vote: 3 in favor, 2 abstained, 2 not present. Discussion was held on the expired appointments of two board members, and whether or not the FBCC BODs should follow their bylaws regarding appointment procedures. Chairman Mason asked the council for a motion to re-appoint the two individuals until the bylaws are amended. Mark Fox made a motion that these individuals (Karen Hartman, at-large; Roberta Crows Breast, Parshall) continue on as appointed members of the BODs of the community college until either (1) the BODs present names at the next regularly-scheduled meeting in April or (2) that the BODs make amendments to their current bylaws that would allow for the placements to continue and would address geographical representation. Second by Edwin Hall. The present bylaws indicate the BODs will submit three names (per vacancy) to the TBC for final selection. It is the Board, itself, that has the authority to repeal and amend its own bylaws. Kip Quale said, as it stands now, since the BODs had not yet submitted names to the TBC to appoint, the TBC would have the authority, by motion, to continue these individuals in those seats until such time as either the names are presented to the council or until the appropriate officials of TBC and FBCC sit down together to propose amended procedures. Chairman Mason called for the vote. Vote: 6 in favor, 1 opposed.
22. **\$500 Grant to Each 1998 Pow Wow Committee to Assist with Fund Raising.** A resolution was introduced to grant each 1998 Pow Wow Committee (Mandaree, Twin Buttes, Parshall, New Town, White Shield) \$500 each to help kick off their fund raising activities for the 1998 pow wow season. After discussion and amendments to the resolution, a motion

R # 2

DRAFT

Minutes of Special Meeting, ⁰³¹⁸ ~~01/29/98~~, 5 of 4

was made for approval by Mark Fox and seconded by Thomas Bird Bear. A use and distribution report, accompanied by receipts and a full report of expenditures must be completed by each Pow Wow Committee and submitted to the Treasurer's Office, with copies to other council members. Vote: 7 in favor. Motion passed.

23. **Adjourn.** Motion to adjourn made by Tex Hall and seconded by Daylon Spotted Bear. 7 in favor. Carried. Meeting adjourned at 5:10 p.m.