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**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING NO. 10
MAY 05, 1998**

01. CALL TO ORDER:

The meeting was called to order by Chairman Mason at 10:25 a.m. who asked all present to remember tribal members who are grieving and less fortunate.

02. ROLL CALL:

Members present: Chairman Russell Mason, Sr., Councilman Daylon Spotted Bear, Councilman Austin Gillette, Councilman Tex Hall, Councilman Ed Hall, Councilman Tom Bird Bear. Absent was Councilman Mark Fox. A quorum was established with six members present.

03. AGENDA ITEMS:

Councilman Tex Hall asked if temporary employees and delinquent committees items were going to be on the agenda. The Chairman agreed to add these to the agenda under item 17, (Other).

04. JTAC ECONOMIC RECOVERY FUND COMMITTEE RESOLUTIONS:

Ms. Tillie Walker presented a resolution to the Tribal Business Council on the JTAC Needs Assessment. Chairman Mason stated that basically the resolution is the last sentence that recommends the JTAC Needs Assessment document be disseminated reservation wide and these costs be added to the JTAC Economic Fund Recovery budget. Councilman Tex Hall motioned to approve this resolution not to exceed \$1500.00 cost. Seconded by Councilman Austin Gillette. Discussion followed.

VOTE: 5 Ayes, 2 Nays, 0 Abstentions, 0 Not Voting.
 Motion carried.

Ms. Tillie Walker presented another resolution to the Tribal Business Council which states the Tribal Business Council has accepted the JTAC Needs Assessment March 1998 and will present the JTAC master plan for tribal referendum to the enrolled members and call for a special election for the purpose to provide each eligible voter of the Three Affiliated Tribes the opportunity to approve or disapprove the JTAC master plan. Councilman Austin Gillette motioned to table this resolution until the Tribe has a master plan laying in front of the Council to consider. Discussion followed. Seconded by Councilman Ed Hall.

VOTE: 6 Ayes, 0 Nays, 1 Abstention, 0 Not Voting
 Motion carried.

05. **CONSTITUTION REVISION COMMITTEE:**

Ms. Phyllis Cross introduced the Committee members to the Tribal Business Council. She stated she was here because the Chairman wanted a report from their committee. She gave the Tribal Business Council a copy of their report and went over the format and its contents. Within the proposed Tribal Constitution, recall election was gone over by Mr. Ray Cross along with referendum voting. General discussion followed on the recall process, referendum voting and a qualified voter list. Mr. Ray Cross also discussed a tribal civil service provision and the establishment of a tribal civil service commission.

06. **CLOSED SESSION:**

Personnel Issues: 1. Yvonne Merrick
2. Lyndon Fredericks

07. **SHORTFALLS:**

Councilman Austin Gillette motioned to approve 4.5 million dollars from JTAC funds for emergency unmet financial needs. Seconded by Councilman Ed Hall. Discussion followed on the figures.

VOTE: 5 Ayes, 1 Nay, 0 Abstentions, 0 Not Voting
Motion carried.

08. **FORT BERTHOLD COMMUNITY COLLEGE ACT PROGRAM:**

Councilman Austin Gillette chaired the meeting during the Chairman's absence. Councilman Ed Hall motioned to direct Ed Lone Fight to work with Delores White and Dr. Helt to produce a Cattle Relending report to the Community College so the Community College can proceed in submitting vouchers to get the payments. Seconded by Councilman Tex Hall.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting
Motion carried.

09. **CLOSED SESSION:**

Personnel Issue: COPS FAST
(Chairman Russell Mason reentered the meeting)

10. **H.I.P.**

Councilman Austin Gillette motioned to accept the HIP list as the base list for the present up to forty-five points and the other applicants that have scored will be placed on a list for the future. Councilman Gillette withdrew his motion and made a motion to do the first five on

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the list who are all elders and if there is money unspent, the next two people on the list will be assisted. Motion dies due to a lack of a second.

Councilman Tex Hall motioned to accept the HIP list for forty points and above. Discussion followed on helping elders. Motion dies due to a lack of a second.

Councilman Austin Gillette motioned to assist the first five people on the list and if there is money available to do the next three (Mildred, Arlene Charging and Carol). Motion seconded by Councilman Daylon Spotted Bear.

Discussion was as long as the houses were in repairable condition as there will be no replacements of homes. Estimates of the repairs will have to be submitted to the Tribal Business Council on the first five homes before work starts.

VOTE: 5 Ayes, 1 Opposed, 0 Abstentions, 0 Not Voting
Motion carried.

Councilman Austin Gillette motioned to approve the HIP resolution #98-57. Seconded by Councilman Daylon Spotted Bear.

VOTE: 4 Ayes, 2 Opposed, 0 Abstentions, 0 Not Voting
Motion carried.

11. JTAC RESOLUTION CORRECTION:

Councilman Austin Gillette motioned to correct the JTAC resolution #98-56 figure to 5.5 million. Seconded by Councilman Ed Hall.

VOTE: 5 Ayes, 1 Opposed, 0 Abstentions, 0 Not Voting
Motion carried.

12. RESOLUTION TO AMEND TRIBAL ROADS CODE:

Councilman Austin Gillette motioned to insert the language into the transportation code with resolution #98-58 that the Tribal Roads code shall establish a "Typical Standard" by which all future Tribal Roads shall be built. Seconded by Councilman Ed Hall.

VOTE: 5 Ayes, 1 Opposed, 0 Abstentions, 0 Not Voting
Motion carried.

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13. UNITY RIDERS:

The Unity Riders presented a monetary request to the Tribal Business Council to help host Shawn Delorme a Native American Country Western singer. The dance will be held at the New Town rodeo grounds. They are requesting \$5,000 but will settle for what ever the Tribal Business Council can provide. The Chairman deferred them to the 19th agenda in order for them to come up with a budget and to show their match.

14. MAGGIE HALVORSON:

Councilman Tex Hall motioned for Chairman Russell Mason to follow up on the termination and management of Maggie Halvorson and what procedures were followed. Seconded by Councilman Austin Gillette.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting

15. GERMAINE FOX - FINANCIAL REQUEST:

Councilman Austin Gillette motioned to approve a loan to Germaine Fox in the amount of \$500.00 and in addition the Tribal Business Council request from the Superintendent of Indian Affairs a farm lease advance from whoever the leasor is for Germaine Fox for special medical circumstances for herself and husband. Seconded by Councilman Ed Hall.

Discussion: This farm lease advance will be entirely dependent upon Germaine Fox's leasor.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting
Motion carried.

16. LITTLE PLUME HEADSTART REQUEST:

Their request had already been complied with and no action was taken.

17. MIKE CROSS - FBHA - GRANT REQUEST:

Councilman Tom Bird Bear motioned to approve resolution #98-59 the Americorps Grant grant application. Seconded by Councilman Austin Gillette.

Discussion: Councilman Tom Bird Bear mentioned there is a special allocation for Indian Tribes and he had spoke with Mr. Cross about it and Mike had already got the packet himself and this grant application is the work he put into it. The Americorp is President's Clinton's initiative and has a special set aside or area of Indian Tribes. What this resolution will do is match the Tribe's share for the Americorp workers. They will be utilized in the existing Youth Build program.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting
Motion carried.

18. TCCC-JASPER YOUNG BEAR (CONSULTANT AGREEMENT FOR CLETUS MEDICINE CROW):

Councilman Ed Hall motioned to approved the consultant agreement for Cletus Medicine Crow. Seconded by Councilman Tom Bird Bear.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting
Motion carried.

19. LYDA FOOTE:

Councilman Ed Hall asked if the Chairman could expedite funding in payment on her land sale. This item was referred to the Chairman and Treasurer to take care of.

19. LEGAL DEPARTMENT:

Councilman Austin Gillette asked the Secretary of the Tribal Business Council to issue a memorandum to the Legal Department asking them to supply the Tribal Business Council for an updated written report on their activities. Councilman Tom Bird Bear stated the Tribal Business Council would like the following from the Legal Department:

1. The item they are currently working on.
2. The amount of time spent on the project.
3. The attorney who is working on this project.

20. CONVEYANCE OF HUD HOMES:

Councilman Ed Hall motioned to direct the Fort Berthold Housing Authority to expedite the conveyance and title on the ND5-05 and ND5-07 houses to the homebuyer. Seconded by Councilman Tex Hall.

VOTE: 4 Ayes, 0 Nays, 1 Abstention, 1 Not Voting
Motion carried.

21. TEMPORARY EMPLOYEES:

Councilman Tex Hall asked for an update on the temporary employees and if they had received notices of termination or dismissal from their job so things are done correct. Councilman Tex Hall motioned that the Secretary of the Tribal Business Council receive a response from Personnel in regards to the temporary employees status. Seconded by Councilman Tom Bird Bear.

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VOTE: 5 Ayes, 0 Nays, 1 Abstention, 0 Not Voting
Motion carried.

22. DELINQUENT COMMITTEE MEMBERS:

Councilman Tex Hall stated the Secretary of the Tribal Business Council was assigned the task of obtaining the names of all the delinquent committee members. Councilman Daylon Spotted Bear stated they finally got a list, letters were sent out and gave them one or two weeks to return them. Discussion followed on delinquent committee members.

Councilman Tex Hall motioned for the Secretary of the Tribal Business Council to follow up with a letter to Fort Berthold Housing Authority, Finance, and Bureau of Indian Affairs to have the information available by May 19, 1998 on delinquency. Seconded by

VOTE:
Motion carried.

23. OTHER:

1. Nomination of Terry Red Fox to the National Indian Housing Council to replace Jackie Johnson and how the Tribal Business Council felt. (Discussion followed)
2. Mary Ellen Baker: Her daughter needs medical assistance in the amount of \$1,344.00. (No action taken)
3. Curt Danks: independent contractor who formerly worked for LCM

A motion was made for adjournment, seconded and carried. Meeting adjourned at 6:00 p.m.

Dated this _____ day of _____, 1998.
Transcribed on this 30th day of January, 2001.

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

ATTEST:

Tex G. Hall, Chairman for Russell Mason, Sr., Chairman
Tribal Business Council, Three Affiliated Tribes