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## TRIBAL BUSINESS COUNCIL MEETING NO. 16

### SPECIAL MEETING

DATE: SEPTEMBER 1, 1998 TIME: 10:45 AM

#### 01. Call to Order, Prayer & Roll Call.

The Special meeting of September 1, 1998 was called to order by Chairman Russell D. Mason, Sr., at 10:45 am in the Tribal Council Chambers. A moment of silent prayer was held. Members present for roll call were: Chairman Russell D. Mason, Sr., Vice Chairman Austin Gillette, Treasurer Mark N. Fox, Secretary Daylon Spotted Bear, Councilman Edwin Hall, Councilman Tex G. Hall and Councilman Thomas Bird Bear.

#### 02. Approval of Minutes of Previous Meetings.

- a. August 25, 1998. Motion by Austin Gillette to approve minutes, subject to corrections, for the Special Tribal Business Council meeting of August 25, 1998. Second by Mark Fox. Vote: 6 in favor, 1 abstained. Motion carried. Minutes approved.

#### 03. Announcements.

Thomas Bird Bear announced that he was absent from the August 25<sup>th</sup> Special Tribal Business Council meeting because he was attending the North Dakota State Housing Consolidated Planning meeting held in Minot, North Dakota. Points of concern that were addressed at the meeting were: reservation and urban Indian housing shortages, transients and homeless housing issues, and Mr. Bird Bear's submission of testimony regarding North Segment housing issues. The North Segment Community Development Block Grant has been completed and is now awaiting Region 8 approval. Mr. Bird Bear extended recognition for completion of the CDBG package to the North Segment Community Board members, Scott Eagle, El Marie Conklin, Leo Cummings, Jerry Nagel, the Tribal Comprehensive Management & Assistance staff, and Kenneth Deane.

Mark Fox announced that he would like to commend the Nux Baga Celebration Committee and the Parshall Community for holding a successful celebration and thanked the Tribal Council for their assistance. The Braklin/Driver Memorial will be held at the Nux Baga Celebration Grounds at 1:00 on Saturday, September 5, 1998 and everyone is welcome to attend. On September 7 & 8, 1998, several Tribes across the nation will be attending a conference to formulate a Native American Bank holding company and Mr. Fox will be attending the meeting on behalf the Three Affiliated Tribes. During the week of United Tribes Pow Wow, Mr. Fox will be attending a meeting with the Attorney General and US Governors and Tribal officials in Denver, Co. to address governmental and legislative issues.

Russell Mason announced that Kent Hall, Chief of Staff to Kent Conrad, passed away and the Tribe will send a letter of condolence to Mr. Hall's family as he was a friend of Tribal Councilmembers. Mr. Mason asked the councilmen to support a request for the donation of one buffalo to the United Tribes Pow Wow. Mr. Mason referred to the minutes of August 25, 1998 in which the Tribe would make a formal monetary commitment to the National Indian Council on Aging convention for 1999. Austin Gillette was assigned to follow up on the commitment.

**04. Approval of Agenda**

Motion was made by Austin Gillette to approve the agenda with additions, deletions, and changes in order of business. Second by Daylon Spotted Bear. Vote: 6 in favor, 1 absent. Motion carried. Agenda approved.

**04. Buffalo Donation to United Tribes Celebration**

Motion by Austin Gillette to approve the Tribe's donation of one buffalo to the United Tribes Celebration committee. Second by Tex Hall. Vote: 6 in favor, 1 absent. Motion carried. Buffalo donated.

**05. Personnel: Virgil Eagle, Roads Department**

Motion by Mark Fox to approve the 60-day appointment of Brandy Brugh in the position held by Ronita Smith in Roads Department. The 60-day appointment begins Wednesday, August 26, 1998, the rate of pay is \$7.43 per hour, which will be paid from the Roads Department budget. Second by Tex Hall. Vote: 7 in favor. Motion carried. Brandy Brugh's 60-day appointment approved.

**06. Carol Newman, Loan Interest Waiver Request**

Motion by Mark Fox to have the Credit staff adjust the interest on the Carol and Alfred Newman loan of \$400 from a 14% interest rate to a 4% interest rate retroactively from the time the loan was first made. Second by Ed Hall. Discussion: After adjustments are calculated, the Credit staff will submit an updated status report to the Tribal Business Council. Vote: 6 in favor, 1 absent. Motion carried. Request to adjust interest rate on Newman loan approved.

**07. Orville Mandan, Circle of Life Presentation**

Orville Mandan informed the Tribal Business Council that the Circle of Life Program has a bid for the shell of a building in the amount of \$61,000 and the cost for a complete building is in the amount of \$250,000. The existing building, in which the Circle of Life Program is housed, is state licensed and accredited, but the building does not meet the state code for handicap accessibility, which the program needs in order to qualify for

third party reimbursement. The program currently serves 83 clients and the cost per client, if paid off reservation, would be \$8,000 to \$10,000.

Motion by Austin Gillette to designate two Fortuna duplexes to the Circle of Life Program and the Tribal Business Council will provide full basements for the units. Second by Tex Hall. Discussion: Councilmembers recommended that JTAC funds be applied to cover costs for two basements and the renovation of the two buildings so they meet all requirements for third party billing. Vote: 4 in favor, 1 opposed, 2 abstained. Motion carried. Two Fortuna duplexes, with cost covered for two basements and renovation, to the Circle of Life Program approved.

**08. West Segment Development Corp. & Mandaree Enterprises**

Motion by Mark Fox the authorize the Tribe to arrange for processing of necessary documents for Mandaree Enterprises and West Segment Development Corporation to cover startup costs for each project; the packages would include details for initial startup costs, 5-year projections identifying costs to setup in each community on Fort Berthold, and the respective resolutions for each project. Vote: 4 in favor, 2 abstained. Motion carried. Details for initial startup costs, 5- year projections to setup in each community, and respective resolutions will be accepted and processed by the Tribe.

**09. Native American Bank Resolution**

Motion by Austin Gillette to pass a resolution presented by Mark Fox approving the Three Affiliated Tribe's participation and support in the development of a Native American Bank holding company owned by several tribes across the nation. Second by Daylon Spotted Bear. Discussion: Councilmembers requested that Mark Fox present an executive summary with detail of tribal investments in the Native American Bank holding company. Vote: 5 in favor, 1 opposed, 1 abstained. Motion carried. Native American Bank Resolution passed.

**10. Housing Improvements: FY 98 Priority Ranking, FY 99 Priority Listing**

Motion by Ed Hall to develop a new HIP list for renovation and for trailer repair or acquisition for FY 99 Priority Ranking. Second by Tex Hall. Discussion: The top 3 individuals on the current year's priority list will qualify for either trailers or housing improvements, if acquiring a trailer, it can be repaired only one time provided the individual has not received HIP repairs since 1986. Vote: 6 in favor, 1 absent. Motion carried. A new FY 99 HIP list will be developed.

**11. Lorraine Howe: Educational Request**

Motion by Tex Hall to approve an educational grant to Lorraine Howe in the amount of \$250. Second by Ed Hall. Vote: 4 in favor, 3 opposed. Motion carried. Lorraine Howe educational request approved in the amount of \$250.

**12. Melissa Hood: Educational Request**

Motion by Tex Hall to approve an educational grant in the amount of \$5,000 to Melissa Hood to cover unmet need. Second by Tom Bird Bear. Discussion: Mark Fox stated that the amounts for grants to undergraduate students has been up to \$2,000 for Freshmen; up to \$2,500 for Sophomores; up to \$3,000 for Juniors; up to \$3,500 for Seniors; up to \$5,000 for Graduate Students - provided all students have an unmet need analysis provided by their Financial Aid Officer; and Standard Scholarships for students maintaining a 3.0 GPA up to \$500.

Motion amended by Tex Hall to approve an educational grant to Melissa Hood in the amount of \$3,000, in accordance with the TAT Educational Grants Scale, to cover a portion of the student's unmet need, subject to receipt of a financial need analysis from the University of Mary Financial Aid Officer. Second by Tom Bird Bear. Vote: 7 in favor. Motion Carried. Melissa Hood educational request approved in the amount of \$3,000.

**13. Proposed Educational Grants Scale FY 98/99**

Motion by Mark Fox to approve the proposed Educational Grants Scale for FY 98/99 which will be used by the Tribe as a beginning point to fund students and a resolution will be prepared, based on the Educational Grants Scale, to establish a Scholarship Fund for students under the Economic Recovery Fund. Second by Daylon Spotted Bear. Vote 7 in favor. Educational Grants Scale FY 98/99 approved.

**14. Resignation of CHR Director**

Motion by Ed Hall to immediately advertise the CHR Director position. Second by Tex Hall. Vote: 6 in favor, 1 absent. Motion carried. Advertisement of CHR Director position approved.

Motion by Mark Fox to approve the detail of Marilyn Yellow Bird from the Dialysis Program to the CHR Program as interim CHR Director while the position is being advertised. Second by Daylon Spotted Bear. Vote: 4 in favor, 1 opposed, 1 abstained, 1 absent. Motion carried. Marilyn Yellow Bird Detailed to CHR Director position.

**15. Gladys Black Hawk Request**

Motion by Tex Hall to approve and expedite a small business loan in the amount of \$500 for Gladys Black Hawk. Second by Tom Bird Bear. Vote: 6 in favor, 1 absent. Gladys Black Hawk's loan request approved for \$500.

**16. Educational Grants**

Motion by Tom Bird Bear to process the \$500 unmet need educational grant proposals as they come through, not necessarily when school starts. Second by Tex Hall. Discussion: Mark Fox stated that if the Tribe agrees to draw \$430,000 from JTAC funds to cover unmet needs grants, the Tribe can cover all of the student's requests. The Tribe currently does not have the money in the general fund budget to process all of the grant requests on file and should wait until the next fiscal year or October, 1998 to process the grants.

Motion amended by Tom Bird Bear to process awards for half the amount or \$250 now and the balance of \$250 after October, 1998, subject to availability of funds. Second by Tex Hall. Vote: 3 in favor, 4 opposed. Motion failed.

Motion by Mark Fox to process educational grants simultaneously, subject to availability of funds. Second by Austin Gillette. Vote: 4 in favor, 1 opposed, 2 abstained. Motion carried. Educational grants for \$500 will be processed simultaneously, subject to availability of funds.

**17. Abigail Bangen Lease Request**

Motion by Ed Hall to approve the Abigail Bangen 1999-2002 lease request to improve an additional 174 acres. Second by Austin Gillette. Vote: 6 in favor, 1 abstained. Motion carried. Abigail Bangen lease request approved.

**18. Evalou Bachmier Business Loan Request**

Motion by Daylon Spotted Bear to add Evalou Bachmier to the agenda. Second by Tex Hall. Vote: 7 in favor. Motion carried. Evalou Backmier added to agenda.

**19. Adjournment**

Motion by Tex Hall to adjourn at 5:30 pm. Second by Daylon Spotted Bear. Vote: 6 in favor, 1 opposed. Motion carried. Meeting adjourned at 5:30 pm.

**CERTIFICATION OF MINUTES**

I, the undersigned, as Executive Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members, of whom five (5) members constitute a quorum. \_\_\_\_\_ members were present at a \_\_\_\_\_ Meeting thereof duly called, noticed, convened, and held on the \_\_\_\_\_ day of \_\_\_\_\_, 1999 whereupon the foregoing minutes were presented for approval by the Three Affiliated Tribes Recording Secretary.

Said minutes were duly approved by the affirmative vote of \_\_\_\_\_ members, and have not been amended in any way, except as noted by council when approved.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

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

**ATTEST:**

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Tex Hall, Chairman  
Tribal Business Council, Three Affiliated Tribes