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**Three Affiliated Tribes  
Tribal Business Council  
Regular Meeting  
March 11<sup>th</sup> and 12<sup>th</sup>, 1999**

01. **CALL TO ORDER:**

Chairman Hall called the meeting to order. The invocation was given by Mrs. Teresa Danks, and asked all present to say a silent prayer for all those who are ill and less fortunate.

02. **ROLL CALL:**

Members present: Councilman Fox, Councilman Hale, Councilman Gillette, Councilman Spotted Bear, Councilman Wells, Chairman Hall.

Members absent: Councilman Bird Bear

03. **ANNOUNCEMENTS:**

- A. Chairman Hall stated that he is involved in the Tribal Priorities Allocation Task Force, a final meeting will be held in Washington D.C. on March 15, 2000.
- B. Chairman Hall stated he met with the Corp regarding the return of the 40,000 acres of surplus Lake Shore lands.
- C. Casino Gaming Compact Hearing, Hosted at Prairie Knights Casino.
- D. Sacred Sites, Judy Young Bear, Glenda Embry working on issue. South Dakota Mitigation Act returns potential sites back to South Dakota, TAT has to lay claim on sites.
- E. FSA Loans, Adeline Brunstelle, FSA Committee Chairwoman. A notice and a deadline will be sent out.
- F. Audit and Budget, Marcus Wells, Jr, will be added to agenda.
- G. Councilman Fox reported on the Washington D.C. trip he went on, he met with Conrad and Dorgan office and discussed the 2 million in grant money to help TAT build a Law Enforcement Center. Councilman Fox stated that he attended a Banquet with Mandaree Enterprises, where they received a protege award and a Tribal Business of the year award. Councilman Fox stated that he would like the TAT Business Council to recognize Mandaree Enterprises for their outstanding achievement.
- H. Councilman Wells discussed the issue of interim financing with the Tribal Chairmans authority to sign according to Tribal Resolution.

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04. **APPROVAL OF AGENDA:**

Councilman Gillette made a motion to approve the agenda as amended. Seconded by Councilman Fox.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting.  
Motion Carried.

05. **APPROVAL OF MINUTES:**

Councilman Gillette made a motion to defer the November 6<sup>th</sup> and December 10<sup>th</sup>, Tribal Business Council Meeting Minutes for legal review. Seconded by Councilman Fox.

**MOTION AMENDED:** Motion amended to include the deferring of Tribal Business Council Meeting Minutes for legal review for all of November 1998 and December 1998.

VOTE: 5 Ayes, 0 Nays, 1 Abstentions, 1 Not Voting.  
Motion Carried

06. **TWIN BUTTES MANUFACTURING HOMES, 6 MEMBER COMMITTEE:**

Councilman Spotted Bear made a motion for the approval of Res. #99-021-DSB for the development of the Twin Buttes Manufacturing Plant and a six member committee to negotiate a joint venture agreement. Resolution no. 99-021-DSB. Seconded by Councilman Hale.

VOTE: 5 Ayes, 1 Nays, 1 Abstentions, 0 Not Voting.  
Motion Carried

07. **TWIN BUTTES MANUFACTURING HOMES/BOND RESOLUTION:**

Councilman Spotted Bear made a motion to pass Res.# 99-022-DSB, with amendments for the approving of Bond financing. Seconded by Councilman Hale.

Discussion: Councilman Spotted Bear requested to make specific changes in Res.99-22-DSB, and also to include that the Tribal Chairman and Treasurer will be both authorized execute a agreement with Cam, rather than the Tribal Chairman's sole authority.

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07. Cont.

VOTE: 4 Ayes, 3 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried.

08. **KIDNEY DIALYSIS UNIT, PATIENT CONCERNS, CLOSED SESSION:**

09. **EMERGENCY FEED PROGRAM, RES. NO # 99-023-DSB:**

Councilman Fox made a motion to amend Res. # 99-023-DSB, to include horses in the emergency feed program. Seconded by Councilman Gillette

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried.

Meeting recessed at 7:40 p.m.

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10. **MEETING RECONVENED AT 11:25 A.M.:**

11. **ROLL CALL:**

Members present: Chairman Hall, Councilman Hale, Councilman Fox, Councilman Gillette, Councilman Spotted Bear, Councilman Wells.

Absent: Councilman Bird Bear

12. **FIGURE 4 RANCH, BOND RESOLUTION NO. # 99-024-DSB:**

Councilman Hale made a motion to pass the Bond Resolution # 99-024-DSB, authorizing the issuance and sale by the Three Affiliated Tribes of general obligation bond, series, 1999. In the aggregate principal amount of \$3,045,000 for the purpose of financing land and buffalo breeding stock and authorizing the execution of documents relating thereto. Seconded by Councilman Fox.

**Motion amended:** Motion amended with the exclusion of the JTAC language as amended in 4.1.

VOTE: 4 Ayes, 2 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

13. **TRIBAL DEPARTMENT OF PUBLIC WORKS/RESOLUTION #99-25-DSB:**

Councilman Wells made a motion to approve Resolution #99-25-DSB, for a consultant agreement with Transportation Associates Inc. to conduct a study to determine the feasibility of establishing a Tribal Department of Public Works for the Fort Berthold Reservation. The term of the consultant agreement shall be the period of (6) months, with a compensation to be paid as a flat lump sum fee in the amount of \$ 15,000 provided that payment of such a fee shall be made only in the event of Transportation Associates Inc. securing new funding through P. L. 93-638 contracts or other sources either to pay said \$ 15,000 fee directly to reimburse the Tribe for payment of the fee from other Tribal funds. Seconded by Councilman Spotted Bear.

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

Recess: 1:10 p.m.

14. **COUNCIL MEETING RECONVENED AT 3:17 P.M.:**

All Present

15. **ADELINE BRUNSELL, BIA FORECLOSURES:**

Councilman Gillette made a motion to approve of May 15, 1999 as the turnout on Tribal Range Units. Seconded by Councilman Hale.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

16. **APPOINTEES/JOB POSITIONS/PERSONNEL ISSUES:**

17. **OPERATING INTERIM LOANS:**

Councilman Gillette made a motion to authorize the Tribal Chairman and the Tribal Treasurer the authority to secure interim loans to cover shortfalls. Seconded by Councilman Hale.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

18. **FY-99 INTERIM BUDGET:**

Councilman Gillette made a motion to adopt FY99 Interim Budget on a Interim basis. Seconded by Councilman Fox.

VOTE: 5 Ayes, 1 Nays, 0 Abstentions, 1 Not Voting  
Motion Carried

19. **TOM FREDERICKS/ SETTLEMENT OFFER:**

Councilman Bird Bear made a motion to make a settlement payment in the amount of \$68,056 to Mr. Tom Fredericks for previous Legal work that was done for the Tribe. Seconded by Councilman Hale.

VOTE: 3 Ayes, 3 Nays, 1 Abstention, 0 Not Voting  
Motion Failed

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20. **MOTION AMENDED:**

Councilman Bird Bear amended the motion to include the amendments of the resolution and a settlement offer to Mr. Tom Fredericks in the amount of \$33,000. The resolution will be brought back to Tribal Business Council meeting for final approval on April 5, 1999. Seconded by Councilman Hale.

VOTE: 4 Ayes, 2 Nays, 1 Abstention, 0 Not Voting  
Motion Carried

21. **RENAE GOOD BIRD PROPERTY, RESOLUTION # 99-026-DSB:**

Councilman Gillette made a motion for the approval of Res. # 99-026-DSB for the purchasing of Renae Good Bird's property. Motion was previously passed. Seconded by Councilman Hale.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not Voting  
Motion Carried

22. **DALLAS DICKENS, CONSTRUCTION OF FIRE HALLS, BIDS:**

Councilman Fox made a motion to approve the lowest bid by Fort Berthold Development with the 2.5% required TERO fees, included for the construction of three fire halls, that will be located in three communities.

VOTE" 6 Ayes, 0 Nays, 0 Abstentions, 1 Not Voting  
Motion Carried

23. **REPATRIATION COMMITTEE, RES. # 99-027-DSB:**

Councilman Wells made a motion to approve the Repatriation Res. # 99-027-DSB to establish a Repatriation Committee for the Three Affiliated Tribes. The Committee members include Gail Baker Sr., Malcolm Wolf, Edwin Benson, Edmund White Bear, Felix Dickens, Sr. . Seconded by Councilman Hale.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

24. **RICHARD CROWS HEART, BUSINESS PROPOSAL:**

Councilman Gillette made a motion to support Richard Crows Heart on his business proposal when all the paper work is completed. Mr. Crows Heart's business proposal is for a shuttle bus service from Mandaree to New Town area. Seconded by Councilman Hale.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

25. **PARSHALL HEALTH CARE CENTER/RESOLUTION # 99-028-DSB:**

Councilman Fox made a motion to approve the Res. # 99-028-DSB, for a memorandum of agreement with the Fort Berthold Development Cooperation for the completion of the construction work on the Parshall Health Care Center. Seconded by Councilman Wells.

VOTE: 6 Ayes, 1 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

26. **JTAC COMMITTEE/TILLIE WALKER:**

Councilman Gillette made a motion to set up a Special Council Meeting specifically for the JTAC Plan sometime in April, 1999 and to be coordinated with Tillie Walker and the JTAC Committee. Seconded by Councilman Hale.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried



27. **GARRISON AMBULANCE CONTRACT:**

Councilman Gillette made a motion for the approval of a payment in the amount of \$1,000 to Garrison ambulance Department, for service rendered in the White Shield district. A resolution will be drawn up by TAT Legal Department. Seconded by Councilman Wells.

Discussion: Councilman Fox stated that the Tribe needs to develop a master plan reservation wide for financial assistance to specified area Ambulance Services.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

28. **FOUR BEARS CASINO/ARISTOCRATS MACHINES, SCOTT EAGLE:**

Councilman Gillette made a motion for the approval of purchasing 12 Aristocrats video slot machines after a sixty day trial in the amount of \$100,920 if the machines should be purchased they will inform the TAT Chairman in writing, and then will be authorized to execute the purchase agreement. Seconded by Councilman Wells.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

29. **FOUR BEARS CASINO/FISH CLEANING STATION REQUEST:**

Councilman Wells made a motion to approve the Memorandum of Agreement for a Fish cleaning station to be located at the Four Bears Marina. Seconded by Councilman Hale.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

30. **REQUEST FOR SIGNATURE/GAMING COMPACT, RES. # 99-30-DSB:**

Councilman Fox made a motion to approve Res. 99-30-DSB, and to include that Kathy Role as one of the named signatories to the escrow account required by Section 25 of the Tribal-State Gaming Compact. Seconded by Councilman Wells.

VOTE: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not Voting  
Motion Carried

31. **EDUCATION REQUEST/DONOVAN LIKES EAGLE:**

Councilman Hale made a motion to approve a Educational request in the amount of \$1,322.43 to help defray college tuition costs for Donovan Likes Eagle. Seconded by Councilman Bird Bear.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

32. **ARLIE KNIGHT REQUEST:**

Councilman Wells made a motion to support Arlie Knight's request for legal fees in the amount of \$15,000.00 with JTAC expenditures, only after the JTAC is submitted and a Legal Fee line item is funded and provided. Seconded by Councilman Hale.

Discussion: Motion clarified to support Arlie Knight's request for legal fees in the amount of \$ 15,000 with JTAC funds, only after the JTAC plan is submitted and a legal fee line item is funded and provided that Arlie reimburse the Tribe upon winning his case.

VOTE: 4 Ayes, 1 Nays, 2 Abstentions, 0 Not Voting  
Motion Carried

33. **AUDREY DAVEY/JAMIE GALSTER, MEDICAL REQUEST:**

Councilman Gillette made a motion to assist Audrey Davey and Jamie Galster with a medical grant in the amount of \$500.00 per individual. The grant is to help defray travel expenses to see a relative who is ill. Seconded by Councilman Hale.

Discussion: Chairman Hall advised the Tribal Treasurer to prepare a draft for the Medical and Grants Policy and Procedure requirements.

VOTE: 7 Ayes, 0 nays, 0 Abstentions, 0 Not Voting  
Motion Carried

34. **MANDAREE HS BOYS BASKETBALL TEAM REQUEST, RES. #99-32-DSB:**

Councilman Hale made a motion for the approval of Res. #99-32-DSB. The request is in the amount of \$7,643 and is to help defray costs for the Mandaree High School Boys Basketball team and its fans to attend the State Basketball tournament in Bismarck, N.D. Seconded by Councilman Wells

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting, Motion Carried

35. **FORTUNA RESOLUTION #99-033-DSB:**

Councilman Fox motioned to approve the Res. #99-033-DSB in the amount of \$80,000 for the completion of the Fortuna Building for offices for Tribal employee staff. Seconded by Councilman Gillette.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

36. **VEHICLE PURCHASE, 1995 3/4 TON TRUCK, #99-034-DSB:**

Councilman Hale motioned to approve Res.#99-034-DSB for the purchase of a 1995 3/4 ton truck, in the amount of \$16,603 for the purpose of hauling water to serve (13) families in the Mandaree area. Seconded by Councilman Bird Bear.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

37. **GERMAINE FOX, LOAN REQUEST, RES. #99-035-DSB:**

Councilman Gillette made a motion to approve Res.#99-035-DSB, for a personal loan to Germaine Fox in the amount of \$5,017.66. The loan will be paid back through her IMM Account. Mrs. Fox is current on payments and is in good standing with the Tribal Small Loans Program. Seconded by Councilman Hale.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

38. **DENNY WOLF, RATIFICATION OF RES. # 99-037-DSB:**

Councilman Fox made a motion to approve the Res. #99-037-DSB, which was previously approved by Tribal Business Council. Seconded by Councilman Gillette.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

39. **EDUCATION FINANCIAL REQUEST, ALYCE SPOTTED BEAR:**

Councilman Gillette made a motion to approve a Educational request in the amount of \$5000 for Alyce Spotted Bear a tribal enrolled Graduate Student who attends Cornell State University. The Tribal Business Council stated that Ms. Spotted Bear needs to provide proper documentation stating that she has a unmet need and is a full time student. Seconded by Councilman Hale.

VOTE: 7 Ayes, 0 Nays, 1 Abstention, 0 Not Voting  
Motion Carried

40. **REVOTE, FIGURE 4, INTERPRETIVE RES. #99-038-DSB:**

Councilman Hale made a motion to approve the Interpretive Res. #99-038-DSB. Seconded by Councilman Spotted Bear.

Discussion: Chairman Hall asked that the Tribal Business Council reconsider their vote. Councilman Fox voted with a abstention and stated that he had some concerns with the language that was stated in the Resolution.

VOTE: 3 Ayes, 3 Nays, 1 Abstention, 0 Not Voting  
Motion dies

**REVOTE:**

Councilman Hale made a motion to approve Interpretive Res. #99-038-DSB with amendments. Seconded by Councilman Spotted Bear.

VOTE: 3 Ayes, 2 Nays, 1 Abstention, 1 Not Voting  
Motion Carried

41. **EMPLOYEE TRAINING/TAT FINANCE STAFF:**

Councilman Wells made a motion to proceed in arrangements for training for the TAT Finance program staff with HTE Software Company, at \$80.00 per individual. Seconded by Councilman Fox.

VOTE: 5 Ayes, 1 Nays, 1 Abstentions, 0 Not Voting  
Motion Carried

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42. **CONSOLIDATED TELEPHONE AGREEMENT, RES.# 99-039-DSB:**  
Councilman Gillette made a motion to approve Res. #99-039-DSB, for the agreement between the Three Affiliated Tribes Tax Commission and Consolidated Telephone Cooperative. Seconded by Councilman Wells.

VOTE: 6 Ayes, 1 Nays, 0 Abstentions 0 Not Voting  
Motion Carried

43. **ADJOURNMENT:**  
Councilman Hale made a motion to adjourn the meeting at 10:12 p.m. Seconded by Councilman Wells.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion Carried

Meeting adjourned at 10:12 p.m.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1999  
Transcribed this \_\_\_\_\_ day of \_\_\_\_\_, 2001

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

**ATTEST:**

\_\_\_\_\_  
Tex G. Hall, Chairman  
Three Affiliated Tribes, Tribal Business Council