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**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING NO. 24
December 21, 1999**

01. **CALL TO ORDER:**

The meeting was called to order by Chairman Hall at 2:30 p.m. and asked all present to say a silent prayer for all those who are ill and less fortunate.

02. **ROLL CALL:**

Members present: Chairman Tex Hall, Councilman Fox, Councilman Wells, Councilman Spotted Bear, Councilman Hale, Councilman Gillette, Councilman Bird Bear. A quorum was established with seven members present, 0 absent.

03. **ANNOUNCEMENTS:**

A. Chairman Hall stated that he received a letter and a memorandum of agreement from the Theodore National Park Service, and they have approved 50 surplus Elk for the Tribe.

B. Chairman Hall stated that he and Councilman Hale have met with the Dave Vader, Army Corps of Engineers and discussed the on going issues of protecting our 800 plus cultural burial sites in South Dakota. TAT has some key issues with other Tribes in South Dakota.

C. Standing Rock Ranchers lawsuit settlement vs. Great Plains Regional Directors

D. Casino expansion Project

E. Councilman Hale stated he spoke with a wholesaler regarding the Mandaree store located in the new Community Center, a proposal will be done.

F. Four Bears Lagoon, Tribal Budget

D. Support and Campaign of Senator Mc Cain

F. Annual Christmas Party, Parshall North East Segment

04. **APPROVAL OF AGENDA:**

Councilman Fox motioned to approve the agenda as amended. Seconded by Councilman Hale. Motion unanimously approved.

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

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05. **TRIBAL RANGE UNITS ALLOCATIONS:**

Motion made by Councilman Gillette to hold a Special Tribal Business Council Meeting for the awarding of the allocations on January 4, 2000 @ 10:00 a.m., Included in the language of the resolution, as stated in the resolution # 94-40-DSB, 300 Animal Head Unit, and Notices to provide proof of ownership will be sent out from the TAT Natural Resource Department and Notices to provide verification for proof of ownership will be conducted by the Natural Resource Department, the Bureau of Indian Affairs and Brand Inspector. Seconded by Councilman Hale.

Discussion: Councilman Fox stated applicants should not be penalized if they have not been inspected by Natural Resource Department or the BIA. Chairman Hall stated he strongly recommends that every applicant be checked out for proof of ownership and that nobody is left out, and have the necessary staff available to do so.

VOTE: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not voting
Motion carried.

06. **ALFRED MORSETTE, JR., LAND SALE PURCHASE, RES. 99-264-DSB:**

Motion made by Councilman Gillette to pass resolution 99-264-DSB, Land Sale Purchase Allot No. 257A, an undivided interest within NW 1/4 Section 14, T. 150 N., R. 90 W., Fifth Principal Meridian, North Dakota, containing 160 acres more or less. This is subject to Fact sheet. Seconded by Councilman Bird Bear

Discussion: Chairman Hall stated that a fact sheet needs to be included that break down the Farmlands and Grasslands, also a current appraised value of the land. This needs to be also including in the resolution.

VOTE: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not voting
Motion carried

07. **ARNOLD YOUNG BIRD, LAND SALE PURCHASE, RES. 99-265-DSB:**

Motion made by Councilman Gillette to pass resolution 99-265-DSB, Land Sale Purchase Allot. No. 881 A-A, NE 1/4 Section 11, T 148 No., R. 95 W., Fifth Principal Meridian, N.D., containing 160.00 acres, more or less. This is subject to Fact sheet
Seconded by Councilman Hale

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Discussion: Chairman Hall stated that the resolution needs to also include the break down of the Farmlands and Grasslands, with a current appraised value land.

VOTE: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not voting
Motion carried

08. **JOHN FREDERICKS, JR. REQUEST FOR EXTENSION OF STATUE OF LIMITATIONS:**

Motion made by Councilman Hale to extend the request for extension of the loan payment deferred for two years with a interest rate at 2%. for John Fredericks, Jr. Seconded by Councilman Spotted Bear.

Discussion: Chairman Hall stated; 1.) The terms of the loan will be the collateral of 3000 acres with a mortgage on Mr. Fredericks' land. 2.) Deferral on payment for two years, with a interest rate only at 2% within the time frame. The interest and principal for two years will be due on December 31, 2001. 3.) As part of the assignment the note will include in the language; The use of the FSA lawsuit as part of the complete assignment of the entirety of the loan.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting.
Motion carried

09. **ORBANNA WHITMAN/LOAN REQUEST:**

Motion made by Councilman Gillette to approve a loan request for Orbanna Whitman in the amount of \$ 500.00. The loan is to be paid back at \$ 50.00 per pay period. Seconded by Councilman Wells.

Discussion: Chairman Hall stated the security of the loan is Orbanna's IMM Account.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not voting
Motion carried

10. **JUNE SCHESSLER/LOAN REQUEST:**

Motion made by Councilman Gillette to approve a loan request for June Schettler in the amount of \$ 500.00. The loan is to be paid back at \$ 50.00 per pay period. Seconded by Councilman Hale.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not voting
Motion carried

11. **KANDEE KNIGHT/LOAN REQUEST:**

Motion made by Councilman Spotted Bear to approve a loan request in the amount of \$ 500.00 with a cosigner at \$150.00 per month for Kandee Knight. Seconded by Councilman Wells.

Discussion: Councilman Spotted Bear stated Candee Knight has a outstanding loan with Small Loans Program, and will repay the loan with a co-signer by her son. The co-signer will repay the loan and outstanding loan and will co-sign for both loans, The terms will be at \$150.00 per month for a little over a 9 month period.

VOTE: 6 Ayes, 1 Nays, 0 Abstentions, 0 Not voting
Motion carried.

12. **FLORINE OPSTA, LOAN REQUEST:**

Motion made by Councilman Gillette to approve a loan request for Florine Opsta a employee with IHS in the amount of \$ 500.00 at \$ 50.00 per period. The Loan will be secured through Florine's sale of her share of land or through wage deduction through direct deposit.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting
Motion unimously carried.

13. **TRUDY CHASE, LOAN REQUEST:**

Motion made by Councilman Wells to approve a loan request for Trudy Chase, in the amount of \$ 500.00 at \$ 50.00 per pay period with a co-signer. Seconded by Councilman Hale.

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

14. **CLARENCE O'BERRY, MANDAREE ENTERPRISE CORPORATION:**

Motion made by Councilman Gillette to pass a resolution to support Mandaree Enterprise Corporation in obtaining a BIA guaranteed loan in the amount of \$ 80,000. to help establish a revolving line of credit for Mandaree Enterprise Corporation. Seconded by Councilman Fox.

Discussion: Clarence O'Berry stated, Mandaree Enterprise Corporation employees tribal members throughout the reservation. MEC employs, 22 employees in Mandaree, 24 employees in Parshall, and 50 employees in White Shield. Mandaree Enterprise Corp. has a annual payroll of \$1.5 million.

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

15. **KENNY YOUNGWOLF, FT BERTHOLD UTILITIES COMMISSION:**

Motion made by Councilman Bird Bear, to approve of a new resolution for the purchase of a 1994 4x4 truck at the cost of \$ 15,625 along with the purchase of a septic tank in the amount of \$ 3,000 not to exceed \$ 18,625. Seconded by Councilman Wells.

Discussion: Councilman Fox requested to include in the motion, not for competing with individual tribal member businesses who are seeking HUD contracts . Chairman Hall stated half of the funds will be from a grant from the Tribe and the other half will be from Ft. Berthold Utilities Commission, who will be reimbursing back the Tribe through their revenues earned. TBC requested, Mr. Young Wolf, to obtain a 90 day warranty on the truck he will be purchasing.

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

16. **SENIOR CITIZEN STOVES, WHITE SHIELD AND PARSHALL:**

Motion made by Councilman Gillette to purchase 2 range stoves from Minot restaurant Supply, for Parshall Segment and White Shield Segment, Elderly Meal Sites, total cost for both would be \$ 6,748. Seconded by Councilman Fox

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting
Unimously carried.

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17. **FY 2000 TRIBAL BUDGET, RESOLUTION 99-268-DSB:**

Motion made by Councilman Fox to pass resolution 99-268-DSB, to approve FY2000 Operating budget and the General fund in the amounts of \$ 21,831,569 in Revenue and \$ 21,821,760 in expenditures. Resolution is subject to amendments.

Discussion: Clarification of JTAC budget and further breakdown under each category will be discussed by appropriate committee and will be sent to Tribal Business Council for final review.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not voting
Motion carried

18. **TAT TRIBAL EMPLOYEE INCENTIVE AWARDS:**

Motion made by Councilman Bird Bear to pass a resolution to pay all Tribal employees a \$ 50.00 incentive grants in the total amount of \$16,850 and the other half \$16,850 will be set aside for Medical emergency grants. The grand total amount would be at \$33,700. Seconded by Councilman Fox.

Discussion: Councilman Wells stated no Cola has been received by TAT employees for the past two years and was in support of a Cola. TBC agreed that each TAT employee will receive \$ 50.00 each in the total amount of \$16,850 and the other half \$ 16,850 will be set aside for Medical emergency grants. Total amount would be at \$33,700.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not voting
Motion carried.

19. **HEAD START COLA REQUEST, HARLEY GOOD BEAR:**

Motion made by Councilman Fox to a approve a request from Harley Good Bear, TAT Head Start Director for a COLA increase at 3.5 % for 39 Head Start employees.. The Cola would be based on a Federal grant award. Seconded by Councilman Wells.

Discussion: Chairman Hall stated that the Tribe will no longer supplement to the Head Start Program. The request for a COLA increase will be subject to confirmation that the Federal grant award will be actually received by TAT Head Start.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not voting, Motion carried

20. **ADD ON TO AGENDA; KATHY SAMUELS, CONSULTANT AGREEMENT:**
Motion made by Councilman Bird Bear to add Kathy Samuels to agenda and to approve a Consultant agreement to be paid by Johnson O'Malley Program in the amount of \$525.60. Seconded by Councilman Wells.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not voting.
Motion carried.

21. **ENOLA POND, ASSIGNMENT OF RES #99-270 DSB/ LOAN REQUEST:**
Motion made by Councilman Fox to assign the resolution #99-270-DSB, for the educational loan in the amount of \$ 1,000 for Enola Pond. The loan will be paid back through Enola Pond's IMM Account. Request was previously approved by Full Tribal Business Council in a Tribal Business Council Meeting on December 16, 1999.

22. **TOM BIRD BEAR REQUEST, ATTORNEY FEES, AMERICAN BAR ASSOCIATION/NORTH DAKOTA BAR BOARD:**
Motion made by Councilman Hale to help defray costs for Tom Bird Bear to pay for his Attorney Fees's in the amounts of \$113.75 to the American Bar Association and \$ 305.00 to the North Dakota State Bar Association. Total amount requested is \$418.75. Motion Dies.

Discussion: Councilman Fox stated that doing a job as a Tribal Councilman does not have anything to do with having a membership in the bar.

VOTE: 2 Ayes, 3 Nays, 0 Abstentions, 0 Not voting
Motion dies do to a lack of a Second.

23. **ADJOURNMENT:**
Councilman Wells motioned to adjourn the meeting at 2:44 a.m.. Seconded by Councilman Spotted Bear.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 2 Not voting
Motion Carried.

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Meeting adjourned at 2:44 a.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
Tribal Business Council, Three Affiliated Tribes