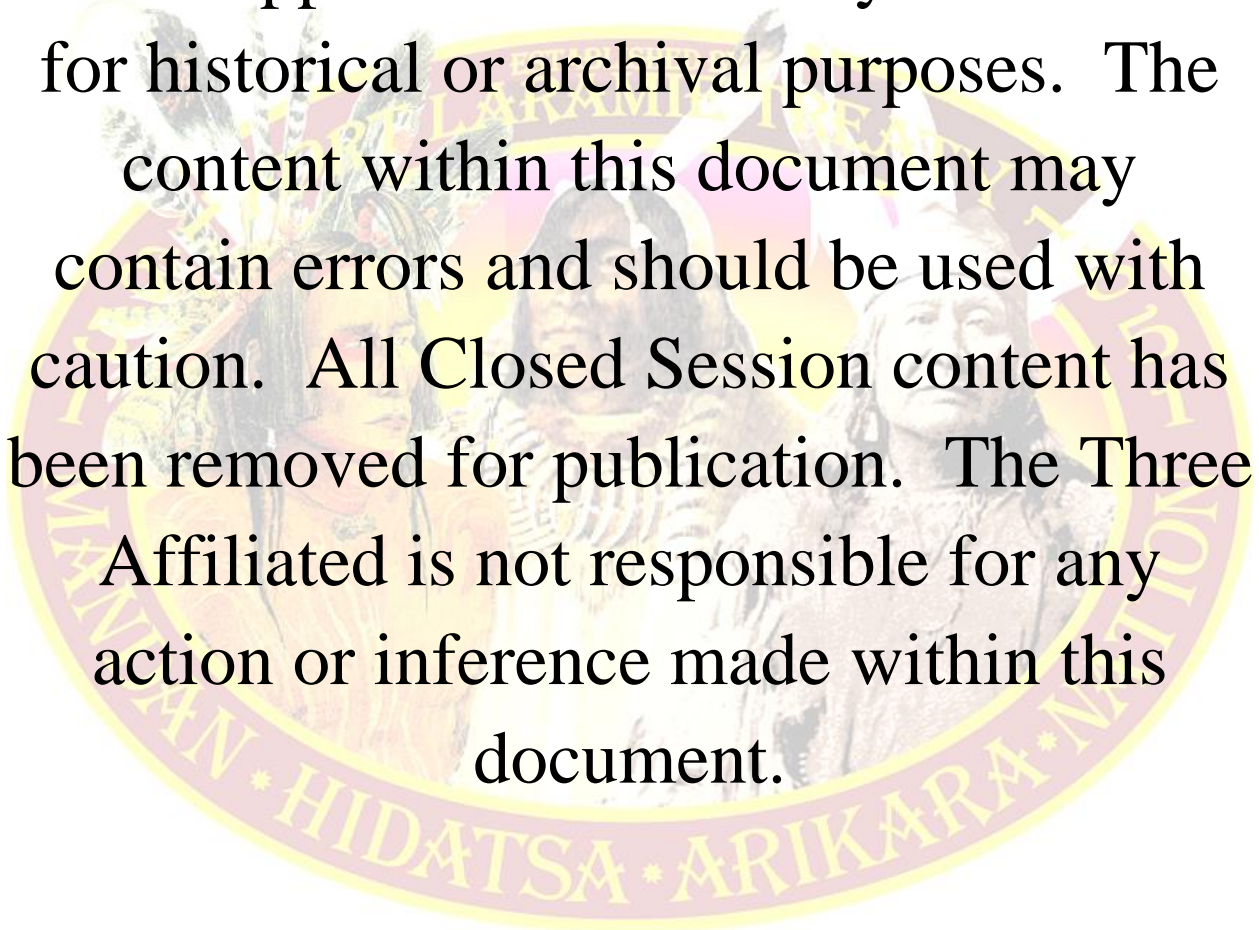


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**TRIBAL BUSINESS COUNCIL
MEETING NO. 12**

DATE: May 04, 2000 TIME: 12:06 PM

01. Call Meeting to Order and Opening Prayer

The Special Tribal Business Council Meeting of May 4, 2000 was called to order by Chairman Tex Hall at 12:06 PM in the Tribal Council Chambers. Mr. Hall called upon Elise Packineau for a moment of prayer. Chairman Hall asked that we keep in mind the less fortunate on the reservation and that we keep in mind those who are ill and suffering.

02. Roll Call

Present: Chairman Tex Hall, Vice Chairman Mark Fox, Treasurer Marcus Wells, Jr., Secretary Daylon Spotted bear arrived at 12:30, Councilman Austin Gillette arrived at 1:00, Councilman, Pete Hale, Councilman Thomas Bird Bear.
Recording Secretary Ethel Baker and Joelle Demaray

03. Announcements

Tribal Business Council members reviewed and shared their itineraries and scheduled meetings.

Chairman's Report'- The Indian Roads proposed 53% cut is something that is unacceptable. We have letters from our congregational leaders and they are in support with us against the cut. There is a possibility of the Tribe suing the bureau if congressional cannot give us the added support we are hoping for.

We the Three affiliated Tribes were very successful in getting President Clinton to develop a 1.2 billion increase in BIA budget. And that is due to the entire councilman, now all we need is to make sure that congress passes the budget.

Next, is the return of the lakeshore the army core of engineers is going to develop a water resource development act. Which would return 40,000 acres to the Three Affiliated Tribes, Standing Rock, Crow Creak, Yankton, all of the tribes who were not included in South Dakota's Title 6. None of these lands will go to the state. We need to lobby to get this passed while this administration is in office.

Also, Conrad is going to sponsor a bill for a new bridge we had him walk across our narrow bridge. And he stated that it is cause for concern.

Last, Chairman Hall brings council up to speed on the Twin Buttes custom homes it is 70% completed and the Mandaree Solid Surfacing is also 70% completed. Target date is June 15, 2000 for our grand opening and we will start interviewing for jobs on May 22, 2000 for Twin Buttes and Mandaree.

Pete Hale commented on the Oil and Gas meeting he had met with some allottees and the price of oil is \$25.00 a barrel that is a very good price. Chairman Hall commented that the Three Affiliated Tribes needs to let the industries know that the Three Affiliated Tribes is serious about developing our Oil and Gas resources.

Councilman Hale commented that we want the landowners to be very much a part of this because it is their deal.

Councilman Wells stated that they had their ground breaking for the forty eight apartments the project is \$2,750,000.00 and the tribe has went with a annual appropriation to housing for \$750,00 and the check has been handed over to housing today. He thanked the council for their support and said he believes that it is the first time a check of that amount has gone out for development. He also thanked council for the assistance on the lagoon project with the grant money and the signatures with that we were able to do the apartments last year we were unable to get that project to materialize.

Chairman Hall closed his comments with this that the council has acquired roughly 10 to 11 million in grant money.

04. Additions to Agenda

1. Add Mandaree aging meal site.
2. RDO
3. CHR
4. 4 Bears/Mandaree vs. Electric Coop.
5. Donna Granboise
6. Personnel Issues

Motion to approve agenda

Motion: Marcus Wells Jr.

Second: Tom Bird Bear

Vote: 6 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried.

05. Approval of Minutes (Deferred)

06. Elders Charter

John Danks was selected by the elder committee to speak on there behalf. Elders want to formally organize a charter. The elders have met and decided there are issues that need to be addressed such as health care, a newsletter, and writing the history of our people for the past 50 years.

John (Buzz) Fredericks is also selected to give a presentation for the elders. The presentation then goes on to speak on the loss of the lands on the Ft. Berthold Reservation. The need also to get unemployment down and better use of our powers. He goes on to talk of the suffering caused by the garrison damn. He also wants council to know that the elders are ready to assist the council in any way possible. He closed his presentation by thanking council for taking the time to meet with the elders and for taking the time to hear their request.

Chairman Hall commented that the discussion was good healthy discussion and he thanked the elders for their comments and input.

Motion to approve the Elder Charter with the request that they come before the council to give a progress report in 90 days with bi-laws.

Motion: Pete Hale

Second: Mark Fox

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

07. Tribal Liaison

A recommendation from Elise Packineau was that the vacant Elder Liaison position be filled and have that person go out and talk to the elders and get their opinions and recommendations.

Chairman Hall stated that it is one position and will simply assist the twelve boards of directors that sit on the Elders Organization Board. The position is not included in the Elders Budget it is a tribal position. Chairman Hall also believes we need to form a good partnership.

Motion to immediately advertise the position of the Elder Liaison to help assist and support them. To include the recommendation from the Elders Organization.

Page 4 of 18

Motion: Tom Bird Bear

Second: Austin Gillette

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

08. Elders Budget

John Danks talked about having the Elders Organization utilize the tribal audit system. And the Organization needs to have the authority to sign off on vouchers. They are requesting a budget of #223,410.00. The organization will also come before council annually with a new budget.

Motion to approve of the Elders Organization budget of \$223,410.00 to come out of the FYI 2000 budget.

Motion: Marcus Wells Jr.

Second: Pete Hale

Vote: 7 in favor, 0 opposed, 0 abstention, 0 absent

Motion Carried

09. BIA Request

Paige Baker is the new Superintendent of the BIA and comments on adverse conditions within the organizational structure.

Chairman Hall comments how the Tribes are taking over more leadership and responsibilities of the bureau and Mr. Hall envisions the bureau in more of a technical advisory role. Chairman Hall states that we need to lobby to get these 6 positions in Dr. Bakers minimal request funded.

Dr. Baker is asking for the funding for these positions or at least a match. Chairman Hall comments that on Tuesday they will speak with Cora Jones and lobby for these positions to be funded. 1 Probate, 2 Range, 3 Range Clerk, 4 Maintenance, 5 clerk, 6 Computer Specialist, 7 Administrative Assistant

Motion for Tribal Business Council to request funding for this fiscal year for the seven positions requested by Dr. Baker. For Chairman Hall to lobby Regional Director Cora Jones for the 100% BIA budget and also by letter to the Senate Select Committee and Congress, and also Mr. Gover.

Page 5 of 18

Motion: Austin Gillette

Second: Pete Hale

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

10. SPMI Study

Donna Granbois handed out the letter of permission signed by Susan Fredericks and Carol Parker. Briefly what they are trying to do is interview the health care providers that provide mental health services and after that we want to interview ten chronic mentally ill patients. They are doing it basically to identify gaps or strengths in the mental health system. Develop a clear and description of health care needs on the Ft. Berthold reservation. Assist in the development of health care programs that can be used the tribal business council. To secure grants and other funding on the reservation

Concerns for confidentiality were brought up my different councilman. An agreement with the patient would be signed voluntarily. And that patient could end it anytime they or the health care provider felt it wasn't in the patient's best interest.

Motion to approve of the resolution before us subject to the amendment.

Motion: Austin Gillette

Second: Mark Fox

Vote: 5 in favor, 0 opposed, 0 abstentions, 2 absent

Motion Carried

11. Sakakawea Film Budget

Presentation by Irene Fredericks detailing the budget such as paying for elder's information, promotional trailer, rough draft of scrip, additional writer, labtop, and keyboards, office supplies, web page, co producers salary, and Travel for producers. For a total \$200,000.

The Three Affiliated Tribes will have editorial control and be executive producer. The tribe's return would depend on the nature of the project. Irene Has been in the film business for 20 years she presents a packet of her accomplishments in the film business.

The film would be told from Sakakawea's point of view. One of the major films Irene Fredericks has worked on is Geronimo, Crazy Horse, and Lakota Woman. Irene believes that the film would be extremely important in building self-esteem for our people.

RJ Smith commented that people of his age group are extremely interested in this film. He believes that there are a lot of talented young adults that can't get to LA or New York so it's a great opportunity for them.

Chairman Hall spoke in Kansas City and Three Affiliated Tribes is highly regarded. This story is unique only to this tribe. Lewis and Clark spent the longest amount of time during their expedition on our Reservation. In the President Jefferson's journal there must be a journal entry saying to Lewis and Clark that they must winter with the Mandan Hidatsa and Arikara's in order for their mission to be successful. If there is an issue with this budget using JTAC funds maybe we could use tribal revenue. Chairman Hall strongly supports this film. When the Sakakawea coin went five hundred million in three months it took the Susan B. Anthony coin fourteen years.

Motion to approve the Film Budget of \$200,00

Motion: Pete Hale

Second: No Second

Motion dies due to a lack of a second

RJ Smith comments on how JTAC money is for everyone not just the Elders. He sympathizes with their loss but the loss of our bottomlands didn't just affect one generation, a lot of people my age don't even know how to speak our own language.

Councilman Hale comments on how we cannot let other people who have never been here tell our history. We have a lot of projects in the communities that Mr. Hale supports but this project is not just for one community it is for the tribe as a whole. Something his children and their children could be proud of.

Motion to approve the Film Budget of \$200,00

Motion: Pete Hale

Second: No Second

Motion Dies due to lack of a Second

12. Airline Tickets

Discussion about three airline tickets they are to be taken out of the \$200,00 line item film department budget.

Page 7 of 18

Motion to have all expenses to come out of the \$200,00 budget for the film

Motion: Marcus Wells Jr.

Second: Pete Hale

Vote: 3 in favor, 0 opposed, 3 abstentions, 0 absent

Motion Carried

13. Business Proposal

Irene Fredericks is looking for funding for a fashion show. The fashion show will be presented in Geneva, Switzerland but the first show would be in LA. She is requesting a \$10,000 grant and a \$10,000 loan.

Motion for \$3,500 loan and a \$3,500 grant subject to loan requirements.

Motion: Pete Hale

Second: Tom Bird Bear

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

14. Housing Lease

Barb Baker brings to council's attention that they need to amend the original lease for the project. It is far more economical and efficient to turn the last unit. Not the original straight line so the lease that is presented today provides for that amendment.

Motion to approve the amended lease

Motion: Austin Gillette

Second: Marcus Wells Jr.

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

15. Land appraisal

Myrna Bear brings proposal to purchase Ardis Breslin land 32.36 acres. Mrs. Breslin has donated 11.25 acre. Lot Five she is selling for \$2,000 an acre. The land is outside the city limits Right now the land is being taxed under agriculture and would be appraised as farmland. There are people in New Town selling their land 150x50 for \$10,000 there are 10 lots on one acre.

Council suggests Knutson to appraise the land and bring it back before council.

Not to exceed \$500.00 by the Tribal Business Meeting on May 11, 2000.

Motion for tribal reality to contact Knutson appraisal out of Dickinson for the appraisal for 32 acres of Breslin land.

Motion: Austin Gillette

Second: Pete Hale

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

16. Education

Liz Demeray comments on graduation speaker being Heidi Hiedkamp. She gave a report on student enrollment increasing. They are working on collaboration with Mary College for a 4-year business degree. Liz Demeray also answers questions from several of the councilman about fees and activity fees. Mrs. Demeray is also working on the reclassification of all staff from administration to maintenance.

Motion to allocate \$100,00 to come from the \$800,00 education portion from the JTAC competitive pool under the education portion. And that we are requiring them to write grants or secure some other funding.

Motion: Austin Gillette

Second: Mark Fox

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

17. Parshall Resource Center

Page 9 of 18

Judy Coffey has submitted an expanded budget but they wanted me to expand the grant to include the workshops, employee benefits, and an assistant. She has expanded the budget to fit those needs.

Motion to approve the amended resolution not to exceed \$40,000.

Motion: Mark Fox

Second: Austin Gillette

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

18. BIA TAT range unit turn out date

Motion to approve for all range unit cattle May 15, 2000 and June 1, 2000 for non-Indian.

Motion: Pete Hale

Second: Austin Gillette

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

19. Mandaree Aging Services

Pete comments that he wants to make a motion to have aging service to be under the Mandaree Tribal Office.

Mark Fox asks how it will affect his funding. Other concerns were brought up by the councilman on how it will affect the aging services in all segments. Councilman Hale has gotten concerns from elderly about the quality of food service in Mandaree.

Motion to have aging service to be under the Mandaree tribal office.

Motion: Pete Hale

Second: Marcus Wells Jr.

Motion withdrawn

20. Buffalo Purchase

Everett Hall has negotiated with the Theodore National Park to get 200 surplus buffalo this September depending on the roundup. We need funding to fill figure four ranch the goal Chairman Hall believes should be 1,000 head.

Floyd Johnson wants to work a deal with the Three Affiliated Tribes. The deal would allow the calves to mature so they don't get damaged in the transfer and it would allow the fencing crew to finish the remainder of the fence.

Councilman Fox asks about the quality of the herd. Chairman Hall tell council that he has seen the herd and they are very good quality. Council goes on to negotiate the price of the herd. Chairman Hall comments that Floyd Johnson is selling a foundation herd and he does not support going to an auction.

Motion to approve of the buffalo purchase 200 head not to exceed \$450,000.

Motion: Pete Hale
Second: Mark Fox
Second Withdrawn Motion Dies

Motion to approve of the Buffalo purchase not to exceed \$400,00 for 200 pairs.

Motion: Austin Gillette
Second: Pete Hale
Vote: 5 in favor, 2 opposed, 0 abstentions, 0 absent

Motion Carried

21. Circle of Life Consultant

Sheryl Fox is requesting approval for two licensed addiction counselors for the summer and the money is coming out of the docket funds. The first consultant agreement is with Nelreen Yellow Bird and Linda Gillette.

Motion to approve consultant agreement for Nelreen Yellow Bird for \$15.00 an hour for 12 weeks not to exceed \$7,500.

Motion: Austin Gillette
Second: Pete Hale
Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

Motion to approve of consultant agreement for Linda Gillette who is a clinical psychologist for \$40.00 and hour.

Motion: Mark Fox
Second: Daylon Spotted Bear
Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

22. Mike Stevens

Karen Stevens is speaking on behalf of her son Mike he is working at Parshall database. He is saving money and working hard he needs a loan for \$3,500 is willing to do a \$200.00 wage deductions and is also willing to put up his car for collateral. And he appreciates the \$500.00 loan but he needs \$3,500 to get his car out of the shop.

Motion to approve a loan in the amount of \$3,500 to be paid back in \$200.00 a pay period \$400.00 a month for Mike Stevens.

Motion: Pete Hale

Second: Mark Fox

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

23. Bull Program

Pete Hale wants to purchase bulls from the lacy ranch in Montana for forty bulls at \$1,800 a bull. He thinks it would enhance our cattle-relending project for young ranchers who can't afford a bull.

Motion to purchase 66 head of bulls at \$1,800.

Motion: Pete Hale

Second: No Second

Motion dies due to lack of a second

Motion to purchase 40 bulls at \$1,800.

Motion: Pete Hale

Second: No Second

Motion dies due to a lack of a second

24. Delvin Rabbithead

Delvin Rabbithead presents his consultant agreement he is currently working with the RFP in regarding technology assistant. What he would like to see out of it is the state of the art technology in the tribal building.

Page 12 of 18

Motion to approve Delvin's consultant agreement to the end of September 30, 2000 same conditions of his original agreement.

Motion: Austin Gillette

Second: Mark Fox

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

25. Tyra Wilkinson

Kipp Quail presents a matter to enter in an agreement with Tyra Wilkinson. The contract is for one year. She has already passed her bar.

Motion to approve of the contract for Tyra Wilkinson.

Motion: Tom Bird Bear

Second: Mark Fox

Vote: 6 in favor, 1 opposed, 0 abstentions, 0 absent

Motion Carried

26. RDO

Marcus Wells asks that the council looks at the request from the roads department to purchase equipment under their budget for the fiscal year 2000. The request is for five years for \$22,452. Kipp Quail presents a resolution including the payment schedule and the description of the equipment and also the lease purchase agreement. The total amount of the loan with interest is \$112,260 Mr. Quail will amend the resolution to that effect.

Motion to approve of the agreement to purchase the equipment for the roads department.

Motion: Austin Gillette

Second: Marcus Wells Jr.

Vote: 3 in favor, 1 opposed, 2 abstentions, 1 absent

Motion Carried

27. BIA

Tom Disselhorst presents the BIA trust policy resolution, which is rejecting the time frames of May 19 for the four trust policies. All details are included in the resolution.

Page 13 of 18

Chairman Hall supports the resolution and reminds council of the late hour.

Motion to approve of the resolution

Motion: Pete Hale

Second: Mark Fox

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried/Resolution # 00-135DSB

28. Electric vs. Four Bears, Mandaree District

Marcus Wells Jr. asks about the problem of Four Bears and Mandaree have historically has always paid more since electricity has been in place. Council asks Mr. Disselhorst to research the problem of the high prices and possibly pursuing legal action and discrimination. The community member have experienced problems such as their electricity being turned off for owing a bill of \$20.00 and paying \$60.00 or more in hook up fees.

Council suggests that Legal look into the problem with research.

Motion to direct the legal department look into discrimination of the Four Bears and Mandaree district with the electrical Cooperation.

Motion: Marcus Wells Jr.

Second: Pete Hale

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

29. Arikara Exchange

Mr. Disselhorst presents Mr. Austin Gillette's Charter for his business. The law states that one person can start cooperation the charter is standard.

Councilman Bird Bear asks what the cooperation would be doing. Councilman Gillette states that he might be into consultant work or minerals.

Chairman Hall asks about a conflict of interest and Mr. Disselhorst states that the law states that we have no code of ethics regarding this matter.

Motion: Daylon Spotted Bear

Second: Mark Fox

Vote: 2 in favor, 2 opposed, 3 abstentions, 0 absent

Motion Fails

30. Agenda Add-Ons

Motion to add various items to the agenda

Motion: Marcus Wells Jr.

Second: Austin Gillette

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

31. Consultant agreement

Daylon Spotted Bear brings up the need to have our backlog of tribal minutes transcribed. Councilman Spotted Bear suggests that Ethel Baker transcribe the minutes that Marlene Gillette did not finish.

Motion for Ethel Baker to finish the back log of old minutes for 90 days at the rate of \$10.00 an hour.

Motion: Marcus Wells Jr.

Second: Pete Hale

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

32. White Shield

Councilman Gillette states that White Shield community has paid for their community bills for ambulance service and other bills. And our asking for reimbursement from the council in the amount of \$22,949.27.

Motion to approve of the resolution

Motion: Austin Gillette

Second: Mark Fox

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried/Resolution #00-136DSB

33. Roof Damages

The White Shield community board is asking for money because their roof blew off on their community center. The amount they are requesting is \$5,728.48 to be payable to Blue Starr.

Motion to approve of \$5,728.48 to Blue Starr to be taken out of indirect cost.

Motion: Austin Gillette

Second: Mark Fox

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried/Resolution#00-137DSB

34. Agenda Add On

Motion to add on to the agenda for CDBG

Motion: Mark Fox

Second: Daylon Spotted Bear

Vote: 7 in favor, 0 opposed, 0 abstention, 0 absent

Motion Carried

35. CDBG

Councilman Fox asks for the CDBG to go to Twin Buttes and Parshall.

Motion for Jeannette Coffey to prioritize two projects of \$800,000 for Twin Buttes and Parshall.

Motion: Mark Fox

Second: Daylon Spotted Bear

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

36. Roads

Mr. Disselhorst presents a document that states that the regulation was to be in effect by October 1st but that did not happen. The cost would be \$10,000 and would save us over a million dollars.

Motion to pass the resolution

Page 16 of 18

Motion: Marcus Wells Jr.

Second: Pete Hale

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried/Resolution #00138DSB

37. Dakota Heart

Dakota Heart loan for \$2000 to purchase a vehicle will do bi weekly deductions of \$150.00 credit status is good and is willing to use title of his vehicle for collateral.

Motion to approve of \$2000 instead of the original \$1,0000

Motion: Daylon Spotted Bear

Second: Austin Gillette

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried/Resolution #00-139DSB

38. Blaine Foote

Blaine Foote for \$2,500 casino employment no debts no outstanding loans, bi weekly wage deductions of \$100.00.

Motion to approve of Blaine Foote for a loan in the amount of \$2,500 with wage deduction of \$100.00 bi weekly.

Motion: Mark Fox

Second: Pete Hale

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried/Resolution #00-140DSB

39. David Ripley

Requesting money for his business of photography.

Motion for \$3,500 loan \$3,500 grant.

Motion: Marcus Wells Jr.

Second: Austin Gillette

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

40. Motion to adjourn 11:10

Motion: Pete Hale

Second: Tom Bird Bear

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

Reconvene at 11:11

41. Japan

Maryland Young Bird and Ramone and John Malnourie and Susan Martin Johnson are requesting money for expenses to go over seas to Japan. To participate in the tenth annual exchange program and they would represent Ft. Berthold.

Motion to approve of \$500.00 loan \$500.00 grant

Motion: Austin Gillette

Second: Pete Hale

Vote: 6 in favor, 0 opposed, 0 abstentions, 1 absent

Motion Carried

42. Motion to Adjourn at 11:18 pm

Motion: Pete Hale

Second: Austin Gillette

Vote: 7 in favor, 0 opposed, 0 abstentions, 0 absent

Motion Carried

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 _____, 2000 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 _____, 2000.

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

ATTEST:

Tex Hall, Chairman
Tribal Business Council, Three Affiliated Tribes

Submitted by

Ethel Baker
Recording Secretary