

**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING NO. 15
June 30, 2000**

1. **CALL TO ORDER:**

Chairman Tex Hall called the meeting to order at 2:15 p.m. and asked for a moment of silence to remember tribal members who are ill and less fortunate.

2. **ROLL CALL:**

Present: Councilman Fox (Northeast Segment) Marcus Wells (Four Bears) Pete Hale (West Segment) Austin Gillette (East Segment) Daylon Spotted Bear (Southeast Segment)

Absent: Thomas Bird Bear (North Segment). A quorum was established with six members present.

3. **ANNOUNCEMENTS:**

Chairman Hall:

a. **The Education Committee passed several motions:**

To test at every grade level as opposed to the State of ND requirement, which will provide a better tracking mechanism for every level. The schools will have to adjust their budgets so it will not impact their budgets when they need to order additional test materials.

Alternative School: In view of the percentage of drop-outs within the schools located on our Reservation, the Education Committee, and Tribal Education Department is proposing to establish an Alternative School. The committee is inviting any council members who want to participate in planning and developing the school. The Casey Family is willing to be a partner in working with the tribe's initiatives in establishing this school. Tribal funds will be needed to supplement this cause with education being one of the Tribe's priorities.

NCAI: Three Affiliated Tribes, Chairman Hall co-sponsored a resolution with Chief Tillman from the Osage Tribe for the Land Consolidation Bill with support of Campbell S.1586 which defines fractionated lands; and trust policy.

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 2**

The objective of the Bill is prevention of trust lands turning into fee status which is one of the key provisions of the Campbell S. Bill 1586

INDIAN FINANCE ACT: The BIA is advertising three GS-15 management positions to work with the Tribes. The difficulty that the tribes has is that Indian Preference is not included in the advertisement.

The closing date for these positions is July 7, 2000. Chairman Hall sponsored a resolution requesting to extend the advertisement for 30 to 60 days, to insure that Indian Preference is a requirement. The Tribes want to be assured of collaboration with the personnel that will be hired to work with them.

The Tribes passed a resolution to re-establish the "Old" BIA Grant Loan Program, and request funding of \$10,000,000. The tribes also need 2.+ Million dollars of road construction dollars. If the proposal was submitted under NAPA it would go to the Chief Financial Officer for approval, which is one of the positions currently being advertised without Indian preference as a requirement.

Southeast Segment: Councilman Spotted Bear had no announcements to make.

East Segment: Councilman Gillette: had no announcements to make.

West Segment: Councilman Hale reported on the Mandaree Solid Surfacing. They are hoping to assemble the fixtures by the Grand Opening time and be able to have some product available for people to review before the Pow-wow.

The Tribe gave the 1st Baptist Church some land and their renovation process is workable. The Johnson boys installed the sewer and water for the church.

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 3**

We are in the planning stages of purchasing a yacht or a skip liner for the Four Bears Casino and Lodge for gaming purposes. If it is purchased, the River Boat Casino will be in action next year.

Another liner is being considered, which is less expensive, and has space for 120 passengers. It will be an agenda item for discussion at the next regular Business Council Meeting

FIGURE FOUR RANCH:

On Wednesday, Councilman Hale, Tribal Analyst, Paul White Owl, Ed Hale, Melva Warren and USDA, toured the ranch. They toured areas on the ranch where natural resources could be developed. They also discussed constructing walking and riding trails. Hopefully USDA can have some funding for the tribe to develop tours and sightseeing at Figure Four which will increase the land value with the improvements.

ALLOCATION OF BULLS: The bulls will be selected through a lottery draw, i.e., If four people wanted bull #1, they would draw from a hat and whoever got #1 would get bull #1. The rancher will pay the Tribe back in the fall with a heifer calf or \$400. After the fourth year the Tribe will selvage that bull out for whatever canning price of approximately \$800, which is cash flow for the tribe.

NORTHEAST SEGMENT: Councilman Mark Fox

National Indian Gaming Association: (NIGA)
The NIGA Retreat has been scheduled for July 10-11,2000 which he will be attending.

The Executive Director has resigned as of July 30, 2000. The Gaming Association will e sending out RFPs for applications for the position.

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 4**

PARSHALL ELECTIONS:

Parshall School Board: Karen Rabbithead Stevens was re-elected to the School Board. Byron Young Bird's name was submitted as a write-in but was defeated.

City Council: Daryl Hall was defeated for a seat on the City Council, so there are no enrolled members on the Board.

Parshall Community Board: Kenny Wells: President, Byron Young Bird: Vice-president, Leone White, Secretary: Karen Stevens, Treasurer: At-large member: Pem Hall, Public Relations: Sue Romero

Parshall Reunion and Parade: The Reunion and Parade will be held on June 30-July 2, 2000. All are invited to all activities.

APPROVAL OF THE AGENDA:

Chairman Hall added (15a) Independence Program; (15b) Education Code (15c) Youth Budget. Councilman Gillette added (6a) LaJuanna LaCroix (6b) Fred Poitra Councilman Hale added (15d) Fort Berthold Community College request. Councilman Wells added (6c) Prairie Rose Games (6d) Kevin Finley Request. Councilman Fox added (6e) Basketball Request.

MOTION ONE: Councilman Hale motioned to approve the agenda as amended, seconded by Councilman Gillette, Vote held, 6 ayes, 0 nays 0 abstentions 0 not voting, motion carried unanimously.

RATIFY HIRE OF RECORDING SECRETARY: MOTION TWO: Councilman Spotted Bear motioned to ratify the hiring of Ardel Jean Baker as Recording Secretary, seconded by Austin Gillette, vote held, motion carried unanimously. Note: The Recording Secretary was reclassified as a permanent position and was advertised in accordance with the TAT Personnel Policy.

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 5**

1998 AUDIT UPDATE:

Eide Bailey is conducting the audits for 1997, 1998, and 1999 . The auditing firm, the Financial Consultant and Comptroller gave the report.

d. FINANCIAL REQUESTS: MOTION THREE

- a. Resolution 00-228dsb: Councilman Pete Hale motioned to approve LuJunna LaCroix, an enrolled member (301-U-00839) request for a \$1,000 Loan to be amortized on a 9.5% APR payback plan with bi-weekly payments of \$50.00, seconded by Councilman Gillette, vote held, 5 ayes, 0 nays, 0 abstentions, 1 not voting, motion carried.

MOTION FOUR: Councilman Fox motioned to include Stacey Blacksmith on the agenda, seconded by Councilman Hale, Vote held, motion carried unanimously.

MEDICAL ASSISTANCE GRANT REQUEST: MOTION FIVE:

Fred Poitra, a tribal member is requesting a medical grant to travel to a medical facility to give a family member medical assistance. The Tribal Social Service denied his request because the family member was initially given a medical grant.

Councilman Gillette motioned to approve a medical grant in the amount of \$250 for Fred Poitra, a tribal member, seconded by Councilman Hale, Vote held, motion carried unanimously.

c. PRAIRIE ROSE GAMES:

The Tribal Business Council authorized the Office of the Treasurer to use discretion and handle administratively any monetary requests from the Segments to attend the Prairie Rose Games in Grand Forks, ND on July 7-9, 2000.

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 6**

The grants are to range between \$250-\$500 depending upon the number of area youths participating in the events.

- d. **RESERVATION-WIDE BASKETBALL CAMP: Four Bears Area:** The Four Bears Recreational Coordinator is requesting financial assistance of \$3,000 to sponsor a Basketball Camp in the Four Bears Community Center, targeted dates of July, 24-28, 2000. The free unisex camp would be open to grades 3 through 12 grade. The \$3,000 requested financial assistance would be used to pay (3) coaches fees, per diem and lodging, tee-shirts, and other awards for the skills and league contests.

MOTION SIX: Councilman Gillette motioned to approve the request as presented, seconded by Councilman Wells.

Discussion held regarding the location and the transportation costs.

Councilman Gillette amended his motioned to request the Thunderbirds coach coordinate with the Rec. Coordinator Office submitting a budget for each age group, understanding the logistics subject to budget, and to include transportation costs for all children who live on the reservation who are participating in the camp. Mr. Finley is to be instructed to send out notices to all segments, to include the schedule, also submit a budget for a reservation-wide camp to be held in each district, and to submit the request in resolution format, Councilman Wells amended his second, Vote held, motion carried unanimously.

- e. **Mini Basketball Camp: RESOLUTION: 00-229dsb
MOTION SEVEN**
Councilman Fox presented a request for \$672.00 to pay for basketball fees for children not covered under JOM who are living in the Parshall area.

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 7**

The Parshall School System will be hosting a mini-basketball camp to be held from July 10-13, 2000 at the Parshall High School gymnasium. The camp is to be taught by Bismarck High School basketball coach Steve Miller and Parshall High School basketball coach Harlen Johnson.

MOTION EIGHT:

Councilman Gillette motioned to approve the request of \$672.00 for Basketball Camp fees, seconded by Councilman Fox, vote held, motion carried unanimously.

Tribal Member Request for Financial Assistance:

Tana Fox, a tribal member is requesting a loan in the amount of \$1,000 for a memorial that her family is having during the White Shield Pow-wow .

DISCUSSION: The Small Loans Officer reported if the loan is approved, it will put her over the \$2,000 limit and that tribal member would have to redo her payroll deduction. Members of the Council discussed the Memorial Policy and the consensus was that Tana Fox would need to refinance and consolidate her loans.

MOTION TEN

Councilman Gillette motioned to give Tana Fox, a \$250 Memorial Grant, and to approve a loan of \$500, seconded by Councilman Fox, Discussion: Vote held, 5 ayes, 1 abstention, 1 not voting, motion carried.

MOTION ELEVEN

**REQUEST TO DEFER LOAN PAYMENTS UNTIL
SEPTEMBER 30, 2000:**

Stacey Blacksmith is requesting approval to defer her loan payments until September 30, 2000 because of her status as a contractual employee with the White School District.

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 8**

Councilman Gillette motioned to approve Stacey Blacksmith's request to defer loan payments until September 30, 2000, seconded by Councilman Fox, Vote held, 5 ayes , 0 not voting, 1 abstention, 1 not voting, motion carried.

MOTION TWELVE:

Councilman Hale motioned to add Tamson O'Berry to the agenda, seconded by Councilman Fox, vote held, 5 ayes, 0 nays, 1 abstention, motion carried.

MOTION THIRTEEN

Councilman Hale motioned to approve Tamson O'Berry's, request for financial assistance in the amount of \$200 to be applied as a first installment for housing fees, seconded by Councilman Fox, vote held, 5 ayes, 1 abstention, motion carried.

MOTION FOURTEEN:

Councilman Wells motioned to add Alva Irwin to the agenda, seconded by Councilman Hale, vote held, 5 ayes, 1 abstention, motion carried.

MOTION FIFTEEN

Councilman Wells motioned to give Alva Irwin a grant of \$250 and a loan of \$750 for educational purposes, seconded by Councilman Hale,
Discussion: The Small Loan Director informed the Council that other tribal members have been waiting for loans for three weeks, and asked them to reconsider their motion.

MOTION SIXTEEN

Councilman Wells amended his motion to approve an educational grant to Alva Irwin in the amount of \$250 educational grant, Councilman Hale amended his second, vote held, motion carried unanimously.

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 9**

6. **KIDNEY DIALYSIS UNIT:**

The Kidney Dialysis Unit Director presented three requests for review and action.

1. Request for compensation of 615.00 of over-time hours for KDU staff.

The Director presented a request to pay 615.0 of overtime hours @ 1 1/2 which would be a total of \$10,833.98. The considering that the drivers nor professional staff are not compensated for over time hours.

MOTION SEVENTEEN Councilman Spotted Bear motioned to approve the overtime payment request of \$10,833.98 for the Kidney Dialysis staff, seconded by Councilman Wells.

Discussion: The Business Council deliberated with the KDU Director on the over time hours being paid 1 1/2 time as opposed to payment of regular hours. Vote held, 3 ayes, 3 nays, 0 abstentions, 0 not voting, motion dies.

MOTION EIGHTEEN: Councilman Hale motioned to pay the Kidney Dialysis staff overtime hours of 615.00 at straight time, a payment settlement at \$7,800, seconded by Councilman Gillette, vote held, 5 ayes, 0 nays, 1 abstention, 0 not voting, motion carried..

DISCUSSION: Rena Dusenberry informed the Tribal Business Council that she was never compensated at the rate of pay that was approved on July 19, 1999. Rena reported that the Personnel Director did not adhere the actions of the TBC, used the Classification Pay Scale and she was not compensated at the approved rate of pay.

Pat Wilkinson was directed by the Tribal Business Council to follow through with the Personnel Director for Rena Dusenberry to be paid at the amount set by the Tribal Business Council retro-active to the date of approval of the increase.

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 10**

Pat Wilkinson and Terry Red Fox was directed to work with Kami Fredericks in writing a policy on overtime hours to fit the requirement of the Kidney Dialysis staff that requires overtime hours and to redesign the Personnel Policies to fit their needs.

This draft is to be ready for the July 13, 2000 meeting. Also they are to direct the Legal Dept. to draft a settlement agreement for signature with the Kidney Dialysis Staff.

2. Approval to move the working Dialysis scheduled days from 3 days a week to 6 days a week. less overtime, less staff ratio, staff consensus. This agenda item was deferred until the July 13, 2000 meeting.

3. Third Party Billing:

Kami Frederick's submitted a proposal asking to retain the 3rd party billing in the Kidney Dialysis Unit for proper supervision, to have the consultant, Aileen Jackson, who is currently doing consultant work to complete to finish the billing to the current date, to move Rebecca Cronais to Patients Account Technician at the salary of \$11.00 per hr.

Programs Manager, Pat Wilkinson and Consultant, Aileen Jackson recommended assigning Sue Romero on temporary duty to work with the Consultant in expediting collection of 3rd party billing, that the computer be moved to the Tribal Programs Office.

The Tribal Business Council directed this agenda item to the Tribal Analyst, the Programs Manager and the Kidney Dialysis Manager. They are to bring their recommendations in draft form to the July 13, 2000 meeting.

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 11**

In the interim period, the computer system will stay at the Unit and Sue Romero will be temporarily assigned to work with the Director in updating the 3rd party billing. The date for the move will be worked out with her immediate supervisor.

MOTION NINETEEN: Councilman Gillette motioned to approve design one, Discussion: A Building Committee was established with committee members being : Marcus Wells, Terry Red Fox, Austin Gillette, seconded by Councilman Wells.

MOTION TWENTY:

**SHP Tribal Administration Expansion Contract
Approval:**

Councilman Wells motioned to retain SHP at 9% fee, also to include mechanical and electrical fees, seconded by Councilman Hale vote held, 6 aye, 0 nays, 0 abstentions, 0 not voting, motion carried.

**MOTION TWENTY ONE: APPROVAL OF CASINO EXPANSION
DESIGN**

Councilman Fox motioned to approve the canape and lobby entry way design, multi-purpose , and valet parking, seconded by Councilman Gillette, vote held, 6 ayes, 0 nays, 0 abstentions, 0 not voting, motion carried.

MOTION TWENTY TWO: RESOLUTION 00-232DSB

Councilman Hale motioned to approve the purchase of 6 Bandit Easy Street Video machines manufactured by Casino Data Systems with a total price of \$75,630.90 to be paid for with casino revenues, seconded Councilman Wells, vote held, 5 Ayes, 0 nays, 0 abstentions, 0 not voting, motion carried.

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 12**

MOTION TWENTY THREE:

MANDAREE STREET PROJECT:

Councilman Hale motioned to accept Northern Lights Bid on a construction project to build streets in the community of Mandaree on the Fort Berthold Reservation, seconded by Councilman Fox, vote held, 6 Ayes, 0 nays, 0 abstentions, 0 not voting, motion carried.

KADRMAS, LEE, JACKSON: MOTION TWENTY FOUR

Councilman Hale motioned to accept Kadrmas, Lee, and Jackson's proposal to provide engineering services on three upcoming roads and BIA Roads Project and to negotiate fees, seconded by Councilman Spotted Bear, vote held, 3 ayes, 1 nay, 1 abstention, 1 not voting, motion carried.

THREE AFFILIATED TRIBES TOURISM & INDEPENDENCE PROGRAM: RESOLUTION #00-231-DSB

MOTION TWENTY-FIVE:

Dennis Fox and Amy Mossette presented a proposal entitled "Three Affiliated Tribes Tourism and Independence Program Office: Proposal to combine the Independence Program, the Tribal Business Information Center, and the Three Affiliated Tribes Tourism and be implemented accordingly subject to the availability of Tribal funds. Councilman Fox motioned to accept the proposal as submitted, seconded Councilman Wells,

Discussion: The Tribal Business Council discussed the legality of appointments as opposed to advertising the job positions..

Councilman Fox amended his motion to read, Independence Program Director, Dennis Fox and Independence Administrative Assistant, Madeline Grinnell will be transferred with the program. Amy Mossette will be appointed temporarily as the Tourism Director until the position is advertised. All other positions will be advertised in accordance with the TAT Personnel Policy handbook, vote held, 6 ayes, 0 nays, 0 abstentions, 0 not voting, motion carried.

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 13**

**FORT BERTHOLD COMMUNITY COLLEGE AG. RESOLUTION
#00-232DSB:**

A proposal was submitted requesting from the JTAC Education AG Department competitive pool funds not to exceed for the Fort Berthold Community College Agriculture Division, for the necessary pick-up and equipment needs to meet plowing and cultivating garden requests from enrolled members.

MOTION TWENTY-SIX: Councilman Wells motioned to accept the proposal as presented, seconded by Councilman Fox.

DISCUSSION: The Tribal Business Council discussed the matching fund requirements that they set forth for requests as such.

Councilman Wells amended his motion to approve \$50,000 as opposed to \$100,000, Councilman Fox, vote held, 6 ayes, 0 nays, 0 abstentions, 0 not voting, motion carried.

YOUTH EMPOWERMENT SUMMIT, GENEVA, SWITZERLAND.
Glenda Embry presented a proposal requesting financial assistance in the amount of \$28,000 for six youth and one chaperone to attend the Youth Empowerment Summit in Geneva, Switzerland

MOTION TWENTY-SEVEN:
Councilman Hale motioned to approve the financial request as presented, seconded by Councilman Fox, vote held, 2 ayes, 3 nays, 1 abstention, 0 not voting, motion failed.

PROSPECTIVE CHARGING EAGLE BAY LOT LEASES:

MOTION TWENTY-EIGHT

Councilman Gillette motioned to approve the lot leases at \$400 a year, seconded by Councilman Hale, vote held, 6 ayes, 0 nays, 0 abstentions, 0 not voting, motion carried.

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 14**

**COOPERATIVE LAW ENFORCEMENT AGREEMENT: MOTION
TWENTY NINE:**

Councilman Fox Motioned to approve the Cooperative Law Enforcement Agreement with the language change in Section 6. Confidentiality of Arrest and Prosecution Information, seconded by Councilman Gillette, vote held, 6 ayes, 0 nays, 0 abstentions, 0 not voting, motion carried.

**EDUCATION CODE: RESOLUTION 00-233-DSB
MOTION THIRTY**

Councilman Spotted Bear motioned that the Tribal Business Council hereby recognizes and officially appoints an Education Code Review Committee comprised of the elected Chairman of each community and education agency boards to work with the Education Codes of the Three Affiliated Tribes, seconded by Councilman Hale, vote held, 5 ayes, 0 nays, 0 abstentions, 0 not voting, motion carried.

**PERSONNEL MATTER : SMALL LOAN PROGRAM
MOTION THIRTY-ONE:**

Councilman Gillette motioned to direct Tribal Analyst and Programs Manager to work on Loan Officer's job description, change in appointment status and in developing a rate of pay, seconded by Councilman Hale, vote held, 6 ayes, 0 nays, 0 abstentions, 0 not voting, motion carried.

**PERSONNEL MATTER NORTHEAST SEGMENT: MOTION THIRTY
-TWO:** Councilman Fox motioned to accept Harlan Dean's resignation as stated, seconded by Councilman Gillette, vote held, 6 ayes, 0 nays, 0 abstentions, 0 not voting, motion carried.

CONSULTANT AGREEMENT RENEWAL MOTION THIRTY-THREE:
Councilman Hale motioned to renew Mitch Cooke's consultant agreement, and to include mileage not to exceed \$2,000 until the end of FY00, subject to renewal, seconded by Councilman Gillette,

**Three Affiliated Tribes
Special Council Meeting
June 30, 2000
Page 14**

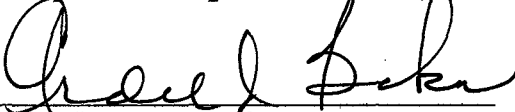
**MANDAREE POW-WOW REQUEST: RESOLUTION 00-234DSB:
MOTION THIRTY-FOUR: Melva Driver Warren
presented a resolution requesting \$7,500 of the
West Segment JTAC Community Fund to match the
Mandaree School's contribution of \$7,500 with the
2000 Mandaree Celebration.**

Councilman Hale motioned to accept the resolution
as presented, seconded by Councilman Wells, vote
held, 4 ayes, 0 nays, 2 abstentions, 0 not
voting, motion carried.

ADJOURNMENT:

Councilman Fox motioned to adjourn the meeting at
11:00 p.m., seconded by Councilman Spotted Bear,
vote held, motion carried unanimously.

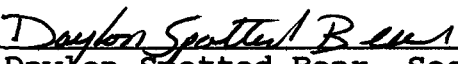
Respectfully submitted,



Ardel Jean Baker,
Recording Secretary

07/13/00

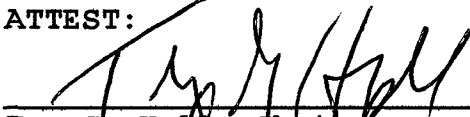
Date



Daylon Spotted Bear, Secretary
TRIBAL BUSINESS COUNCIL
THREE AFFILIATED TRIBES

7-13-00
Date

ATTEST:



Tex G. Hall, Chairman,
Tribal Business Council
THREE AFFILIATED TRIBES

Date