

THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING NO. 15  
JULY 13, 2000

01. CALL TO ORDER:

The meeting was called to order by Chairman Tex Hall at 11:45 a.m. Chairman Hall requested a moment of silent prayer that cultural activities scheduled for this week-end, work out in a good way. He asked everyone to remember all our tribal members who are sick in the hospitals and less fortunate.

02. ROLL CALL: Members present: Councilman Fox, Councilman Wells, Councilman Hale, Councilman Gillette, Chairman Hall, Councilman Spotted Bear. A quorum was established with six members present.

Councilman Bird Bear arrived 11:49 a.m.

Others Present: Terrance Red Fox, Tribal Analyst, Pat Wilkinson, Programs Manager, Florance Brady, Personnel Director, Martha Hunter, Education - Rose Crows Flies High, Director, Small Loan Program - Terry Smith, Small Loan Officer, Scott Eagle, Bernie Fox, Spencer Wilkinson, Four Bears Casino and Lodge - Kip Quale, Tom Disselhorst, Legal Counsel - Thomas Crows Heart, Director, Veterans Service Office - John Jack Rabbithead, Lori Little Swallow, Jerry Nagel, Luther Grinnell, Dawn Charging, Jean Baker, Recording Secretary.

03. ANNOUNCEMENTS:

a. RESERVATION TELEPHONE COOPERATIVE 49<sup>TH</sup> ANNUAL MEETING: July 14, 2000

Marc Bluestone is running for a seat on the Reservation Telephone Cooperative Board. Only members of the cooperative are allowed to vote, and the meeting is called to order at 7:30 p.m.

b. WASHINGTON STATE REPUBLICAN OPPOSITION:

A resolution and a firm letter regarding the Washington State Republican State Opposition who want to abolish tribal government will be sent opposing their position. The Tribes in Washington State are allowing negative expressive deeds happen to them that affects all of Indian country.

c. INDIAN HEALTH CARE AND IMPROVEMENT ACT:

There will be an Indian Health Care and Improvement Act Senate Field Hearing in Bismarck, ND the first week in August, 2000, initiated by Senator Dorgan and Senator Ben Night Horse Campbell. Evadne Gillette, an elder who has been affected by health disparities will testify on the lack of contract health funding. Fred Baker, a retired Service Unit Director will be asked to testify.

d. FEE LAND PURCHASE CONTIGUOUS TO THE EXTERIOR RESERVATION BOUNDARY: The land is located near the White Shield area. This item will be deferred until the tribe converses with the Comptroller to confirm the remainder of JTAC funds used for land purchasing. They need to receive a description of the acreage.

A 5000 Acre Kellogg Ranch is for sale which the Tribe should consider purchasing.

e. ROAD DEPARTMENT ORGANIZATION: This issue will be deferred to the Natural Resource Committee.

Road Maintenance:

NCAI approved a resolution to transfer the Road Maintenance out of TPA. Chairman Hall requested authorization to do an analysis before transferring it to other re-occurring funds.

f. PROJECT LIST: Chairman Hall updated the Business Council on the following projects:

1. Four Bears Casino and Lodge Expansion: Scott Eagle
  2. Four Bears Lagoon:
  3. Four Bears 48 Unit Complex
  4. Mandaree Solid Surfacing Project
  5. Solid Surfacing Grand Opening
  6. Twin Buttes Custom Homes Inc.
  7. Lake Shore Update.
- h. TAT Telecommunication Company:

g. TAT CONCRETE PLANT:

Chairman Hall presented a letter of intent to enter into a Development Agreement with Royal Concrete from Fridley, Mn.

Discussion: Legal Counsel will define the development agreement to make sure that CAM understands the intent of the Tribe. CAM will be required to submit an agreement proposal prior to any executed agreement.

h. OIL AND GAS COMMITTEE UPDATE:

Land Owners Association is challenging the Tribe's oil and gas position. The Tribe has much to offer in terms of getting to block all of the reservation so all Tribal members gets a chance to lease their mineral rights. A typical Oil and Gas Lease Sale is that a Tribal member will get \$17 an acre and the development will be sporadic. They won't impact the reservation like the Tribal can. They discussed the Indian Mineral Development Act. The committee members will meet again with the land owners to come up with a recommendation for the tribe.

The BIA recommended that the Tribe should block up land, but the land owners association still opposed that recommendation. Larry Jacobs will be at the next meeting on the 7/27/00, to bring back the different options, which are

1. Just individual
2. Tribe by itself
3. Allotted and Tribe.

The committee will meet again with the Land Owners Association regarding this issue.

i. PRESENTATION OF PLAQUE FROM THE MINOT STATE UNIVERSITY

STUDENTS: Martha Hunter presented a plaque and a letter from the Native American Cultural Awareness Club and the NA Cultural Center at Minot State University thanking them for their supporting the spring Honor Dance.

j. PLANS TO REORGANIZATION:

The Programs Manager's position will possibly be changed and made as a 638 contract specialist. The organizational chart will structure one Chief Executive Officer, and the 638 Contract Specialist will be subordinate to the CEO and under his supervision.

The Tribal Business Council discussed how this would affect the Indirect Cost budget. The consensus was that they didn't want to lose any indirect cost funds because of the reorganization. The Tribal Analyst will bring a draft plan to propose to the Tribal Business Council to review on August 10, 2000. Personnel is looking at the salary issues. Also the Tribal Analyst will need to research the auxiliary programs being grand fathered into the Tribe. i.e., Independence, CEDS, Tourism, Public Works. The re-organization will be implemented effective October 1, 2000.

K. JUNE LOCKWOOD REQUESTED A GRANT OF \$200 FOR BUS FARE FOR HER GRANDSON TO TRAVEL TO SAN CARLOS, NEW MEXICO TO LIVE WITH HIS FATHER. MOTION ONE. Councilman Gillette motioned to approve a grant of \$200.00 to June Lockwood. Seconded by Councilman Wells. Vote held: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

l. RELOCATION FEES FOR TRIBAL ANALYST:

MOTION TWO: Councilman Hale motioned to approve a grant of \$1500 for relocation fees to Terry Red Fox, as done in the past for prior key personnel. Seconded by Councilman Bird Bear.

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

04. TREASURER'S REPORT:

a. EIDE BAILEY AUDITORS APPROVAL RESOLUTION 00-235DSB:

MOTION THREE: Councilman Wells, motioned to authorize to enter into a one year agreement with Bailey to update and reconcile the Tribal accounting records from 1997 to 2000.

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They will also provide training for Finance staff to complete Federal and Tribal Audit requirements. Seconded by Councilman Hale.

DISCUSSION:

Councilman Wells amended his motion to include \$50,000 for accounting, and \$20,000 for training, for one year, a total of \$70,000 in lieu of two proposed CPA positions, Councilman Hale amended his second. VOTE: 6 Ayes, 1 Nay, 0 Abstentions, 0 Not voting, Motion carried.

05. MARCUS WELLS SR.

Tribal member asked for closure in a resolution form for allegations of fraud. He also is requesting closure on salary owed to him through the end of September, 1995. He filed for bankruptcy and listed the Three Affiliated Tribe's alleged costs with his creditors. Because no Tribal representatives attended the hearing, Mr. Wells is claiming that the Tribe cannot charge him for any money he is alleged to owe.

The Tribal Business Council went on record to direct Legal to do a review of this issue and bring their recommendations to the Tribal Business Council for action.

06. APPROVAL OF AGENDA: MOTION FOUR

Councilman Gillette motioned approve the agenda as amended. Seconded by Councilman Fox, VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting.

07. COUNCILMEN ANNOUNCEMENTS:

Parshall Northeast Segment: Councilman Fox:

National Indian Gaming Association Board Meeting: The Board meeting was held in Baraboo, Wisconsin. Two important issues were discussed as follows: 1). Washington Republican party comments and position and the resolution that they passed. NIGA approve a resolution to counter and oppose their position and also sent the resolution out to lead Republicans to address.

2. The NIGA Board approved a revised proposed increase for NIGA dues. They proposed it in a way that most casinos in the Mid West or Great Plains won't be impacted notably. They will either be paying less or no more than \$500.

Whereas the bigger tribes will end up paying from \$2500 to additional \$15,000 per tribe because of their revenue. The Three Affiliated Tribes will at most, go from \$3000 to \$3500.

- B. Mandaree Area: Councilman Pete Hale: Mandaree Pow-wow dates are July 13-16, 2000. There are Specials scheduled for the entire week-end. Saturday a 3 on 3 basketball tournament is scheduled and the entry fee is \$70. Grand Opening on Friday for the Mandaree Solid Surfacing. Chairman Hall and Councilman Hale will be feeding the people on Sunday. Mandaree Pow-wow raised \$22,000, with matching funds of \$7,000 from the school for a total of \$29,000. On Sunday a parade is scheduled with three categories. Mandaree Convenience Store is opening this week-end.
- C. North Segment: Councilman Bird Bear:  
Councilman Bird Bear was nominated by the Keith Harper (NARF) to attend seminars in Europe to interact with Government leaders. He went to 5 different countries and met with different officials.
- D. INTERVIEWS FOR THE SERVICE UNIT DIRECTOR:  
Interviews will be held with the SUD applicants. Chairman Hall, Councilmen Gillette and Fox will be present at the interviews. They will need to formulate their questions for the applicants.
- E. SPRINT/EPA: Dr. Paige Baker  
Chairman Hall signed a letter which requests a joint venture of \$5 million dollars, with Sprint. With the first year to employ 100 people with multi-year options for the contract.

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If Mandaree Electronic's request with Sprint for a contract is successful, the Three Affiliated Tribes may have to cost share constructing a 20,000 square foot building and up to a \$1 million dollars for additional operating costs.

The income on the balance sheet will be about \$300,000 a month if this venture is approved and it will increase.

The deadline for executing contracts with The EPA is tomorrow and the Small Business Association was behind schedule on the first attempt. They were again late in getting the contract out, and the time frame for making a decision is tomorrow. The Tribal Business Council and Chairman Hall were asked to call the Congressional members to inquire about the appeal. Lisa Lenell from Senator Conrad's office is working with the Tribes to move on the EPA Contract.

Chairman Hall reported that he wasn't pleased with the actions of Senator Dorgan's legislative staff, mainly Stephanie Mohl. Dr. Paige Baker was instructed to work with Tom Disselhorst, and Legal Counsel to draft a letter to Senator Dorgan informing him of the Tribes dissatisfaction with his staff's disregard for the tribe.

08. PERSONNEL MATTERS: Closed Session

09. PRE-PAID LEGAL SERVICES: KIRK GILLESPIE

Pre-paid Legal Services, Inc. is proposing to offer the most comprehensive legal coverage available to employees today. The plan includes PREVENTIVE LAW; MOTOR VEHICLE LEGAL SERVICES, TRIAL DEFENSE; IRS AUDIT SERVICES, PREFERRED MEMBER RATES. Benefit Costs: Special Group Rate: \$14.95 per family/per month. Enrollment Fee per employee: Waived. Contract Period for Coverage: None (month to month). Employees could pay for their rate via a wage assignment.

Fringe Benefit Option: As a full benefit, the cost to the employer would be equivalent to less than a nine cents an hour wage increase per employee.

**Discussion:** The Tribal Business Council directed the Legal Counsel to review and make a recommendation to them. Note: There was no definite date set to bring back to the TBC.

10. THUNDER BIRD BASKETBALL CAMP: July 24-28, 2000 RESOLUTION #00-238DSB.MOTION FIVE: Kevin Finley requested approval to hold three basketball camps. Two days in Mandaree/Twin Buttes; Two days in Four Bears,/New Town; Two days in Parshall/White Shield.

Councilman Hale motioned to allow Kevin Finley to hold three basketball camps with the cost being \$3,000. Seconded by Councilman Wells, VOTE: 4 Ayes, 0 Nays, 1 Abstention, 2 Not voting, motion carried.

11. PROPOSED TRANSFER OF OWNERSHIP AND OPERATION OF MCKENZIE FEDERAL WELL TO THREE AFFILIATED TRIBES: MOTION SIX  
Motion: Councilman Hale motioned to approve the proposed transfer of ownership and operation of McKenzie Federal Well 1-35 to the Three Affiliated Tribes; at no cost to the Tribe, and to put under the tribe's blanket bonding. Seconded by Councilman Spotted Bear. VOTE: 4 Ayes, 0 Nays, 1 Abstention, 2 Not voting, Motion carried.

12. WESTERN AREA POWER ASSOCIATION:MOTION SEVEN (WAPA  
Councilman Bird Bear motioned to direct Legal to do a Legislative Amendment to allow the Three Affiliated Tribes an increased portion of the WAPA power, also to refer this issue to the Hobbs, Straus, Dean, and Walker, and to have draft prepared by July 31, 2000. Seconded by Councilman Hale. VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting, Motion Carried.

**Discussion:** The Tribal Business Council discussed the necessity of allowing the legal dept to work with Hobbs, Strauss, and Walker as legal counsel and allow 30 days to draft the proposed resolution. Legal Counsel, Kip Quale, requested that the Hobbs, Straus, Dean and Walker Firm take the lead role.



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Councilman Gillette motioned to defer the Legislative Amendment until August 10, 2000 to consider action. Seconded by Councilman Wells.

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

13. FSA LAWSUIT CONSULTANT AGREEMENT MOTION EIGHT:

John Jack Rabbithead presented a proposal in the amount of \$72,000 to hire five consultants to complete the research, data preparation and analysis for the plaintiff Keeps Eagle lawsuit against the Farmers Home Administration (FmHA) under the Dept. of Agriculture. The scope of work will be limited to clients from the Fort Berthold Indian Reservation. It will consist of the grunt work needed in preparing the case for plaintiffs Attorneys Conlon, Frantz, Phelan & Pires, LLP.

Motion: Councilman Gillette motioned to defer this issue until August 10, 2000, for consideration at that time. Seconded by Councilman Wells.

Discussion: The Judge will need to determine if the Three Affiliated Tribes case is a similar class lawsuit as the Black Farmer case prior to making any commitment.

The Treasurer will need to determine if there is money in the Budget to cover the proposed consultant agreement. The Legal Counsel of the Tribe will also discuss this proposal with the Pries Law Firm to see if they will be in concurrence with this agreement. VOTE: 4 Ayes, 0 Nays, 3 Abstentions, 0 Not Voting, Motion Carried.

14. OIL AND GAS UPDATE MOTION NINE:

- a. Proposed consultant agreement with Carson Hood Jr., in the amount of \$250 per week for twenty-four hours per week actually performed. To contact and bring forward oil and gas companies in order to develop oil and gas mineral acres located on the Fort Berthold reservation.

- b. Proposed Consultant Agreement with Larry Jacobson to solicit oil companies for the purpose of developing oil and gas within the exterior boundaries of the Fort Berthold Reservation. To assist in the operation of wells currently owned or to be acquired during the term of this agreement by the Three Affiliated Tribes.

The consultant agreement in the amount of \$550 per twenty-four day and \$400 per twelve hour day, in addition to reimbursement of mileage at the rate of \$.32.5 per mile and full reimbursement of out-of-pocket expenses.

MOTION: Councilman Hale motioned to approve the consultant agreements, no second, motion fails.

15. Resolution To Enter Into a Physician and Physician Extender Services Employment Agreement With Qualified Health Care Professionals MOTION TEN:

In exchange for the after hours patient coverage that would be provided by the Mountrail County Medical Center, the Three Affiliated Tribes physicians and physician extender (s) would become active medical staff members at the Mountrail County Medical Center; i.e., covering a proportionate amount of emergency Room patient care on evenings and weekends, thereby providing patient care twenty-four hours per day, seven days per week.

Discussion: Dr. Baker and Dr. Arcaley questioned contributing to the economic viability of an off-reservation white community who would benefit from the services provided.

MOTION: Councilman Hale motioned to approve the contract with the Mountrail County Medical Center to allow 24 hour coverage for Tribal members. Seconded by Councilman Fox for discussion purposes only.

Discussion: The Business Council discussed the urgent need for 24 hour coverage for the tribal membership.

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They also discussed the need to enter into an agreement with the Mountrail County Medical Center for immediate 24 patient coverage, on a sunset clause basis until the end of the FY/00.

ROLL CALL VOTE: 3 Ayes, Councilman Hale, Councilman Fox, Chairman Hall. 4 Nays, Councilman Spotted Bear, Councilman Gillette, Councilman Bird Bear, Councilman Wells.  
0 Abstentions, 0 Not voting, Motion Failed.

16. TABLE BUTTE QUILTS AND CERAMICS MOTION ELEVEN:

Tribal member is proposing to rent the former Silverado Pawnshop building located on main street for the Table Butte Quilts & Ceremics.

MOTION:

Councilman Bird Bear motioned to place the Table Butte Quilts and Ceramics in the Silverado Pawnshop Building, to include other businesses as coordinated with this program depending on space availability. Seconded by Councilman Hale.

Councilman Bird Bear amended his motion to read: prioritize 477 program with the Legal Services Building which the tribe will be making a bid to purchase. The lease payment terms will be finalized on July 31, 2000 after a business plan is submitted, and to authorize Myrna Bear to start negotiations for purchase the Legal Services building. Seconded by Councilman Hale.

Discussion: The tribe will rent the Silverado Building to Rachel Grady and authorize her to sub-let to the other people.

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

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17. KATHRYN EAGLE EDUCATIONAL REQUEST: RESOLUTION #00-239DSB MOTION TWELVE: Tribal Member is attending medical school and is requesting educational assistance in the amount of \$4800 for living expenses.

MOTION: Councilman Fox motioned to approve the educational request of Kathryn Eagle in the amount of \$4800. Seconded by Councilman Wells,

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

18. DENNIS FOX LAND EXCHANGE RESOLUTION #00-240DSB MOTION THIRTEEN

The Three Affiliated Tribes Tribal Business Council approves the exchange of lands described below, exclusive of minerals, held in trust by the United States of America for the Three Affiliated Tribes and lands held in trust by the United States of America for Dennis Fox, Jr., 301-U4029, to prepare all documents and to do all things necessary to exchange lands for which title is to be transferred to the Tribe and Dennis Fox, Jr., under the terms and conditions as stated below:

Dennis Fox, Jr., 685A - an undivided 5/72 interest in the S1/2 Section 20, T.149 N., R.93 W., containing 320.00 acres, more or less, valued at \$7,502.00

Tribal Land: 3059-A E/12NE1/4NE1/4, N1/2SE1/4NE1/4, E1/2N E1/4SW1/4NE1/4 Section 14, T.150N., R.92 W., containing 45.00 Acres, more or less, valued at \$7,290.00

Mr. Fox will waive the difference of \$212.00 in exchange for gravel for his road.

MOTION:

Councilman Bird Bear motioned to approve the land exchange as described. Seconded by Councilman Gillette.

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VOTE:

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

19. CARLA BRUNSELL PARTITION: RESOLUTION 00-241DSB MOTION  
FOURTEEN:

The Three Affiliated Tribes Tribal Business Council approves the partition of lands described, exclusive of minerals, held in trust by the United States of America for Carl Brunsell, 301-U6038, hereby authorizes the Chairman of the Three Affiliated Tribes, it's Secretary, and the Superintendent of the Fort Berthold Agency, the Area Director, and the Commissioner of Indian Affairs to prepare all documents and to do all things necessary to partition lands for which title is to be transferred to the Tribe and Carla H. Brunsell, under the terms and conditions stated below:

Carla H. Brunsell:

3059-A (441A) an undivided 1//5 interest within the S1/2NE1/4, E1/2ne1/4, NE1/4, W1/2, NW1/4, NE1/4W1/2E1/2 Section 14, T.150N., R.92W., containing 30.00 acres to the Three Affiliated Tribes.

Tribal Land:

3059-A (441A) an undivided 4//5 interest within the W1/2ne1/4ne1/4, e1/2e1/2nw1/4ne1/4 Section 14 T.150 N., R.92 W containing 30.00 acres to Carla Brunsell.

MOTION: Councilman Gillette motioned to approve the Partition of lands described. Seconded by Councilman Fox.

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

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20. BUSINESS PLAN: RESOLUTION #00-242-DSB MYRNA BEAR MOTION FIFTEEN:

Tribal member wishes to purchase Woody's Bar for \$109,000 in New Town, N.D. on the Fort Berthold Reservation. In order to adequately fund the business, she will apply for a loan from a commercial lender and is requesting a grant in the amount of \$24,000 from the tribe to meet the 20% equity contribution to qualify for a U.S. Loan Guaranty Application.

MOTION: Councilman Bird Bear motioned to appropriate to Myrna Bear and her individually owned Tribal business, the following \$3,500 Business Development Grant and \$3,500 Business Loan; such monies being appropriated from Tribal revenue, subject to availability of funds and proof of the financial commitment and acquisition of outside resources. Seconded by Councilman Hale.

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

21. DAWN CHARGING CANDLE REQUEST MOTION SIXTEEN:

Dawn Charging Candle was recently elected as a Board member of the Outdoor Writers Association. Dawn Candle is requesting that the tribe grant her a total of \$3,600 for three year travel costs.

MOTION: Councilman Gillette motioned to approve Dawn Charging Candle's request in the amount of \$3,600 for travel costs to Board Meetings for the Outdoors Writers Association. To hire her as a consultant with the Tourism Department on an on-need basis. The Tribal Analyst is begin the formulation of a consultant agreement, with the rate to be negotiated. Seconded by Councilman Hale.

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

22. CULTURAL CONCEPT: LUTHER GRINNELL MOTION SEVENTEEN:

Luther Grinnell, Tribal Liaison for Casino Management and Tribal Gaming Commission, presented a request to establish a cultural center with a 15 Board membership. The board will be represented by all Tribal entities, will formulate the budget, and determine the curriculum which will cover all aspects of Indian life. This project will not be under the umbrella of the FBCC.

MOTION: Councilman Hale motioned to support the concept of a Cultural Center with a 15 Board membership. Seconded by Councilman Wells.

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

23. VIETNAM VETERANS ANNUAL MEETING AND PICNIC REQUEST.  
RESOLUTION #00-243DSB MOTION EIGHTEEN:

Thomas Crowsheart Sr, Director of the Veterans Service Program, submitted a request of \$1500 for the VVA Annual Meeting and picnic which will be held on July 21-23, 2000.

MOTION:

Councilman Fox motioned to approve of the request in the amount of \$1500 for the VVA Annual Meeting and Picnic on July 21-23, 2000. Seconded by Councilman Bird Bear.

VOTE: 6 Ayes, 0 Nay, 1 Abstention, 0 Not voting.  
Motion carried.

24. HOUSING IMPROVEMENT PROGRAM:

Clarke Fox, a tribal elder is requesting housing improvement assistance from the tribe. The HIP Program was transferred to the Fort Berthold Housing Authority Fy99, and provides assistance for all HIP requests. Toni Starr, HIP Coordinator from the Fort Berthold Housing Authority will be requested to attend the meeting on July 31, 2000 to answer any questions.

25. INTENT TO PURCHASE SKIPPER LINER YACHT FOR \$544,000 MOTION NINETEEN:

The co-General Managers of 4 Bears Casino and Lodge are recommending purchase of an 1987 used Model 100 Passenger Vessel for \$544,000. The vessel would be large enough to install 25 slot machines and 2 blackjack tables, as opposed to purchasing a larger new boat that could accommodate 25-40 machines, and 4 blackjack tables.

MOTION: Councilman Hale motioned to send a letter of intent to purchase the Skipper Liner and defer for consideration on July 31, 2000. Seconded by Councilman Wells.

ROLL CALL VOTE: Ayes: Councilmen, Fox, Hale, Wells, and Chairman Hall. Nays: Councilmen Gillette, Bird Bear, Spotted Bear. 0 Abstentions, 0 Not voting. Motion carried.

26. SMALL BUSINESS LOAN: RESOLUTION #00-244DSB, CLETUS J.

PACKINEAU MOTION TWENTY: Tribal member currently owns and operates a Well Service Company in the Plaza Lucky Mound Oil Field. Individual has submitted all proper and necessary documentation, which is a business plan and repayment schedule.

He is requesting \$3,500 to purchase equipment which includes Kumo 1985 tractor, with mower and spraying equipment, and a tractor towing trailer.

MOTION: Councilman Fox motioned to approve a Business Economic Development Loan in the amount of \$3,500.00 for Cletus Packineau to implement a Grass Cutting, Weed Killing Business, seconded by Councilman Hale.

VOTE: 7 Ayes, 0 Nays, 0 abstentions, 0 not voting.  
Motion carried.



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28. FORT BERTHOLD DEVELOPMENT CORPORATION BOARD APPOINTMENT:  
Dale MCGRADY: RESOLUTION #00-245DSB MOTION TWENTY-TWO:  
MOTION: Councilman Hale motioned to appoint Dale McGrady to serve on the Fort Berthold Development Corporation's Board of Directors, James Johnson will be replaced. Seconded by Councilman Wells.

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

29. GRIEVANCE OFFICER CONTRACT MOTION TWENTY-THREE:  
The Tribal Business Council retained Gary Beaudry, to serve in the capacity as a Grievance Officer. His current consultant agreement is due to expire on July 17, 2000. The Legal Counsel requested the Council extend his current consultant agreement through the end of the current calendar year, December 31, 2000. He has heard four grievances and was paid a total of \$2,268.90.

The original cap was \$5,000. Legal Counsel is requesting \$2500 be added to the cap and also increase the \$.31 mileage to the \$.32.5

MOTION: Councilman Wells motioned to extend Gary Beaudry's contract as the TAT Grievance Officer through the end of the calendar year, December 31, 2000, to add \$2500 to the contract, to increase mileage costs to the current federal regulation rates of .325 per mile. Seconded by Councilman Fox.

VOTE: 5 Ayes, 1 Opposed, 0 Abstentions, 0 Not voting.  
Motion carried.

30. GRAZING UNIT ALLOCATION MOTION TWENTY-FOUR:  
Gary Beaudry, Special Legal Counsel, is recommending that the Tribe appeal the Tribal District Court's decision to award Range Unit 95 to John Danks as opposed to Edward "Tyke" Danks. Mr. Beaudry is trying to achieve a result consistent with the Tribe's decision to award the Unit to Edward "Tyke" Danks.

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MOTION: Councilman Wells motioned to extend Gary Beaudry's contract as the TAT Grievance Officer through the end of the calendar year, December 31, 2000, to add \$2500 to the contract, to increase mileage costs to the current federal regulation rates of .325 per mile. Seconded by Councilman Fox.

VOTE: 5 Ayes, 1 Opposed, 0 Abstentions, 0 Not voting.  
Motion carried.

30. GRAZING UNIT ALLOCATION MOTION TWENTY-FOUR:

Gary Beaudry, Special Legal Counsel, is recommending that the Tribe appeal the Tribal District Court's decision to award Range Unit 95 to John Danks as opposed to Edward "Tyke" Danks. Mr. Beaudry is trying to achieve a result consistent with the Tribe's decision to award the Unit to Edward "Tyke" Danks.

MOTION: Councilman Bird Bear motioned to approve Mr. Beaudry's recommendation to submit an appeal to the Northern Plains Intertribal Court of Appeals; in an attempt to have overturned the District Court's decision with awarding Range Unit 95 to John Danks as opposed to Edward Tyke Danks. Seconded by Councilman Hale.

VOTE: 3 Ayes, 1 Nays, 2 Abstentions, 1 Not voting.  
Motion carried.

31. 2000 TRIBAL BUSINESS COUNCIL ELECTIONS:

The Notice of Election was mailed out as required in the Constitution to 6500 eligible voters, posted in the Segments, and published in the weekly papers, as required. The candidate application packets can be picked up in the Chairmans Office. The deadline for filing papers is August 10, 2000.

Legal Counsel is requesting by motion from the Tribal Business Council to retain by consultant agreement Ervin Lee to represent the Board on eligibility, contests, challenges, and hearings in addition to Election contests. Tribal Business Council will be appointing the Election Board of August 10, 2000. This agenda item will be deferred until July 31, 2000.

32. SMALL LOAN APPLICATIONS MOTION TWENTY-FIVE:

Rose Crows Flies High, Director recommended the following people to obtain loans.

- A. Tillie Little Soldier: \$1000 contingent on wage assignment. If wage assignment is not accepted secure loan with a co-signor.
- B. Cedric Wilkinson: \$1000 w/bi-wkly pymts of \$100
- C. Bonnie Blake: \$1000 w/bi-wkly pymts of \$100
- D. Alfred Smith: \$1000 w/co-signor w/bi-wkly pymts of \$100.
- E. Peter Young Bird: \$1000 Bi-wkly payments of \$100
- F. Virgil Chase Jr: \$600 w/co-signor Bi-wkly payments of \$75.
- G. Nelson Heart: \$1000. Bi-wkly payments of \$100.
- H. Dennis Young Bear: Recommending \$500 w/co-signor because job is seasonal.

MOTION: Councilman Spotted Bear motioned to accept the recommendations of Rose Crows Flies High, Director of the Small Loan Program, subject to the availability of funds, seconded by Councilman Wells.

33. PERMANENT STATUS SMALL LOAN PROGRAM: TERRI LOGG

This item was discussed in the closed session of Personnel matters.

34. WASHINGTON STATE REPUBLICAN OPPOSITION: RESOLUTION #00-246DSB MOTION TWENTY-SIX:

Councilman Hale motioned The Tribal Business Council of the Three Affiliated Tribes hereby formally denounces the Resolution passed by the Washington State Republican calling for termination of Indian tribal governments, and hereby does reaffirm a commitment to the preservation and protection of tribal sovereignty and tribal self-government for American Indian tribes, that the Tribal Business Council hereby demands an apology from the Washington State Republican Party and rescission of its Resolution calling for termination of tribal governments. Seconded by Councilman Fox.

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

35. GAME AND FISH RESOLUTION #00-247DSB TWENTY-SEVEN:

Councilman Gillette motioned that the Tribal Business Council of the Three Affiliated Tribes hereby declares, any other provision of Title 18, the Game, Fish and Recreation Code of the laws of the Three Affiliated Tribes notwithstanding, that as a matter of Tribal law the permits issued to Tim Temple and Joe Henderson for hunting of elk, deer and wild turkey in October, 1999, are considered and hereby deemed to be valid under Tribal law, and that the permits were granted for valid and needed ceremonial purposes as an honoring gift to the individuals that had assisted the Tribe pursuant to Section 18-2-4 (11) of the Game, Fish and Recreation Code of the laws of the Three Affiliated Tribes; and that as a matter of Tribal law,

Section 18-2-4 (11) is hereby amended, effective October 1, 1999, to read as "Issue special permits in or out of season and issue such regulations as may be necessary for taking of fish and wildlife for disabled persons, for subsistence, and for ceremonial purposes, including as honoring gifts presented by the Tribe acting through it's Business Council or Chairman, on an as needed as basis, provided that such special permit will only be issued when, in the sound discretion of the Director, the issuance of the permit will not harm the overall management goals for the type of wildlife for which the special permit is issued. Seconded by Councilman Hale.

VOTE: 3 Ayes, 0 Nays, 4 Abstentions, (for the record, Mark Fox abstained) 0 Not Voting. Motion carried.

36. TRIBAL ELDERS TRIBAL ELDERLY ASSISTANCE PROGRAM-248DSB  
MOTION TWENTY-EIGHT:

Councilman Hale motioned to authorize and direct the Tribal Finance Department to pay out by check to each and every living Tribal member who is an elder, as defined above, a check to each and every living member who is an elder, who is 60 years of age or older as of January 1, 2000, a check in the amount of \$500, as one part of a Tribal Elderly Assistance program, such funds to come from the interest earned on the Economic Recovery Fund created by Equitable Compensation Act, Title XXXV, P.L. 102-575, 106 Stat. 473. Seconded by Councilman Bird Bear.

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

37. FORT BERTHOLD DEVELOPMENT CORPORATION: RESOLUTION #00-  
249DSB TWENTY-NINE:

Councilman Hale motioned that for the benefit of the Fort Berthold Development Corporation, to obtain and secure a line of credit for Fort Berthold Development Corporation,

the Tribal Business Council hereby agrees to provide collateral, in such form and in the amount, up to \$1 million in value, as the creditor or lender may require, so long as all other conditions of Resolution #00-201DSB are followed, and so long as the Tribe has made all reasonable efforts to minimize the value of the collateral that is necessary to obtain the line of credit; subject to financial reports. Seconded by Councilman Spotted Bear.

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

38. REQUEST FOR PROPOSAL (RFP) FOR SELF-INSURANCE:

This agenda item was deferred until the regular meeting.

39. GAMING COMMISSION APPOINTMENT: MOTION THIRTY RESOLUTION #00-250DSB:

Councilman Gillette motioned to reappoint Edmund White Bear, Sr. to the Gaming Commission, Board of the Three Affiliated Tribes, to serve such terms as deemed by Boards terms. Seconded by Councilman Fox.

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

40. MEDICAL GRANT REQUEST MOTION THIRTY-ONE:

Councilman Spotted Bear motioned to approve an additional \$250 Medical grant for tribal member. The reasoning being that she has a life threatening illness. Seconded by Councilman Hale.

Discussion: The Tribal Business Council will authorize Hugh Baker, Director of Social Service to change the Medical Grant up to \$500 for out-of-State travel.

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41. REMOTE AREA MEDICAL CLINIC MOTION THIRTY-TWO:

Councilman Wells motioned to grant \$600 to Mary Fredericks, Baker, Service Unit Sanitarian to pay for costs of meals for the Remote Area Medical Clinic. Seconded by Councilman Hale.

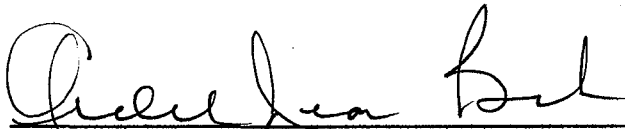
VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting.  
Motion carried.

42. ADJOURNMENT MOTION THIRTY-THREE:

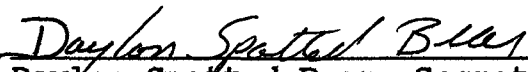
MOTION: Councilman Spotted Bear motioned adjournment of the meeting at 2:00 a.m. Seconded by Councilman Hale.

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

Respectfully submitted,

  
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Ardel Jean Baker, Recording Secretary  
Tribal Business Council  
THREE AFFILIATED TRIBES

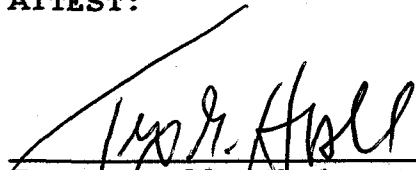
8-29-00  
Date

  
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Daylon Spotted Bear, Secretary  
Tribal Business Council  
THREE AFFILIATED TRIBES

8-29-00  
Date

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ATTEST:



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

8-29-00

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Date