

THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING NO. 16
JULY 31, 2000

01. CALL TO ORDER

The Chairman called the meeting to order at 11:38 a.m., and asked for a moment of silence to remember all tribal members who are ill in the hospital, the less fortunate, and those who have lost loved ones.

02. ROLL CALL:

Members present: Four Bears Area: Councilman Wells, Mandaree Area: Councilman Hale, White Shield Area: Councilman Gillette, Twin Buttes Area: Councilman Spotted Bear, Chairman Hall. A quorum was established with five members present.

Councilman Fox arrived 3:00 p.m.

Absent: North Segment Area: Councilman Bird Bear arrived at 3:00 p.m., and left at 3:05 p.m.

03. APPROVAL OF THE AGENDA - MOTION ONE:

Chairman Hall apologized for the lateness of the meeting, and requested that only the pressing agenda items be addressed. His father, Lee Hall, is very ill in the hospital, and he would like to get back to the hospital.

MOTION: Councilman Hale motioned to approve the agenda as amended. Seconded by Councilman Spotted Bear. Vote: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting

04. APPROVAL OF MINUTES: This agenda item was deferred until the Regular Tribal Business Council Meeting on August 10, 2000.

041. July 13, 2000

042. June 07, 2000

043. May 04, 2000

05. ANNOUNCEMENTS:

TRIBAL LEADERS SUMMIT: Chairman Hall

The Tribal Leaders Summit will be held at the United Tribes Technical College on September 6, 7, and 8, 2000.

The Great Plains Regional Tribal Chairman's Association are invited to attend.

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The emphasis of the summit is to develop a strategic plan to generate funds from the Indian Health Care Improvement Act to improve contract health. Resolutions will be developed regarding BIA Trust Fund to increase good trust policy regulations.

Senator Dorgan and his staff were unable to visit the reservation and the Tribal Business Council because of unforeseen circumstances. He will be meeting with them during the Tribal Leaders Summit at United Tribes Technical College.

INDIAN HEALTH IMPROVEMENT ACT: Chairman Hall
A Senate Indian Affairs Committee field hearing on the Indian Health Improvement Act will be held on August 4, 2000 from 9:30 to 11:30 a.m., at the United Tribes Technical College. The main focus of the hearing will concentrate on the seventh title, Facilities, and eighth title, Entitlement of the Indian Health Improvement Act.

Because of it's efforts in lobbying with Senator Dorgan, and Senator Ben Night Horse Campbell, the Tribe was instrumental securing the location in Bismarck, ND.

The Tribe will stress that Indian Health Service does not distribute its funds equitably. They are distributing by hospital as opposed to service population. The formula for distribution of funds needs modification.

JTAC BILL: Chairman Hall
In 1944 the Flood Control Act was signed which authorized the construction of 5 dams or reservoirs on the mainstream of the Missouri River which included the Garrison Dam.

In 1952, the flood came and the Tribe lost 156,000 thousand acres. With the passage of the 1992 Equitable Compensation Act, the tribe was compensated at \$149.2 Million.

Cheyenne River Tribe has a Bill of \$290,000,000 that passed the Senate, and is now in the House of Representatives.

The Cheyenne River Tribe did not lose any infrastructure, yet the Government is considering an economic recovery fund of \$290 million. In view of this, on August 10, 2000, the Tribal Chairman will bring back a specific proposal requesting additional funding.

FOUR BEARS AREA: Councilman Wells reported that he was approached by a tribal elder who is on the Museum's payroll. The administrator has not scheduled him for work all summer. The Tribal Analyst will send a letter to the Museum's administrator asking for justification why Gail Baker was not scheduled to work at the Museum for the past three months.

MANDAREE AREA: Councilman Hale announced that there are two funerals in the Mandaree area; Wayne White Body Jr., and Rosalie Bird Bear. He asked the members to remember the families who have lost their loved ones.

TWIN BUTTES AREA: Councilman Spotted Bear did not have any announcements.

WHITE SHIELD AREA: Councilman Gillette did not have any announcements.

06. SUD PRESENTATION:

James Foote, an applicant for the Service Unit Director position, requested and was given an opportunity to make a presentation to the Tribal Business Council. He discussed the major health issues of the tribe which included, 24 hour medical coverage, third party billing, dialysis, and preventive health.

07. TRIBAL ELDERS ORGANIZATION MOTION TWO:

The Tribal Business Council by Resolution - adopted the fiscal year 2000, tribal budget that includes \$1 Million of JTAC funds for services and programs of benefit to senior citizens. John Danks, presented on behalf of the Tribal Elders Organization, a request for clarification of fund draw down procedures for staff and operating costs.

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He reported that at the May 4, 2000 meeting the agreement was that the elders would operate off a draw down on a 30 day need basis and the Tribe would provide them with an audit.

He further informed the Business Council that all objectives were achieved in establishing the Elders Program including the approval of the Tribal Charter. The By-laws were approved on May 4, 2000 and will be presented to the elders for their review in September, 2000.

One of the Articles of the By-laws is to allow Tribal elders to vote by mail. Chairman Hall and Treasurer Wells agreed to allow the tribal Elders Organization to draw down operating funds for program continuity.

The Tribal Business Council will review the Tribal Elders budget of \$776.590 on August 10, 2000.

John Danks reported that the Elders will meet with the CHR Program and the Field Health Nursing Program for better delivery of services to Tribal elders. The tribal elders would benefit from this type of service as opposed to hiring a tribal liaison.

Another request from the Tribal elders was not to run their budgets to conform with the Tribal Budget. They would like for their year to begin with the inception of the program, which is January - December.

The Tribal Analyst was instructed to direct the MIS staff to update addresses of tribal members, and disburse the list to all tribal entities, including the Bureau of Indian Affairs.

Gail Baker, Tribal elder reported that his air ducts have not been cleaned out. Chairman Hall directed the tribal analyst to write a letter to the Fort Berthold Housing Authority directing them to clean the air ducts for the elderly homes.

08. FORT BERTHOLD HOUSING AUTHORITY:

a. 48 COMPLEX:

The Fort Berthold Housing Authority selected the lowest responsive bid was First Dakota Enterprise. Twin Buttes Custom Homes and the Fort Berthold Development Corporation's bid was rejected because they did not comply with the bid request.

09. BIA-ROADS DRAGSWOLF STREET PROJECT RESOLUTION:#00-258DSB

Councilman Wells presented a request in resolution form that it is in the best interest of the Four Bears Segment and the Three Affiliated Tribes, that the Bureau of Indian Affairs Roads perform their trust responsibility on this project and also that no thru street be permitted at the new community building.

Councilman Gillette motioned to approve Resolution #00-258DSB, as presented, seconded by Councilman Spotted Bear.

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

10. TELECONFERENCE WITH DEPARTING SUD: Susan Fredericks

11. ENROLLMENT RESOLUTION #00-259DSB - MOTION THREE:

Councilman Wells motioned to approve the enrollment of sixty-six applicants. (attached list) Seconded by Councilman Spotted Bear. Vote: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

12. RELINQUISHMENT RESOLUTIONS #260-271DSB - MOTION FOUR:

Councilman Hale motioned to approve the relinquishments of 12 members. Seconded by Councilman Gillette. Vote: 4 Ayes, 1 Nay, 0 Abstention, 0 Not voting. Motion carried.

13. BARBARA GULLICKSON BRUGUIER SMALL BUSINESS LOAN REQUEST MOTION FIVE: RESOLUTION #00-272DSB. Barbara Gullickson Bruguier Gullickson is requesting a \$5000 Small Business Loan to start a Star Quilting Business.

Councilman Gillette motioned to approve a \$3500 grant and a \$1500 loan for Barbara Gullickson, subject to submittal of a Business Plan and meeting the small loan eligibility criteria, seconded by Councilman Fox.

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

14. ABOLISHMENT OF THE ORDINANCE OF THE FORT BERTHOLD HOUSING AUTHORITY - MOTION SIX:

Councilman Hale motioned to remove the Fort Berthold Housing Authority's Board of Commissioners, and transfer the Tribally Designated Housing Authority, (TDHE) to the Tribe, no second, motion dies.

15. GUARANTEED MAXIMUM PRICE/FOUR BEAR ARENA BID PACKAGE COMPARISON - MOTION SEVEN: Kraus-Anderson Construction Company

Councilman Fox motioned to approve the Guaranteed Maximum price, for the Multi-Purpose Building at \$2,408,000 submitted by Tom Sackett and Larry Oestenstad from Kraus-Anderson Construction Company, seconded Councilman Wells.

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

16. SKIPPER LINER - MOTION EIGHT:

Councilman Hale submitted a request to purchase a Skipper Liner at a purchase price of \$544,000 + 100,000 for Docking Material, financed for 7 years @ 9.50% = \$10,525.52 monthly payment.

Councilman Hale motioned to purchase the skipper liner for the amount of \$544,000, motion dies because lack of a second.

17. LITTLE SHELL POW-WOW REQUEST - MOTION NINE:

MOTION: Councilman Hale motioned to grant \$7,500 to the Little Shell Pow-wow for their annual pow-wow, no second, motion failed.

MOTION: Councilman Wells motioned to grant Little Shell Pow-wow Committee \$15,000 for their annual pow-wow, no second, motion failed.

MOTION: Councilman Hale motioned to grant Little Shell Pow-wow Committee \$8,000 for their annual pow-wow. Seconded by Councilman Wells.

VOTE: 3 Ayes, 3 Nays, 0 Abstentions, 0 Not voting.
Motion failed.

18. ADDITION TO AGENDA: 18B LORI HENRY DULLIN: MOTION TEN:

MOTION: Councilman Fox motioned to add Lori Henry Dullin to the agenda, seconded by Councilman Gillette.

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

19. HIRING OF LORI ANN DULLIN AND DANIELLE FOX AS SEGMENT WORKERS - MOTION ELEVEN:

Councilman Fox motioned to hire Lori Ann Dullin and Danielle Fox as NE Segment Workers for 8 weeks, seconded by Councilman Gillette.

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

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20. ADDENDUM TO FREDERICKS LAW FIRM'S CONSULTANT AGREEMENT:
MOTION TWELVE: A suit that was filed in Tribal Court against certain individuals in their official capacity, the names of the defendants are set forth in the summons.

Alva Rose Hall on behalf of Rick Hall made several allegations about denial of constitutional rights, and violation of the Indian Civil Rights Act based upon certain conduct allegedly committed by the individuals in their official capacities.

The Legal Department would be unable to represent the individuals, and Fredericks Law Firm has agreed to represent them if the Council would amend their consultant agreement. The Legal Counsel is requesting approval to extend the expiration date of the agreement from September 30, 2000 to December 31, 2000, to allow Fredericks Law Firm time to adequately represent the individuals.

Councilman Hale motioned to add this case to the list of cases currently being handled by Fredericks Law Firm, to extend the consultant agreement of Fredericks' Law Firm until December 31, 2000, and to add a cap of \$4,000 for this added cost. Seconded by Councilman Spotted Bear.

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

21. ADDITION OF REBECCA FORD TO THE AGENDA: ITEM 18B: MOTION THIRTEEN:
Councilman Fox motioned to add Rebecca Ford to the Agenda as item 18B, seconded by Councilman Wells.

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

22. HIRING OF REBECCA FORD AS AN ADVOCATE FOR LEGAL COUNSEL:
MOTION FOURTEEN:

Councilman Gillette motioned to hire Rebecca Ford for 80 hours at \$7.50 to work in the Legal Department to work with garnishments, and the Welfare Reform Act, seconded by Councilman Hale.

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

23. Add Dr. PAIGE BAKER JR. TO AGENDA: MOTION FIFTEEN:

Councilman Gillette motioned to add Dr. Paige Baker's name to the agenda, seconded by Councilman Fox.

VOTE:

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

24. REINSTATEMENT OF Dr. PAIGE BAKER JR. AS SUPERINTENDENT:
RESOLUTION #00-273-DSB. MOTION SIXTEEN

Councilman Gillette motioned to approve of the resolution to hire Dr. Paige Baker Jr. as the Superintendent of the Bureau of Indian Affairs, Fort Berthold Reservation. Seconded by Councilman Hale.

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

25. ADJOURNMENT: MOTION SEVENTEEN:

The meeting adjourned at 3:50 p.m.

26. RECONVENED MEETING:

27. FUNERAL LOANS: MOTION EIGHTEEN:

Councilman Wells motioned that the four Tribal members listed applying for funeral loans: Geraldine Wounded Face 150.00, Marian Smith 250.00, Wayne White Body Sr. 250.00, Reva Rozelle 200.00, be approved funeral loans without a

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co-signature.

Seconded by Councilman Fox. DISCUSSION:
Councilman Wells clarified that they have jobs, IIM, and wage deduction. Councilman Fox asked for clarification of the motion, which reads; to make an exception for the co-signature of these funeral loans not to exceed \$250.00 without a co-signor. Tribal members on an individual basis, must come to the Council to present their case.

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

The meeting adjourned at 3:54 p.m.

28. RECONVENE AT 3:55 P.m.

29. KK & E ADDITION: MOTION NINETEEN:

Councilman Fox motioned to amend Resolution #99-222DSB and in the new Resolution #00-274DSB, add KK &E, who is part of the contract, seconded by Councilman Gillette

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

30. ADJOURNMENT:

The meeting was adjourned at 3:56 p.m.

Submitted by,

Ardel Jean Baker, Recording Secretary
Tribal Business Council
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Daylon Spotted Bear
Daylon Spotted Bear, Secretary
Tribal Business Council
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8-29-00
Date

ATTEST:

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

8-29-00
Date