

THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING NO. 21  
September 25, 2000

01. CALL TO ORDER:

Chairman Hall called the meeting to order at 11:30 a.m., and asked all present to remember those who are ill and less fortunate.

02. ROLL CALL

Members present: Councilman Spotted Bear, Councilman Gillette, Councilman Hale, Councilman Wells, Councilman Fox. Chairman Hall. A quorum was established with six members present. \*Councilman Bird Bear arrived at the meeting at 1:45 p.m.

03. ANNOUNCEMENTS:

01. Oil and Gas Resolution Funding - \$30, 000 for consultant from BIA.
02. Water Resource Department Act 2000
03. Mandaree Street Project - finalized agreement and contract
04. Department of Defense: Develop textile industry opportunities.
05. American Indian Tourism Conference: Green Bay, WI
06. Native American Marketing Corp.
07. KeepsEagle VS. Glickman Meeting: Bismarck, ND October 13-14, 2000.
08. A.C.O.E. Meeting: Bismarck, ND- Regarding Government to Government consultation on returning lake shore lands.
09. Response letter from the BIA regarding the \$30Mil Replacement of funds.
10. Twin Buttes Custom Home and Mandaree Solid Surfacing Contracting opportunities.

11. Report of 106<sup>th</sup> Congress Dakota Water Resources Act 2000  
Water Resource Development Act 2000, Four Bears Bridge, Interior spending bills and BIA proposed trust policies.
12. NARF: IIM and Trust Lawsuit
13. Figure Four Ranch: Treaties Hunting and Fishing Rights.
14. No health coverage in Mandaree Area: Aberdeen denied request.

04. TREASURERS REPORT:

Councilman Wells reported that the Three Affiliated Tribes account balances with the JTAC Account#EC5197016:  
JTAC Account Principal: \$150,872,957.70  
JTAC Interest: \$41,328,403.20 - Total JTAC and Judgement Funds: (MWJR) \$192,201,360.99

The Three Affiliated Tribes account balances with Bank Accounts are as follows:

Community First Bank - Dickinson, ND \$767,228.76  
Lakeside State Bank - New Town, ND \$412,123.61  
Total All Bank Accounts \$1,179,352.37

05. APPROVAL OF THE AGENDA: MOTION ONE

Councilman Hale motioned to approve agenda as amended.  
Seconded by Councilman Gillette.

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

06. INCENTIVE MONEY FOR STUDENTS: RESOLUTION #00-328DSB MOTION TWO

Councilman Wells motioned to change the student transportation cost to an "Education Incentive Grant," of \$250 for Higher Education and Voc-Ed students who are enrolled members of the Three Affiliated Tribes.

The distribution of funds will be administered by the Voc-  
Education and Higher Education Program administrators.  
Seconded by Councilman Fox.

Discussion: All Higher Education and Voc-Ed students will  
receive a maximum of \$250. Students who have received less  
money will be given the balance of the \$250.

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

07. APPROVAL OF MINUTES:

- A. August 10, 2000 REGULAR MEETING: MOTION THREE  
Councilman Gillette motioned to approve the August 10,  
2000 minutes with corrections. Seconded by Councilman  
Hale.

Vote: 5 Ayes, 0 Nays, 0 Abstention, 1 Not voting.  
Motion carried.

- B. AUGUST 21, 2000 SPECIAL MEETING: MOTION FOUR  
Councilman Gillette motioned to approve the minutes of  
August 21, 2000, with corrections. Seconded by  
Councilman Fox.

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

- C. AUGUST 28, 2000 SPECIAL MEETING: MOTION FIVE:  
Councilman Gillette motioned to approve the minutes of  
August 28, 2000 . Seconded by Councilman Hale.

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

- D. SEPTEMBER 01, 2000 SPECIAL MEETING MOTION SIX:  
Councilman Gillette motioned to approve minutes of  
September 01, 2000, with corrections. Seconded by  
Councilman Spotted Bear.

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

\*Councilman Bird Bear arrived at the meeting at 1:45  
p.m.

08. GUARANTEED MAXIMUM PRICE FOR CASINO EXPANSION: MOTION SEVEN:  
Councilman Gillette motioned approval of the GMP budget at 4.85 Million dollars, also to reduce the TERO Fees from \$80,000 to \$40,000; and to authorize the Vice-Chairman or Treasurer signature authority for draw down of funds in the event of the Chairman's absence. Seconded by Councilman Hale.

DISCUSSION: The reduced \$40,000 of TERO Fees will be replenished with Tribal funds at a later date.

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

09. PURCHASE AGREEMENT WITH HANSON DISTRIBUTING COMPANY:  
RESOLUTION #00-329DSB MOTION EIGHT:  
Councilman Wells motioned to enter into a Purchase Agreement with Hanson Distributing Company for the purchase of 10 used Aristocrat Class III gaming machines of varying denominations for a total cost of \$67,000, to be paid in five equal payments starting at the time of the order and continuing every 30 days for four payments. Seconded by Councilman Hale.

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

10. MONOPOLY MACHINES: RESOLUTION #00-330DSB MOTION NINE:  
Councilman Wells motioned to authorize the Management of the Four Bears Casino and Lodge to lease "12 monopoly" five cent machines from Williams Gaming, who will receive a lease payment of 20% "net win", the term of the agreement will be for an initial 60 days, terminable upon 30 days notice, subject to an annual review. Seconded by Councilman Hale.

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

11. JACKPOT BINGO: RESOLUTION #00-331DSB MOTION TEN:

The Four Bears Casino and Lodge wishes to enter into an agreement with Casino Data Systems for the use of 4 Jackpot Bingo 5 cent slot progressive jackpot machines that offer not less than \$50,000, at a total cost of 3.95% of the gross amount played on each machine each month. The understanding is that the Progressive prize will be paid out by CDS and the secondary prize will be reimbursed by CDS, and all other prizes will be paid out of the total amount taken in by the machines, with the term of the agreement to be indefinite, terminable upon 30 days' notice, with an annual review.

MOTION: Councilman Hale motioned to approve Resolution #00-331DSB as presented. Seconded by Councilman Wells.

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

12. EMERGENCY PLANNING: RESOLUTION #00-332DSB MOTION ELEVEN

Jim Heckman, Environmental Specialist, presented an Emergency Preparedness Plan and a conception of an Office of Emergency Response to implement the plan for approval.

MOTION: Councilman Hale motioned to approve of the completion of an Emergency Preparedness Plan and an office of Emergency Response. The Emergency Management Budget Proposal will be funded at 75% or \$71,250 as opposed to \$95,000. Seconded by Councilman Bird Bear.

Discussion: This program will be a "Regulatory Agency within the Tribal Structure.

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

13. MARLE BAKER - TEAM LEADER: #00-333DSB MOTION TWELVE:  
A resolution was presented requesting that the Tribal Business Council formally recognizes the Environmental Division as being an entity onto itself with its own Team Leader as recognized on the Tribal Organizational Chart, for the purposed of monitoring and enforcement of environmental codes and regulations (both Tribal and Federal), and disaster planning and response.

The Environmental Division also asked for approval to instate Marle Baker as the Team Leader of the Environmental Division, with a salary commensurate of a Program Director, to be effective October 1, 2000.

MOTION: Councilman Hale motioned to amend the resolution, to include the wording: "independent of Regulatory Agency within the tribal structure," and to delete "as being an entity onto itself." Seconded by Councilman Bird Bear.

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

14. DEER GUN RESOLUTION #00-334DSB MOTION THIRTEEN:  
Todd Hall, Game and Fish Director presented the 2000 Deer Gun Season Proclamation for approval.

MOTION: Councilman Hale motioned to approve the 2000 Deer Gun season Proclamation as presented. Seconded by Councilman Bird Bear.

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

15. OPENING AT SUNRISE DEER SEASON: MOTION FOURTEEN:  
Councilman Fox motioned to approve opening the Deer Gun Season on November 3, 2000 at sunrise for enrolled members. Seconded by Councilman Hale.

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

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16. CATTLE RELENDING PRELIMINARY REPORT: (Closed Session.)  
MOTION FIFTEEN:

17. FORT BERTHOLD HOUSING AUTHORITY ND5-029: RESOLUTION #00-  
335DSB MOTION SIXTEEN:

A Resolution was presented to rescind Reso: No.#00-129DSB, was presented to change the land description which allowed the Tribe to make available land to the Fort Berthold Housing Authority in developing Project ND 5-29, which involves the construction of an apartment complex in the Four Bears Segment.

MOTION: Councilman Wells motioned to approve Resolution #00-335, thereby rescinding Resolution #00-129DSB, which changes the land description of Project ND05-029. Seconded by Councilman Gillette.

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

18. TRIBAL ELDERS RESOLUTION #00-336DSB MOTION SEVENTEEN:

The Tribal Business Council, during a Special Meeting held on August 21, 2000 voted to approve an expenditure of funds of \$80,0000 per segment to construct two elderly units per segment. A resolution was presented for approval.

MOTION: Councilman Hale motioned to include the wording: "excluding any elder that has already received a HUD home," and to accept the resolution as amended. Seconded by Councilman Spotted Bear.

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

19. NORTHERN PLAINS INTERTRIBAL COURT OF APPEALS: RESOLUTION  
#00-337DSB. MOTION EIGHTEEN:

A resolution was presented for approval to renew the Three Affiliated Tribes membership and to pay the dues of \$1,000 to the Northern Plains Intertribal Court of Appeals for FY 2001.

MOTION: Councilman Wells motioned to approve the membership dues of \$1,000 and to appoint Mark Fox to the Northern Plains Intertribal Court of Appeals Board of Directors as representative of the Three Affiliated Tribes and additionally appoint Daylon Spotted Bear as the alternate. Seconded by Councilman Gillette.

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

20. GARY BEAUDRY CONSULTANT EXTENSION MOTION NINETEEN:

Councilman Hale motioned to extend Gary Beaudry's consultant agreement until December 31, 2000 to complete final Grazing Allocation Appeal pending in Northern Plains Intertribal Court of Appeals. Seconded by Councilman Bird Bear.

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

21. TOM GUNDERSON CONSULTANT EXTNSION MOTION TWENTY:

Councilman Bird Bear motioned to renew Tom Gunderson's contract at the same rate of \$30 per hour, with the total being \$1800 per month. Seconded by Councilman Spotted Bear.

DISCUSSION: The Tribal Business Council instructed Legal Counsel to have Mr. Gunderson prepare some type of documentation describing cases he has provided legal advice and formal representation to the Child Protection Program.

VOTE: 5 Ayes, 0 Nays, 1 Abstention, 1 Not Voting. Motion carried.



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22. MARK HUNTS ALONG REQUEST: MOTION TWENTY-ONE

Tribal member is being evicted from his trailer lot because of non-payment.

MOTION: Councilman Hale motioned to authorize under grants and donations, an amount of \$330 to Mark Hunts Along for payment of lot rent. In exchange for the grant, that his \$250 Education Incentive Grant be returned to the Tribe for 3/4 repayment of the grant. Seconded Councilman Bird Bear.

VOTE: 3 Ayes, 3 Nays, 0 Abstentions, 1 Not voting. Motion failed.

MOTION TWENTY-TWO: Councilman Fox motioned to approve a \$350 loan to pay for a trailer lot space to Mark Hunts Along, with monthly payments of \$25, excluding the "Education Incentive Grant." Seconded by Councilman Hale.

DISCUSSION: Because of the eviction proceedings in effect, the loan will be processed immediately.

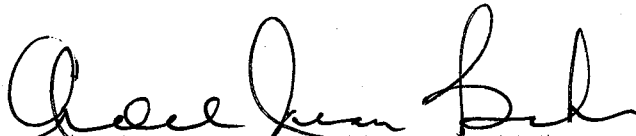
VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 2 Not voting. Motion carried.

23. ADJOURNMENT: MOTION TWENTY-THREE:

Councilman Hale motioned to adjourn the meeting at 3:45 p.m. Seconded by Councilman Bird Bear.

VOTE: 4 Ayes, 0 Nays, 0 Abstentions, 3 Not voting. Motion carried.

Respectfully submitted,



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

10/12/00

Date

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Daylon Spotted Bear  
Daylon Spotted Bear, Secretary  
Tribal Business Council  
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10-12-00  
Date

ATTEST:

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

10-21-01  
Date