



MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

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TRIBAL BUSINESS COUNCIL

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THREE AFFILIATED TRIBES HEALTH & HUMAN RESOURCES COMMITTEE REGULAR MEETING JANUARY 10, 2001

01. CALL TO ORDER:

Chairman Randy Phelan called the meeting to order at 11:30 a.m.

02. ROLL CALL:

Members present: Committee Chairman Randy Phelan; Member Daylon Spotted Bear; Committee member Malcolm Wolf. Other present were: Eric Knight, Becky Knight, Jennifer Mann, Cory Sanders, Jasper Young Bear, Karole Parker, Pat Wilkinson, Delphine Baker and recording secretary, A. Jean Baker.

The **agenda** was discussed and Committee member Malcolm Wolf would like to add annual leave for Darryl Cummings. Delphine Baker, WIC coordinator, was added to the agenda along with Ervin Halvorson.

03. BASIN BROKERS - ROGER CYMBALUK:

Committee Chairman, Randy Phelan, informed the persons present that for the record Roger Cymbaluk was here and gave the Health & Human committee an update and stated Mr. Cymbaluk would return. A meeting is scheduled with the Department Administrators and departments who worked with youth services. Included in these programs are the Sacred Child, Vocational Rehabilitation, I.H.S., and Circle of Life. Mr. Jasper Young Bear of the Sacred Child Project expressed the opinion of the project which is to change the whole system of care. He felt all resources should be combined to help with this proposed project on the Keogh Ranch. It was a question whether or not this land would be taxed and if this land could be placed into trust status. Chairman Phelan expressed his feelings about the purchase of this land and ranch and felt if it was purchased just to be purchased, like another Figure Four, he would not be in favor of it. He sees another vision for this. The full council will be meeting on this item at their next meeting and Mr. Symbaluk will come back to this meeting and the Council will indicate they are interested but not at the price they want, so negotiations will be held.

04. EDUCATION - BERNADINE YOUNG BIRD:

Ms. Young Bird stated the Education Code development is still going forth. The Review Committee had a meeting scheduled for December but it was changed due to the Chairman's schedule and so far this meeting has not been rescheduled. The Native American Rights Fund have not been contacted until the Committee is organized.

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Ms. Young Bird informed the Committee that the Truancy Group that came about because of this education code committee was active last year and held one meeting this year. They followed up on positions established by the Tribal Business Council for Truancy officers in each school. They submitted the position descriptions to the Personnel office and are working with Maggie Young Bear of Tribal Court. These positions will be advertised. The positions are full time with the positions and benefits being paid by the Tribe and the cost share of location and office management being shared by the school. They can work during the summer to help with youth activities and other youth programs. She also stated that notice was given to the full council on the education week. It's a big event and has been done for ten years now. She will draft a letter on behalf of the Chairman consisting of an invitation on behalf of the Business Council inviting the Governor to attend this event. She further stated she was concerned with the facilities issue. The education departments are located in separate sites. Rent on these sites were discussed.

Committee member Daylon Spotted Bear motioned to direct Terry Red Fox to work with Bernadine Young Bird on getting a centralized education office plan in place and bring it back to the Tribal Business Council for approval. Seconded by Committee member Malcolm Wolf.

Discussion: Pat Wilkinson stated this still does not solve the problem now on lack of facilities. Chairman Phelan felt by this motion it will be at least on record. Ms. Young Bird informed the Committee on how much money is currently spent per month on the rental of office space. Chairman Phelan said this should be addressed by full council as it is important as to how much is being spent on the rental of these facilities.

**VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting
Motion carried.**

Bernadine Young Bird informed the Committee the Four Feathers Headstart in New Town has received a temporary waiver on it but it needs to be moved by May. She inquired about the two positions that were authorized by the Tribe. The Management Information Systems specialist and the Curriculum Developer were authorized for the department and she was inquiring about when she would be receiving the funds for these positions.

Committee member Daylon Spotted Bear motioned for Pat Wilkinson to do a follow up on the two positions for Education and see if the job descriptions are in place and to see if these two positions are still on the F.Y. 2001 budget and to bring this information back to the next Health & Human Committee meeting. Seconded by

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Committee member Malcolm Wolf.

Discussion: Committee member Malcolm Wolf inquired about the language and education code. Ms. Young Bird said this is the third chapter and it's at a stand still. She was hoping that if the whole code can't be approved, that one chapter could be approved. She said in 1994 or 1995, the Tribal Business Council authorized a language and cultural commission but there has been no one appointed to this position.

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

Discussion: Ms. Karol Parker stated they have been working on getting the church to provide reparation for what they took away. They are trying to get dollars attached to this. She put a proposal together supported by the Fort Berthold Council of Churches and sent it to the National office. She felt it was owed for killing the spoken language. Ted Lone Fight said the Pope apologized for forcing the Catholic religion on the Native Americans. Chairman Phelan felt it could be used as a tool for compensation and felt this was an issue that should be taken to the full council.

Committee member Daylon Spotted Bear motioned to direct Bernadine Young Bird to revitalize the information on the Language and Cultural Commission to get it back in place and functioning again. Seconded by Committee member Malcolm Wolf.

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

Discussion: This information will be brought to the next Health & Human Committee meeting

Committee member Malcolm Wolf approached the Committee about Bernadine Young Bird's annual leave time she would have to use or lose. He felt the professional people the Tribe has at times been overlooked and not compensated. Ms. Young Bird said she had an unusual amount of annual leave this year and honors that policy but felt a policy can be waived or looked at by the Tribal Business Council so she approached Pat Wilkinson and Terry Red Foxx and submitted her request for a waiver on these hours. She explained to the Committee how these number of hours increased and wrote these down on a two page letter. She submitted them to Personnel, Pat Wilkinson and Terry Red Fox. The only person who did not support this, to the three she submitted it to, was Florence Brady. She further explained her concerns and justifications to the Committee.

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Chairman Phelan asked how she was requesting this leave, was she requesting a waiver, sell back, or waive the deadline of December 31st . Ms. Young Bird said when she requested it and was approved, she wanted authorization to have her excess annual leave paid. Ms. A. Jean Baker stated on the December 14th meeting, during a closed session, this item was brought up and it was denied by the Tribal Business Council. Discussion revolved around this matter and the Human Resource Committee is the entity that can take action on it. Ms. Patricia Wilkinson was asked to come to the meeting in which she confirmed the action of the Tribal Business Council but in which she expressed her opinion of this issue to be reconsidered and requested this to be a closed session. Committee member Daylon Spotted Bear asked if the Tribal Business Council referred this issue back to their committee. Ms. Wilkinson said no. He further stated the Committee could make a decision here today and make their recommendations to the full council.

CLOSED SESSION DUE TO PERSONNEL MATTERS.

05. INDIAN HEALTH SERVICE - KAROL PARKER:

Ms. Parker invited whoever is appointed to serve on the governing body for Indian Health Service to the meeting on the 24th of January. They have a governing body meeting every quarter. She spoke about the funding for Indian Health and how it occurs. The funding is based on square footage, not need. She felt there is astronomical increases in pharmaceutical costs and last year 1.2 million was spent on drugs alone. It's a long process to get a new facility through the normal channels. She expressed her concern to the committee and needed their and the congressional representatives support to get a new facility. She stated she will provide regular reports to provide communication. She also said there is a extreme amount of prescriptions the pharmacy fills and they're filling these prescriptions above the maximum level for pharmacy. They are thinking of not filling the prescriptions from an outside provider. Once the four hundred mark is hit, it means accuracy, error, and other things and in order for the clinic to maintain its license they cannot continue to fill prescriptions at that level and continue to increase. The Contract health system was discussed as bills were not being paid. Ms. Parker stated if the Tribe could help the elders pay a premium it would extend their medicare.

06. CLOSED SESSION - PERSONNEL MATTER:

**Committee member Daylon Spotted Bear motioned to adjourn the meeting at 3:55 p.m.
Seconded by Committee member Daylon Spotted Bear.**

**VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting
Motion carried.**


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Approved by Committee this 11th day of July, 2001



V. Judy Brugh, Transcribing Secretary
Health & Human Resources Committee
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ATTEST:



Randy Phelan, Chairman
Health & Human Resources Committee
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