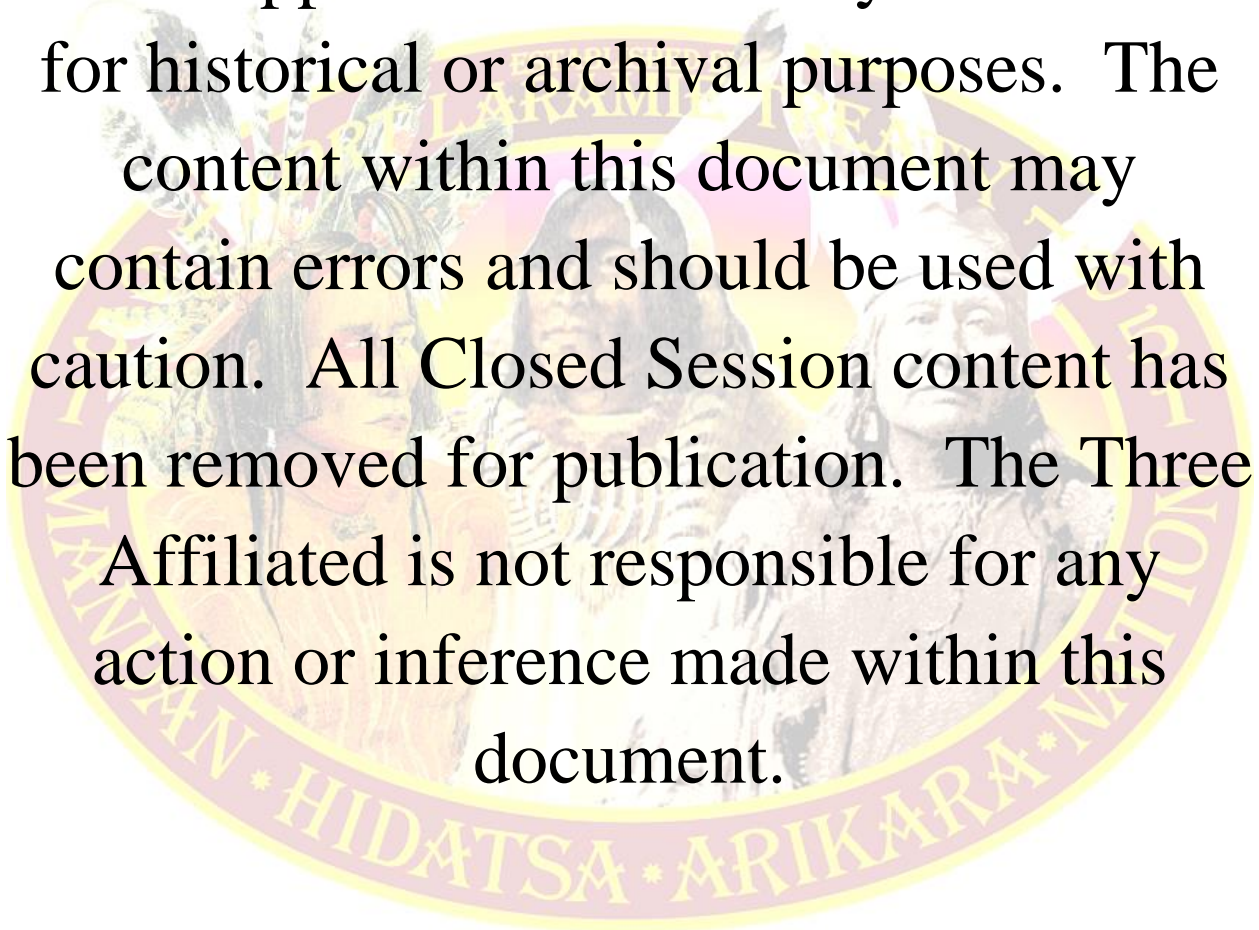


**DISCLAIMER:** The following Tribal Business Council minutes are uncertified or un-approved and are only to be used for historical or archival purposes. The content within this document may contain errors and should be used with caution. All Closed Session content has been removed for publication. The Three Affiliated is not responsible for any action or inference made within this document.



THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING NO.  
FEBRUARY 26, 2001  
AGENDA

01. CALL TO ORDER
02. APPROVAL OF THE AGENDA:
03. DAKOTA SEAMLESS GUTTERS
04. DENY NOREEN YOUNG BIRD REQUEST
05. CULTURAL RESOURCE CENTER
06. ENROLLMENT:
05. GRACE HENRY RESOLUTION #01-41WJR.
06. ENROLLMENT - 68 APPLICANTS RESOLUTION #01-42MWJR.
07. RELINQUISHMENT OF ENROLLMENT: RESOLUTION #01-43MWJR
08. RELINQUISHMENT OF ENROLLMENT: RESOLUTION #01-44MWJR.
09. RELINQUISHMENT OF ENROLLMENT: RESOLUTION #01-45MWJR.
10. IRENE MEYERS LOAN PACKAGE
11. ROYAL CONCRETE PLANT:
12. BLACK PANTHER POEMS AND STATIONARY:
13. SMALL LOAN - VERNON YOUNG BEAR
14. RE-ADVERTISEMENT OF SECURITY OFFICERS
15. RICHARD HALL REQUEST - RESOLUTION #01-46MWJR.
16. STRAIGHT TALK JOHN MCCAIN:
17. BRUCE CROWS HEART REQUEST
18. ELAINE BOLMAN
19. BARB SMITH REQUEST

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20. FOUR BRIDGE CONSTRUCTION RESOLUTION #01-47MWJR.
21. ADMINISTRATIVE CAPACITY BUILDING RESOLUTION #01-48MWJR.
22. DEFERMENT OF GRACE HENRY ENROLLMENT:
23. BERNIE FOX LEAVE REQUEST:
24. CONSTITUTION AMENDMENT
25. GARY BEAUDRY RESOLUTION #01-54MWJR.
26. DANCING BUTTES SALOON RESOLUTION #01-49MWJR.
27. TED DANKS WORKMEN COMP ISSUE:
28. DAVE WILLIAMS SMALL LOAN REQUEST:
29. PERSONNEL MATTERS - CLOSED
30. COMMUNITY FUNDS - RESOLUTION #01-50MWJR.
31. NIGA MEMBERSHIP AND REPRESENTATIVE:
32. RURAL WATER SYSTEM - RESOLUTION #01-52MWJR.
33. TERRY RED FOX - SMALL LOAN RESOLUTION #01-53MWJR.
34. TWIN BUTTES DAYCARE:  
PERSONNEL MATTER
35. NATIVE AMERICAN R&D:
36. PAULINE REED - SMALL LOAN
37. ADJOURNMENT

THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING NO.#2001-09  
FEBRUARY 26, 2001

01. CALL TO ORDER AND PRAYER:

Chairman Hall called the meeting to order at 11:15 a.m.  
Councilman Wolf gave the invocation in the Hidatsa language.

02. ROLL CALL: Members present: Chairman Hall, Councilman Wells,  
Councilman Fox, Councilman Spotted Bear, Councilman  
Gillette, Councilman Wolf, and Councilman Phelan, who  
arrived at 12:20 p.m.

03. APPROVAL OF THE AGENDA:

Councilman Wells motioned to approve the agenda as amended.  
Seconded by Councilman Wolf.

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

04. COUNCILMEN ANNOUNCEMENTS:

- Proposed Prescription Drug Policy
- National BIA Budget Meeting
- National IHS Tribal Consultation Meeting 3/9/01
- Welfare Reform Re-authorization Recommendations
- Elders Meeting Update 02/19/01
- Oil and Gas
- NCAI Update
- S. 91 Native American Language Act
- NIGA
- Trust Fund Issues
- Great Plains Meeting Santee Sioux
- North Segment Community Building
- 4Bears Lagoon
- Tribal Expansion Commodity Building
- Louella Young Bear - Tribal Elder  
This issue was referred to the CEO.
- Elders Petition: A petition was presented for  
certification which was signed by 64 tribal elders who  
were 60+ and over, requesting the TBC to rescind the  
Charter of the Elders Organization .

05. DAKOTA SEAMLESS GUTTERS: Glenn LaCroix

This agenda item was referred to the Executive Committee  
Meeting on Friday, March 02, 2001.

06. NOREEN YOUNG BIRD REQUEST

Councilman Gillette motioned to deny Noreen Young Bird's request for compensation for damages to her vehicle by vandals, based on insurance denial. No second, motion failed.

DISCUSSION: The Tribal Business Council referred the request to Terry Red Fox to handle administratively.

07. CULTURAL RESOURCE CENTER:

Councilman Gillette motioned to support the concept of a culture resource library and to direct Terry Red Fox to work with the CEDS Program in developing a Cultural Resource Center for the Tribe by expanding the scope of work of the Culture Preservation Program. Seconded by Councilman Phelan.

DISCUSSION: Funds may become available in June, 2001 to hire Wayne Hunter as a consultant for the preservation of honor songs; i.e., in preserving tribal members individual honor songs, the Veterans songs, the Flag Song and all other important songs,

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

08. ENROLLMENT: GRACE HENRY RESOLUTION #01-41MWJR.

Closed Session

09. ENROLLMENT - 68 APPLICANTS RESOLUTION #01-42MWJR.

Councilman Phelan motioned to accept the 68 applications Tribal membership from the attached list. Seconded by Councilman Gillette.

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

10. RELINQUISHMENT OF ENROLLMENT: RESOLUTION #01-43MWJR

Councilman Gillette motioned to accept the relinquishment of Rebecca Chase from the Tribal membership. Seconded by Councilman Wolf.

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

11. RELINQUISHMENT OF ENROLLMENT: RESOLUTION #01-44MWJR.

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Councilman Gillette motioned to accept the relinquishment of Dustin Wilkinson from the Tribal membership. Seconded by Councilman Wolf.

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

12. RELINQUISHMENT OF ENROLLMENT: RESOLUTION #01-45MWJR.

Councilman Gillette motioned to accept the relinquishment of Jody Wilkinson from the Tribal membership. Seconded by Councilman Wolf.

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

13. IRENE MEYERS LOAN PACKAGE

Councilman Gillette motioned to approve the development of a hardship loan package of \$3,492.21 for Irene Meyers. Seconded by Councilman Wolf.

DISCUSSION: Tribal elder needs assistance to pay back taxes to the City of New Town. The Small Loan Program will prepare and bring back appropriate documents.

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

14. ROYAL CONCRETE PLANT:

Councilman Phelan motioned to support the concept of a concrete plant but to defer it to the Central Planning Office and Mr, Red Fox to put all of the changes, to include a marketing plan, look at the potential financing, and provide a cash flow statement for the TBC review at the March TBC Regular meeting. Seconded by Councilman Wells.

VOTE: 4 Ayes, 1 Nay, 1 Abstention, 1 Not voting. Motion carried.

15. BLACK PANTHER POEMS AND STATIONARY:

Councilman Phelan motioned to approve the development of a

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TRIBAL BUSINESS COUNCIL  
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\$5,421 Small Business Loan to Black Panther Poems and Stationery. Seconded by Councilman Wells.

DISCUSSION: The CEO will work with Doyle Blackhawk on establishing a \$3500 loan, and a \$3500 grant paperwork with the Small Business Loan Program.

VOTE: 6 Ayes, 0 Nay, 0 Abstentions, 1 not voting.  
Motion carried.

16. SMALL LOAN - VERNON YOUNG BEAR

Councilman Wells motioned to approve a \$2,000 Small Loan for Vernon Young Bear, subject to the Small Loan Requirements. Seconded by Councilman Phelan.

DISCUSSION: The amount owing of Vernon Young Bear will be paid in full prior to processing the loan.

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

17. RE-ADVERTISEMENT OF SECURITY OFFICERS

Councilman Phelan motioned to re-advertise the positions of 1 part-time security officer and 1 full-time position until March, 2001.

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

18. RICHARD HALL REQUEST - RESOLUTION #01-46MWJR.

Councilman Gillette motioned that Richard Hall be made a priority for services for water/sewer installation hook-up and granted monies in the amount of \$3,200, based on the estimated amount. Seconded by Councilman Fox.

DISCUSSION: The money will be allocated from the Mega Contract.

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

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Motion carried.

19. STRAIGHT TALK: SENATOR JOHN McCAIN:

Councilman Fox motioned to approve a \$500 donation to the Straight Talk Radio where Senator John McCain speaks. Seconded by Councilman Wells.

VOTE: 4 Ayes, 2 Nays, 1 Abstention, 0 Not voting.  
Motion carried.

20. BRUCE CROWS HEART REQUEST:

Bruce Crows Heart sent a letter informing the Tribal Business Council that his vehicle was vandalized in the Mandaree area when he left it on the road to purchase gas.

Terry Red Fox was directed to inform the Law Enforcement of the incident.

21. ELAINE BOLMAN

Councilman Wells motioned to approve an educational Loan of \$1500 to Elaine Bolman in accordance with the Small Loan requirements. Seconded by Councilman Wolf.

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

22. BARB SMITH REQUEST

Councilman Phelan motioned to authorize the Tribe to purchase a mobile home in the amount of \$8,500 for Barbara Smith with the repayment schedule being on a lease to own basis. Seconded by Councilman Wolf.

The Motion and Second were withdrawn.

MOTION: Councilman Wolf motioned to have the North Segment guarantee a loan for Barb Smith with the BNC Bank by using North Segment JTAC funds as collateral in the amount of



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\$8,500 to purchase a mobile home. Seconded by Councilman Phelan.

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

23. FOUR BRIDGE CONSTRUCTION RESOLUTION #01-47MWJR.

The Three Affiliated Tribes have been notified by the Aberdeen Regional Road Engineer that they are eligible to receive \$32,589 for planning and design of bridges.

MOTION: Councilman Gillette motioned to that the Three Affiliated Tribal Business Council requests the Aberdeen Regional Contracting Officer to develop and approve a P.L. 93-638 contract in the amount of \$32,589 for the planning and design of the new bridge. Seconded by Councilman Wells.

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

24. ADMINISTRATIVE CAPACITY BUILDING RESOLUTION #01-48MWJR.

The Three Affiliated Tribes have been notified by the Aberdeen Regional Director that they are eligible to receive \$35,000 for Administrative Capacity Building.

MOTION: Councilman Phelan motioned that the Three Affiliated Tribal Business Council requests the Aberdeen Regional Contracting Officer to develop and approve a P.L. 93-638 contract in the amount of \$35,000 for Administrative Capacity Building. Seconded by Councilman Wells.

DISCUSSION: The Three Affiliated Tribes will use the \$35,000 to pay for Building Administrative Capacity and Planning. Additional staff will be hired to perform road inventory, mapping, and development of computer applications for recording, analyzing, mapping of all reservation traffic generators that may impact the reservation road system. Staff will be receiving training in contract monitoring and reporting.

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

25. DEFERMENT OF GRACE HENRY ENROLLMENT:  
Closed Session

26. BERNIE FOX LEAVE REQUEST:

Councilman Wells motioned to change the permanent employee status date of Bernie Fox and give him 130 hours of annual leave and 130 hours of sick leave. Seconded by Councilman Phelan.

DISCUSSION: This action will pertain only to the Co-Manager position, and not any other 4Bears Casino positions.

VOTE: 5 Ayes, 1 Nay, 1 Abstention, 0 Not voting. Motion carried.

27. CONSTITUTION AMENDMENT

Councilman Wells motioned to approve of a 9 member Tribal Business Council/Recall/Referendum. Seconded by Councilman Gillette.

DISCUSSION: The changes will include: Increase the Tribal Business Council to 9 members: Vice-chairman to be elected by 6 representatives, and serve for 2 years: Secretary elected inaugural 2 years 2002-04; and Treasurer elected inaugural 2 years 2002-04 and to inaugurate in 2002.

7 members to vote for removal and ethical code, and special election if 1 year or more expired term within 30 days of resignation or death.

4 Members shall call a Special Meeting, and seven members shall constitute a quorum.

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

Motion carried.

28. GARY BEAUDRY RESOLUTION #01-54MWJR.

Councilman Wells motioned to retain Gary Beaudry as In-House Legal Counsel for 2 FY's @ \$59,635 per year, effective April 01, 2001 or 18 months. Seconded by Councilman Fox.

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

29. DANCING BUTTES SALOON RESOLUTION #01-49MWJR.

Councilman Wells motioned to approve a \$3,500 Business Development Grant to Whitney Bell for his individually owned business, subject to the Small Loan program requirements. Seconded by Councilman Phelan.

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

30. TED DANKS WORKMEN COMP ISSUE:

MOTION: Councilman Gillette motioned that the Tribal Business Council give assistance to Ted Danks regarding a Workmen Comp Issue. Seconded by Councilman Wells.

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

31. DAVE WILLIAMS SMALL LOAN REQUEST:

Councilman Gillette motioned to approve a \$3,500 loan to David Williams, subject to the Small Loan requirements. Seconded by Councilman Wells.

DISCUSSION: The money will be used to finish the baseball field. Councilman Wells will prepare the resolution.

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

32. PERSONNEL MATTERS - CLOSED SESSION:

33. COMMUNITY FUNDS - RESOLUTION #01-50MWJR.

The passage of P.L. 102-57 compensated the TAT for \$149.2 Millions of dollars by the US Govt. for loss and infrastructure of 165,000 acres of prime river bottom land for the Garrison Diversion Project. Only the interest earned from this fund is to be used for educational, social welfare, economic development and other programs subject to the approval of the Secretary of the Interior.

The Tribal Business Council passed Resolution #00-208DSB to disburse \$125,000 to each of the six segments. The Tribal Business Council earlier this year passed the Tribal Operating Budget Resolution #01-04MWJR which included a \$75,000 allocation to each of the 6 districts for a total of \$200,000.

MOTION: Councilman Gillette motioned that each district shall be fiscally responsible for their annual celebration dances, vehicle replacement, and sponsorship of youth and community related activities. Seconded by Councilman Wells.

DISCUSSION: This resolution will supercede all resolutions regarding Segment JTAC funds and, before funds will be distributed an approved budget and resolutions shall be approved by the TBC.

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

34. NATIONAL INDIAN GAMING ASSOCIATION MEMBERSHIP AND REPRESENTATIVE: RESOLUTION #01-51MWJR.

Councilman Gillette motioned to approve of the payment of an annual membership fee of \$3,500 to NIGA and designate Mark Fox as its continued representative to NIGA with Tex G. Hall as the 1<sup>st</sup> Alternate and Austin Gillette as the 2<sup>nd</sup> alternate. Seconded by Councilman Wells.

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DISCUSSION: It is the intent of the TBC to have Mark Fox continue to serve as our representative to NIGA and to support his efforts in elections to the Executive Committee of NIGA.

The MHA Nation also requests that tribal nations throughout the U.S. support Mr. Fox in his leadership role for the NIGA.

35. RURAL WATER SYSTEM - RESOLUTION #01-52MWJR.

The Three Affiliated Tribal Business Council's goal is to provide adequate and free potable drinking water for its membership on the Fort Berthold Indian Reservation.

The U.S. Environmental Protection Agency (EPA) Region 8 Drinking Water Set-Aside Construction Grant Program is now available and the deadline for submission of this proposal is February 28, 2001.

MOTION: Councilman Fox motioned that the TAT authorize the OM&R Program seek \$3 Million from the EPA from the Drinking Water Infrastructure Grants Tribal Set Aside (DWIG TAS) Program to provide funds to alleviate drinking water problems for the North and Northeast Segments. Seconded by Councilman Wells.

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

36. TERRY RED FOX - SMALL LOAN RESOLUTION #01-53MWJR.

Councilman Gillette motioned to approve a \$1,500 Loan to Terry Red Fox, subject to Small Loan requirements. Seconded by Councilman Phelan.

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

37. TWIN BUTTES DAYCARE:

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PERSONNEL MATTER

38. NATIVE AMERICAN R&D:

Councilman Fox motioned to hire the Native American Research Development, Inc., developing a municipal and rural water system for the North and Northeast Segments. The consultant Rate @ \$350/Day X 28 days, @ \$9,800 and direct and travel costs of \$2,635, for a total of \$12,435. Seconded by Councilman Wells.

DISCUSSION: After discussion on the daily rate of \$350, the motion and second were withdrawn. Motion failed.

39. PAULINE REED - SMALL LOAN

Councilman Wells motioned to decrease Pauline Reed's Small Loan payments to \$25 a month while she is attending school. Seconded by Councilman Gillette.

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

30. ADJOURNMENT

Councilman Phelan motioned to adjourn the meeting. Seconded by Councilman Wells. The meeting was adjourned at 10:55 p.m.

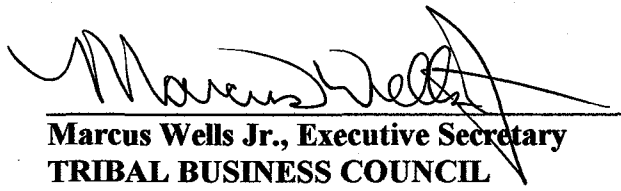
Respectfully submitted,  
s/s Ardel Jean Baker, Recording Secretary 05/31/01  
s/s Marcus D. Wells, Jr., Executive Secretary 05/31/01  
s/s Tex G. Hall, Tribal Chairman 05/31/01  
TRIBAL BUSINESS COUNCIL/THREE AFFILIATED TRIBES

**Three Affiliated Tribes  
Tribal Business Council  
Special Meeting # 09  
February 26, 2001  
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**Respectfully Submitted,**

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**Ardel Jean Baker, Recording Secretary  
TRIBAL BUSINESS COUNCIL  
THREE AFFILIATED TRIBES**

\_\_\_\_\_  
**Date**

  
\_\_\_\_\_  
**Marcus Wells Jr., Executive Secretary  
TRIBAL BUSINESS COUNCIL  
THREE AFFILIATED TRIBES**

10-14-03  
**Date**

**ATTEST:**

\_\_\_\_\_  
**Tex G. Hall, Tribal Chairman  
TRIBAL BUSINESS COUNCIL  
THREE AFFILIATED TRIBES**

\_\_\_\_\_  
**Date**