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THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING # 17
May 17, 2001

01. CALL TO ORDER AND PRAYER:

Chairman Hall called the meeting to order at 11:55 a.m., and the invocation was said by Councilman Phelan.

02. ROLL CALL:

Present: Councilman Gillette, Councilman Wolf, Councilman Fox, Councilman Wells, Councilman Spotted Bear, Councilman Phelan, and Chairman Hall.

03. APPROVAL OF AGENDA AS AMENDED:

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

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. Motion carried unanimously.

04. CHAIRMAN & COUNCILMEN REPORT:

- Financial Reports: Account balances up to date.
- Treasurers Report.
- Four Bears Lagoon:
- Signature Event Proposal August 17-20, 2006
- Keogh Ranch
- Table Butte
- Elders Home Resolution
- Corporate Board Resolution
- Minne-To-He Quarters

05. INDIAN HEALTH SERVICE/SDS PROJECTS:

Councilman Wells motioned to approve the IHS/SDS priority list for IHS/SDS monies for FY 2002: Seconded by Councilman Phelan.

1. Mandaree Lagoon with a score of 79 points and a cost estimate of \$365,000.00 with a 50% match.
2. Breslin Addition with a score of 69 points and a cost estimate of \$375,000.00 with a 50% tribal match.
3. Solid Waste Transfer Station with a score of 52 points; and a cost estimate of \$1,262,000.00

4. Twin Buttes Sewage Treatment (East) with a score of 52 points and a cost estimate of \$310,000.00.

DISCUSSION: The priorities were recommended by Neil Austin from the Indian Health Service.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. Motion carried.

06. RANGE UNITS:

Councilman Gillette motioned to authorize May 15, 2001 for admittance of turn out dates for Indian owned range units; and June 01, 2001 for non-Indian member owned cattle. Seconded by Councilman Spotted Bear.

DISCUSSION: The TAT/Natural Resources staff in cooperation with the BIA Range Staff will enforce the procedures. Paul Danks will provide a report for the Tribal Business Council's review on May 29, 2001.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.

07. KILLDEER TRAILER UNITS PURCHASE - RESOLUTION #01-103MWJR:

Councilman Phelan motioned that the TAT/Tribal Business Council authorize and approve the purchase of two mobile homes from the Hilltop Home of Comfort in Killdeer, North Dakota, for the amount of \$25,000. Seconded by Councilman Wells.

DISCUSSION: The Three Affiliated Tribes was the successful bidder for two 1998 Sweetwater Mobile homes:

- a. One 24X60' unit in the amount of \$17,000, which is designated as the Mandaree Daycare.
- B. One 12X60' unit in the amount of \$8,000, which is designated as Parshall Office space.

The tribe will seek additional funding sources from the 477 Program, in addition to the funding the tribe will provide to finance the moving expense of the trailers before September 1, 2001, infrastructure expenses, and renovation

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costs of \$60,000.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. Motion carried.

08. VENTURE WITH BILL BOWMAN PROPOSAL:

Councilman Gillette motioned to direct Paul Danks to review Senator Bill Bowman's proposed venture to establish a beef processing plant within the interior boundaries of the Fort Berthold Reservation, and determine if the venture has a viable and sound business plan, and lastly make an analysis to the Tribal Business Council by May 29, 2001. Seconded by Councilman Phelan.

DISCUSSION: The funding source is a grant awarded to Senator Bowman to implement seven beef processing plants in North Dakota, South Dakota, Nebraska and Kansas.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. Motion carried.

09. MANDAREE ELECTRONICS CORPORATION RESOLUTION OF SUPPORT:
RESOLUTION #01-102MWJR

Councilman Fox motioned that the TAT/Tribal Business Council support Small Business Administration and Native American Tribally-owned 8(a) companies and other Small Business 8(a) companies to retain the Immigration and Naturalization Service add-on contract in Small Business 8(a) Development Program. Seconded by Councilman Phelan.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.

10. FINANCIAL REPORT FOR MAY 29, 2001:

Councilman Phelan motioned to direct the Finance Department to prepare an accurate accounting balance of each tribal

program that is funded by the FY 2001 General Fund Budget, for review by the Tribal Business Council on May 29, 2001. Seconded by Councilman Wells.

DISCUSSION: A request to purchase 60 computers is on hold until an inventory of all equipment purchased by the tribe is accomplished by Property & Supply. The Financial Consultant, Steve Salvesson is responsible for completing the audit preparation, when this task is achieved hiring additional consultants won't be necessary.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. Motion carried.

12. INDIAN HEALTH SERVICE BUDGET:

For purposes of clarity, the Indian Health Service budget's formulation protocol process for the consultation requirement, in its entirety, goes before the HHR Committee to establish and recommend priorities for final approval by the Tribal Business Council.

DISCUSSION: The Fort Berthold Service Unit established health priorities for FY 2003 which includes:

- | | |
|---------------------------------|------------------|
| 1. Contract Health Budget | 2. Mental Health |
| 3. Alcohol and Substance Abuse. | 4. Diabetes |
| 5. Cancer | 6. Injuries |
| 7. Heart Disease | |

A total request of a needs-based budget of \$900,000 is needed by the Tribe. The Fort Berthold Service Unit submitted a budget of _____ without consultation with the Tribe as mandated in circular 97-07.

13. MARILYN OGDEN: CLOSED SESSION

14. BONNIE YELLOW BEAR: CLOSED SESSION

15. LOUELLA YOUNG BEAR BUSINESS DEVELOPMENT RESOLUTION #01-104MWJR:

Councilman Wells motioned to approve a \$3,500 grant and a \$3,500 loan to Louella Young Bear, subject to the

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requirements of the Small Loan and Grant Program. Seconded by Councilman Wolf.

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

16. FOUR BEARS POW-WOW 2001 FINANCIAL REQUEST:

Councilman Phelan motioned to allow the Four Bears Casino and Lodge the authority to grant the Four Bears Community \$20,000 for their annual celebration which will be held in the Special Events Center/Bears Casino and Lodge on June 1-3, 2001. Seconded by Councilman Wells.

DISCUSSION: Showcasing the Annual Four Bears Pow-wow, which began in 1994, in the Special Events Center will result in a prodigious profit for the Four Bears Casino and Lodge.

VOTE: 4 Ayes, 2 Nays, 1 Abstention, 0 Absent. Motion carried.

17. SACRED CHILD PROJECT:

Councilman Phelan motioned to direct the Acting Social Service Director to make the necessary corrections of all required salaries and line items be put in compliance with the Sacred Child Project. Seconded by Councilman Wolf.

DISCUSSION: Debbie Painte will be the contact person for Sacred Child Project located in Bismarck, North Dakota.

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

18. ROYCE AND MARION WOLF BUSINESS DEVELOPMENT:

Councilman Fox motioned to execute Lease #DACW-45-1-98-613 which is tribal property known as "Pouch Point," between the Tribe and Royce(Marion)Wolf for 10 years, with a requirement to provide verification of insurance.

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DISCUSSION: This request was initially approved by the NRC. The tribe will be compensated by the lessee after the business is in utilization for 5 years. Royce and Marion Wolf will be responsible for the insurance coverage of the property amounting to \$900 per month.

Legal Counsel will fax a copy of the agreement to the Corp of Engineers and both have been promised approval.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. Motion carried.

19. REPAIR OF BIA PAVED ROADS/NORTHERN IMPROVEMENT COMPANY:
RESOLUTION #01-105MWJR:

Councilman Gillette motioned to authorize Chairman Hall or his duly representative to sign a contract with the firm of Northern Improvement Company for the repair of BIA paved roads on the reservation the lowest bid which was \$640,360.73. Seconded by Councilman Wells.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. Motion carried.

20. TEK INDUSTRIES OF MANDAREE: RESOLUTION #01-106MWJR:

Councilman Gillette motioned to accept the low bid of TEK Industries for the reconstruction of the Mandaree Hill Project for the amount of the bid of \$778,878.53. Seconded by Councilman Fox.

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

21. NORTHEAST SEGMENT COMMUNITY DEVELOPMENT BOARD'S BUDGET FY00:
RESOLUTION #01-107MWJR.

Councilman Phelan asserts that the Tribal Business Council has reviewed the Northeast Segment Community Development Board's Budget of \$125,000 for expenditure of the FY00 Community JTAC Funds, and motioned to approve all items except Item #5, which is identified as Elders Assistance:

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credit voucher @\$30x12 months x 40 elders, at a total of \$12,000 which is approved upon confirmation of a legal opinion and the BIA. Seconded by Councilman Spotted Bear.

DISCUSSION: Pursuant to the Three Affiliated Tribes FY JTAC Budget process for expenditures, each segment and/or community has been authorized \$125,000 for their specific use and each respective community board with input from the community members must develop an expenditure plan to account for the JTAC funds.

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

22. NATIONAL HISTORY DAY FINALS:

Councilman Gillette motioned to approve \$400 per 3 students, from the Docket funds for the West Segment for a total of \$1,200 to attend the National History Day Finals in Washington D.C. Seconded by Councilman Spotted Bear.

DISCUSSION: The students attending the conference are Martha Phelan, Jordan Fox and Franke Hall.

VOTE: 4 Ayes, 0 Nays, 2 Abstentions, 1 Absent. Motion carried.

23. SHARON BLAKE:

Councilman Gillette motioned to approve a loan of \$800 to Sharon Blake per wage deduction. Seconded by Councilman Wells.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.

24. ELLA BIG CROW:

Councilman Gillette motioned to approve a loan of \$2,000 to Ella Big Crow, subject to guidelines of the Small Loan Program. Seconded by Councilman Phelan.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.

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25. AMY MATTHEWS:
Councilman Gillette motioned to approve a loan of \$2,000 to Amy Matthews, subject to the guidelines of the Small Loan Program. Seconded by Councilman Phelan.
- VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.
26. MILLARD HALE SR:
Councilman Gillette motioned to approve a loan of \$3,500 to Millard Hale, Sr., subject to the guidelines of the Small Loan Program. Seconded by Councilman Phelan.
- VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.
27. BONNIE YELLOW BEAR:
Councilman Gillette motioned to approve a loan of \$3,500 to Bonnie Yellow Bear. Seconded by Councilman Phelan.
- VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.
28. BILLIE JOE WOUNDED FACE:
Councilman Gillette motioned to approve an educational loan of \$2,500 to Billie Joe Wounded Face with a requirement of a co-signature. Seconded by Councilman Phelan.
- VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.
29. LYNDON FREDERICKS:
Councilman Gillette motioned to approve a loan of \$2,500 to Lyndon Fredericks, subject to the Small Loan requirements. Seconded by Councilman Phelan.
- VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not voting. Motion carried.
30. LAURIE ALBERTS:
Councilman Gillette motioned to approve a loan of \$2,500 to

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Laurie Alberts, subject to the Small Loan requirements.
Seconded by Councilman Phelan.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion
carried.

31. JFK RAIN GUTTERS & CONSTRUCTION: RESOLUTION #01-108MWJR.
Councilman Gillette motioned to approve a \$3,500 loan and a
\$3,500 grant to Frank White Calf, subject to the
requirements of the Small Loan and Grant Program. Seconded
by Councilman Wells.

DISCUSSION: Frank White Calf presented a financial request
of \$10,000 to sponsor a high school rodeo team for 4
students. His calculation was based on \$100 X 12 rodeos.
Councilman Gillette recommended that Frank White Calf
request from each community \$1,000 start-up costs for a
rodeo club. If he is successful in obtaining financial
assistance from the communities, it was the consensus of the
tribe to match dollar for dollar, not to exceed \$5,000.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion
carried.

32. LYON WOLDING EDUCATIONAL LOAN:
Councilman Phelan motioned to approve an educational loan of
\$500 to Lyon Wolding for the Summer Session 2001. Seconded
by Councilman Wells.

VOTE: 5 Ayes, 0 Nays, 1 Abstention, 1 Absent. Motion
carried.

33. NELSON HEART SR:
Councilman Gillette motioned to approve a \$4,000 loan to
Nelson Heart, Sr., subject to the collateral requirements of
the Small Loan Program. Seconded by Councilman Phelan.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion
carried.

34. VERNON YOUNG BEAR:
Councilman Gillette motioned to approve a \$3,500 to Vernon

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Young Bear, subject to the collateral requirements of the Small Loan Program. Seconded by Councilman Phelan.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.

35. LOUELLA YOUNG BEAR: RESOLUTION #01-104MWJR:

Councilman Wells motioned to approve a \$3,500 grant and a \$3,500 loan to Louella Young Bear, subject to the requirements of the Small Loan and Grant Program. Seconded by Councilman Wolf.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.

36. ROBIN KEYES/477 PROGRAM:

Robin Keyes provided daycare services in the months of April and May for students enrolled with the 477 Program. When she submitted billing statements totaling \$3,330 to the 477, she was informed that the budget was depleted.

DISCUSSION: The 477 Program could not pay the Daycare services of \$3,330 considering that the provider did not have her license renewed, which is required by the program.

Option one: The Daycare provider will be paid through the General Fund and reimbursed by the 477 Program as soon as carry-over funds of \$270,000 are reprogrammed.

Option two: The Daycare provider will be paid through the General Fund.

MOTION: Councilman Wells motioned to pay the daycare provider a sum of \$3,330 from the general fund, to direct the 477 Program to reimburse the general fund when surplus funds of \$270,000 are reprogrammed, and upon the provider obtaining her license. Seconded by Councilman Phelan.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent.
Motion carried.

37. FOUR BEARS CASINO AND LODGE PROJECT: RESOLUTION #01-109MWJR.

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Councilman Spotted Bear motioned to approve the line of credit of \$400,000 at the BNC Bank for the construction of Northern Lights. Seconded by Councilman Phelan.

DISCUSSION: The Tribal Business Council supplements Resolution #00-16MWJR with the express authorization that the proceeds of the \$1,000,000 line of credit established for the benefit of the Four Bears Casino and Lodge may be drawn on by the Casino for use in the prospective construction of the 20-apartment complex intended to accommodate new employees of the 4Bears Casino and Lodge.

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

38. FOUR BEARS CASINO AND LODGE LOAN: RESOLUTION #01-110MWJR.
Councilman Wells motioned to authorize the Four Bears Casino and Lodge to submit an application for a loan for BNC Bank of Bismarck, ND to be guaranteed by the Rural Housing Service Section 528 Loan, if obtained, in an amount not more than \$1.2 Million. Seconded by Councilman Spotted Bear.

DISCUSSION: The Four Bears Casino and Lodge requested authorization to submit an application to the USDA Rural Housing Service for a Section 538 Guaranteed Rural Rental Housing Loan of 1.2 Million dollars to construct a 20 Unit apartment complex for employees of the casino. Approval of the Section 538 Guaranteed Rural Housing Loan Program application will provide 90% guarantee for the \$1.2 Million loan at BNC and will reduce the cost of the loan substantially.

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

39. HANS FREDERICKS MEMORIAL 2001: RESOLUTION #01-111MWJR
Councilman Phelan motioned to approve \$3,000 for rodeo and activities at the Hans Fredericks Memorial 2001. Seconded by Councilman Wells.

DISCUSSION: The motion did not specify the line item which the funds would be debited from. Councilman Spotted Bear will draft the resolution for the distribution of funds.

VOTE: 5 Ayes, 0 Nays, 1 Abstentions, 1 Absent. Motion carried.

40. CATHOLIC CONGRESS: REFERENCE RESOLUTION #00-144DSB
Councilman Gillette motioned to approve \$1,000 for Catholic Congress which is being held on June 02, 2001. Seconded by Councilman Phelan.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent. Motion carried.

41. NATIVE AMERICAN CHURCH: REFERENCE RESOLUTION #00-144DSB
Councilman Phelan motioned to approve \$1,000 for the Native American Church 52nd Annual Conference to held in New Town, ND on June 15, 16, 17, 2001. Seconded by Councilman Wells.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.

42. MEMORIAL DAY 2001: RESOLUTION #01-115MWJR.
Councilman Wolf motioned to approve \$2,500 for the Veterans Service Program to sponsor Memorial Day Commemoration on May 28, 2001. Seconded by Councilman Wells.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent. Motion carried.

43. FOUR BEARS APARTMENT COMPLEX - 36 RESOLUTION #01-112MWJR:
Councilman Gillette motioned that Lease #00-THH03-09 be cancelled effective September 01, 2000 and that the attached lease which contains the required stipulations of the USDA be approved retroactive to September 01, 2000 and that upon approval by the BIA that said lease be immediately recorded with their land titles and Records Office in Aberdeen, South Dakota to expedite USDA funding of the 36-unit apartment

complex. Seconded by Councilman Wells.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent. Motion carried.

44. EXTENSION OF SERVICE FOR FORT BERTHOLD HOUSING AUTHORITY:
Councilman Wells motioned that the Tribal Business Council approve effective upon confirmation of any legal considerations imposed by Native American Housing Assistance Self Determination Act (NAHASDA) and with programs utilized by the Fort Berthold Housing Authority in providing this assistance, that the FBHA offer such assistance to the tribal membership residing in the six reservation counties of Ward, McLean, Mercer, Mountrail, McKenzie and Dunn. Seconded by Councilman Phelan.

VOTE: 6 Ayes, 0 Nays, 1 Abstention, 0 Absent. Motion carried.

45. CDGB WHITE SHIELD FY 2001 RESOLUTION #01-114MWJR:
Councilman Phelan motioned to authorize the submission of a Community Development Block Grant application for FY 2001 for a new, permanent, Multi-Purpose Cultural Center for the White Shield segment. Seconded by Councilman Gillette.

DISCUSSION: Several topics were also included in the resolution which included:

A. The Tribal Business Council will provide financial support from the Indirect Cost Pool for the maintenance and operation of the proposed facility in the amount of \$34,000 annually. These funds are projected to come available within 60 days of completion of the project.

B. The Tribal Business Council will provide a financial cash match of \$275,000.00 which is 25% of the total project cost for the FY 2001 CDGB Grant application.

C. The Tribal Business Council acknowledges, accepts, and adopts the attached Maintenance and operation Plan for the East Segment MPCC.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.

46. PERSONNEL CLOSED SESSION:

47. NORTH SEGMENT BUDGET FOR FY 2001:

Councilman Wolf motioned that the Tribal Business Council has reviewed the North Segment's Budget for expenditure of the FY01 Community JTAC Funds, and recognizes that North Segment Community has properly developed a budget plan, and approves all items. Seconded by Councilman Gillette.

DISCUSSION: Pursuant to the Three Affiliated Tribes FY JTAC Budget process for expenditures, each segment and/or community has been authorized \$200,000 for their specific use and each respective community board with input from the community members must develop an expenditure plan to account for the JTAC funds.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent. Motion carried.

48. FOUR BEARS ELDERS VAN:

Councilman Wells motioned to declare a 1995 Dodge Ram van as excess property and transfer to the Four Bears Community to service the elderly. Seconded by Councilman Phelan.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent. Motion carried.

49. TWIN BUTTES ELDERS PROGRAM RESOLUTION #01-116MWJR:

Councilman Wells motioned to authorize the Three Affiliated Tribes South Segment Administrative Assistant, Sherri Gillette, and Four Bears Head Cook, Debbie Chase to make

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application to the Older Americans Act to fund services within their respective areas to use as cost for elder meals. Seconded by Councilman Phelan.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent. Motion carried.

50. MANDAREE ELDER HOME:

Councilman Phelan motioned to approve the purchase of a 2-bedroom house from the Twin Buttes Custom homes, to be located on tribal land in the Mandaree area and assigned to Eloise Johnson under a life long lease. Seconded by Councilman Wolf.

DISCUSSION: Terry Red Fox will coordinate the purchase of the home using \$40,000 left in Mandaree's Elder Homes line item of the Tribal Elders budget.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent. Motion carried.

51. DREAM CATCHERS SITE LEASE:

Councilman Phelan motioned to approve a 5 acre site for the Dream Catchers Daycare and Play Ground in the Twin Buttes area, pending proper documentation. Seconded by Councilman Wells.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent. Motion carried.

52. ADJOURNMENT:

Councilman Whelan motioned to adjourn the meeting at 3:05 a.m. Seconded by Councilman Spotted Bear.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent. Motion carried.

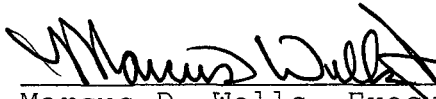
Respectfully submitted,

Ardel Jean Baker, Recording Secretary

Date

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OFFICE OF THE EXECUTIVE SECRETARY
TAT/TRIBAL BUSINESS COUNCIL



Marcus D. Wells, Executive Secretary
OFFICE OF THE EXECUTIVE SECRETARY
TAT/TRIBAL BUSINESS COUNCIL

11-16-01
Date

ATTEST:

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

Date

cc: TBC
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