

**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING #24  
AUGUST 09, 2001**

**01. CALL TO ORDER AND PRAYER:**

The meeting was called to order at 2:13 p.m. Chairman Hall asked all present for a moment of silence to remember all tribal members who are ill, grieving and less fortunate.

**02. ROLL CALL:**

Members present: Councilman Fox, Councilman Gillette, Councilman Phelan, Councilman Wells, and Chairman Hall. A quorum was established with five members present. Councilman Wolf arrived at the meeting on 2:20 p.m. Councilman Spotted Bear arrived at the meeting at 2:27 p.m.

**03. CHAIRMAN/COUNCILMEN REPORTS:**

- Northern Lights Infrastructure systems update.
- Keeps Eagle Lawsuit
- Sakakawea Copywriter and North Dakota Cowboy Hall of Fame - Medora, North Dakota
- Oil and Gas Sale Update
- TAT FY 2002 Budget Update
- ESSI Meeting - St. Louis, Mo.
- Tribal Education Meeting postponed
- BIA Special Trustee Meeting Update
- Governor Hoeven Meeting: Tribal Chambers August 20, 2001
- Senate Hearing on Technology Information with Senator Inouye, Indian Affairs Committee Chairman
- JTAC Hearing with Senator Conrad and Indian Affairs Commission
- Grand Opening Tribal Administration Addition

**04. GSA GOVERNMENT TRAVEL NUMBER:**

Councilman Gillette motioned to direct Barlow Wells, Travel Officer to acquire a GSA travel number for the tribe, and also direct Harry Sitting Bear to acquire a GSA telephone number and rate that will be used for telephone services. Seconded by Councilman Phelan.

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

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05. APPROVAL OF THE AGENDA:

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

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

06. JTAC II COMMITTEE BUDGET APPROVAL:

Councilman Wells motioned to approve a budget of \$10,000 for the JTAC II Committee. Seconded by Councilman Phelan.

VOTE: 4 Ayes, 0 Nays, 3 Abstentions, 0 Absent. Motion carried.

07. NEW TRIBAL HEADQUARTERS OFFICE DESIGNATION:

Councilman Wells motioned to approve the new Tribal Headquarters designation. Seconded by Councilman Phelan.

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

08. APPROVAL OF MINUTES:

1. June 28, 2001

Councilman Wells motioned to approve the minutes as presented. Seconded by Councilman Phelan.

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

2. July 03, 2001

Councilman Wells motioned to approve the July 03, 2001 Minutes as presented. Seconded by Councilman Phelan.

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

3. July 19, 2001

Councilman Gillette motioned to approve the July 19, 2001 Minutes as presented. Seconded by Councilman Phelan.

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

09. ENROLLMENT RESOLUTION #01-193MWJR.

A. Councilman Wells motioned to accept the 39 applications for enrollment with the Three Affiliated Tribes. Seconded by Councilman Phelan.

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

B. Councilman Gillette to direct the Judicial Committee to review the blood quantum issue and to drop the 1/4 blood quantum from another tribe requirement and consider the only 1/8 blood quantum requirement for enrollment with the Three Affiliated Tribes. Seconded by Councilman Fox.

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

10. NORTH SEGMENT ELDERS HOME PROGRAM: RESOLUTION #01-194MWJR

Councilman Phelan motioned to approve the Home Loan Program's Policy as presented. Seconded by Councilman Gillette.

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

11. FELIX AND LEDA MEYERS:

Councilman Wolf motioned to award a "rent to own," elderly unit in the New Town area to the Felix Meyer family. Seconded by Councilman Phelan.

DISCUSSION: The mobilization and site development costs were discussed as well as the monthly house payments of \$150 with a preference for elderly 70+ and over, and to support handicap as a priority consideration. The "rent to own" was affirmed that the house will stay with the family upon the passing of the head of household.

**AMENDED MOTION:** Councilman Wolf amended his motion to include mobilization of the house to the existing site, and to contact Colby Little Soldier for a cost. Councilman Phelan amended his second.

**DISCUSSION:** The CEO was directed to negotiate a final mobilization price of all the elderly units and garages through a bid process and to utilize Indian preference.

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

12. FORT BERTHOLD HOUSING (PARSHALL) REHABILITATION:

Councilman Fox motioned that the renovation process for the Parshall Area low rent units be prioritized by the Fort Berthold Housing Authority. Seconded by Councilman Gillette.

**DISCUSSION:** The Fort Berthold Housing Authority's rental units located in the Parshall Areas HUD homes require immediate renovation which should not be delayed by unrelated events such as the Four Bears Lagoon Project.

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

13. PAT MALNOURIE REQUEST:

Councilman Fox motioned to direct Programs Manager to assist in obtaining funding to move Pat Malnourie's mobile home to a different site. Seconded by Councilman Wolf.

**DISCUSSION:** His present landlord sold the land where the mobile home is located and he has 30 days to move off the site. If no resources are found to assist in the move, another option would be for Mr. Malnourie to apply for a small loan with the tribal program.

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

14. PERSONNEL MATTERS: CLOSED SESSION

15. GAME AND FISH PROCLAMATIONS RESOLUTION #01-195MWJR:  
Councilman Wells motioned to approved the Game and Fish 2001 Proclamations. Seconded by Councilman Spotted Bear.

DISCUSSION: The proclamations include the Deer-Bow, Small Game, Fur bear, Elk, Pronghorn.

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

16. GAME AND FISH LOTTERY:

Councilman Wells motioned to include the development of the addition of Big Game Lottery for 5 elk and 5 buffalo and that the 5 Elk License and the 5 buffalo be a \$5,000 minimum bid. Seconded by Councilman Phelan.

DISCUSSION: Both lotteries will be put out on the bid process. The Game and Fish Director will establish the rules and requirements for non-members.

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

NOTE: Councilman Wolf left the meeting 7:25 p.m.

17. GAME AND FISH:

Councilman Fox motioned to direct the Legal Department to study the legal issues with the State of North Dakota. Seconded by Councilman Gillette.

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

18. DAKOTA WATER RESOURCE ACT: RESOLUTION #01-196MWJR

Councilman Gillette motioned to seek compensation of \$6,000,000 appropriation. Seconded by Councilman Phelan.

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

19. LEGAL CONTRACT RENEWAL: TOM DISSELHORST RESOLUTION #01-197MWJR:

Councilman Wells motioned to renew Legal Counsel, Tom Disselhorst's contract for two years at an annual salary of \$65,000. Seconded by Councilman Phelan.

VOTE: 4 Ayes, 1 Nay, 1 Abstention, 1 Absent. Motion carried.

20. NATURAL RESOURCES CONSERVATION SERVICE AND FARM SERVICE AGENCY RESOLUTION #01-198MWJR:

Councilman Gillette motioned to designate the Chairman, Vice-Chairman, Treasurer, and Secretary of the Council as alternate signatories authorized to execute Natural Resources Conservation Service and Farm Service Agency documents to initiate and service USDA conservation programs on tribal land, which documents typically require only one signature on behalf of the Three Affiliated Tribes. Seconded by Councilman Spotted Bear.

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

21. BELLE DEAN CHASE TRANSFER TO EXECUTIVE SECRETARY'S DEPARTMENT: Closed Session

22. VETERANS SERVICE PROGRAM:  
Closed Session

23. UTTEC POW-WOW 2001: RESOLUTION #01-199MWJR:

Councilman Gillette motioned to authorize a contribution of \$4,000 to the United Tribes Technical College for their upcoming events in September., 2001. Seconded by Councilman Phelan.

VOTE: 5 Ayes, 1 Nay, 0 Abstentions, 1 Absent. Motion

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carried.

24. PARSHALL LITTLE FEATHER HEAD START

Councilman Fox motioned to approve Community Development Block Grant (CDBG) assistance to attain funding for the Parshall Little Feather Head Start Center, of \$500,000 which includes up to \$207,000 from the FY 00 funds. Seconded by Councilman Wells.

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

25. 477 PROGRAM RESOLUTION #01-200 MWJR:

Councilman Gillette motioned to authorize the 477 Director to draft a plan to consolidate programs under the 477 which include WIA-Comprehensive, WIA - Supplemental Youth, BIA - Job placement, BIA, TWEP, HHS-CCDF, HHS-New TAT, Voc-Rehab and JOM. Seconded by Councilman Wells.

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

26. 477 DIRECTOR PERSONNEL REQUEST:  
CLOSED SESSION

27. CIRCLE OF LIFE RESOLUTION #001-201MWJR:

Councilman Gillette motioned to adopt the Circle of Life Program Policies which complies with the Indian Health Services funding requirements. Seconded by Councilman Fox.

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

28. INTERNAL AUDITOR OF FOUR BEARS CASINO AND LODGE:

Councilman Phelan motioned to advertise the Internal Auditor position for 30 days and that the position be processed through the TAT Personnel Department. Seconded by Councilman Wells.

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

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29. FOUR BEARS CASINO AND LODGE INDIAN PREFERENCE POLICY:

Councilman Wells motioned to direct the Four Bears Casino and Lodge to utilize tribal and Indian preference during their hiring process; and to review the issues of Personnel Policies of hire. Seconded by Councilman Phelan.

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

30. FOUR BEARS CASINO AND LODGE INCENTIVE AWARDS:

Councilman Phelan motioned to approve the 3<sup>rd</sup> quarter Incentive Awards for the co-General Managers, as set forth and established by Brady, Martz, with the 4<sup>th</sup> quarter being developed by the Tribal Business Council. Seconded by Councilman Fox.

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

31. BNC SIGNATURE AUTHORITY:

Councilman Gillette motioned to approve the deletion of Don Dickens signature and add Steve Salveson to the BNC account. Seconded by Councilman Phelan.

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

32. 2001 TOURISM CONFERENCE:

Councilman Gillette motioned to approve a \$1,500 budget request from the Tourism Program to be taken out of the program for the Indian Tourism Conference held September, 2001, in Bismarck, North Dakota. Seconded by Councilman Wells.

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



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33. MANDAREE SEGMENT BUDGET APPROVAL:

Councilman Gillette motioned to approve the budget of \$75,000 as presented for the Mandaree Segment Community Funds. Seconded by Councilman Wells.

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

34. CAM CONTRACT WITH TWIN BUTTES CUSTOM HOMES:

Councilman Spotted Bear motioned to endorse the recommendation of the Twin Buttes Custom Homes Board of Directors to terminate the contract with CAM based on non-performance. Seconded by Councilman Fox.

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

35. ADJOURNMENT:

Councilman Phelan motioned to adjourn the meeting at 11:30 p.m. Seconded by Councilman Gillette.

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

Respectfully submitted,



Ardel Jean Baker, Recording Secretary  
Tribal Business Council  
Three Affiliated Tribes

09-19-01  
Date

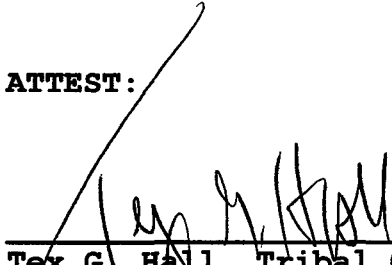


Marcus D. Wells, Jr. Executive Secretary  
Tribal Business Council  
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ATTEST:

  
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Tex G. Hall, Tribal Chairman  
Tribal Business Council  
Three Affiliated Tribes

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Date