

THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
SPECIAL MEETING #25
AUGUST 14, 2001

01. CALL TO ORDER AND PRAYER:

Chairman Hall called the meeting to order at 3:40 p.m. and asked all present for a moment of silence to remember all tribal members who are ill, grieving and less than fortunate. He also asked all present to remember Meredith Baker who expired this past week.

02. ROLL CALL

Members present: Councilman Fox, Councilman Gillette, Councilman Phelan, Councilman Wells, Jr., Councilman Spotted Bear and Chairman Hall.

Members absent: Councilman Wolf.

03. CHAIRMAN'S REPORT:

04. APPROVAL OF THE AGENDA:

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

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

05. M3 ENERGY INC:

Councilman Wells motioned to authorize a letter of intent to work with the Three Affiliated Tribes, to be reviewed by the Legal Department and Kyle Baker for potential contract for exploration of oil and gas. Seconded by Councilman Phelan.

VOTE: 3 Ayes, 1 Nay, 2 Abstentions, 1 Absent. Motion carried.

06. TWIN BUTTES CUSTOM HOMES:

Councilman Gillette motioned to approve the Twin Buttes Custom Homes and Vaalar Insurance to execute a contract for the Indian Health Service Project. Seconded by Councilman Spotted Bear.

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

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07. TWIN BUTTES CUSTOM HOMES CEO REINSTATEMENT:

Councilman Spotted Bear motioned to hire Terry Fredericks as the temporary CEO for the Twin Buttes Custom Homes for 45 days while the position's advertised and filled; and to direct the CEO to offer Roger Head a permanent position with Twin Buttes Custom Homes. Seconded by Councilman Wells.

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

08. TWIN BUTTES CUSTOM HOMES / CAM CONTRACT:

Councilman Phelan motioned to offer a settlement of \$20,000 to CAM. Seconded by Councilman Gillette.

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

09. EMERGENCY MANAGEMENT:

Councilman Wells motioned to purchase a Federal Warning System for the White Shield, Four Bears, Twin Buttes and Mandaree Segments in the amount of \$16, 680. Seconded by Councilman Gillette.

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

10. MIS DEPARTMENT RESOLUTION #01-203

Councilman Wells motioned to approve the purchase of software licenses for Microsoft 2000 for 150 TAT employees @ \$175, for a total of \$26,250. Seconded by Councilman Gillette.

DISCUSSION: This action will begin on October 01, 2001.

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

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11. JTAC II TESTIMONIAL HEARING:

Councilman Phelan motioned to designate Tony Mandan as one of the elders to testify on JTAC II at the Hearing on August 30, 2001. Seconded by Councilman Wells.

DISCUSSION: A member of each tribe will be selected to testify on behalf of JTAC II.

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

12. MARION SPOTTED BEAR HOUSING REQUEST

Closed Session

13. ALVIN WHITE FINANCIAL REQUEST:

Councilman Fox motioned to approve a \$500 Internship Grant for Alvin White while he served as an Legislative Assistant during the summer of 2001. Seconded by Councilman Gillette.

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

14. TRANSPORTATION COSTS FOR NEXT FY 02: RESOLUTION #01-204MWJR:

Councilman Phelan motioned to approve a one time transportation cost of \$50.00 for tribal members attending Voc-Ed and the FBCC, \$100 for higher education students In-state, \$150 for higher education students Out of state. Seconded by Councilman Gillette.

DISCUSSION: Pat Wilkinson will engage in negotiations with the Social Service Director regarding the excess carry over funds listed as emergency needs to see if the funds can be used for transportation costs for students who are GA recipients and could qualify for services under that program.

The transportation rates should be uniform for both Higher Education and Voc-Ed students.

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These funds will be applied to FY 2002 Educational JTAC allocation with Pat Wilkinson drafting the resolution.

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

15. EDUCATIONAL TRANSPORTATION COSTS CAP SET:

Councilman Phelan motioned to set a cap amount of \$50,000 for education transportation costs for FY 2002. Seconded by Councilman Gillette.

DISCUSSION: These funds will be applied to the JTAC Education line item.

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

16. APPROVAL OF FY02 EDUCATIONAL GRANTS: RESOLUTION #01-205MWJR:

Councilman Phelan motioned to approve grant funds of \$150,000 for the fall semester and \$100,000 for Vocational Education students, for a total of \$250,000, subject to approval of final budget and availability of funds.

DISCUSSION: The funding will be prioritized and given preference to students in good standing with a passing GPA.

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

17. HIGHER EDUCATION SUMMER SCHOOL FY 2001 RESOLUTION #01-206MWJR:

Councilman Phelan motioned to approve a total of \$25,000, for FY01 Higher Ed. Summer School. Seconded by Councilman Fox.

AMENDED MOTION Councilman Phelan amended his motion to include: *Voc-Ed students at \$10,000, subject to final budget and availability of funds.* Councilman Fox amended his second.

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

18. FORT BERTHOLD COALITION AGAINST DOMESTIC VIOLENCE RESOLUTION #01-207MWJR:

Councilman Fox motioned to approve of the funding re-application for the amount of \$75,000 for the Children's Justice Act Grant. Seconded by Councilman Wells.

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

19. FORT BERTHOLD COMMUNITY COLLEGE RESOLUTION #01-208MWJR:
Councilman Fox motioned to advance funding in the amount of \$40,000 from the FY 2002 Docket Draw for the Fort Berthold Community College. Seconded by Councilman Phelan.

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

20. MANDAREE DAYCARE CENTER:
Councilman Phelan motioned to authorize Colby Little Soldier to re-locate the mobile home to the Mandaree site in the amount of \$5,000. Seconded by Councilman Gillette.

DISCUSSION: The source of funding will be coded to the building relocation funds.

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

21. FORT BERTHOLD CASINO AND LODGE RENOVATION LOAN RESOLUTION #01-209MWJR:

The motion for approval was withdrawn until August 27, 2001, when the resolution will be presented for review and approval.

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22. PARSHALL SEGMENT STAFF HIRE:

Councilman Gillette motioned to give Councilman Fox the authority to hire vacant staff to finish constructing the Parshall-Lucky Mound Pow-wow grounds. Seconded by Councilman Fox.

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

23. HOME LOANS/SMALL LOANS:

Councilman Gillette motioned to approve four Home Loans conditional on submitting proper documents, and subject to the Home Loan Program, and to approve four Small Loans, subject to submitting proper documents, and subject to the requirements of the Small Loan Program. Seconded by Councilman Wells.

Home Loans Include: (1) Richard White Tail NTE \$10,000
(2) Kermit Heart NTE \$10,000 (3) Tana Dixon NTE \$9,212.00
(4) Andrew Reed NTE \$5,000.

Small Loans Include: (1) Katherine Bearstail @ \$3,500. (2) Sharon Jacobs @\$3,500 (3) Ada White Lightning @ \$2,000 (4) Cindy Packineau \$2,000.

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

24. SAKAKAWEA PROCLAMATION:

Councilman Wells motioned to accept the Hidatsa origin of Sakakawea as told by Chief Bulls Eye published in the Van Hook Reporter. Seconded by Councilman Phelan.

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

25. SAKAKAWEA MEAL PAYMENT RESOLUTION #01-210MWJR:

Councilman Phelan motioned to approve the Three Affiliated Tribes contribution of \$1,804 held on August 12, 2001 at the Event Center of the Four Bears Casino and Lodge.

Seconded by Councilman Wells.

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

23. EARTHLODGE PEOPLE - MANDAREE

Councilman Gillette motioned to approve a donation and grant of \$2,500 to an Alcohol and Drug Prevention Program, who goes by the name of "Earthlodge People," to use as a funding match for other sources. Seconded by Councilman Phelan.

DISCUSSION: Proper documentation will need to be submitted for the distribution process.

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

26. BRADY MARTZ OF MINOT, NORTH DAKOTA RESOLUTION #01-211MWJR:

Councilman Gillette motioned to approve a contract with Brady Martz to help in the audit preparation for the FY 2000 and FY 2001 of the Three Affiliated Tribes finances. Seconded by Councilman Wells.

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

27. INTERTRIBAL COURT OF APPEALS:

Councilman Gillette motioned to approve a resolution to approve the two year term with issues of the Judgeship rotation schedules. Seconded by Councilman Fox.

VOTE: 3 Ayes, 3 Nays, 0 Abstentions, 1 Absent. Motion defeated.

28. BEVERLY WILKINSON FINANCIAL REQUEST:

Councilman Phelan motioned to approve a tribal match for the Helping Hand grant in the amount of \$445 to purchase roofing material for Beverly Wilkinson. Seconded by Councilman Gillette.

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

29. SONNY BLACK FEATHER CONTRACT AMENDMENT: RESOLUTION #01-212MWJR:

Councilman Wells motioned to approval of a contract amendment of Sonny Black Feather from \$.15 loaded mile to a \$58 hourly rate not to exceed \$20,000 for the delivery of gravel to all home roads in the Four Bears Segment. Seconded by Councilman Phelan.

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

30. PARSHALL RESOURCE CENTER RESOLUTION #01-213MWJR:

Councilman Fox motioned to approve a planning grant match of \$40,000 from JTAC funds for the Parshall Resource Center. Seconded by Councilman Phelan.

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

31. EXECUTIVE COMMITTEE OFFICERS:

This item will be placed on the August 27, 2001 agenda for review.

32. ADJOURNMENT:

Councilman Gillette motioned to adjourn the meeting at 10:00 p.m. Seconded by Councilman Spotted Bear.

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

Respectfully submitted

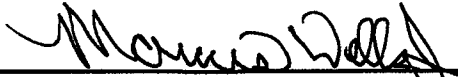


Ardel Jean Baker, Recording Secretary
Tribal Business Council
Three Affiliated Tribes

09-19-01

Date

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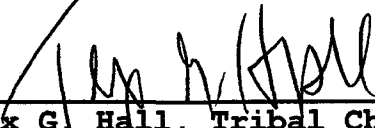


Marcus D. Wells, Jr. Executive Secretary
Tribal Business Council
Three Affiliated Tribes

9-19-01

Date

ATTEST:



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

9-19-01

Date