



## ***MANDAN, HIDATSA, & ARIKARA NATION***

Three Affiliated Tribes, Fort Berthold Indian Reservation  
404 Frontage Road, New Town, North Dakota 58763-9402

**TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING NO. 2002-02  
JANUARY 24, 2002  
1:00 p.m.**

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

Chairman Hall called the meeting to order at 1:40 p.m. Adam "Tony" Mandan said the invocation.

**02. ROLL CALL:**

Members present: Councilman Gillette, Councilman Phelan, Chairman Hall, Councilman Wolf, and Councilman Fox. A quorum was established with six members present. Councilman Wells was not present when roll call was taken but arrived at 2:10 p.m.

Three Affiliated Tribes Staff present: Pat Wilkinson, Programs Manager; Gary Beaudry, Legal Counsel; Diana Poitra, Treasurer's Assistant; Ardel Jean Baker, Recording Secretary and Belle Dean Chase, Committee Secretary.

Others present: See attached sign-in sheet.

**03. APPROVAL OF THE AGENDA:**

Councilman Phelan moved to approve the agenda as amended. Seconded by Councilman Fox.

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

**04. CHAIRMAN'S REPORT:**

- Oil and Gas
- BOR Meeting
- Tribal Housing Bond Program
- Community Social Service Funding: \$8/10 Million CAP Secondary Program: If affiliated with Minot, it would be administered through a non-profit organization.
- Burlington Northern would be the 2<sup>nd</sup> alternate. Better working agreement with surrounding area towns and the Fort Berthold Reservation.
- Infrastructure development. Marian Spotted Bear will do a presentation at the next council meeting.
- Fort Berthold Development closeout of the 4Bears Casino renovation.

*NOTE: Councilman Wells entered the meeting at 2:10 p.m.*

- ND High School Cultural Activities
- Elbow Woods State Basketball Championship positive
- NIGA Board Meeting: Washington, D.C.
- ITMA Board Meeting with McCaleb, Assistant Secretary of Interior
- Albuquerque New Mexico: Tribal Court Conference (Wolf)
- Bismarck/Valley City Wind Energy Turbine: Grand Forks ND
- Rapid City, SD Native American (RP)
- Testimony on BITAM Conference: (RP)
- Operation Walking Shield Homes and other necessities
- I.H.S. Lagoon Mandaree Area
- Finance Training Workshop
- GASBE 34 Audit
- Turtle Mountain Community College Tour 100% Grant funded.  
Tribal dollars are not used. 35 grant-writers, writing is done in-house very impressive  
Four Bears Newsletter out this week

**HEALTH AND HUMAN COMMITTEE:**

- Area Schools meeting with the HHR Committee.  
They did a bi-annual update report of all school activities.
- New Town Edwin Loe Elementary School did a report that was published in the New Town Newspaper: They reported that the 4th grade's test scores weren't very good. Comments made were the same kids – no parent involvement in parent/teachers conference; should be a more comprehensive plan.
- First Step Program in White Shield. Recommend that all schools use the program, the big challenge is absenteeism.
- Walking Shield Homes available
- Minutes are all on the web.

**04. UNFINISHED BUSINESS:**

**A. SMALL LOANS: Balance is \$53,400. 00**

Councilman Gillette motioned to approve the following small loan applications as recommended by Small Loan Program, with exception of Delphine Baker. Seconded by Councilman Fox.

**DISCUSSION:**

- 1. *David Hosie @ \$2,460, recommended by Small Loan Director, and subject to the requirements of the Small Loan Program.***
- 2. *Darren Holeman @ \$3,500, recommended by the Small Loan Director and subject to the requirements of the Small Loan Program.***
- 3. *Gary Kraft @ \$3,500, recommended by the Small Loan Director and subject to the requirements of the Small Loan Program.***

**4. *Business Development Loan for Shannon Fox @ \$3,500, upon recommendation of the Director and all the requirements of the Small Loan Program.***

**5. *Joseph Chase @ \$2,500, prior approval was given by a memorandum signed by four representatives. Need ratification from the full Tribal Business Council.***

**B. DELPHINE BAKER:**

Councilman Gillette moved to approve a Small Loan of \$1,800 to Delphine Baker, and to waive the collateral requirement of the loan because of a hardship condition. Seconded by Councilman Wolf.

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

**C. REBEKAH CANYON:**

Councilman Phelan moved to approve a small loan of \$900, with the actual note being up to \$900, by rolling the remaining balance into the current loan, with a wage deduction of \$75pp to be paid off in 7 months. Seconded by Councilman Gillette.

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

**D. RUTH BUFFALO:**

Councilman Phelan moved to approve a \$3,800 student loan to Ruth Buffalo with a 2% payback schedule. Seconded by Councilman Wells.

**DISCUSSION:**

*Treasurer Gillette reported that the Small Loan Department has not yet separated the five loan categories into different account line items. The categories being:*

*1) The Home Loan, 2) Student Loans, 3) Business Development Grant/Loans, 4) Emergency/ Medical and 5) Small Loans. He further advised the Tribal Business Council to be cautious of approving loans until this process is implemented. The repayment process for collection will need to be drafted and to be put into practice.*

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

**E. SMALL LOAN PROGRAM STAFF: Personnel Matter**

**F. BUFFALO PROJECT-WALTER DEVILLE AND TED SIERS: Personnel Matter**

**FORT BERTHOLD COMMUNITY COLLEGE FINANCIAL UPDATE:**

FBCC President, Liz Demery and FBCC Business Manager Tony Foote gave a report and breakdown on the budget for the FBCC. A copy of the FBCC 2000 audit was given to the Chief Financial Officer of the Tribe. The following areas were discussed:

- WAPA electrical deduction
- Enrollment
- Increase in Tribal Community College/Indian Student Count

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\$1,000 per student

- Total FBCC Budget for FY02 is \$2 Million dollars
- 2002 Total Revenues are \$775,601.00
- 2002 Total Expenditures are \$738,078.00
- 2002 Budget surplus is \$37,523.00
- Emergency Management EPA Training Grant submittal

Councilman Gillette moved to direct the Fort Berthold Community College to research the 1868 Railroad Construction funding and that tribal records be made available for use at their discretion. Seconded by Councilman Phelan.

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

**KYLE BAKER: BUSINESS DEVELOPMENT LOAN/GRANT REQUEST:**

Councilman Wells moved to approve a \$3,500 business loan to Kyle Baker, subject to the requirements of the Small Loan Program. Seconded by Councilman Gillette.

**DISCUSSION:**

Councilman Wells reminded the Tribal Business Council that tribal rancher requests were included in the original JTAC claim, but are not being considered now that the Tribe has received JTAC funds.

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

**MAMIE SHERWOOD:**

Councilman Fox moved to approve a new small loan of \$1,000, to refinance the balance of \$354 of an old note for an ending balance of \$1354, subject to the requirements of the Small Loan Program. Seconded by Councilman Phelan.

**DISCUSSION:** Any loan over \$1,000 requires by resolution a collateral requirement from Tribal member.

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

**RUSSELL YOUNG BIRD EDUCATION LOAN:**

Councilman Fox moved to approve an Educational Loan of \$3,000 to Russell Young Bird with a 2% repayment plan, subject to a co-signature. Seconded by Councilman Gillette.

**DISCUSSION:** He will pay off his student loan within a month and will qualify for a PELL Grant. The loan amount will be mailed directly to the vendor.

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

**SIX-MILE STRIP: Councilman Wells add-on**

Councilman Wells moved to direct Legal Counsel, Tom Disselhorst to develop a resolution contesting that the Western boundary of the Fort Berthold Indian Reservation has been set in error, to require that the boundary be set six miles (6) west of the existing boundary, and

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determine that the south shore of the Little Missouri River is the intended boundary of the south border of the reservation and be brought back to the Tribal Business Council for final approval immediately. Seconded by Councilman Phelan.

**DISCUSSION:** The Army Corps asserts that the intended boundary for the Fort Berthold Indian Reservation's south side boundary is the North Bank of the Little Missouri. Duane Bird Bear who works for the Department of Interior will provide the research for the tribe. Adeline Brunsell and Hans Walker also did research on this issue and would be good resource contacts.

**VOTE:** 6 Ayes, 1 Nay, 0 Abstention, 0 Not voting. Motion carried

**REBECCA BIRD: EDUCATIONAL LOAN**

Councilman Wells motioned to approve an educational loan of \$3,384 for Rebecca Bird, with a 2% payback schedule, subject the requirements of the Small Loan Program. Seconded by Councilman Phelan.

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

**KAREN HALL:**

This item will be deferred until the paperwork is submitted. Ruperta Larson who is her sister will submit the paperwork for her.

**1999 TAT AUDIT: Brady Martz**

Councilman Gillette moved to accept the recommendations provided by auditors, Brady Martz and the Chief Financial Officer that all financial manuals be updated concerning the procurement system, do the fixed assets requirements; also to authorize the CFO to request bids for consultants to redo manual procedures on fixed assets to projects, to put together proposals and bring back to the Tribal Business Council to review.

Councilman Gillette amended his motion to include: "obtain the recommendations from the auditors and the CFO will formulate administrative directives to implement the audit recommendations. Seconded by Councilman Wells.

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

**INTERNAL AUDITOR POSITION:**

Councilman Gillette moved to direct the CFO to solicit an Internal Auditor with a CPA requirement, not to exceed \$45,000 depending on qualifications and to bring back for Council review. Seconded by Councilman Wells.

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

**COUNCIL CHAMBERS RECORDING SYSTEM:**

Councilman Wells moved to approve the sound system, subject to the requirements of the Procurement Policy. Seconded by Councilman Phelan.

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Councilman Phelan moved to reinstall the security cameras that were detached during the construction of the new Tribal Business Council Chambers and Business Offices. Seconded by Councilman Gillette.

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

**CORPORATE BOARD RESOLUTION**

Councilman Gillette moved to meet with all Tribal Enterprises at 10:00 a.m. on February 13, 2002. Seconded by Councilman Spotted Bear.

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

Councilman Phelan moved to reschedule the Tribal Business Council's Regular Meeting on February 12, 2002 at 10:00 a.m. Seconded by Councilman Wolf.

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

**DOMESTIC VIOLENCE PROGRAM**

Councilman Phelan moved to endorse the Domestic Violence Program in the submission of a grant of \$60,000 to provide services for clients. Seconded by Councilman Gillette.

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

**THEMED PRODUCTS:**

This item was deferred to the meeting scheduled on February 13, 2002.

**NATURAL RESOURCES COMMITTEE: MARGIE HUNTSALONG/CAROL NEWMAN: REQUEST TO REDUCE TRIBAL LOT RENT.**

Councilman Gillette moved to approve a tribal lot rent reduction from \$50/mo to \$10/mo for Margie Hunts Along/Carole Newman retroactive from move-in date, and to include all tribal elders 70+ who have the same scenario. Seconded by Councilman Wolf.

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

**SOLID WASTE LANDFILL:**

Councilman Wells moved to authorize funding not to exceed \$25,000 for the purpose of soil and water testing to determine the feasibility of expanding the landfill. Seconded by Councilman Phelan.

DISCUSSION: Fort Berthold Rural Water Planning Meeting is scheduled for January 25, 2002 in Bismarck, ND at the Royal Fork Restaurant. Paul Danksi informed the Tribal Business Council that the original document is available for anyone to review that affirms why the landfill was constructed in the Four Bears area. Councilman Wells said that home sites were already established prior to the construction of the landfill.

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

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**HEALTH/EDUCATION/HUMAN RESOURCES COMMITTEE:**

Councilman Wells moved to direct Legal Counsel Gary Beaudry to draft a Resolution No. 02-18MWJR requesting the appointment of Councilman Phelan and Councilman Wolf to serve as an alternate on the Task Force.

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

**LETTER OF INTENT TO CONTRACT THE THIRD PARTY BILLING PROCESS:**

Councilman Phelan moved to authorize a letter to invite Archie Clifford, Administrative Service Officer, from the Indian Health Services to meet with the Tribal Business Council regarding the feasibility of contracting the RPMS and all components. Seconded by Councilman Fox.

Aileen Jackson will be on the Regular February Meeting agenda to present a planning grant to begin contract the third-party billing process.

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

**PERSONNEL MATTERS: Closed session**

**YOUNG BIRD REQUEST FOR FINANCIAL ASSISTANCE:**

Councilman Wells moved to approve \$1,000 for Jon Brady and \$1,000 for Jennifer Young Bird to attend the 44<sup>th</sup> Grammy Award in the Best Native American Music category, subject to the submission of a Resolution. Seconded by Councilman Fox.

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

**1942 ELBOW WOODS SUPPORT RESOLUTION NO. 02-21MWJR.**

Councilman Phelan moved to approve Resolution No. 02-21MWJR, which reads:  
To recognize Elbow Woods Warriors and Class B Championship. Seconded by Councilman Wolf.

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

**SIX MILE BOUNDARIES- RESOLUTION NO. 02-22MWJR:**

Councilman Wells moved to approve Resolution No. 02-22MWJR, as amended. Seconded by Councilman Phelan.

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

**TAT LANGUAGE AND CULTURE COMMISSION: RESOLUTION NO. 02-23MWJR.**

Councilman Wolf moved to approve Resolution No. 02-23MWJR creating the TAT Language Cultural Commission, and to include the Tribal Business Council as members. Seconded by Councilman Phelan.

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

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**FEDERAL INDIAN MINERALS OFFICE: RESOLUTION NO. 02-24MWJR**

Councilman Fox moved to request a federal office to be located in Williston, North Dakota BIA, MMS and BLM Offices. Seconded by Councilman Phelan.

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

**NORTH DAKOTA MENTAL HEALTH ASSOCIATION-  
RESOLUTION NO. 02-25MWJR:**

Councilman Fox moved to approve the Resolution \$13,750 for co-funding, subject to resolution and TAT Legal review. Seconded by Councilman Wells.

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

**ELDERLY GARAGES: RESOLUTION NO. 02-25MWJR:**

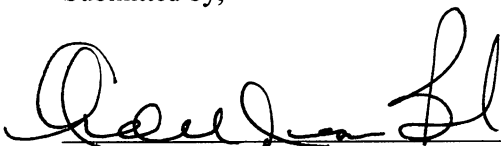
Councilman Fox moved to approve the reimbursement to the Four Bears Community for elder's garages. Seconded by Councilman Phelan.

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

**ADJOURNMENT**

The meeting was adjourned at 11:10 p.m. due to lack of a quorum.

Submitted by,

  
Ardel Jean Baker, Recording Secretary

Date 02-19-02

**CERTIFICATION OF MINUTES**

I, the undersigned, as Executive Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members, of whom five (5) members constitute a quorum.

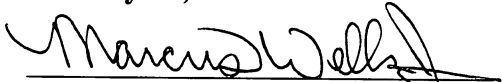
7 members were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 19 day of Feb, 2002, whereupon the Three Affiliated Tribes Recording Secretary presented the foregoing minutes for approval.

Said minutes were duly approved as amended by the affirmative vote of 7 members.

Chairman (X) Voting ( ) Not voting

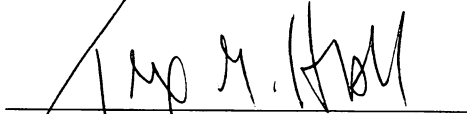


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Marcus Wells, Jr., Executive Secretary,  
Tribal Business Council, Three Affiliated Tribes

**ATTEST:**



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