



**MANDAN, HIDATSA, & ARIKARA NATION**  
*Three Affiliated Tribes, Fort Berthold Indian Reservation*  
**404 Frontage Road, New Town, North Dakota 58763-9402**

THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
REGULAR MEETING NO. 2002-09  
MAY 09, 2002

01. CALL TO ORDER:

Chairman Hall called the meeting to order at 1:09 p.m.

02. ROLL CALL:

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

Members absent: Councilman Wolf

03. APPROVAL OF THE AGENDA:

Councilman Gillette moved to approve the agenda as amended. Seconded by  
Councilman Spotted Bear.

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

DISCUSSION: A Special Meeting is scheduled for May 13, 2002 at 10:00  
a.m.

04. CHAIRMAN/COUNCIL REPORTS

- \$4 Million securing dollars
- 24 Hour Ambulatory Service not covered in the JTAC Act, didn't include the infrastructure, may have to back off to \$20 Million.
- Cancer screening
- Hearing on the Return of the Lakeshore; tribal members need to show up in hordes.
- Bobette Fox: is in temporary housing but still needs the trailer moved although it is dilapidated.
- Daily Financial Report: Chairman Hall would like copies distributed daily to all Council Members and needs a financial update of the Tribe's budget. Chief Financial Officer will put copies in the boxes tomorrow.
- May22-24, 2002 Phoenix, As. BIA Budget Aware OMN funds
- Welfare Reform: Leo Cummings was directed to give comments on the 30% Increase. If the tribes do their own TANF, they will receive 100%. Can use tribal unemployment stats.
- JTAC Capital Gains: Mr. Lord letter from Senator Conrad.  
All interests were addressed in letter dated April 24, 2002

Appellate: Secretarial Report did not include the authorization date but could be okay as long as indication of the authorization date. Gary Beaudry will get an opinion before the election from the BIA.

JUSTIN DEEGAN: AIRLINE TICKET

Councilman Fox moved that Justin Deegan be awarded a grant of \$500 as an incentive for working with children. Seconded by Councilman Gillette.

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

05. TREASURER'S REPORT:

- Elders Homes
- Collections
- Payroll deductions
- \$5,000 in the Small Loan accounts.
- Elders Garages complaints

COUNCILMEN REPORTS:

- Roads Department Recommendation: Get started at 6:00 a.m. when there is bad weather. A Policy needs to be drafted by the Roads Director and Pat Wilkinson was directed to do a letter to roads to that effect. The Roads staff can take time off when the weather is okay.
- Election Board Clerks: Time cannot conflict with regular office hours unless they take leave.
- NIGA Travel
- Condolences
- Undergrads and Masters from Fort Berthold U of M
- Fuel Assistance: Lengthy discussion regarding doing a motion allocating \$10,000 of tribal funds with a request for reimbursement by State funds. Councilmen Spotted Bear and Wells left the meeting, so there was no quorum to do a motion and the issue was not dealt with.
- May 09, 2002 Regular Meeting adjournment set for 5:00 p.m.
- Invite all on Sunday, to the Elbow Woods Warriors Basketball Game

MARILYN JACOBS:

Councilman Fox moved to authorize Marilyn Jacobs be allowed to apply for a Small Loan of \$500 and that payments be deferred during the summer months while she is unemployed. Seconded by Councilman Gillette.

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

**ED BRACKLIN EMERGENCY MEDICAL GRANT:**

Councilman Gillette moved that emergency medical funds to granted to Ed Bracklin the maximum range. Seconded by Councilman Phelan.

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

**ED BRACKLIN EMPLOYMENT STATUS:**

Councilman Fox moved that Ed Bracklin be considered as temporary full-time as security when he returns from the hospital. Seconded by Councilman Gillette.

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

Councilman Fox thanked the Council members for all the support given to him and his family during their time of need.

**FOUR BEARS POW-WOW COMMITTEE:**

The Four Bears Pow-wow Committee addressed the Tribal Business Council to ask for the maximum allowed to match the funds they raised. \$7,372.32. This agenda item will be placed on the May 13, 2002 agenda for action.

05. **FOUR BEARS LAGOON:**

Councilman Spotted Bear moved to authorize Mr. Ted Bolman to begin negotiations with the Smith or Snow Bird family for the purchase of 4 to 100 acreages; and to negotiate up \$1,000 per acre for the future site of the Four Bears Lagoon; and direct the Legal Department to begin the development of a Tribal Statute which would permit the use of section lines for public utility purposes and create a process for obtaining a construction easement. Seconded by Councilman Gillette.

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

NOTE: The quorum was lost when Councilman Spotted Bear and Councilman Wells left the meeting at 5:24 p.m.

06. **CHIEF FINANCIAL OFFICER REPORT:**

NOTE: The meeting became informal session of the Tribal Business Council when Councilman Gillette left at 5:45 p.m. and established quorum was lost. Councilman Wells returned to the meeting at 6:15 p.m. but there still was no quorum available to conduct any business.

**CLAUDE BAD BRAVE EDUCATION LOAN:**

During an informal session of the Tribal Business Council on May 09, 2002, it was the consensus of four members to recommend approval of an education loan to Claude

Bad Brave in the amount of \$2,108. On Monday, May 13, 2002, hopefully the full council will ratify this action and a check will be forth coming.

FORT BERTHOLD DEVELOPMENT CORPORATION:

- Need professional
- Not a change, they are going to have to move on.
- Redo the Board
- Charter 5 members Board - By-laws can be changed at a Board Meeting. Has to be in all minutes any changes.
- Executive Committee took action to dissolve the 7-Committee board November 22, 1995
- No Personnel Manuel
- By-laws were adopted by the Tribe create, amend or alter the By-laws
- Find resolution that would change the members of the various boards.
- Also the amendment of all charters, all areas and all districts would be represented.
- Charter, By-laws and Resolution review
- Need a proper accounting system
- By-laws Section Two: Regular Scheduled Meetings at lease once a quarter
- PRESENT BOARD MEMBERS:  
Ted Danks  
Virgil  
Clarence  
Matt  
Fred Fox  
Jim Johnson would like to be replaced  
Kenny Lyson

Chairman Hall recommended that the Tribe take control of Fort Berthold Development Corporation and restructure the Board of Directors on May 13, 2002. His reasoning was the Fort Berthold Development Corporate Board's been inactive for many years. They also are required to provide the council an End of the Year Report, at the end of the FY, with an audit under Section 3 of the By-laws. Part of the initiative was to place the FBDC Board under the Corporate Board structure. The Tribe passed a Resolution before any changes are made on the Board, replacements are subject to a background check and Eight A status.

Chairman Hall will appoint Esley Thornton to serve as the At-large member. Ken Stevenson, the CEO who was suspended for 30 days, keeps the financial records. A requirement of the financial records is to have checks and balances in place with contracts needing approval.

ROADS DEPARTMENT:

Allow county roads and get it on the inventory. Parshall Area Shell Creek the total miles is 27. Miles, Red Fox Additions.

Add to the agenda on Monday, May 13, 2002.

Figure Four Road is on the inventory. Two roads that are proposed are by Sanish and Shell Creek. The possibility is there if the Tribe wants to claim ownership. The Tribe maintains it and gets the money for it. The county owns the right of way, but it gives the Tribe the right for ownership. (A-one)

INDIAN RESERVATION ROADS INVENTORY: Yearly basis  
Bear Den, Lucky Mound, Reunion Bay: June 01, 2002 Plan of doing construction work then this must be included: May 13, 2002 Agenda.

CIRCLE OF LIFE ANNUAL LEAVE PAYMENT:  
\$500 Medical Grant for Belinda Beston in agreement of \$500 Medical Grant for Quentin Beston. May 13, 2002, the Tribe will approve an additional \$500 for the family.

Submitted by,

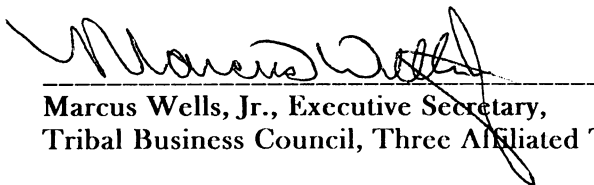
Ardel Jean Baker, Recording Secretary

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. 5 members were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 13<sup>th</sup> day of June, 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 5 members.

Chairman  Voting      ( ) Not voting

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

ATTEST:

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