



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

Health & Human Resources Committee
Regular Meeting
May 29, 2002
10:00 A. M.

1. **CALL TO ORDER:**

Meeting was called to order at 11:00 A. M. Maggie Young Bear said a prayer asking for guidance.

2. **ROLL CALL:**

Members Present: Chairman Phelan, Councilman Wells Jr. and Councilman Spotted Bear. Quorum established.

3. **APPROVAL OF AGENDA:**

Motion made by Councilman Spotted Bear to approve of agenda as amended. Seconded by Councilman Wells Jr.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

4. **APPROVAL OF MINUTES:**

Motion made by Councilman Spotted Bear to approve of the minutes dated September 20, 2001. Seconded by Councilman Wells Jr.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

Motion made by Councilman Spotted Bear to approve of the minutes dated January 23, 2002. Seconded by Councilman Wells Jr.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

5. **FORT BERTHOLD DISTRICT COURT:**

A. **Truancy Project Recommendation:**

Judge Conklin has informed the Committee that Maggie Young Bear, Court Administrator was directed to oversee the Truancy Project before Judge Conklin arrived in office. Technical supervision was given to the court. The recommendation is to move the supervision authority to the area school superintendents. The administrative structure would better serve under the superintendents. Some of the Truancy Program concerns are accountability of the officer, who is supervising the officers, liability concerns, training and line of authority. The intent of the program was to decrease the truancy of the students and raise the attendance level in the schools. The 2001-2002 school year is the first year for the

Truancy Project and now has identified issues of concern and will be address before the next school year. Committee Member Marcus Wells Jr., introduced a memorandum from an Education Committee Meeting dated October 26, 2000 from Recording Secretary, Joelle Demarary to Wayne White Eagle, Education Specialist. Mr. White Eagle was instructed to oversee the project. At that time no plans for training or orientation was provided. Committee Chairman Phelan suggest a meeting be held with the Truancy Officers and the Superintendents on what direction the program will go. Some of the area School Districts would consider laying off officers for the summer.

Committee Member Spotted Bear motioned to transfer the supervision of the Twin Buttes Truancy Officer to the area superintendent under the Twin Buttes School District for the remaining of the year. Seconded by Councilman Wells Jr.

Discussion: Judge Conklin will organize a meeting with the Superintendents to resolve issues and make recommendations for each district.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

Motion made by Committee Member Marcus Wells Jr., to have Richard White Tail under the supervision of Wayne White Eagle and assist on the development of procedures and policies and training for the officers. Seconded by Committee Member Spotted Bear.

Discussion: Mr. White Eagle will be Richard White Tail's supervisor for the remainder of the summer 2002. Mr. White Eagle will organize the meeting with all superintendents with Judge Conklin and Maggie Young Bear. Training dates will be set up and the cost will be shared.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

Motion made by Committee Member Marcus Wells Jr., to have the Mandaree Truancy Officer, Kenny Smith is under the supervision of Wayne White Eagle. Seconded by Committee Member Spotted Bear.

Discussion: Representatives for the White Shield and New Town Districts are not present at this time, however the issues will be revisited if a Council Member from the districts are present. The Recording Secretary will issue a memorandum to Kenny Smith and Richard White Tail, informing the officers of their immediate supervisor, Mr. Wayne White Eagle. The Twin Buttes Truancy Officer, Tammy Jacobs will be informed her immediate supervisor is the Twin Buttes School Superintendent.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

6. KIDNEY DIALYSIS UNIT:

- Update of the KDU -Stacey Meidinger:

Meeting in White Earth, Minnesota with Mr. Meidinger, Committee Chairman Phelan and Dr. Ung a Podiatrist/Micro Vascular Surgeon. Dr. Ung has done amazing work with patients with diabetes and patients on dialysis. Mr. Meidinger spoke with the I. H. S. Clinic, which stated it has no funds for another podiatrist. Dr. Ung works with several reservation clinics, teaches at a university in California once a month, visits Alaska and Canada once a month and runs a clinic in Sioux City, Iowa. Mr. Meidinger would draft a one-year proposal for Dr. Ung to visit the Fort Berthold Reservation once a month. Dr. Ung has expressed interest in visiting Fort Berthold. On the Choctaw Reservation, they averaged 40 amputations a year. Dr. Ung has been on the reservation for 8 months with no amputations to date.

Motion made by Committee Member Spotted Bear for Mr. Meidinger to request Dr. Ung to draft a proposal to be presented to full council June 12, 2002. Seconded by Committee Member Marcus Wells Jr.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

- Centralized Billing Plan:

As of date there are no 3rd party monies from the field clinics. All income is directed to the I. H. S. White Shield Clinic is not doing PCC Data Entry or billing. Madonna Azure will produce all documentations but will have to go to the White Shield Clinic to make sure billing is inputted correctly. No system is in place with the four area clinics. The RPMS System will be implemented but the hardware will have to be purchased. I. H. S. provides updates. Leases will have to be canceled at the Mandaree and Twin Buttes Clinic by contacting the Aberdeen Area Office. A consultant will implement the RPMS System for the Tribe, at the cost of \$125.00 per hour and will take a week. The consultant request would have to be presented to Full Council.

To date, \$118,751.19 has been collected as of May 28, 2002. Between January 1, 2002 and April 30, 2002 there are 6 medicad payments missing. Steve Salve son said they could have been posted to the wrong account. The State Department will send the 6 copies of the missing remittance slips.

Motion made by Committee Member Marcus Wells Jr., to approve of the Kidney Dialysis Unit to directly receive incoming correspondence. Seconded by Committee Member Spotted Bear.

Discussion: Concurrence will come from the Finance Department, Steve Alanson.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

- **638 CONTRACTING:**

Aileen Jackson requested that she be given authorization to apply for two Planning Grants. A Tribal Management Grant for \$50,000.00 and a Tribal Self-Governance Planning Grant in the amount of \$70,000.00 to \$100,000.00 to do a study on the feasibility of contracting the Indian Health Service, educating the communities and assessing Indian Health Services. Both Grants will be at no cost to the Tribe. The only requirement is a letter from the Chief Financial Officer addressing the audit requirements. The Community of Four Bears could do the feasibility study and educate the communities. The submission date for these planning grants is June 28, 2002.

Committee Member Marcus Wells Jr., moved to submit the two planning grants to the full council to review on June 13, 2002. Seconded by Councilman Spotted Bear.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

7. **WIC- TEMPOARY HIRE:**

Committee Member Spotted Bear moved to hire Tally Sorenson for a 30- day Temporary appointment as an Administrative Secretary at the rate of \$9.00 per hour. Seconded by Committee Member Marcus Wells Jr.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

8. **COMMUNITY HEALTH REPRESENTATIVE PROGRAM:**

June 11, 2002 a Walk and Run for Diabetes will be held. June 5, 2002, a Diabetes Screening Test will be held in the Bingo Hall at the Casino. Pat Due Bois is volunteering in the Mandate District working with the Elders and the Diabetic patients. Pat can assist with the program. Contact KMHA to keep the public notified.

9. **CHR TEMPOARY APPOINTMENTS:**

Motion made by Committee Member Marcus Wells Jr., to appoint Arielle Fox as Temporary Administrative Secretary Assistant for 30-days until filled. Seconded by Committee Member Spotted Bear. The pay rate is \$9.00 per hour.

Discussion: The Mandate CHR has not been advertised until filled and has been waiting since October 10, 2001. The Committees have 30-day appointment authorization. Will bring to Full Council June 13, 2002.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

- **FOUR BEARS CHR:**

The Four Bears CHR resignation was acted on and at the same time appointed to the Environment Division in Waste Management until filled. Jim Heckman stated there was no budget for the position. Through the Natural Resources Committee Chairman

Gillette permitted Jim Heckman to stop the processing of appointment through Personnel. The issue is he resigned to accept another position. Employee has rights through a grievance process when he was offered employment, accepting offer that is an agreement. Administrator overruled because of the budget.

10. 477 PROGRAM:

- Updates on the Welfare Reform Law will be terminated September 30, 2002. Current Legislation has been working on that. The House has passed their form of the Law in May 2002. Indian issues were not addressed or the questions and concerns. A Bocus Bill has been introduced and brings up Indian tanip issues. The Law passed in May has increased work requirements. July 1, 2002 people will become ineligible because of term limits. The Council must be aware of the ineligible applicants will turn to General Assistance because TANAP has not worked for them in the State of North Dakota. Over burden will fall on Social Service Programs. The termination of programs through welfare reform 5 years ago has had a million dollar effect on the reservation in North Dakota. The Council and the Committee need to explore possible innovative changes in the G. A. system. The historic spending level has stayed the same for many years therefore no budget increases. When the 477 Program integrated the T. W. E. P. Program, the budget line has increased 100%. The philosophy of the Analysis of Funds Report is that of obligating to need not to spend money per budget. The Tribe should take the initiative to meet the educational needs of our people and have in place a client development plan through Social Services. Resolution 01-200 MWJR did not include the G. A. Program.

Motion made by Committee Member Spotted Bear to amend Resolution 01-200-MWJR to include the General Assistance Program, and forward on the Full Council June 13, 2002. Seconded by Committee Member Marcus Wells Jr.

Discussion: Amendments would be made to the 477 Plan. The Plan would be brought to Full Council.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

- **CLOSE OUT EXPENCES FROM APRIL, 2002:**

Expenses for telephone, Internet services and onsite transportation costs were presented in April and the bills remain unpaid. The differences are on the personal travel. Will work out the differences.

- **YOUTH PROGRAMS:**

The Tribal Business Council should develop Fort Berthold Youth Council that would bring in resources together to coordinate with the programs in place now. Goals, resources and can all the programs supplement each other. The support of this Committee is needed to bring to Full Council. Summer Youth Programs could be implemented. The JTPA Law has been abolished for 4 years. The need for

Summer Youth Employment Program will be included in the 5-Year Budget Forecast.

- **Memorandum – Personnel Department:**

A memorandum was sent from the Personnel Department that the Council went on record to award two staff members (\$1.00 increase) from January to May handle the day to day activities while the 477 Director was away October through May. The request the director put in was though October 1st, 2001 to May 2002. The Council should support the director if it is feasible in his budget to award his staff members.

Committee Member Marcus Wells Jr. moved to award staff from October 1st, 2001 to May 1st, 2002 and bring to Full Council June 13, 2002. Seconded by Committee Member Spotted Bear.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

11. **EDUCATION SUPERINTENDENTS YEAR END REPORT:**

- **White Shield-Les Jenson**

JTAC Funding Report:

The Funding issued last year prior to Les Jenson's arrival as superintendent, \$28,640.00 was expended. Monies spent after July 20, 2001 total in the amount of \$59,974.00.

- **White Shield School Data Report:**

The new law that refers to no child will be left behind effects White Shield because of the fact the student's performance has not been great in the last few years. White Shield is a targeted school and now the status of the school has moved from year one (benchmark year) to the status of year three. Mr. Jenson has appealed to Cheryl Kolash and the Indian Affairs Commission to intervene. Will need to submit a report to the Tribal Business Council at some point in time. Waiting for what the Governor and Cheryl Kolash can assist with. This new law affects several other schools. The prevision in the law allowed change in the status. It is a continuation of the targeted school process through the old Title I Law. The changes are unfair. The tests have been change and the students involved in the data process have also changed. Before the school was able to segregate the Special Education Students. One uniform test should be given and not penalize certain schools. State- wide of the 22 targeted schools, 20 are Native American 20 schools.

- **White Shield Class Comparisons:**

This summer Dr. Sandra Fox will be making recommendation for improvement. Carman Taylor is sending two consultants in for curriculum development. We hope to have the curriculum in place that will have a positive effect on the students. A new project will be piloted with Head Start. Under Title I, funding is available that

provides the school to start working in the homes with the families per school age to encourage vocabulary and reading skills in the children.

- **Attendance:**

Attendance was looked at for the last 4 years. Attendance is up this year averaging over 91%. The Truancy Program was utilized and effective. Daily contact with the children and the officers did work well.

- **Honor Roll:**

Honor roll students are being rewarded. The next school year a proposal will be brought to the board, that any student who stays on the honor roll two consecutive quarters will receive a lap top computer to be used as long as they stay on the honor roll. Another proposal for those students who stay on the honor roll, who graduate be given a new lap top computer.

- **TRUANCY OFFICER-WHITE SHIELD:**

Motion made by Committee Member Marcus Wells Jr., to have the Superintendent of White Shield have direct supervision Wayne Good Left, White Shield Truancy Officer. Seconded by Committee Member Spotted Bear.

Discussion: Today the classification of each Truancy Officers is considered Tribal Employees with benefits. Recommendations will be brought to the June 13, 2002 Meeting.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried

- **Enrollment:**

For the year the enrollment has stayed constant at 146 for the entire year.

- **Discipline:**

Discipline procedures where change this year. The new methods of discipline took awhile for the students to get used to and hopefully the methods will be more effective in the next few years.

- **Development Plan Update:**

The White Shield School is planning on implementing vocational related programs. The business related programs are now certified by the State. A Computer repair course will also be offered and will become certified. A Trade and Industry Program will be offered and the student's will be learning carpentry skills and working on homes in the community.

12. MURPHY SITTING CROW:

Motion made by Committee Member Spotted Bear for a 30-day temporary appointment as procurement officer, following Councils recommendations based on the 3-6 month waiting period in the personnel handbook. Seconded by Committee Member Marcus Wells Jr.

Discussion: Murphy Sitting Crow to meet with Personnel on Job Description, qualifications and rate of pay for position.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

13. FOUR BEARS POWWOW COMMITTEE:

The Four Bears Casino Management has requested the powwow committee to assist with the expenses. Expenses include extra security, portable toilets, paying for guest rooms, meals and setting up the events center. The powwow committee is requesting an additional \$10,000.00 to cover the costs. Justification is needed and the amount of money would have to come from the casino revenue. The approval of the amount must be heard in an Executive Session of Full Council. A Quorum can be established if other Council Members are present.

14. CHR ASSISTANT:

Motion made by Committee Member Spotted Bear to hire Corey Sanders on a 30-Day Temporary Appointment for the position of CHR Assistant at he rate of \$9.00 per hour until filled. Seconded by Committee Member Wells Jr.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

15. FIRE MANAGEMENT:

Motion made by Committee Member Marcus Wells Jr., to hire Patrick Du Bois and Teddy Steele on a 30-Day Temporary Appointment as a Fire Technician with the Mandaree Area Fire Department at \$9:00 per hour. Seconded by Committee Member Spotted Bear.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

16. I. H. S. MAINTENANCE:

The Tribe contracts housekeeping services. The facility is in need for one more housekeeper. Currently there are two. Recommendation is to create a Supervising housekeeper.

Discussion: The budget for position would come from Bureau of Indian Affairs and the Indian Health Services. Office space will be included in the letter to the Aberdeen Area Office. Revisions need to be made in the Contract 241-94-0028 because it does not include the White Shield Clinic. The Tribe currently hired someone to clean the Twin

Buttes and White Shield Clinic. On June 4, 2002 the I. H. S. will be meeting with Gerald Travisie. Carol Parker will bring back information to be revisited on June 13, 2002.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

17. **PBX OPERATOR:**

Motion made by Committee Member Wells Jr. to hire Angela Wilson to a 30-day temporary appointment as of May 13, 2002-May 31, 2002. Seconded by Committee Member Spotted Bear.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

Edwin Grady:

Under the B. I. A. contract Edwin Grady is a full time employee at the rate of pay of \$8.85. Temporary hires are paid \$9.55. Recommendation is for Patty Jo Thomas to meet with Personnel for their input and bring back to the budget meeting scheduled for June 6, 2002 for review.

Concern with a temporary employee who is working with department and also for the fire fighting. Employee was donated leave for his first position. Temporary hires are not addressed in policy handbook clearly. Patty Jo Thomas will review if employee is allowed to receive donated leave and bring back to the June 13, 2002 meeting. Benefits are not intended for temporary employees.

- For the record: The Health and Human Resource Committee recessed to establish a Special Meeting.
- RECONVENE HEALTH & HUMAN RESOURCE COMMITTEE MEETING.

18. **NEW TOWN TRUANCY OFFICER:**

Motion made by Councilman Wolf, that the supervision of the New Town Truancy Officer, Lori Little Swallow would directly report to the New Town Council Representatives Office Administrative Assistant Sharon Young Wolf. Seconded by Committee Member Spotted Bear.

Discussion: Clarification is need on the judgment orders against Truancy Officer. Councilman Wolf's Administration will address the situation. More discussion will take place in the next Judicial Meeting because of confidentiality of matter.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

19. **ATTENDENT CARE PROGECT:**

Defer to June 13, 2002 for a full report and update.

20. SKATE BOARD PARK PROPOSAL:

David Grinnell is a facility member at the Fort Berthold Community College. Mr. Grinnell has concerns with the youth of the community. An excellent alternative to capture the youth's attention would be to build a mobile skateboard park. There is a skateboard organization in New Town that has fundraisers but their agenda is unknown to the committee. Recommendations are for Mr. Grinnell to meet with the organization and meet with each district to discuss cost sharing of a mobile skateboard park. Councilman Wolf suggests using the skilled certified tribal members to design and produce. Other organizations, such as the boys and girls club could also be involved with the project. Mr. Grinnell will meet with the other organizations and districts and bring back a proposal June 13, 2002.

21. TRIBAL SECURITY:

4 permanent employees, Sergeant of Arms and 3 security officers, who have not had any salary increases of any sort, all employees are under the 638 Contract.

Motion by Committee Member Spotted Bear to forward request to Full Council and Finance agrees request is within the budget. Seconded by Committee Member Wells Jr.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

22. UNIVERSITY OF MARY MASTERS PROGRAM:

Belle Chase will utilize the Tribal Chambers. The clerical work will be presented to the University of Mary. All materials used will be reimbursed to the Tribe, billed to the University of Mary.

23. PROCLAMATION:

James Chase proposed to clean up area of the Tribal Office and the Four Bears Peninsula for \$1,000.00. Clean up will time line is 2-3 weeks. Tree trimming is also included. Proposal is not in a written agreement or contract. No Action.

24. ADMINISTRATIVE LEAVE: CLEAN UP DAY:

Motion made by Committee Member Wells Jr., to grant administrative leave for all Tribal Employees. Sign in/out sheet is required. Seconded by Committee Member Spotted Bear.

Discussion: Amend motion for district employees to meet with their representatives to clean up their area districts.

Vote: 4 Ayes, 0 Nays, 1 Abstentions, 0 Not Voting. Motion carried.

25. ADJOURNMENT:

Motion made by Councilman Gillette to adjourn. Seconded by Committee Member Spotted Bear. Meeting Adjourned at 4:15 P. M.

Vote: 4 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

ATTEST:



Randy Phelan, Chairman
Health & Human Resource Committee
Three Affiliated Tribes



Joni Halsey, Committee Secretary
Health & Human Resource Committee
Three Affiliated Tribes