



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

TRIBAL BUSINESS COUNCIL  
REGULAR MEETING NO. 02-01  
NOVEMBER 08, 2002  
10:00 A.M.

01. CALL TO ORDER:  
Meeting was called to order at 11:00 a.m. An opening prayer by Councilman Phelan was rendered.
  
02. ROLL CALL:  
Members Present: Councilman Spotted Bear, Councilman Gillette, Councilman Wolf, Councilman Packineau, Councilman Wells, and Chairman Hall.
  
03. CHAIRMAN/COUNCIL REPORTS:
  - Chairman Hall:  
Chairman Hall would like to congratulate the newly elected councilman to office. The Regular Meeting will be rescheduled for November 21, 2002 due to the N. C. A. I. Meeting in San Diego, CA. Administrative Leave on Monday November 11, 2002. The budget will be addressed on November 21, 2002. The Election Board will bring recommendations on November 21, 2002 Regular Meeting. On the agenda is the 10 Million dollar interim loan. December or January is the projected time we will be discussing the Interim Loan. The Executive Committee met on October 23 2002 where the interim loan was approved with the Marshall Group. Briefly Community First had jurisdiction issues not favorable to the Tribe. Payments were coming out of OTFM and it is vital for OTFM to make timely monthly payments otherwise we are in default. The 1.1 Million dollar draw was 2 months late taking authority away from Aberdeen, SD., due to the Standing Rock Reservation investigation of their use of the JTAC funds. The Congressional delegation is now Republican controlled now in both houses including the Supreme Court. The Senate stands at 52/48. The minority party can still debate issues with the majority party needing 60 votes to stop the debate. Bi-partition issues are needed on both sides of the houses. The Indian Affairs Committee changes from Senator Dan Inouye to Ben Night Horse Campbell. On the House side the republicans picked up more seats. Senate bill #27-11 is a unanimous consent ominous bill and our 20 million dollar Health Care Facility. We need to convince the Indian Affairs Commission to stay with Senate bill 27-11. Congress will reconvene November 12, 2002. Convince Indian Affairs to stay with Indian Ominous bill. Thoughts or strategy please come forward. Congress will probably pass a continuing resolution, which affects the Tribe and how much we can draw from our 638 Contracts and our federal programs. Pat

Wilkinson stated about 14% under federal programs. On the continuing resolution we need to increase the 14%.

- Councilman Spotted Bear:

Would like to congratulate Chairman Hall, Councilman Wells and Councilman Packineau on the reelection and election. The opening ceremony went well.

- Councilman Phelan:

Mandaree is near completion of the paving. A Veteran's Powwow is scheduled for Saturday November 09, 2002. Tentative ground breaking ceremony for the new high school and new gym is scheduled for February 2003. The boys and girls will be playing sports at the same time this year. Congratulations to Chairman Hall, Councilman Wells and Councilman Packineau.

- Councilman Wolf:

Congratulations to Councilman Wells, Councilman Packineau and Chairman Hall with Full Support of the Council. A possible 40 Million dollar project has come our way in a Natural gas line. The groundbreaking ceremony took place so the community will be receiving housing soon. Congratulations to Councilman Spotted Bear, Councilman Wells, Councilman Packineau and Chairman Hall. Looking forward to the next 2 years.

- Councilman Packineau:

Congratulations to Chairman Hall, Councilman Wells and Councilman Spotted Bear. Concerns with the Detox Center, Job Training Center, the Head Start Center and Clinic. Would appreciate full support of the projects to benefit the community.

- Councilman Wells:

Divided we will not go anywhere, together we will get things done. Congratulations to Councilman Spotted Bear on his 3<sup>rd</sup> term and Chairman Hall made history on being re elected and welcome Councilman Packineau to the Tribal Business Council. We have the new Four Bear Bridge project, 20 million dollars the Chairman was able to secure and the 40 Million dollar project Councilman Wolf is working on, a lot of accomplishments can be made when we work together in a positive manner. Economic development is good but if we put it back into services. The Council represents a governing body that provides human services to people. The Council presented Councilman Wells a plaque to put in the showcase that honored him on being the first Council Member to win more than 72% of the vote in the primary election.

- Councilman Gillette:

Congratulation to all who where elected. In two years Councilman Gillette will step down after 24 years of service. This is the 22<sup>nd</sup> election and the 7<sup>th</sup> General Election for the Chairmanship as a member of the Council. The Dead Grass Society asked if Councilman Gillette would run for council in 1974. Past councils have built on the work that has been done, since the 1970's. White Shield will be having their Veteran's Day Celebration November 11, 2002.

04. APPROVAL OF THE AGENDA:

Motion made by Councilman Gillette to approve of the Agenda as amended. Seconded by Councilman Phelan.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

05. ELECTION OF OFFICERS 02-001-RP:

Elected Officers shall be recognized as Vice-Chairman Councilman Mervin Packineau, Treasurer Councilman Marcus Wells Jr. and Executive Secretary Councilman Phelan.

Motion made by Councilman Wells to approve of amended resolution 02-001-RP regarding the newly elected officers of the Three Affiliated Tribes Tribal Business Council. Seconded by Councilman Phelan.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

06. 5 MILLION DOLLAR LOAN02-02-RP:

Motion made by Councilman Phelan to approve of the 5.1 million dollar interim loan with the Marshall Group at the interest rate of 6.5% for a five-year period. Seconded by Councilman Wells.

Vote: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not Voting. Motion carried.

07. FY 03 DOCKET FUNDS 02-003-RP:

Motion made by Councilman Wells to approve of the withdrawal of earnings for the Docket Funds for FY03 Tribal operations in the amount of \$440,206.86. Seconded by Councilman Phelan.

Vote: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

08. N. C. A. I. ANNUAL DUES 02-04-RP

Motion made by Councilman Spotted Bear to authorize payment of annual dues in the amount of \$1000.00. Seconded by Councilman Wells.

Discussion: The Official delegate is Chairman Hall and the Official alternate is Councilman Packineau.

Vote: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

07. SMALL LOANS:

LOREN FREDERICKS:

Motion made by Councilman Spotted Bear to approve of small loan in the amount of \$2,000.00. Seconded by Councilman Phelan.

Discussion: Mr. Fredericks will be using his minerals from his IIM Account as collateral. Subject to all small loan requirements and the right type of collateral will be provided.

Vote: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not Voting. Motion carried.

JUDY NELSON:

Motion made by Councilman Wells to approve of small loan in the amount of \$3,500.00. Seconded by Councilman Wolf.

Discussion: Balance of \$803.00 will be rolled into this loan. Subject to all small loan requirements.

Vote: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not Voting. Motion carried.

SHERRY WOLF:

Motion made by Councilman Wells to approve of an educational loan in the amount of \$1,300.00. Seconded by Councilman Wolf.

Discussion: Subject to the educational resolution requirements.

Vote: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not Voting. Motion carried.

KATHY WHITE OWL:

Motion made by Councilman Wells to approve of a small loan in the amount of \$3,500.00. Seconded by Councilman Phelan.

Discussion: Subject to all small loan requirements.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

DEBBIE CHASE:

Motion made by Councilman Wells to approve of a small loan in the amount of \$2,500.00. Seconded by Councilman Phelan.

Discussion: Subject to all small loan requirements.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

**GINA MAYER:**

Motion made by Councilman Wells to approve of a small loan in the amount of \$3,500.00. Seconded by Councilman Phelan.

Discussion: Subject to all small loan requirements.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

08. **PERSONNEL ACTION - CLOSED SESSION.**

09. **FOUR BEARS COMMUNITY BOARD 02-005-RP:**

The following are the newly elected board members as of November 5, 2002 for the Four Bears Community.

Fort Berthold Community College Board - Magdeline Young Bear.

Fort Berthold Housing Authority Board - Lawrence Baker.

Fort Berthold Development Cooperation - Linda Driver

Four Bears Casino Gaming Commission - James Sonny Bear.

TERO Commission Appointment - Everett Hall

MHA System Appointment - Robert Brugh Sr.

KMHA-MHA Times Appointment - Irene White Owl.

Discussion: Board appointments will be brought forward November 21, 2002. Resolutions will check on the terms of each segment appointments.

Motion made Councilman Wells to approve of the resolution 02-005-RP. Seconded by Councilman Gillette.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried

10. **TREASURER'S REPORT:**

A two-year report for FY 01 and FY 02. Some changes need to be implemented, daily reports are not being submitted but the monies are being recorded. Small loans processed this year 2070 loans. Over 1 million dollars have been loaned out. Every month 80,000.00 is loaned out. Proposed budget is enclosed to study for the next meeting. A letter from Steve Salveson, which addresses the casino revenue projections and the impact of the earnings. Projects as of August that is on the drawing board non-funded and those in planning stages. Concerns with the casino revenue will be brought to the November 21, 2002 Regular Meeting.

11. **COMMITTEE SELECTIONS:**

Motion made by Councilman Gillette to wait until November 21, 2002 to make the selections of the Health & Human, Judicial, Drug & Alcohol and the Natural Resources Committees. Seconded by Councilman Spotted Bear.

Vote: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not Voting. Motion carried.

12. **FOUR BEARS HEAD START PROJECT 02-006-RP:**

The Four Bears Head Start resolution includes language for payment to the Twin Buttes Custom Homes in the amount of \$38,250.00 for water and sewer hook up and the Fort Berthold Development Corporation payment in the amount of \$8,000.00 for the cost of construction of the foundation. At this time Fort Berthold Development Corporation is only entity requesting payment now in the amount of \$8,000.00.

Motion made by Councilman Gillette to pay what we can, depending of the availability of monies up to \$8,000.00 for the Fort Berthold Head Start. Seconded by Councilman Wells.

Vote: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not Voting. Motion carried.

The Organizational Chart will be brought forward November 21, 2002.

Judy Young Bear addressed the Tribal Business Council on clarification of segment staff members.

Emmo Motchman addressed the Tribal Business Council on corporate structures of being appointed to positions and not nominated.

13. **MEDICAL EMERGENCY GRANT/ASSISTANCE:**

Motion made by Councilman Gillette to approve of a medical grant in the amount of \$300.00 for Valerie Marino. Seconded by Councilman Spotted Bear.

Vote: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

14. **MEDICAL EMERGENCY GRANT/ASSISTANCE:**

Motion made by Councilman Phelan to approve of medical grant assistance for Mary Painte and Gwendlyn Matthews to assist in travel for sister in the hospital.

Discussion: Subject to standard of the Emergency Medical Grant Program and what is allowable in grant money authorizing up to \$300.00. Verification must be provided.

Vote: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not Voting. Motion carried.

15. **ITAC APPROVAL OF EXPENDITURES 02-007-RP:**

Motion made by Councilman Gillette to approve of the resolution entitled approval of expenditures from the earnings of the Economic recovery Fund of the Three Affiliated Tribes Equitable Compensation Act. Seconded by Councilman Phelan.

**Discussion:** FY03 the Tribe may wish to shift budget items from on category of expenditures listed in the attached chart this will allow flexibility in accordance with resolution 00-356-MWJR.

**Vote:** 6 Ayes, 0 Nays, 0 Abstentions, 1 Not Voting. Motion carried.

**16. ADJOURNMENT:**

Motion made by Councilman Gillette to adjourn. Seconded by Councilman Wells.

**Vote:** 6 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

Meeting adjourned at 12:50 p. m.

Respectfully Submitted,

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**Joni Halsey, Recording Secretary  
Tribal Business Council  
Three Affiliated Tribes**

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. SEVEN Members were present at a \_\_\_\_\_ Meeting thereof duly called, noticed, convened, and held on the \_\_\_\_ day of \_\_\_\_\_ 2002, whereupon the Three Affiliated Tribes Recording Secretary presented the foregoing minutes for approval.

\_\_\_\_\_  
Randy Phelan, Executive Secretary,  
Tribal Business Council  
Three Affiliated Tribes

\_\_\_\_\_  
Date

ATTEST:

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

\_\_\_\_\_  
Date