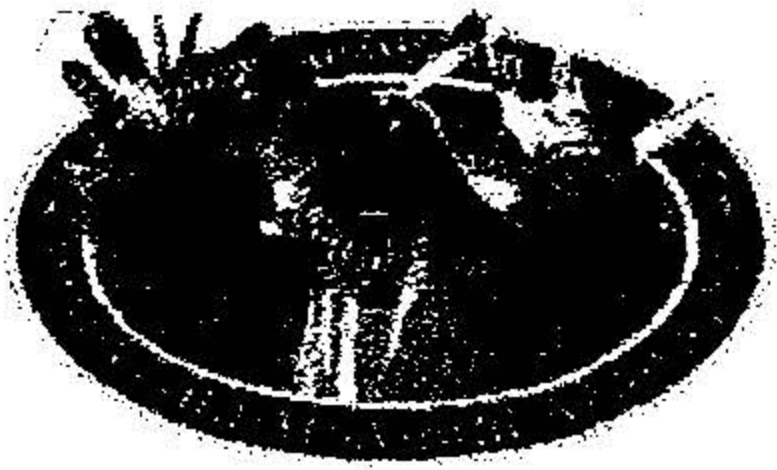


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**MANDAN, HIDATSA, & ARIKARA NATION**  
***Three Affiliated Tribes, Fort Berthold Indian Reservation***  
***404 Frontage Road, New Town, North Dakota 58763-9402***

**TRIBAL BUSINESS COUNCIL**  
**RECONVENE REGULAR MEETING NO. 03-14**  
**APRIL 01, 2003**

**01. CALL TO ORDER:**

Meeting was called to order at 1:52 p. m.

**02. ROLL CALL:**

Members Present: Chairman Hall, Councilman Spotted Bear, Councilman Gillette, Councilman Wells, Councilman Wolf. Quorum established. Invocation rendered by Councilman Wolf. Councilman Packineau and Councilman Phelan entered the meeting at 2:15 p. m.

**03. CHAIRMAN'S REPORT:**

- A member of the Mandaree Community lost his life today and our condolences go out to the family.
- On March 24, 2003, \$5 million dollars for the Four Bears Bridge project was secured from the Bureau of Indian Affairs. Governor Hoven will be submitting for the state allocation of \$8 million. The name "Four Bears" has also been secured. Fru-con Construction Corporation of Missouri has received the bid in the amount of \$55.5 million dollars. \$35 million dollars came in for the Federal Highway Department.
- At the Senate Hearing on April 9, 2003, Fred Baker will testify that we had a hospital before the Garrison Dam flood and our need for a 24-hour health care facility. The Three Affiliated Tribes has never applied to be on the priority list of the Indian Health Services. Chairman Hall will apply and meet with Dr. Peters of the Aberdeen Area Office. Sisseton Wahpaton Sioux Tribe and the Winnebago Tribe both have received their funding in the amount of \$37-39 million dollars.
- Additional funding for the Detention Center will need supporting justification. Rod Beck of Rural Development is the key decision maker on the U. S. D. A. loan. The unmet need request should be directed to the Department of Interior. A report will follow.
- The Bureau of Indian Affairs Budget meeting will be held April 14-15, 2003.
- Economic Development Conference will be held in Aberdeen, S. D. is scheduled for April 8-11, 2003. The conference is an opportunity to further our budget requests.
- The National Indian Health Service meeting will be held May 6-7, 2003. We are backlogged 3 years in unpaid medical bills. A letter of request for the unpaid medical bills was drafted to Dr. Charles Grimm.
- The Tribal Business Council went on record to seek a 3.5 million dollar loan for rural development. The source of repayment needs to be secured and finalized. Councilman Wells will be attending the Water Rally Meeting in Washington D. C. April 11, 2003.



**04. COUNCIL REPORTS:**

- Councilman Wolf toured an ethanol plant last week in Grafton N. D. Review for the council for informational purposes of distilled dry grain.
- North Segment honored our veterans with prayer services and a meal. There are currently 43 enrolled members abroad now serving our country.
- Councilman Gillette would like a press release issued on the waiver in place with TERO regarding the bridge construction. Explain what is involved, including TERO requirements and the M. O. U. in place with the State.
- Councilman Gillette produced the amended copy of the resolution entitled "Pension Plan". Item will be discussed with C. F. O., Steve Salveson.
- **For the Record:** Councilman Wells would like to announce his niece, Deanna Fox is in Kuwait and Clyde Brady III is leaving from Colorado Springs for active duty.
- **The Regular Tribal Business Council Meeting will be held April 22, 2003.**
- A loan will be processed in the amount of \$1,000.00 for Joe Black Hawk and will be assigned to wage deductions.

**05. MOTION 1 APPROVAL OF AGENDA:**

Councilman Phelan moved to approve of agenda as amended. Councilman Packineau seconded the motion.

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

**06. MOTION 2 - ADVERTISING/CONTRIBUTION CONTRACT WITH U.T.T.C:**

United Tribes Technical College is requesting the balance of sponsorship in the amount of \$3,000.00. The Tribe made a contribution in the amount of \$2,000.00 in September. The Tribe is not obligated for payment and it is unclear of what the other tribes have contributed.

Councilman Gillette motioned to table the request for payment until financial statements are provided to be sure all tribes are contributing equally.

**Discussion:** A letter will be drafted to Dr. Gipp on the decision the Tribal Business Council has made in this matter.

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

06. MOTION 3 - PERMANENT LOAN RESOLUTION 03-139-RP:

Councilman Wells motioned to approve of approving the interim XIV loan in the amount of \$13,000,000 and assigning of trust income as security arranged by the Marshall Investments Corporation. Councilman Wolf seconded the motion.

**Discussion:** Clarification of debt services including this interim loan. Some projects such as the detention center will need more sources of funding; the Bureau can provide technical assistance. Discussion of the councilman pension plan and the wake fund budget. More research should be reviewed.

Councilman Wolf withdrew the second motion. Councilman Gillette seconded the motion. The Regular Council Meeting is rescheduled for April 28<sup>th</sup>, 2003.

**Discussion:** For the record the motion is to approve of the \$13 million dollar loan and does not include the councilman pension plan, which will be discussed at the next regular meeting. There is some disagreement with the council making loans for projects and then funding those projects. Additional rural development dollars we are now applying for in the amount of \$761,640.00 would tremendously save on our budget, more will be known at the next meeting.

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

07. MOTION 4 - TOURISM PROGRAM:

The Tourism Program was budget was approved at \$50,000.00 which carried over to February 2003. Amy Mossett presented a request to have her salary transferred to one of the National Park Service Challenge Cost Share grants, which is the Signatory Event Planning Grant.

Councilman Wells motioned to move Amy Mossett's salary to the Signatory Event Planning budget through March 1 to July 11, 2003. Councilman Phelan.

**Discussion:** The budget is in the amount of \$30,000.00 is from March 1<sup>st</sup> to July 11, 2003. Scott Eagle will come forth to discuss several budgets. The total amount of cost share grants received is \$125,000.00.

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

08. MOTION 5 - TOURISM DIRECTOR SALARY INCREASE:



Councilman Wells motioned to authorize salary increase for Amy Mossett in the amount of \$1,916.00 effective March 1<sup>st</sup> to July 11<sup>th</sup>, 2003. Councilman Gillette seconded the motion.

**Discussion:** For the record the salary is from the National Park Service budget through federal dollars.

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

**09. MOTION 6 - LANGUAGE CULTURAL INTERPRETATION CONSULTANTS:**

Councilman Phelan moved for approval of consultant agreements with Rosaria Wicker, Lydia Sage-Chase, Martha Bird Bear, Alex Gwin, Maude Starr and Tommy Mandan for the Language Cultural Interpretation project under the National Park Service Cultural Interpretation grant. Councilman Gillette seconded the motion.

**Discussion:** Consultants are funded through the federal grant at \$25.00 an hour.

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

**10. TRIBAL BUSINESS COUNCIL AGENDA ITEMS:**

The following items will be added to the April 28, 2003 agenda: Councilman Pension Plan, 2004 Budget and the 2001 Audit.

**11. MOTION 7 - APPROVAL OF MINUTES FEBRUARY 6, 2003:**

Councilman Wells motioned to approve of the February 6, 2003 minutes with amendments. Councilman Phelan seconded the motion.

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

**12. MOTION 8 - APPROVAL OF MINUTES FEBRUARY 13, 2003:**

Councilman Wells motioned to approve of the February 13, 2003 minutes with amendments. Councilman Phelan seconded the motion.

**VOTE:** 5 Ayes, 0 Nays, 1 Abstentions, 0 Not Voting. Motion carried.

**13. MOTION 9 - INDIAN HEALTH SERVICES - CAROL PARKER:**

Currently the Indian Health Service field clinic in Twin Buttes averages 3 patients a day. The nurse practitioner, Barb Nelson could be utilized for the Mandaree Field Clinic. Dr. Simpson and Barb Nelson would maximize the medical resources and decide on a plan to cover the patient's needs.

Councilman Phelan motioned to reschedule nurse practitioner, Barb Nelson to work with the physicians and the Service Unit Director to provide a minimum of service for the Twin Buttes field clinic two days a week. Councilman Spotted Bear seconded the motion.

**Discussion:** The Mandaree and New Town Clinics will utilize Barb Nelson. An incident occurred at the Minne-Tohe Health Clinic with an elder who was not seen in a timely manner and had a mild heart attack outside of the clinic. A committee has been established to take corrective action. Another elder was denied a referral for cancer treatment considered "experimental". The mold problem still exists. Dr. Peter has a formula for awarding Indian Health Care Improvement dollars for small facilities will include awarding our service unit \$100,000.00. Minne-Tohe have been awarded \$600,000.00 total. A master plan will be conducted by the area office for assessments of patient flow, staff, and how much square footage is needed for facility improvement.

**For the record:** The Service Unit Director agreed to establish a Patient Advocacy Committee that involves staff and community members.

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

**14. MOTION 10 - CULTURAL RESOURCES:**

Councilman Wells moved for approval of a thirty-day extension of the consultant agreement with Pemina Yellow Bird for the Cultural Resources Management Plan for the period beginning April 1, 2003 and ending April 30, 2003. Councilman Packineau seconded the motion.

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

**15. JAMIE ROGERS - CLOSED SESSION.**

**16. MOTION 11 - TWIN BUTTES & WHITE SHIELD C-STORE LEASE AGREEMENTS:**

The lease agreement is a term of 5 years at \$3,000.00 per year. The Twin Buttes C-Store will pursue a liquor license.

Councilman Gillette moved to approve commercial lease agreements for both Twin Buttes and White Shield Convenience Stores. Councilman Spotted Bear seconded the motion.



**Discussion:** the Tribe will insure the building; the lessee, subject to legal review, will insure the gasoline and contents.

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

17. **MOTION 12 - TWIN BUTTES BUSINESS PLAN -C-STORE - SHARRON JACOBS:**  
Councilman Spotted Bear motioned to approve of both business plan loans in the amount of \$, 7,000.00 and \$10,000.00, subject to the small loan requirements and the Independence Program requirements and availability of funds. Councilman Gillette seconded the motion.

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

18. **WHITE SHIELD C-CSTORE:**

Councilman Gillette announced White Shield is now accepting proposals to lease the C-Store. The White Shield School has been awarded the management lease. The school to work program has been operating a small store within the school for the past two years giving the students experience to operate the C-Store. A general manager will be selected from the school and store hours will be from 8 a. m. to 8 p. m. with extended summer hours. Councilman Gillette would like to thank the council for giving the community this opportunity to open a C-Store.

19. **MOTION 13 - ELECTION BOARD:**

Councilman Phelan moved for approval to grant request for the final 3-day payment for Election Board Members Theodore Starr, Mona Bear and clerk Marti Stevenson. Councilman Wells seconded the motion.

**Discussion:** Ervin Lee will bring in final report at the next regular meeting April 28, 2003.

**VOTE:** 5 Ayes, 0 Nays, 1 Abstentions, 0 Not Voting. Motion carried.

20. **STUDENTS OF OAK GROVE SCHOOL:**

Former resident Dana Tolefson a Social Studies Teacher at Oak Grove School brought in her students who are studying the Lewis and Clark Trail. The students where introduced to the Tribal Business Council and given gifts from Amy Mossett.

**21. MOTION 14 - ELDERLY HOME PROGRAM:**

The elderly home units are \$150.00 per month for some the cost is high. Dennis Duetch reviewed units from the Minot Air Force Base. Connie Azure and Dennis Duetch will present follow up on Minot Air Force Base units and new units at the next council meeting. Spirit Lake received 70 units that have been refurbished. Units will be prioritized for White Shield and Twin Buttes.

Councilman Phelan motioned for Arlene Charging to be placed on the priority list for a home from the Air Base, subject to requirements. Councilman Wells seconded the motion.

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

**22. NORTH SEGMENT VECHILE:**

Councilman Wolf stated the North Segment is under their budget and in need to trade in the community vehicle. The vehicle is a '97 Suburban with approximately 115,000 miles. 3 communities have put in request for vehicles. Property and Procurement will seek financial packages and the North Segment office will seed bids.

**23. MOTION 15 - NORTH EAST SEGMENT - TRUANCY VEHICLE:**

By resolution the former North East Segment representative authorized a community vehicle to be used by the Truancy Program that no longer exists.

Councilman Packineau moved to authorize the Parshall Detox Center to use the 1999 intrepid community vehicle. Councilman Phelan seconded the motion.

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

**24. MOTION 16 - THIRD PARTY BILLING RESOLUTION 03-140-RP:**

A letter of intent to assume all remaining programs, functions, services, or activities of the Twin Buttes and Mandaree Clinics, including backlog that has to been billed to date for the Mandaree and Twin Buttes Clinics.

Councilman Wells moved to approve the resolution to contract the Mandaree and Twin Buttes field clinics. Councilman Phelan seconded the motion.

**Discussion:** The Mandaree Clinic, based on community population at minimum can expect an additional \$400,000 a year with Medicare. A tribal liaison could visit on site to assist patients with Medicaid and Medicare application more funds would be generated. Backlog billing will



began in White Shield. A procedural manual and a contingency plan will be brought forward to the next council meeting. A job description will be brought back for a third party billing clerk. Each community facility will have training in the billing program.

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

A Tribal Management Grant for \$100,000.00 from I. H. S. will now be pursued. A HERSA Grant for \$650,000.00 will be sought for White Shield and Parshall. The grant is a guaranteed loan for equipment, housing or contracting physicians from St. Alexis in Bismarck. With expansion of clinics, an addition \$500,000 is appropriated.

**25. MOTION 17 HEALTH SYSTEMS MANAGER:**

Councilman Wells motioned to re-instate Aileen Jackson as Health Systems Manager, subject to documentation by Human Resources and personnel minutes from the summer of 2000. Councilman Packineau seconded the motion.

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

**26. MOTION 18 - ASSISTANCE FOR NATURAL DISASTERS 03-141-RP:**

Councilman Wells move for approval of the resolution entitled, " Natural Disaster Assistance: as presented. Councilman Phelan seconded the motion.

**Discussion:** Councilman Phelan requested that the resolution be amended by deleting any references to "fire" so as to include other victims, specifically those cases of victims sustaining damages due to wind.

Councilman Wells maintained his motion without amendment. Councilman Phelan withdrew his second. Councilman Gillette seconded the motion.

**Discussion:** The three individuals requests for assistance can be processed pursuant to Resolution 03-141-RP. Those individuals are; Joni Halsey, Donovan Siers, and Clorine Ross.

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

**27. MOTION 19 - SIDRICK BAKER - STUDENT VISA ASSISTANCE:**

Councilman Wells motioned to monetary grant assistance in the amount of \$500.00. Seconded by Councilman Phelan.

**VOTE:** 4 Ayes, 1, Nays, 2 Abstentions, 0 Not Voting. Motion carried.

28. MOTION 20 - MHA CORPORATE BOARD CONSULTANT AGREEMENT:

Councilman Wells moved for approval to hire Scott Wilson as Interim C.E.O. of the MHA Enterprises Holding Company at a rate of \$24.03 until September 30, 2003. Councilman Packineau seconded the motion.

Discussion: Mandaree Electronics reimbursed back to the Tribe \$20,000.00. The motion is to include the transfer of the \$20,000.00 to maintain the consultant agreement on an interim period.

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

29. MOTION 20 - MHA COMMUNITY DEVELOPMENT CORPORATION 03-142-RP:

Councilman Wells to approve of the MHA Community Development Corporation. Councilman Packineau seconded the motion.

Discussion: Financial literacy component to be added in the charter and include Dennis Fox as the Director of the non-profit arm of the Community Development Corporation

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

30. MOTION 21 - MHA SYSTEMS CHAIRMAN - 03-143-RP:

Councilman Wells moved for approval of Rosie Johnson to be appointed as Chairman of MHA Systems. Councilman Phelan seconded the motion.

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

31. MOTION 22 - MHA SYSTEMS START UP FUNDS 03-144-RP:

Councilman Phelan moved for approval of start-up funds for the Department of Defense contract to be awarded to MHA Systems, Inc., a tribally owned company in the amount of \$35,000.00. Councilman Wells seconded the motion.

Discussion: Funds will come out of the contingency line item.

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



32. MOTION 25 - TRIBAL PROGRAMS/ENTITIES INSURANCE BILLING 03-145-RP:  
Councilman Phelan moved for approval for all Tribal Programs and Tribal Entities are to be billed each quarter for their portion of the Tribal Insurance, and all Tribal Programs and Tribal Entities are to have a line item in their budget. Councilman Wells seconded the motion.

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

33. MOTION 26 - CONSULTANT AGREEMENT DAWN CHARGING:  
Councilman Phelan moved for approval of a Special Projects consultant agreement with Dawn Charging for a period of six (6) months effective as of this date to the end of the fiscal year not to exceed \$10,500. Councilman Packineau seconded the motion.

Discussion: Ms. Charging will provide assistance with marketing of various tribal projects, initially, assistance in the procurement of USDA contracts for the Buffalo Project. Councilman Phelan recommended ITBC and Tatanka, Inc. Chairman Hall recommended that Ms. Charging seek 8 (a) status to guarantee federal contracts.

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

34. MOTION 27 - TRIBAL PROGRAMS & ENTITIES INSURANCE BILLINGS 03-145-RP:  
Councilman Phelan moved for approval of resolution entitled "Tribal Programs/Entities Insurance Billings". Councilman Wells seconded the motion.

Discussion: All programs and entities are to be billed each quarter for their portion of the Tribal Insurance and have a line item in their budget for such purposes.

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

35. MOTION 28 - COMPUTER AND SOFTWARE PURCHASING - 03-146-RP:  
Councilman Wells moved to approve of the resolution entitled "Authorization to Property Department for Computer and software purchasing. Councilman Phelan seconded the motion.

Discussion: Resolution rescinds Resolution 01-005-MWJR. The Property Department will coordinate all purchases of computer related equipment and payment to be assessed by the department utilizing the equipment.

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

36. MOTION 29 - 4 MILLION DOLLAR LINE OF CREDIT 03-147-MWJR:

Councilman Wells moved for approval of obtaining a loan or loans not to exceed \$4 million dollars, to cover the lack of Federal funding that in owed to the Tribe. Councilman Phelan seconded the motion.

Discussion: The loan will be paid back with Federal funds once appropriated by Congress.

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

37. MOTION 30 - FORT BERTHOLD DISTRICT COURT EVALUATORS:

Councilman Packineau moved for approval of a consultant agreement with court evaluators, Judge Alisha La Count and Judge Kayla Free subject to availability of funds and legal review of agreement. Councilman Wells seconded the motion.

Discussion: Not to exceed \$20,000.00. Carry over funds from the Criminal Investigators budget.

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

38. FOUR BEARS CASINO & LODGE:

- Second quarter goals and objectives that are assigned to casino management have been reached. Internal Control standard are in compliance with the Federal Registrar and approved by the Gaming Commission.
- Year to date management has cut operating expenses by \$450,000 the goal was \$500,000.
- To raise the revenue a budget is proposed for 250-300 more slot machines. During a large event approximately 1500 customers are unable to access slot machines. To projected cost for the machines is 4.2 million dollars.
- A new gaming floor is proposed. Floor plans are presented to reach the leverage ratio of 2.7 to 1 with 300 proposed machines. A five-year projection plan and feasibility study will be brought with in 60 days.
- 50 hotel rooms are proposed.
- Plans for meeting rooms and the new marina will open May 1, 2003.
- The Lewis and Clark Signature Event Coordinator, Amy Mossett will work with the casino and market the Lewis and Clark Event. Event Manager/Advertising Specialist is now advertised and will focus on the signature event.
- The new marina has a billboard campaign is in place for advertisement.
- Dennis Deutsh will be assigned to propose amp theater in coordination with project manager Ed Hall.

- Valet Parking will accommodate the elderly with a peninsula walking trail.
- Casino Apartments will be completed no later than May 1, 2003. Rental cost is \$350.00 per month for 1 and 2 bedroom apartments. All apartments are filled.
- Proposal to combine the Four Bears C-Store and the Casino C-Store to offer more services and move the C-Store and split the revenue.
- Councilman Wells requested the EPA lab results of the gas leakage and no contamination has effected the surrounding ground and lake water. O day has taken responsibility for the leakage and the casino will pursue a projected loss per day for the leakage.
- Joseph Eve & Co. financial audit results came back with an unqualified opinion, which is the best opinion.
- The point system implemented for employees is working well with improvement with work ethics. Met with the TERO Commission on New Employee Handbook and implemented changes.

**39. MOTION 31 2<sup>ND</sup> QUARTER INCENTATIVE FOUR BEARS CASINO:**

Councilman Phelan moved to approve of the quarterly incentive for Spencer Wilkinson Jr. who has achieved his goals for the 2<sup>nd</sup> quarter as approved by Brady Martz consultant Don Clement. Councilman Packineau seconded the motion.

**Discussion:** The casino is to coordinate with Amy Mossett on the Lewis & Clark Signature Event.

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

**40. FOUR BEARS CASINO & LODGE GAMING COMMISSION:**

A recommendation made by the Four Bears Casino & Lodge Gaming Commission on a decision to pay a jackpot. Casino management sought a legal opinion and was advised not to pay the jackpot. All customer disputes are referred to the Gaming Commission by State Compact definition. The Gaming Commission has an ordinance passed by the council and approve by the National Indian Gaming Commission. Any decision rendered by the Gaming Commission can be denied and forwarded on in the appeal process.

**41. MOTION 32 - CONSULTANT AGREEMENT AL NYGARD:**

Councilman Wolf motioned to approve of final payment in the amount of \$7,000. Councilman Packineau seconded the motion.

**Discussion:** Legal Department will draft an agreement before payment is rendered stipulating agreement will settle all litigation claims and disclose all reports.

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

42. MOTION 33 - DETENTION CENTER CONSULTANT:

Councilman Wolf motioned for approve of Scott Eagle as the contact person for the detention center. Councilman Packineau seconded the motion.

Discussion: Consultant Agreement will be presented at the next council meeting.

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

43. MOTION 34 - NATIONAL WOMENS BASKETBALL TOURNAMENT N. I. A. A.:

Councilmen Wells motion to approve of grant in the amount of \$250.00 per player on the roster for the women's basketball team attending the N. I. A. A. Tournament in Seattle WA. Seconded by Councilman Spotted Bear.

Discussion: Not to exceed \$2,500.00. Recommendation for the Four Bears Casino & Lodge to match the grant.

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

44. MOTION 35 - EDUCATIONAL LEAVE POLICY 03-148-RP:

Councilman Phelan moved for approval of Resolution 03-148-RP as presented. Councilman Spotted Bear seconded the motion.

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

45. MOTION 35 - ATTORNEY CONSULTANT AGREEMENT 03-149-RP:

Councilman Wells motioned to disapprove of consultant agreement with Gary Beaudry. Motion dies due to a lack of a second.

Councilman Packineau moved for approval of Gary Beaudry's consultant contract with TAT Legal Department for a period of six months. Councilman Wolf seconded the motion.

Discussion: Consultant contract was approved due to Dream Catcher Project and other litigation in progress. Agreement to include the tribal vehicle that has no agreement conditions stipulated.

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



46. MOTION 36 CHARTER LSA & ASSOCIATES 03-150-RP:

Councilman Wells motioned to approve of charter for LSA & Associates. Councilman Spotted Bear seconded the motion.

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

47. ADJOURNMENT:

Councilman Wells motioned to adjourn at 3:50 a. m. Councilman Phelan seconded the motion.

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

CERTIFICATION OF MINUTES

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. \_\_\_\_\_ members were present at the \_\_\_\_\_ meeting thereof duly called, noticed, convened and held on the \_\_\_\_\_ day of \_\_\_\_\_, 2003 whereupon the Three Affiliated Tribes Recording Secretary presented the foregoing minutes for approval.

Said minutes were duly approved by the affirmative vote of \_\_\_\_\_ members, \_\_\_\_\_ members opposed, \_\_\_\_\_ members abstained, \_\_\_\_\_ members not voting. Motion carried.

Chairman ( ) Voting ( ) Not voting

Submitted by,

\_\_\_\_\_  
Joni Halsey, Recording Secretary

\_\_\_\_\_  
Date

\_\_\_\_\_  
Randy Phelan, Executive Secretary

\_\_\_\_\_  
Date

ATTEST: \_\_\_\_\_  
Tex G. Hall, Chairman

\_\_\_\_\_  
Date

**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
CONTINUATION OF MARCH 13, 2003 REGULAR MEETING  
PERSONNEL ACTIONS  
APRIL 1, 2003**

The following personnel actions were approved during **open session** at the Continuation of the Regular March 13, 2003 meeting held on April 1, 2003:

**TOURISM:**

Councilman Wells moved for approval to transfer Amy Mossett's salary to the Signature Event Planning budget through March 1, 2003 to July 11, 2003. Councilman Phelan seconded the motion.

DISCUSSION: The budgeted amount is \$30,000 from March 1, 2003 to July 11, 2003. The total amount of the cost share grants received is \$125,000.

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

Councilman Wells moved for approval to authorize a salary increase for Amy Mossett in the amount of \$1,916 effective March 1, 2003 to July 11, 2003. Councilman Gillette seconded the motion.

DISCUSSION: For the record, the salary increase is to be obtained from the National Park Service budget.

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

**LANGUAGE CULTURAL INTERPRETATION CONSULTANTS:**

Councilman Phelan moved for approval of consultant agreements with Rosaria Wicker, Lydia Sage-Chase, Martha Bird Bear, Alex Gwin, Tommy Mandan and Maude Starr for the Language Cultural Interpretation project under the National Interpretation grant. Councilman Gillette seconded the motion.

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

**CULTURAL RESOURCES:**

Councilman Wells moved for approval of a thirty-day extension of the consultant agreement with Pemina Yellow Bird for assistance with the Cultural Resource Management plan. Councilman Packineau seconded the motion.

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

**HEALTH SYSTEMS:**

Councilman Wells moved for approval to reinstate Aileen Jackson as Health Systems Manager, subject to documentation by personnel minutes from Summer 2000. Councilman Packineau seconded the motion.

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

**CORPORATE BOARD:**

Councilman Wells moved for approval to hire Scott Wilson as Interim C.E.O. of the Corporate Board at a rate of \$24.03. Councilman Packineau seconded the motion.

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

**SPECIAL PROJECTS CONSULTANT AGREEMENT:**

Councilman Phelan moved for approval of a Special Projects consultant agreement with Dawn Charging for a period of six (6) months effective as of this date to the end of the fiscal year not to exceed \$10,500. Councilman Packineau seconded the motion.

DISCUSSION: Ms. Charging, in coordination with Ted Lone Fight, III, will provide marketing assistance for various tribal projects, initially, assistance in the procurement of USDA contracts for the Buffalo Project. Councilman Phelan recommended ITBC and Tatanka, Inc. as possible marketing grant funding sources. Chairman Hall recommended that Ms. Charging prioritize the Buffalo Project application for 8(a) status to guarantee federal contracts.

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

**COURT EVALUATORS:**

Councilman Packineau moved for approval of consultant agreements, subject to legal review, with Kayland Free and Alisa LaCount not to exceed \$20,000 for assistance in conducting the Tribal Court evaluation, subject to the availability of funds and concurrence from the Criminal Investigator.

DISCUSSION: Councilman Packineau and Councilman Wells concurred to amend the motion to ensure that the consultant agreements are subject to legal review.

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

**CONSULTANT AGREEMENT:**

Councilman Wolf moved for approval of a settlement in the amount of \$7,000 with Mr. Al Nygaard, as negotiated by Councilman Wolf and Richard Mayer, C.E.O., and also, to direct TAT Legal to draft a settlement agreement that would include the following: 1) a release for the Tribe from all potential claims and/or lawsuits by Al Nygaard; 2) that Mr. Al Nygaard provide all reports and disclosure of information concerning the Detention Center project; and 3) to release the Tribe from all other contracts that Mr. Nygaard may have entered into, either verbally or in writing, that have not been disclosed to the Tribe. Councilman Packineau seconded the motion.

VOTE: 4 Ayes, 1 Nay, 0 Abstentions, 0 Not voting. Motion carried.

DISCUSSION: Councilman Wolf and Tom Disselhorst will provide follow-up on this issue. No payment will be issued until Tom Disselhorst and Councilman Wolf have finalized the settlement agreement.

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**April 1, 2003 Personnel Actions**



April 1, 2003 Personnel Actions

**EDUCATIONAL LEAVE POLICY:**

Councilman Phelan moved for approval of Resolution 03-148-RP as presented. Councilman Spotted Bear seconded the motion.

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

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**CERTIFICATION OF MINUTES**

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. \_\_\_\_\_ members were present at the \_\_\_\_\_ meeting thereof duly called, noticed, convened and held on the \_\_\_\_\_ day of \_\_\_\_\_, 2003 whereupon the Three Affiliated Tribes Recording Secretary presented the foregoing minutes for approval.

Said minutes were duly approved by the affirmative vote of \_\_\_\_\_ members, \_\_\_\_\_ members opposed, \_\_\_\_\_ members abstained, \_\_\_\_\_ members not voting. Motion carried.

Chairman (  ) Voting (  ) Not voting

Submitted by,

\_\_\_\_\_  
Joni Halsey, Recording Secretary

\_\_\_\_\_  
Date

\_\_\_\_\_  
Randy Phelan, Executive Secretary

\_\_\_\_\_  
Date

ATTEST: \_\_\_\_\_  
Tex G. Hall, Chairman

\_\_\_\_\_  
Date