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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
MEETING NO. 03-09-RP
MAY 16, 2003

01. CALL TO ORDER:

Chairman Hall called the meeting to order at 11:55 a.m. Councilman Wolf gave the invocation.

02. ROLL CALL:

Members present: Councilman Austin Gillette, Councilman Marcus Wells, Jr., Councilman Malcolm Wolf, Councilman Mervin Packineau, and Chairman Tex G. Hall. Councilman Daylon Spotted Bear entered the meeting at 12:10 p.m.

Members absent: Councilman Randy Phelan.

03. MOTION ONE: APPROVAL OF THE AGENDA

Councilman Wells moved to approve the agenda. Councilman Wolf seconded the motion.

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

04. CHAIRMAN'S REPORT:

- National Indian Health Budget Meeting
- Construction Project Report
- Four Bears Lagoon
- Twenty four Health Care Facility
- Capital Gains Update
- Tax Report
- HUD Conflict of Indian Update
- Northwest Area Foundation Poverty Grant Report
- USDA Rural Water Development Grant update
- Senate Bill 578 and Senate Bill 519

05. COUNCIL REPORTS

- North Segment
The American Indian Relief Fund gave the North Segment surplus items that were distributed to residents. All communities are qualified to apply for the fund, but it is very important that they provide reports to continue receiving contribution services.

- Concerns on child abuse and the need for intervention; incidents of child neglect/abuse; need a review of law enforcement.
- Need to address alcohol and drug problems

Because of time constraints, Parshall, Twin Buttes and White Shield deferred their reports until the next meeting.

06. CEO REPORT:

- Tribal Parking Lot Lightning
- Resolution Justice Center
- Sakakawea Blanket Proposal: Marilyn Young Bird
They will refine Proposal No.3 and bring back to the Council to review.

- **MHA Times Newspaper and KMHA Radio Station Update**

MOTION TWO: Councilman Wells moved to direct the Internal Auditor Angie Nehring to immediately review the financial documents of the MHA Times/KMHA Radio Station. Councilman Gillette seconded the motion.

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

- **DONNA MORGAN/AGNES YELLOW WOLF REQUEST:**

Closed session

- **TRIBAL COURT DIRECTIVE:**

Councilman Wells moved to direct Judge El-Marie Conklin to recuse herself from any proceedings pertaining to Agnes Yellow Wolf and to expedite the hearing process by the rotating Judge schedule to hear Agnes Yellow Wolf's request to gain full permanent custody of her grandson. Councilman Wolf seconded the motion.

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

- **MHA Nation Web Page Update**

Richard Mayer and Deb Thompson wrote a grant that was funded to purchase wireless access, new projector, digital camera and a camcorder. He also reported that the web page is being redesigned. He is soliciting proposals to redesign a more interactive, more informational Tribal Web-site. The Tourism Budget and the ANA Budget will cover the costs.

Chairman Hall said he is still receiving complaints that the minutes are not published in the MHA Times and on the Web Site and directed the Chief Financial Officer, Richard Mayer, to draft a policy on a condensed minute format.

MOTION THREE: Councilman Wells moved to authorize Richard Mayer to solicit three proposals to redesign the web page development; and to coordinate with Belle Dean Chase on a condensed version of the minutes for website publication, and bring back for the Tribal Council's review at the next meeting. Councilman Wolf seconded the motion.

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

• **DREAM CATCHER PROGRAM REPORT:**
HOUSING DIVISION MARSHALL GROUP LOAN, RESOLUTION NO. 03-174-MP: MOTION FOUR:

Councilman Wells moved to authorize disbursement from other resources including but not limited to the Marshall Group funds necessary to supplement the Native American Bank loan, in order to pay closing costs of HUD Section 184 collateralized tax exempt bonds and or pay closing costs of HUD Section 184 loans closed prior to issuance of the HUD Section 184 collateralized tax exempt bonds. Councilman Spotted Bear seconded the motion.

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

07. RESCINDING OF RESOLUTION 03-108-RP NORTHERN LIGHTS PROJECT: MOTION FIVE, RESOLUTION NO. 03-178-RP

Councilman Wolf moved to rescind Resolution No. 03-108-RP, to extend the Northern Lights work crew until May 30, 2003. Councilman Wells seconded the motion.

Councilman Wolf amended his motion "to exclude overtime payment. Councilman Wells concurred with the amendment.

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

08. MINOT AIR FORCE BASE HOUSING RELOCATION PROGRAM/WALKING SHIELD PROGRAM:

The Tribe is developing criteria for ability to purchase one of the houses thru the Walking Shield Program who charges \$400 fee. The CEO is working with Tribal Housing contemplating \$400 admin fee, the tribal housing division, with applicants applying for a USDA Loan. Becky Knight from the Fort Berthold Housing Authority explained the Alternative Housing Program and explained the criteria for qualifying for the HIP Program. The FBHA will be meeting with the Aberdeen Area Bureau of Indian Affairs to make changes in the criteria. The Tribal Housing Director will attend the meeting.

09. FORT BERTHOLD DEVELOPMENT CORPORATION ELDER UNIT CONSTRUCTION.

Councilman Wells moved to approve a change order of FBDC of \$5,4,82 for the two elderly units in the Four Bears area. Councilman Gillette seconded the motion.

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

Councilman Wells moved to approve the proposal from the Fort Berthold Development Corporation for the construction of garages @ a unit price of \$2,500 for one elderly garage, and the three garages @ \$2,000. Councilman Gillette seconded the motion.

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

Councilman Wells moved to accept the proposal from the Fort Berthold Development Corporation for 20 loads of gravel @ a quantity of 240. Councilman Gillette seconded the motion.

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

Councilman Wells moved to approve the construction of 12 garages, with the cost of each garage being \$5,000.00 for materials and labor; with the costs to be deducted from the Four Bears lagoon line item, @ a total of \$23,000. Councilman Packineau seconded the motion.

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

10. BRADY MARTZ 2001 AUDIT REPORT:

Councilman Packineau moved to accept the 2001 Audit Presentation from Brady Martz, subject to review by Financial Advisor. Councilman Wells seconded the motion.

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

11. FOUR BEARS POW-WOW REQUEST:

Councilman Wells, Jr. moved to authorize the General Manager of the Four Bears Casino and Lodge the authority to award \$10,000 to the Four Bears Pow-wow, held annually in the Events Center, because a greater amount of revenue is brought into the Casino during the pow-wow. Councilman Packineau seconded the motion

VOTE:4 Ayes, 2 Nays, 0 Abstentions, 0 Not voting. Motion carried.

12. GRADUATE STUDENTS SALARY INCREASE REQUEST

Councilman Wells moved to give the Human Resources Administrator a directive to rate and rank positions for a possible salary increase in support of Laurie Alberts, Delphine Baker, Stacey Driver, Deb Thompson and Judy Yessilith. Councilman Spotted Bear seconded the motion.

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

13. **DAKOTA DREAMS JOURNEY FOR PROSPERITY:**
Leo Cummings explained the Dakota Dreams Journey for Prosperity. This journey's intent is to raise awareness of poverty in our eight counties and the Three Affiliated Tribes Community, communicate diversity, document working together relationship, and complete a public relations event to send off Dakota Dreams draft plan to reduce poverty to the Northwest Foundation. The journey will be coordinated by the "Unity Riders," a native horse messenger organization, and with community volunteer staging areas that will produce major public exposure at start, throughout, and closure of event.
14. **NORTHWEST VENTURE, COMMUNITIES INC. REASSIGNMENT OF RESOLUTION NO. 03-162-MP TO RESOLUTION NO. 03-184-MP**
Councilman Gillette moved to designate Bruce Nagel as representative for the White Shield area. Councilman Wells seconded the motion.

VOTE:6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.
15. **RESCHEDULING OF MEETING: May 27, 2003**
16. **NORTHWEST VENTURE, COMMUNITIES INC.. NORTH SEGMENT REPRESENTATIVE:**
Councilman Wolf moved to designate Marian Spotted Bear as representative for the North Segment area. Councilman Gillette seconded the motion

VOTE:6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.
17. **NORTHWEST VENTURE, COMMUNITIES INC. AT-LARGE AND MANDAREE REPRESENTATIVE:**
Councilman Wells moved to appoint Leo Cummings as the At-Large Representative and Nathan Hale, as the Mandaree Representative to the Northwest Communities Venture Board. Councilman Gillette seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstention, 0 Not voting. Motion carried.
18. **POINT OF ORDER:**
Chairman Hall left the meeting at 7:00 p.m. to attend the Graduation Exercises in Mandaree, North Dakota. Vice-Chairman Packineau presided for the duration of the meeting.
19. **HEAD START COLA/GRANT**
The item was deferred until May 27, 2003, and will be the first item on the agenda.
20. **APPOINTMENT OF ACTING SECRETARY:**
Councilman Gillette moved to appoint Councilman Spotted Bear as acting Executive Secretary. Councilman Wells seconded the motion.

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

21. **FORT BERTHOLD COMMUNITY COLLEGE: NON-RENEWAL OF PRESIDENT**
Closed session

22. **TAT VETERANS SERVICE DEPARTMENT'S COLOR GUARD:**
Councilman Wells moved to approve a budget of \$3, 000 for the Veterans Memorial Day activities and for activities held during the year that request a color guard be in attendance. Councilman Spotted Bear seconded the motion.

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

The meeting recessed at 7:50 p.m.