



MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

HC3 Box 2 • New Town, North Dakota 58763-9402

TRIBAL BUSINESS COUNCIL MINUTES OF SPECIAL TRIBAL BUSINESS COUNCIL MEETING

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MONDAY, MAY 01, 1995, 3:40 P.M.

I. CALL MEETING TO ORDER & PRAYER.

Chairman Mason called the meeting to order at 3:38 p.m., and asked for a moment of silent prayer.

II. ROLL CALL.

Recording Secretary was asked to take roll call. Roll Call follows:

Chairman Russell D. Mason, Sr.	Present
Vice Chairman Edwin Hall	Present
Treasurer Mark Fox	Present
Secretary Daylon Spotted Bear	Absent
Councilman Austin Gillette	Absent
Councilman Ivan Johnson	Present
Councilman George Fast Dog	Present

Five members present, two members absent. Quorum established.

Others Present: Marian Spotted Bear, Recording Secretary; C. J. Packineau, Sergeant at Arms; John Danks, Tribal Programs Analyst; Keith Mandan, Nathan Hale, Lisa Redford, Michael Cross, Gerald D. Fox.

III. APPROVAL OF AGENDA.

Chairman Mason asked the council to go over the agenda to try to expedite the meeting and choose those items which could be acted upon this date, and those items which could be acted on at the next regular council meeting.

Mark Fox made a motion that the Regular Tribal Business Council Meeting scheduled for Thursday, May 11, 1995, be held on Wednesday, May 10, 1995, at 10:00 a.m. Motion seconded by Edwin Hall. All in favor. Motion carried. Next Regular Council Meeting to be held on May 10, 1995.

Chairman Mason asked for a motion to designate someone to sign off on resolutions and minutes for this meeting. Ivan Johnson made a motion to authorize George Fast Dog to sign off. No second to resolution, motion died. Edwin Hall made a motion to authorize Mark Fox, who is a member of the Executive Committee, to sign off. Motion was seconded by Mr. Johnson. All in favor. Motion carried.

Mr. Fast Dog requested Kelly Fox be added to the agenda for a request for a loan. The following agenda items were deferred to the May 10th meeting: Natural Resources; Food Distribution Program; New Town Fire Chief David Iverson; TAT Museum/Marilyn Hudson; Washington Newsletter; Mark Fox suggested deferring Approval of Minutes to May 10th (Chairman Mason requested all councilmen to read their minutes and make any corrections before then); Mark Fox asked to insert Non-Budgeted Personnel and consideration of reduction in staff positions and hourly rates in place of the approval of minutes. Mark Fox requested his briefing on the teleconference on the Fredericks' proposal be added to the agenda.

Mr. Fox then made a motion to approve the agenda as amended and discussed. Seconded by Edwin Hall. All in favor. Motion carried.

IV. APPROVAL OF RESOLUTIONS.

A. Mandaree Community/Nathan Hale.

1. Mandaree Community Volunteer Fire Department.

This resolution would give the Mandaree Community authority to establish and operate a volunteer fire department. Emergency response time to fires is excessive in the community. The community has 29 members signed up--28 men, and 1 woman.

Motion for approval made by Mr. Johnson, seconded by Mr. Fast Dog.

Discussion: Mark Fox inquired whether they were seeking financial support from the tribe at this time. Mr. Hale said they were not. Mr. Fox said as long as there is an understanding that, if this resolution is approved, the tribe cannot commit financial support at this time.

The response time for the Keene Fire Department varies from 45 minutes to 1 hour. Mr. Hale said he had been elected Fire Chief, because of his experience and background in the Bureau of Indian Affairs. Four staff members are qualified to operate the pumper units. Very limited experience beyond that. The plan is to have monthly trainings in cooperation with the New Town Fire Department. They have one old structure unit right now, a 1969 GMC with 17,000 miles on it, and three pumper units through the Tribes' Range Program.

They have a pager system that will be set off by the New Town Police Department. The volunteers will be contacted by phone. The siren doesn't work. They have plans to purchase another one. Mr. Mason said he was going to follow up on the "Stop" that has been put on surplus equipment for TAT. He then called for a vote on the resolution.

Motion: Ivan Johnson
Second: George Fast Dog
Vote: 4 for, 1 abstention.
Resolution Passed.

RESOLUTION NO. 95-091-MNF

2. Transfer Excess BIA Fire Truck to Mandaree Community Volunteer Fire Department.

This fire truck has been in Mandaree since 1967. The bureau still has ownership. This truck cannot be taken off the Mandaree compound, and it cannot be used in Mandaree housing, because of the bureau's stipulations.

Mr. Johnson moved for approval, seconded by Mr. Fast Dog.

Discussion: Mr. Johnson said he had seen homes burn down within a mile of Mandaree, and this fire truck could not be moved to assist in the firefighting. Mr. Hale said he had discussed the acquisition of this fire truck with the bureau. The TAT Property & Supply and the bureau's Property & Supply will have to get together on the paperwork. Mr. Mark Fox stated he would like to see an amendment to the resolution, as follows: "Subject to all necessary documentation and approval by the Bureau of Indian Affairs". Mr. Johnson and Mr. Fast Dog agreed to the amendment. Chairman Mason then called for a vote.

Motion: Ivan Johnson
Second: George Fast Dog
Vote: 5 in favor; 2 absent.
Resolution Passed.

RESOLUTION NO. 95-092-MNF

- B. Fort Berthold Housing Authority, Youth Build Program.

This resolution requests tribal support for a Youth Build application available from the Housing & Urban Development (HUD). FBHA is applying for \$999,532.00 in federal funds to operate a Youth Build Program on the Fort Berthold Indian Reservation. This grant would provide federal funds to train high school drop outs between the ages of 16-24 in carpentry, leading to a journeyman. It is an apprenticeship program. Tribes' match would be \$10,000.00 from FY 1996 350-G Business Development Fund.

Ivan Johnson moved for approval, seconded by Mark N. Fox.

Discussion: Mr. Fox inquired if this were approved for the full amount requested, would Mr. Cross still be looking at the \$10,000.00 from the docket funds. Mr. Cross said these funds would be part of the success of the project.

Motion: Ivan Johnson
Second: Mark Fox
Vote: 5 in favor; 2 absent.
Resolution Passed.

RESOLUTION NO. 95-093-MNF

C. CDBG Grant Application, Mandaree Community Building.

This is for a new community building at Mandaree. Discussion was held on waiving or not waiving the indirect costs for this project. Some language in the resolution pertaining to other issues was also discussed.

Chairman Mason asked for a motion and second to approve the resolution, for purposes of more discussion. Moved to approve by Ivan Johnson. Seconded by George Fast Dog. Appropriate language for the resolution was discussed further. It was agreed this resolution would be presented later in the meeting, with the proposed changes.

NOTE: Resolution was presented later in the meeting, and was approved, as follows:

Motion: Ivan Johnson
Second: George Fast Dog
Vote: 5 in favor; 2 absent.
Resolution Passed.

RESOLUTION NO. 95-094-MNF

D. "Survey of Families and Incomes" Completed in June 1994 by Mandaree Incorporated on Demographic Data for Mandaree/West Segment for the CDBG Application.

Motion made to approve by Ivan Johnson. Seconded by Edwin Hall.

Motion: Ivan Johnson
Second: Edwin Hall
Vote: 5 in favor; 2 absent.
Resolution Passed.

RESOLUTION NO. 95-095-MNF

E. COPSFAST Grant.

Ivan Johnson moved for approval of this resolution. Seconded by George Fast Dog.

Discussion: Grant application is for an additional police officer to serve the Fort Berthold Reservation. This would supplement BIA Law Enforcement, and the position would be supervised by them.

Motion: Ivan Johnson
Second: Edwin Hall

Vote: 5 in favor; 2 absent.
Resolution Passed.

RESOLUTION NO. 95-096-MNF

- F. ANA Resolution to Apply for Financial Assistance to Revise, Redraft, or Amend TAT Constitution.

Resolution is to apply for a grant from ANA to revise the tribal constitution. Motion to approve by Edwin Hall.
Second by Ivan Johnson.

Discussion on amendments made to resolution. The full council will review and give final approval to the final grant application. The total amount for the grant, if approved, shall not be wrapped up in consultant fees. Grant application scheduled to be reviewed by the council on May 15th at 10:00 a.m.

Motion to approve resolution, with amendments, was restated by Edwin Hall, seconded by Ivan Johnson.

Motion: Edwin Hall
Second: Ivan Johnson
Vote: 5 in favor; 2 absent.
Resolution Approved.

RESOLUTION NO. 95-097-MNF

V. NEW BUSINESS.

- A. FBCC Graduation Pow Wow Financial Assistance Request.

Gerald Fox, FBCC, presented a financial aid request on behalf of the college for their graduation pow wow. Mark Fox motioned to approve \$300.00. Seconded by Ivan Johnson.

Motion: Mark Fox
Second: Ivan Johnson
Vote: 5 in favor; 2 absent. Motion Passed.

- B. Kelly Fox Financial Request.

George Fast Dog presented a request for a \$500.00 loan for Kelly Fox for graduation expenses. Motion made to approve by Mr. Fast Dog, seconded by Ivan Johnson.

Discussion: A loan for \$300.00 was considered to be more in line for this purpose. Mr. Fast Dog and Mr. Johnson retracted their motion and second. New motion for \$300.00 made by Mr. Fast Dog, seconded by Mr. Johnson.

Motion: George Fast Dog
Second: Ivan Johnson
Vote: 5 in favor; 2 absent. Motion Passed.

- C. Recognition of Two Students Graduating from UND School of Medicine.

Chairman Mason stated there are two medical students graduating from UND School of Medicine. He requested a motion for a card and gift to be sent to the two students. Mark Fox made a motion that the TBC provide a card and a small gift, not to exceed \$100.00. Seconded by Edwin Hall.

Motion: Mark Fox
Second: Edwin Hall
Vote: 5 in favor; 2 absent. Motion Passed.

- D. Gaming Briefing on Kenneth Fredericks, Jr. Twin Buttes Casino Proposal.

Briefing was given by Mark N. Fox on the Twin Buttes gaming proposal teleconference and three major areas of concern. The three areas of concern are:

1. Breakdown on numbers and projections.
2. Land base.
3. Current Management Agreement with BHL&Co.

Additional research on this project is to continue.

- E. Surplus Buffalo from National Park Service.

A special meeting was set up for Friday, May 5, 1995, with Theodore Roosevelt National Park Service to sign the new 5-year agreement between TAT and NPS.

- F. Personnel Actions.

1. Head Start: Motion made by Mark Fox to act on two temporary positions for Head Start, and table the teacher assistant position to May 10. Motion seconded by Edwin Hall. Vote: 5 in favor, 2 absent. Carried.
 - a. Temporary Cook, Parshall Head Start. Motion to appoint Mavis Foote made by George Fast Dog, seconded by Mark Fox. Vote: 5 in favor; 2 absent. Motion Passed.
 - b. Temporary Bus Driver, New Town Head Start. Motion made by George Fast Dog to appoint Jeanette Nez, seconded by Ivan Johnson. Vote: 5 in favor; 2 absent. Motion Passed.
2. EDA Planner: Motion made by Ivan Johnson and seconded by Edwin Hall to lay off employee in this position due to cessation of EDA grant funds. Vote: 4 in favor; 1 abstention. Motion Passed.
3. JOM Director: Action deferred to future date.

G. Proposed Resolution for FMHA Loan Package for FBCC Phase II.

Mark Fox distributed proposed resolution on FmHA loan package for Fort Berthold Community College Phase II, so council could review and take action at a later date.

H. T-2 Salary Savings Plan Submitted by Treasurer.

Treasurer Fox submitted a plan for savings in salary costs presently being paid out of tribal funds. The plan called for reduction of hourly rates and transfers to other budgets. Treasurer Fox said the adjustments will save the tribe approximately \$150 to \$160 thousand annually.

Motion was made by Ivan Johnson to approve the plan for savings and the recommendations made by Mr. Fox and staff who helped him. Motion seconded by Edwin Hall.

Vote: 5 in favor, 2 absent. Motion Passed.

Treasurer Fox stated he would have the Personnel Office notify the affected employees that this action will take effect in Pay Period #10. He also stated he will follow up this action with a resolution.

VI. ADJOURN.

Motion was made by Ivan Johnson for adjournment and seconded by George Fast Dog. All in favor. Meeting adjourned at 7:15 p.m.

CERTIFICATION OF MINUTES

I, the undersigned, as 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.

6 members were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14th day of September, 1995, whereupon the foregoing minutes were presented for approval by the Three Affiliated Tribes Recording Secretary.

Said Minutes were duly approved by the affirmative vote of 6 member(s), 0 member(s) opposed, 0 member(s) abstained, 1 member(s) absent and not voting; and that these Minutes have not been rescinded or amended in any way, except as noted by council when approved.

DATED THIS 14th DAY OF SEPTEMBER, 1995.



Mark N. Fox, Acting Secretary
Tribal Business Council



Russell D. Mason, Sr. Chairman
Tribal Business Council