



MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

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

TRIBAL BUSINESS COUNCIL
Office (701) 627-4781
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MINUTES OF

SPECIAL TRIBAL BUSINESS COUNCIL MEETING

THURSDAY, AUGUST 17, 1995, 01:45 P.M.

I. CALL MEETING TO ORDER & PRAYER.

Meeting was called to order at 1:45 p.m. by Chairman Russell D. Mason, Sr. A moment of silent prayer was held. Edwin Hall was designated as Acting Secretary until Daylon Spotted Bear arrived.

II. ROLL CALL.

Recording Secretary called roll, as follows:

Chairman Russell D. Mason, Sr.	Present
Councilman Mark Fox	Present
Councilman Austin Gillette	Present
Councilman George Fast Dog	Present
Councilman Edwin Hall	Present

Councilman Daylon Spotted Bear	Absent
Councilman Ivan Johnson	Absent

Visitors: Diane and Robert Finley, Dale Little Soldier,
Dana Howard, Pearl Howard, June Lockwood.

Employees: David A. Brendsel, John Danks, Florence Brady,
Paul Danks, Mary Fredericks, Kyle Baker, Keith Mandan,
C. J. Packineau, Marian Spotted Bear.

III. APPROVAL OF AGENDA.

Chairman Mason requested that only those items on the agenda that needed to be dealt with be acted on, and that the other items be deferred to a special meeting to be held on Thursday, August 24. At this time, he called for a special report from Treasurer Fox and David Brendsel on the status of the tribes' loan package. Mr. Brendsel said the Bank of North Dakota will be a major part of the package and that the total package is five million dollars. He went on to explain how the debt will be serviced and reported that confirmation has been received from the banks. Mr. Brendsel was commended for his hard work, along with the staff who assisted in this endeavor.

Mark Fox said a Treasurer's Report would be submitted sometime after the 25th of August. He also said he would write letters of commendation for Mr. Brendsel and other staff who supported him.

Austin Gillette stated the MR&I Project would go ahead and get bids in on the water line in White Shield.

Mr. Brendsel inquired about the funds in the recovery account and asked for direction on getting this money invested. Chairman Mason advised him to work with Treasurer Fox and submit recommendations to the council. A resolution was asked to be submitted to cover the investment of these funds.

Chairman Mason announced that Senator Byron L. Dorgan would be at the Dialysis Center in about one hour to tour the facility, and all councilmen were invited to attend. Also, the Dakota Territories Tribal Chairmen's Meeting will be held on Saturday (August 19) at Prairie Knights. Edwin Hall and Ed Lone Fight will be the official representatives, however, all councilmen are invited to attend. On Monday, August 21st, there will be a meeting with the Attorney General at the State Capitol at 9:00 a.m. regarding gaming issues. Mark Fox will be the official representative, however, all councilmen are invited to attend. On August 22nd, there will be an Economic Development Meeting at the Heritage Center in Bismarck. Edwin Hall and John Danks will be the official representatives. Federal budget issues were reviewed and discussed at this time, along with the proposed amendments to the Indian Gaming Regulatory Act.

Items deleted from the agenda were: Oil & Gas Report/Natural Resources; Peal Howard Request on Water Well; Phyllis Walker, Kenneth Drags Wolf, Jr., and Elgin W. Dye Land Sales; CHR Vans; Tree Planting/Natural Resources; Criminal Investigator Recommendation; and all personnel items.

Items added to agenda were the loan package update; gaming audit finalization; Extension Office Resolution; and Jason Two Crow Request.

MOTION was made by Edwin Hall, SECOND by Austin Gillette, to approve the agenda, with changes.

VOTE: 5 in favor, 2 absent. APPROVED.

IV. NEW BUSINESS.

A. Dale Little Soldier on Casino Accounting.

Mr. Little Soldier introduced Dennis E. Oberloh, CPA, from Redwood Falls, MN. Mr. Little Soldier stated they would like to address the accounting system of the casino and if internal controls for this operation have not been established, if the tribe would be interested in the services of Mr. Oberloh. Mr. Oberloh then gave a short presentation on the work history of his firm and how they would be able to assist the tribe, if necessary.

Mark Fox stated that the tribe had completed an independent audit on the 4-Bears Casino just recently; however, he advised perhaps Mr. Oberloh's services could be utilized in the future. Mr. Little Soldier and Mr. Oberloh were thanked for their time and concern.

NOTE: Council recessed at 2:48 p.m. to welcome Senator Dorgan at the Dialysis Center. Council reconvened at 4:22 p.m.

B. Diane and Robert Finley Medical Request.

Mr. and Mrs. Finley requested to borrow up to \$1,000.00 to assist them with medical expenses and traveling back and forth for physical therapy for their daughter.

DISCUSSION on the fact that a \$500.00 loan had already been made, plus a \$300.00 grant had been approved for the family.

MOTION made by George Fast Dog to grant an additional \$200.00 to Mr. and Mrs. Finley for medical expenses.
SECOND to motion made by Austin Gillette.

VOTE: 5 in favor; 2 absent. APPROVED.

FURTHER DISCUSSION on possibility of community fund raisers to assist the family should be coordinated with the tribal representative.

V. OTHER BUSINESS.

A. Indian Law Resource Center Designation of Major Case Project to be Pursued on Behalf of Tribes.

Mr. Christopher D. Quale asked the council for suggestions of projects to be pursued on behalf of the tribes to send to the Indian Law Resource Center. Several suggestions were discussed such as the constitutional revision and amendments to the code, a water code, a code of ethics as part of the constitution, the management of JTAC recovery funds, and taxing revenues. After further discussion, council designated the development of a water code as the project to be submitted to the Indian Law Resource Center for consideration.

NOTE: At this time, Mr. Quale distributed copies of a fax he had received on the gaming arbitration and the fees involved.

B. Gaming Audit Finalization.

Mark Fox said he had the gaming audit for the 4-Bears Casino from July 1993 to July 1994. He said he was requesting approval to sign off on the audit so he could submit it to the National Indian Gaming Commission.

MOTION was made by Edwin Hall for Mark Fox to go ahead and follow through with the finalization and submittal of the July 1993-July 1994 4-Bears Casino audit.
SECOND to motion was made by George Fast Dog.

VOTE: 5 in favor; 2 absent. APPROVED.

VI. RESOLUTIONS.

- A. Amendment to Fire Protection Agreement/Contract with the New Town Fire Department and Payment Authorization.

Keith Mandan presented this resolution which would authorize payment of an annual fee of \$30.00 to the New Town Fire Department for protection of 51 tribal members' private homes in the New Town area, plus would add the LCM Building, Growth & Development Trailer, Alcoholism Building, and Head Start Trailer.

MOTION to approve resolution made by George Fast Dog.
SECOND to motion made by Edwin Hall.

VOTE: 3 in favor; 1 opposed; 1 abstention; 2 absent.
PASSED. #95-160-EH

- B. Payment to New Town Fire Department for Silletti Fire.

MOTION made by George Fast Dog to approve payment of this bill to the New Town Fire Department. No second to motion.
Motion died.

DISCUSSION on whether or not title was transferred to family by Housing; if not, this family would be eligible for insurance.
Mr. Paul Danks and Keith Mandan to follow up on this.

- C. Extension Indian Reservation Program (EIRP) Office, Mary Fredericks.

Mary Fredericks submitted this resolution stating they are doing their proposal for the extension service. They are in the fifth year of a 5-year program, and in order to write and submit the proposal, guaranteed money from the tribe is required. The proposal calls for the Tribe to contribute a total of \$4,000.00 to this program.

MOTION made by George Fast Dog to pass the resolution.
SECOND to motion made by Austin Gillette.

DISCUSSION: Mary Fredericks explained that the \$4,000.00 would be split into two payments of \$2,000.00 each in August 1995 and \$2,000.00 in March 1996. This is for their fiscal year 1995. This allocation is to be included in the Tribal Budget from now on.

VOTE: 5 in favor; 2 absent. PASSED. #95-161-EH

VII. JASON TWO CROW REQUEST.

Mr. Two Crow submitted a request for payment of compensatory time hours that he had accumulated while employed in the Growth & Development Program. After his program was transferred to the Fort Berthold Housing Authority, he was advised he had been an exempt employee under the Three Affiliated Tribes and, therefore, ineligible to receive compensatory time.

After hearing Mr. Two Crow's appeal, council decided to defer any action until Mr. Ed Lone Fight, Tribal Programs Manager; and Mrs. Florence Brady, Personnel Director, could be in attendance. Mr. Two Crow agreed.

VIII. DANA HOWARD REQUEST.

Mr. Howard addressed the council regarding a medical request. He was advised by council that he would be eligible for a \$500.00 loan from the tribe, and that this would be processed the next day.

IX. JUNE LOCKWOOD REQUEST.

Pastor Lockwood advised the Alpha-Omega Fellowship will be having their 17th annual camp revival starting on the 23rd of August at Four Bears. Financial request was for money to purchase food to feed the visitors, and other expenses.

MOTION was made by George Fast Dog to approve request for \$300.00. SECOND to motion was made by Austin Gillette.

DISCUSSION on amount donated. Mark Fox issued a challenge to the other councilmen, saying that he would personally donate \$25.00. Edwin Hall was the only councilman to accept the challenge, stating he would also personally donate \$25.00 to the camp revival.

VOTE: 5 in favor; 2 absent. APPROVED.

X. ADJOURN.

MOTION to adjourn was made by Austin Gillette. SECOND by Edwin Hall.

VOTE: 5 in favor; 2 absent. Meeting adjourned at 5:53 p.m.

Next meeting will be a special meeting to be held on Thursday, August 24, 1995, 10:00 a.m.

CERTIFICATION OF MINUTES

FOR AUGUST 17, 1995, SPECIAL TBC MEETING

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.

7 members were present at a Special Meeting thereof duly called, noticed, convened, and held on the 31st day of August 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 7 member(s), 0 member(s) opposed, 0 member(s) abstained, 0 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 31st day of August, 1995.

Daylon Spotted Bear
Daylon Spotted Bear, Secretary
Tribal Business Council

ATTEST:



Russell D. Mason, Chairman
Tribal Business Council