

# Four Bears News

DRAGS WOLF VILLAGE, BAKERSFIELD AND BLUE BUTTES

FOUR BEARS COUNCIL REPRESENTATIVE NEWSLETTER



FY-04 May 31, 2004

Issue No. 44

## “COUNCIL VOTES THAT TRIBAL ENTERPRISES BE SELF-SUFFICIENT BY JULY 2, 2004”



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The Tribal Business Council duly passed the following Tribal Business Council Resolution #04-087-RP which states in its entirety the following: WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and WHEREAS, The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefits of the Tribes and of the enrolled members thereof; and WHEREAS, Article VI, Section (c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer funds or property within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purpose of the tribes; and WHEREAS, The Three Affiliated Tribes Business Council of the Three Affiliated Tribes are enduring budget shortfalls partially due to tribal funding Tribal Enterprises that are in turn not able to make their respective budgets balance this fiscal year; and WHEREAS, The Tribe duly supports the Economic Enterprises as a means of self-

sufficiency and employment, however, such enterprises are not independent from the Tribal Budget of the Three Affiliated Tribes; and WHEREAS, The Tribe has implemented a MHA Nation Holding Company, which should be capable of undertaking the fundamental needs of financial management including but not limited to Payroll, Accounts Payable; and THEREFORE BE IT RESOLVED, The Tribal Business Council has determined it to be in the best interest of the Tribe to remove the Tribal Enterprises from the Financial Systems of the Three Affiliated Tribes; and BE IT FURTHER RESOLVED, The Tribal Enterprises shall be given adequate notice to initiate their respective transfer of accounts and accounting to their own Enterprises to be made as soon as practical; and BE IT FINALLY RESOLVED, The Tribal Finance Department of the Three Affiliated Tribes shall not be obligated in any form or manner or be responsible for the Financial Administration of the Tribal Enterprises and that such responsibility shall be transferred to the MHA Holding Company of the Three Affiliated Tribes effective July 2, 2004.

**Tribal Business Council of TAT**  
**Regular Meeting held on May 21, 2004**

**TRIBAL BUSINESS COUNCIL APPROVES  
THE ENFORCEMENT OF TERO FEE ON  
ALL SCHOOL DISTRICTS ON THE FORT  
BERTHOLD RESERVATION.**

The Tribal Business Council took formal action to approve the Tribal Resolution #04-082-RP, which re-instates the TERO Fees on the School Districts within the Fort Berthold Indian Reservation which states in part the following: "WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and WHEREAS, The Three Affiliated Tribes Constitution authorizes and empowers the Mandan, Hidatsa & Arikara Tribal Business Council to engage in activity on behalf of and in the interest of the welfare and benefit of the Tribe and of the enrolled members thereof; and WHEREAS, The Tribal Business Council enacted Resolution No. 97-113-DSB which exempted Public School Construction Contract from paying a TERO fee; and WHEREAS, The Tribe's TERO Office has recommended that the Tribal Business Council rescind Resolution No. 97-113-DSB; and WHEREAS, The Tribal Business Council desires to follow this recommendation. NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby rescinds Resolution No. 97-113-DSB."

**TRIBAL BUSINESS COUNCIL APPROVES  
THE ADOPTION OF THE NEW TRIBAL EM-  
PLOYMENT RIGHTS ORDINANCE**

The Tribal Business Council took formal action to approve the Tribal Resolution #04-083-RP, which approves the revisions of the TERO Ordinance which states in part the following:

"WHEREAS, The Tribal Business Council is authorized to adopt resolution regulating the

procedures of Tribal agencies pursuant to Article VI, Section 5 (l) of the Tribe's revised Constitution and Bylaws; and WHEREAS, The Tribe has previously enacted a Tribal Employment Rights Ordinance (TERO), pursuant to Resolutions No. 83-122-S and No. 93-40-JJR; and WHEREAS, The Tribal Business Council finds that revisions need to be made to the Tribe's TERO Ordinance to provide more specific and comprehensive guidance to the Director and staff of the TERO Office and to the members of the TERO Commission for the purpose of realizing an improved implementation of the federally recognized policy of Indian preference in employment and contracting within the exterior boundaries of the Fort Berthold Reservation; and WHEREAS, The TERO Office has worked diligently with attorney Dan Press and has made revisions to the TERO Ordinance a copy of which is attached hereto; and WHEREAS, The Tribal Business Council desires to adopt said Ordinance. NOW, THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby approves and adopts the attached Ordinance entitled "TERO ORDINANCE OF THE MHA NATION", which provisions shall forthwith supersede and replace all provisions currently set forth in the document entitled "TERO ORDINANCE OF THE FORT BERTHOLD RESERVATION".

**Tribal Business Council of TAT**  
**Regular Meeting held on May 21, 2004—Continued**

**TRIBAL BUSINESS COUNCIL APPROVES THE TRANSFER OF OUTSTANDING TRAVEL CLOSEOUTS BE FORWARDED TO SMALL LOANS FOR COLLECTION.**

The Tribal Business Council took formal action to approve the Tribal Resolution #04-89-RP; which addresses the outstanding travel balances be reverted to Small Loans Department for collection in concurrence to Resolution #04-45-RP; which states in part the following:

“WHEREAS, The Three Affiliated Tribes have been making many strides in correcting Financial Audit Issues; one of these issues is the outstanding travel owed the Tribe; and WHEREAS, This outstanding travel is defined as upon completion of official travel and travel closeout a remaining balance remains due and payable to the Three Affiliated Tribes, but still outstanding to be paid to the Tribe; and WHEREAS, The Tribal Business Council has duly passed Tribal Council Resolution #04-45-RP, wherein specifying a deadline to turn in all respective closeouts due and remit the amount owed the Tribe by May 31, 2004; and thereafter comply with Travel Policies and Procedures of the Three Affiliated Tribes; and WHEREAS, The Travel Policies and Procedures of the Three Affiliated Tribes have read for many years that the Travel is to formally closed out and if there remains an outstanding travel balance that it would be remitted back to the Tribe within two (2) work weeks; and WHEREAS, The Tribal Business Council has provided approximately fourteen (14) months time for all employees to come into compliance with this current travel close out requirement , therefore more than adequate notice has been given and has been afforded an appeal of such travel closeout balance disputed amounts; and

WHEREAS, However, their remains an outstanding amount owed for a majority of the Personnel who have taken official travel, such outstanding amount owed therefore will be transferred and reverted into a Small Loan Balance of the Three Affiliated Tribes and be collected respectfully with interest; such interest and fees as required through Small Loan Policies and Procedures; and

WHEREAS, Small Loans of the Three Affiliated Tribes will remit such outstanding principal amounts to the Tribal Finances for reimbursement back to the respective programs due such outstanding travel; and

WHEREAS, The Tribal Business Council has determined that the travel outstanding over the amount of \$2,000 shall be deemed a small loan and to be transferred to the Small Loan Department of the Three Affiliated Tribes with a payback pursuant to the respective Policies and Procedures of such Small Loan Department; and

WHEREAS, The Tribal Business Council has also determined that the closing date for the Tribal Employees of the Three Affiliated Tribes whom have outstanding travel to be paid in full shall be not later than September 30, 2004; and

BE IT FINALLY RESOLVED, That the Tribal Business Council’s sole intent of this respective action is to be in compliance with Federal and Tribal Travel Regulations that have been denoted on Tribal Audits.”

**Tribal Business Council of TAT**  
**Regular Meeting held on May 21, 2004—Continued**

**TRIBAL BUSINESS COUNCIL APPROVES SMALL LOANS OF THE THREE AFFILIATED TRIBES THE AUTHORITY TO APPROVE LOANS NOT TO EXCEED \$3,500.**

The Tribal Business Council took formal action to authorize Small Loans Department of the Three Affiliated Tribes with the authority to complete the necessary transactions for loans up to the amount of \$3,000. Prior to this approval the Small Loans Department only had authority for transacting Loans not exceeding \$1,000. However, at this time the Tribal Business Council believes that the Small Loans Department is proficient in their respective duties and responsibilities. Therefore the Tribal Business Council has formally raised the dollar amount on the loans that the staff can process to this new level of \$3,000 without seeking Tribal Business Council approval.

**TRIBAL BUSINESS COUNCIL APPROVES THE PURCHASE OF SHARES IN THE NATIVE AMERICAN BANK.**

The Tribal Business Council took formal action to approve the Tribal Resolution pursuant to Tribal Resolution #04-91-RP; which authorizes the Purchase of 161 shares of Common Stock, which states in part the following:

“WHEREAS, The Three Affiliated Tribes presently owns 1000 shares of Class A Common Stock in the Native American Bancorporation Co.; and

WHEREAS, The Native American Bancorporation Co. is presently offering the Three Affiliated Tribes the right to purchase 161 additional shares of stock at a price to reflect the book value of the companies stock on December 31, 2003 which was \$431.73 per share; and

WHEREAS, The total investment by the Tribe to exercise the option to purchase 161 additional shares of Common Stock would be

\$69,508.53; and

WHEREAS, the Tribal Business Council desires to exercise its option to purchase the 161 shares of Common Stock in Native American Bancorporation Co. at \$431.73 per share.

NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes the purchase of 161 shares of Common Stock in Native American Bancorporation Co. at \$431.73 per share subject to funding availability.”

**TRIBAL BUSINESS COUNCIL APPROVES MEMORANDUM OF AGREEMENT WITH THE NATIONAL GUARD TO CONSTRUCT WALKING PATHS IN FOUR BEARS SEGMENT.**

The Tribal Business Council took formal action to approve an Memorandum of Agreement with National Guard to construct walking paths in Four Bears Segment. According to Scott Eagle, Project Manager, such paths will be constructed of pavement around the Four Bears Park and connect to the new Interpretive Center Road Areas by the old Methodist camp.

**TRIBAL BUSINESS COUNCIL APPROVES 2004 NORTH DAKOTA GAMING DUES.**

The Tribal Business Council took formal action to approve the Tribal Resolution #04-96-RP; which states in part as follows:

“NOW, THEREFORE BE IT RESOLVED, the Tribal Business Council hereby authorizes the payment of \$25,000 in membership dues to the North Dakota Indian Gaming Association for 2004”



**Tribal Business Council of the Three Affiliated Tribes**  
**Financial Information—Tribal Account Balances as of May 6, 2004**

**ECONOMIC RECOVERY, INDIVIDUAL INDIAN MONIES FUND AND  
 DOCKET FUNDS BUREAU OF INDIANS AFFAIRS & OFFICE OF TRUST  
 FUNDS MANAGEMENT**

The Three Affiliated Tribes account balances with the JTAC Account is as follows:

**Account #EC5197016**

JTAC Account Principal	\$150,377,740.42	
JTAC Interest	<u>\$29,806,115.43</u>	
<b>Total Principal &amp; Interest</b>		<b>\$180,185,951.38</b>

Williston National Bank    Debt Reserve Accounts		<b>\$377,666.24</b>
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**SPECIAL IIM ACCOUNTS WITH BIA/OTFM SUMMARY:**

Account #301S000700- TAT Land Development	\$ 96,496.90	
Account #301S000701- TAT Reserve	\$ 32,014.27	
Account #301S000702- TAT Debt Service	\$ 723.64	
Account #301S000703- TAT Operating Funds	\$ 0.00	
Account #302S000706- TAT Small Loan Prog.	\$ 947.72	
PL 7228700	\$ 393,963.59	
<b>Total IIM Funds</b>		<b>\$525,146.12</b>

The Three Affiliated Tribes account balance for all the  
 Docket Accounts are as follows:

**Account #JA9009216**

Docket 350C/D, Judgment Award, June 1, 1976	\$ 1,955,589.20	
Docket 350C/D - Interest	<u>\$50,340.63</u>	
<b>Total Principal &amp; Interest</b>		<b>\$2,005,929.83</b>

**Account #JA9006212**

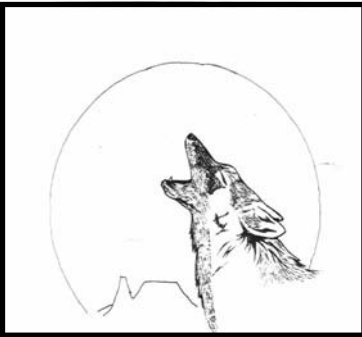
Docket 350F, Judgment Award, June 12, 1975	\$ 206,613.95	
Docket 350F - Interest	<u>\$6,867.12</u>	
<b>Total Principal &amp; Interest</b>		<b>\$213,481.67</b>

**Account #JA9028216**

Docket 350G, Judgment Award, June 9, 1981	\$6,896,183.14	
Docket 350G - Interest	<u>\$ 201,412.93</u>	
<b>Total Principal &amp; Interest</b>		<b>\$7,097,635.96</b>

<b>Grand Total All Dockets</b>		<b><u>\$9,317,047.46</u></b>
<b>Total All Funds with BIA/OTFM</b>		<b><u>\$190,405,811.20</u></b>

Note: All Financial Information received from Steve Salveson, Chief Financial Officer of the Finance Department of the Three Affiliated Tribes. MWJR.



**“COYOTE COMMENTS”  
OF THE FOUR BEARS SEGMENT  
MARCUS D. WELLS, JR. “MO-ZAH”  
FOUR BEARS SEGMENT REPRESENTATIVE  
OF THE TRIBAL BUSINESS COUNCIL  
OF THE MANDAN, HIDATSA & ARIKARA**

**“OUTSTANDING TRAVEL BALANCES DUE BY SEPTEMBER 30, 2004”**

*The Tribal Business Council in its continued efforts to make the Budget Balance is once again making policy that will attempt to reduce the amount of outstanding Travel dollars due and payable to the Three Affiliated Tribes. The procedures seem simple enough to follow, however for one reason or another the travel close outs of the official travel taken on the behalf of the Three Affiliated Tribes sometime does not get closed out. The close out process entails attaching the receipts from the lodging at a motel/hotel to a closeout form with the odometer mileage from the motor vehicle used in the official travel and attaching the receipts for the expenses of the travel. The totals are then calculated to determine the difference of the amount received versus the amount expended to be refunded to the employee or the amount due the Tribe.*

*As of today there remains a substantial amount that will be due and payable to the Three Affiliated Tribes on September 30, 2004. However, any amount due that is over \$2,000 shall be transferred to the Small Loans Department of the Three Affiliated Tribes wherein it will be collected for the program due such travel dollars and the interest shall be remitted to the Small Loans Department. Prior to taking another travel, such traveler must be duly closed out on all prior travel. In addition the Travel Policy shall be adhered to which states outstanding travel shall be due in full within two weeks of the official travel.*

*Only one problem with the above, however, what remains to be seen is what assurances do we have that the balances are correct because of the system not being failsafe. I myself have wondered what if the numbers do not add up? The Finance Department has instructed all employees with outstanding travel due the tribe whom are not satisfied with the denoted amounts to file the appropriate appeal. And the travel staff will assist you with proving up the numbers are accurate and close. The reason I say that is simply, I do not trust old numbers.*

*If the numbers were from a duly documented audited report that was researched and had a completed listing of each and every travel and wage deduction, then maybe. However that is the exception, not the rule. I have found out first hand that these numbers fluctuate up and down depending on what Fiscal Year you start out reconciliation forward to today's date. So be aware that the numbers that are listed on your respective employee listing, may be worth looking at before accepting and then worth your while to appeal such balance owed. It's just like reconciling your checkbook with a local banking institution you must do your reconciliation for you own check & balancing of the final current balance.*

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**“2003 TREASURER REPORTS”**

*The 2003 Treasurer Report is being given to each segment thus far, Four Bears Segment was delivered their report on April 2004 and Mandaree Segment was delivered on May 10, 2004. For copies of such Treasurer Report please contact the Treasurers staff. Thank You.*

*The Coyote Commentary is the personal opinion of the Four Bears Representative and should not be taken as the official position of the Tribal Business Council. “Mod-zi-gidaz”.*

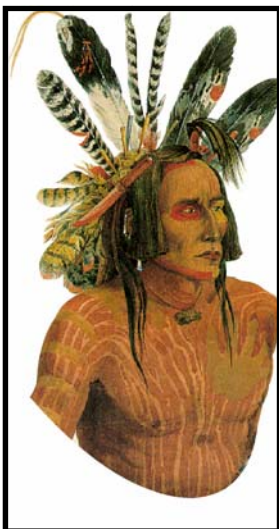
**Tribal Business  
Council of the Three  
Affiliated Tribes**

**404 Frontage Road  
Administrative  
Building,  
Four Bears, ND 58763**



**Four Bears Segment  
Representative**

**“Representation for  
Today, preparing for our  
Future”**



**Four Bears Council Representative  
of the Three Affiliated Tribes  
of the Fort Berthold Reservation  
Directory of Staff**

The Telephone numbers of the Four Bears Council  
Representative Segment Staff are below:

Kathy White Tail, Admin. Assist.	627-3155
Charlie Conklin, Facility Manager	627-3155
Debbie Chase, Head Cook	627-3155
Kim Bird, Assistant Cook	627-3155
Brian White Tail, Recreation Coordinator	627-3155
Hollis Blake, Water Truck Driver	627-3155
Home:	627-3670

Telephone numbers for the Treasurer & Staff  
whom are located in South End of the Tribal  
Administration Headquarters:

Marcus D. Wells, Jr., Tribal Office	1-701-627-4781
Home: 701-627-3495	Cell phone: 1-701-421-1442
e-mail: fourbears@mhanation.com	
Website: mhanation.com	
V. Judy Brugh, Treasurer Assistant	627-4781
Jennifer Mann, Admin. Assistant	627-4781

**Purpose of the Four Bears News Letter:**

*The Four Bears Segment Representative utilizes this “Four Bears News” to report to you the membership of the Four Bears Segment of the Official Action taken and recorded in Minutes and Resolutions of the Tribal Business Council during Regular and Special Meetings.*

*If you need any further information or assistance from the Four Bears Segment or the Tribe, just give me or my staff a telephone call and we will do the best we can to get your question answered or assist if possible.*

**Closing Comments:**

*If, you have any question or need any assistance, please give me a call, I can be reached by telephone at home 627-3495 at the office 627-4781 or on my cell phone which is a local call at 421-1442. For those of you who have e-mail, you can e-mail me at [coyoteden@restel.net](mailto:coyoteden@restel.net) or [fourbears@mhanation.com](mailto:fourbears@mhanation.com). Or if you would like me to come to your home to visit with you, I can do that also.*

*“Mod-zi-gidaz” - Thank You.*

*Marcus Wells, Jr. “Mo-zah”*

*Four Bears Segment Representative of TAT*

