

Four Bears News

DRAGS WOLF VILLAGE, BAKERSFIELD AND BLUE BUTTES

FOUR BEARS COUNCIL REPRESENTATIVE NEWSLETTER



FY-04 June 30, 2004

Issue No. 45



“North Dakota Tribes take five during the United Tribes Board Meeting at Hankinson,



Inside this issue:

June 29, Action	2-4
June 9, HHR&E	5
TAT Financial Info.	6
Coyote Comments	7
FB Directory	8

The Tribal Councils of the five tribes of the State of North Dakota convened two (2) meetings at the Dakota Magic Casino & Lodge in Hankinson, ND.

The Tribes held meetings in regards to the United Tribes Board of Directors from 10:00 AM to 2:30 PM and took care of their quarterly meeting concerns which included a proposed Hotel/Motel for the Bismarck, ND area.

After such meeting concluded the North Dakota Indian Gaming Association convened a meeting and the Agenda included the following issues:

- 1. Turtle Mountain Band of Chippewa—Grand Forks Casino Project.*
- 2. Economic Impact Survey*
- 3. Revenue Sharing—NCAI/ NIGA...*

The North Dakota Indian Gaming

Tribal Business Council of TAT
Regular Meeting held on June 29, 2004

TRIBAL BUSINESS COUNCIL APPROVES EDI—USDA GRANT IN THE AMOUNT OF \$894,150 FOR THE TRIBAL INTERPRETATIVE CENTER.

The Tribal Business Council duly passed the following Tribal Business Council Resolution #04-105-RP which states in part:

“WHEREAS, The Three Affiliated Tribes Cultural Interpretive Center Project has responded to the U.S. Department of Housing and Urban Development’s Economic Development Initiative (EDI) account for certain special projects, pursuant to the VA-HUD-Independent Agencies Appropriations Act of FY 2003 (PL 108-7); and WHEREAS, The Three Affiliated Tribes is not required to match said grant...; and WHEREAS, The Tribal Business Council desires to accept said grant; and NOW THEREFORE BE IT RESOLVED, In recognition of the above authorization, the Three Affiliated Tribes Business Council hereby authorizes the Three Affiliated Tribes Cultural Interpretive Center Project to Apply for the EDI VA HUD Independent Agencies Appropriations grant funding opportunity in the amount of \$894,150.00...”

TRIBAL BUSINESS COUNCIL APPROVES OF USDA GRANT APPLICATION FOR THE AMOUNT OF \$497,500 FOR TRIBAL CULTURAL INTERPRETIVE CENTER.

The Tribal Business Council also duly passed the following Tribal Business Council Resolution #04-106-RP which states in part the following:

“WHEREAS, The ... Tribes Tourism Departments special projects; the Three Affiliated Tribes Cultural Interpretive Center Project has responded to the U.S. Department of Housing and Urban Development’s Economic Development Initiative (EDI) account for certain special projects, pursuant to the Consolidated Appropriations Act of 2004 (PL 108-199); and

WHEREAS, The Three Affiliated Tribes is not required to match said grant...; and NOW THEREFORE BE IT RESOLVED, In recognition of the above authorization, the Three Affiliated Tribes Tourism Department, special projects; the Three Affiliated Tribes Cultural Interpretive Center Project to Apply for the Department of Housing and Urban Development with Economic Development Initiative (EDI) Appropriations grant funding opportunity in the amount of \$497,050 and administer the same.”

TRIBAL BUSINESS COUNCIL APPROVES 638 CONTRACT WITH BOR.

The Tribal Business Council took formal action to approve a Tribal Business Council Resolution #04-116-RP, which states in part the following:

“WHEREAS, The United States Bureau of Reclamation (USBR) has made funding available in the amount of \$50,000 per year for five years to the Tribes under a self-determination contract (and annual funding agreement) for water resource development, management, and protection for the Fort Berthold Rural Water Supply System to perform the following Scope of Work:

- A. Conduct a Wellhead inventory and Assessment
- B. Conduct a Wastewater Needs Assessment
- C. Implement Plugging and Abandonment of Wells
- D. Prepare a Water Management/Conservation Plan
- E. Implementation of Water Management/Conservation Plan Activities and;...”

Tribal Business Council of TAT
Regular Meeting held on June 29, 2004

TRIBAL BUSINESS COUNCIL APPROVES RIBAIL, STAUFFER & ASSOCIATES PLLC FOR THE FY 2003 TRIBAL AUDIT.

The Tribal Business Council took formal action to approve the Ribail, Stauffer & Associates PLLC, 2501 N. Fairway Lane, Liberty Lake, Washington 99019 to perform the Audit Services for the FY Year 2003.

Per the June 11, 2004 engagement letter which state in part the following:

“Services to be Provided

We will audit the government wide financial statement of the Nation as of and for the year ended September 30, 2003, and any additional years as mutually agreed. We understand the financial statement for these years will be presented in accordance with the financial reporting model described in GASB Statement No. 34.

Also, the document we submit to you at the conclusion of each audit will include the following additional information that will be subjected to the auditing procedures applied in our audit of the financial statements:

1. Management’s discussion and analysis
2. Budgetary comparison schedules
3. Schedule of expenditures of federal awards
4. Individual and combining balance sheets, statements of revenues, expenditures, and changes in fund balance, and statements of cash flows, as appropriate, for the general fund and special revenue fund programs, and trust agency funds.
5. Corrective action plan, when appropriate, prepared by the Nation’s personnel.

Summary schedule of prior audit findings prepared by the Nation’s personnel.

Program Schedule

We share the Nation’s desire to become cur-

rent with their annual audit; upon timely approval of this addendum we will arrange our work schedules to provide the Nation with the same numbers of the audit team which performed your FY 2002 audit. We will begin our fieldwork as early as July 2004 for the 2003 audit, or at a mutually agreed upon alternative time. We anticipate the fieldwork can be completed in approximately 3-4 weeks and that a draft of the financial statements and advisory comments will be provided to the Financial Advisor or his designee during the exit conference. The exit conference will be held on the last day of field work each year.”

TRIBAL BUSINESS COUNCIL APPROVES UNITED TRIBES OF NORTH DAKOTA TRIBAL HOTEL PROPOSAL FOR THE CITY OF BISMARCK.

The Tribal Business Council took formal action to approve the funding of \$20,000 as support monies for the United Tribes Hotel to be located within the City of Bismarck, ND. Such facility is in the planning stages wherein all the Tribes within the State of North Dakota are collaborating to provide an economic development venture. Such facility will be planned and then re-presented to each specific tribe for final approval on such issues as final location and percentages of the funds to each respective Tribe that is participating in this off reservation economic development venture.

**TRIBAL BUSINESS COUNCIL APPROVES
EXTENSION FOR TRIBAL ENTERPRISES
TO UNDERTAKE THEIR FINANCE DUTIES**

The Tribal Business Council took formal action to approve an extension as requested from Scott Wilson, CEO of the Tribal Holding Company on the finance duties to be taken on by their respective enterprises. Such extension was extended to August 1, 2004, at such time the Tribal Enterprises will be solely responsible for their own financial services entirely.

This decision was unanimous, however it is understood that the Tribe will no longer be held financially responsible for economic enterprises.

**TRIBAL BUSINESS COUNCIL APPROVES
USDA SOLID WASTE IMPROVEMENT PROJECT
GRANT FOR TRANSPORT OF SOLID
WASTE OFF THE RESERVATION.**

The Tribal Business Council took formal action to approve Tribal Business Council Resolution #04-114-RP which states in part the following:

“WHEREAS, The Three Affiliated Tribes has applied for a U.S.D.A. Rural Development Grant in the amount of \$497,697 for the purpose of a Solid Waste Improvement Project; and

WHEREAS, The USDA Grant in the amount of \$497,697 represents 50 percent of the project cost of \$995,394; and

WHEREAS, In order for U.S.D.A. to further consider the Tribes’ grant application, the Tribal Business Council is required to authorize and execute USDA Form RD 1942-46; Letter of Intent to Meet Conditions dated June 24, 2004;...

WHEREAS, The above referenced USDA grant agreements have been submitted to the

Three Affiliated Tribes Legal Department for review and it has been determined that the above agreements contain provisions regarding North Dakota Law, State court jurisdiction and preference in hiring provisions that are unfavorable to the Tribes’ interests; and WHEREAS, The Tribal Business Council has determined that it will grant conditional approval...;

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby approves the following USDA forms and Agreements and authorizes Tribal Chairman Tex Hall to sign said documents provided that any terms that may be determined unfavorable to the Tribes jurisdiction and preference in hiring laws are modified by USDA:...”

**TRIBAL BUSINESS COUNCIL APPROVES
APPROVAL OF THE WATER OR WASTE
SYSTEM GRANT AGREEMENT WITH THE
USDA FOR THE MANDAREE INTAKE
EXTENSION PROJECT .**

The Tribal Business Council took formal action to approve Tribal Business Council Resolution #04-115-RP which states in part the following:

“WHEREAS, The Three Affiliated Tribes has applied for U.S.D.A. Rural Utility Service Grant in the amount of \$428,000 for the purpose of an Emergency Intake Extension Project at Mandaree, North Dakota; and

WHEREAS, The USDA Grant will fund 100% of the project and there is no tribal match; and

WHEREAS, The Tribal Business Council desires to approve and authorize the above referenced agreements....”

Health & Human Resource/Education Committee
Of the Tribal Business Council - Meeting held on June 9, 2004

The Health & Human Resource/Education Committee Members of Councilman Wolf, Councilman Spotted Bear and Councilman Wells duly convened a HHR/E Meeting on June 9, 2004 at 10:00AM and duly passed the Following Action to be forwarded to the Full TBC:

WEBMD Practice Services for the Medical Records & Billing for Parshall and White Shield Clinics. It will cost \$70,000 with up front payment of \$30,500.

Motion to Approve: TB Rep—Spotted Bear

Second: NS Rep—Wolf

Vote: 3 For 0 Opposed.

Temporary Appointment of Dawn White, Data Clerk to White Shield Clinic with funding request of \$10,000.

Motion to Approve: TB Rep-Spotted Bear

Second: NS Rep-Wolf

Vote: 3 For 0 Opposed.

University of Mary—Master Student Loans Proposal from the U of Mary Students: requesting for a payment assistance of the Fees and Costs to attend Graduate Courses up to \$3,000 for each year of services they provided to the Tribe from JTAC to apply to their outstanding student loans.

Motion to forward to full council: Council Rep—Spotted Bear

Second to Motion: Council Rep-Wolf

Vote: 3 For 0 Opposed.

Indian Health Services/SUD Resolution:

This resolution is presented to the Health & Human Resource Committee to remove the Service Unit Director from the Minne-Tohe-Indian Health Service due to continued complaints of neglect of duties as stated in Resolution in part:

“WHEREAS, The Three Affiliated Tribes accepts that they have made a concerted effort to improve the relationship with the Chief Ex-

ecutive Officer of the Indian Health Services Clinic, Minne-Tohe to improve the Healthcare of Tribal Members and received discourteous responses to valid questions from the Full Council Members justifying responses by not putting the responses in writing; and

WHEREAS, The Three Affiliated Tribes is frustrated when Third Party Collections Tribal Staff are refused access to bill Third Party Payers lacking the proper access to Patient Care Component information on RPMS Administrative Reports to issue claims for billing, and WHEREAS, The Three Affiliated Tribes regrets the loss of income to improve the healthcare at the Tribal Health Centers by improving Primary Medical Care for Tribal Members in those Tribal Communities for the last four years because of the failure of I.H.S. Management Staff’s refusal to collaborate with Tribal Health Staff, and

NOW, THEREFORE BE IT RESOLVED, The Three Affiliated Tribes dissatisfaction with the CEO’s performance of Official I.H.S. duties in complying with existing Department of Health & Human Services Guidelines in the CEO’s interaction and refusal of the Tribal Consultation with the Three Affiliated Tribes on Budget, sharing of Systems and training of Tribal Staff to implement those systems to benefit the Tribal Members, and

THAT FURTHER, BE IT RESOLVED, The Three Affiliated Tribes acknowledges that the CEO is searching for means to stop the Three Affiliated Tribes collection of Third Party Income to achieve the improvement of Healthcare to Tribal Members, and

“FINALLY, BE IT RESOLVED, The Three Affiliated Tribes enacts Circular—95-17 of the Department of Health and Human Services...”

Tribal Business Council of the Three Affiliated Tribes
 Financial Information—Tribal Account Balances as of June 30, 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	\$149,763,419.11	
JTAC Interest	<u>\$30,011,574.47</u>	
Total JTAC or ERF		\$179,774,993.58

Williston National Bank	Debt Reserve Accounts	\$377,666.24
--------------------------------	------------------------------	---------------------

SPECIAL IIM ACCOUNTS WITH BIA/OTFM SUMMARY:

Account #301S000700- TAT Land Development	\$ 97,880.13	
Account #301S000701- TAT Reserve	\$ 32,140.11	
Account #301S000702- TAT Debt Service	\$ 726.48	
Account #301S000703- TAT Operating Funds	\$ 0.00	
Account #302S000706- TAT Small Loan Prog.	\$ 951.45	
PL 7228700	<u>\$445,509.43</u>	
Total IIM Funds		\$577,207.60

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>\$64,328.88</u>
Total Principal & Interest	\$2,019,918.08

Account #JA9006212

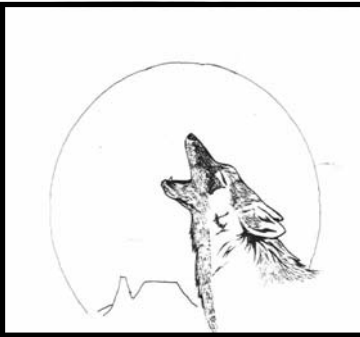
Docket 350F, Judgment Award, June 12, 1975	\$ 206,613.95
Docket 350F - Interest	<u>\$7,525.21</u>
Total Principal & Interest	\$214,139.16

Account #JA9028216

Docket 350G, Judgment Award, June 9, 1981	\$6,896,183.14
Docket 350G - Interest	<u>\$263,273.30</u>
Total Principal & Interest	\$7,159,546.09

Grand Total All Dockets	<u>\$9,393,603.33</u>
Total All Funds with BIA/OTFM	\$190,123,470.75

Note: 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

“Economic Development on and off the Reservation”

I attended two meetings held consecutively on June 26, 2004; which were the United Tribes Board Meeting and the Great Plains Gaming Board at the new Dakota Magic Casino & Lodge in Hankinson, North Dakota. During these two meetings issues were brought up in regards to the economic development of ventures off the Reservation lands of the five (5) tribes within the State of North Dakota. During the United Tribes Board Meeting, discussion was held in regards to the proposal to develop a Hotel or Motel in the city of Bismarck, ND. Such venture would be equally funded by the five (5) Tribes which include the Three Affiliated Tribes, Standing Rock Sioux, Spirit Lake Sioux, Turtle Mountain and the Sisseton Wahpeton Sioux. No issues of disagreement between the Tribes was discussed if any at all, with this proposed project. The need and feasibility studies were being prepared and performed for the Board to review and come to a decision on preceding forward.

However, during the second meeting the Great Plains Gaming Board of the same five (5) Tribes, the story was very much different, in fact four (4) Tribes were down right opposed to such proposal to have off Reservation Economic Development by Turtle Mountain to place a Casino Venture on their ceded lands off their respective Reservation Lands. This was a very interesting issue as it was apparent that the Turtle Mountain Tribal Chairman was pitted against the other four (4) Tribes. Much debate was had in regards to the issues of protecting the industry and issues of sovereignty and the like.

So on the one hand you have a joint effort to continue the efforts of development for the betterment of all tribes, however on the other hand when it came to the betterment of a single tribe striving to utilize its own sovereign rights, it was not supported and opposed for the record by all four (4) Tribes.

I, did however, speak on my own behalf as Four Bears Representative of the Tribal Business Council of the Three Affiliated Tribes that the issues of gaming should not divide the Tribes of North Dakota, the State of North Dakota no doubt is approving more and more gaming off the Reservation as we speak, the Lottery is brand new. Also, that the Tribes gaming is minimal in comparison to the Mohegan Sun and the Fox Woods who make payments in lieu of taxes to the state of Connecticut in the amount of \$16,000,000 each per month. That we also should not overlook the facts that each and every one of our respective Tribes have ceded lands. For instance we the Three Affiliated Tribes once had land holding that covered the states of Montana, Wyoming, South Dakota as well as North Dakota. I ended my comments to the Great Plains Gaming Board of Directors with comments made in prior meetings of the (TERO & JTPA Offices held at United Tribes in 1992-93, where TERO Directors and JTPA Directors were all in agreement) “We must ready our selves for the Gaming and that we were here before gaming and we will be after gaming is gone.” And lastly, “we must stay together” (as Tribal Councils of the five tribes within the State of North Dakota). 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”.

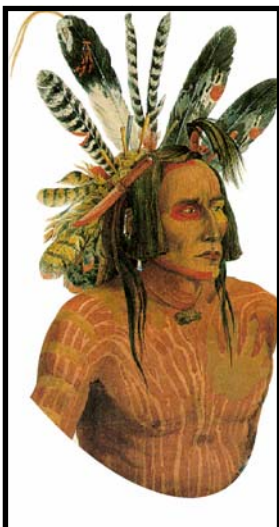
**Tribal Business
Council of the Three
Affiliated Tribes**

**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 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
Dominick Wells, College Summer Intern	627-3155
Hollis Blake, Water Truck Driver Home:	627-3670
Joseph Chase, Temporary Security	627-3155

**Telephone numbers for the Treasurer & Staff
at 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, Special and Committee 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 or 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