

**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
REGULAR MEETING
MAY 11, 2000
11:05AM**

No tapes were found for meeting dated 05-11-00. Transcribed with the crib notes of Councilman Marcus Wells Jr.

01. CALL TO ORDER:

Meeting was called to order by Chairman Hall a silent prayer was said.

02. ROLL CALL:

Members Present: Councilman Fox, Councilman Hale, Councilman Spotted Bear, Councilman Bird Bear, Councilman Gillette, Councilman Marcus Wells Jr., and Chairman Hall. All members Present.

03. ANNOUNCEMENTS:

04. APPROVAL OF AGENDA:

Motion made by Councilman Bird Bear to approve of the agenda items. Seconded by Councilman Hale.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

05. APPROVAL OF MINUTES:

Motion made by Councilman Fox to defer minutes dated May 4, 2000 to a later date. Seconded by Councilman Gillette.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

06. MEMO: AGREEMENT WITH BUFFALO PROJECT:

An agreement with Theodore National Park will surplus bison to be transferred to the Three Affiliated Tribes. The T.A.T will be responsible for all transfer costs. In concurrence with the agreement are the Regional Director, Midwest Region of the NPS as well as the Area Director, Bureau of Indian Affairs. Councilman Gillette motioned to accept agreement. Seconded by Councilman Marcus Wells Jr.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

07. FINANCIAL REQUEST:

• **Eagle Sundancers-Lyle Gwin:**

Request for monetary support in the amount of \$2500.00. Councilman Hale motioned to grant request. Seconded by Councilman Marcus Wells Jr.

FINANCIAL REQUEST:(cont.)

Discussion: Motion made by Councilman Bird Bear to support request in the amount of \$1,000.00. Seconded by Councilman Hale. Previous motion withdrawn.

Vote: 5 Ayes, 0 Nays, 0 Abstentions, 2 Not Voting. Motion carried.

- **Circle of the Earth Lodge People- #00-169-DSB:**
Motion made by Councilman Spotted Bear to offer a letter of support and to grant request to organize a charter for the promotion of improving the health, social and economic well being of the West Segment members.
Seconded by Councilman Gillette.

Vote: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not Voting. Motion carried.

08. INDIAN HEALTH SERVICES PERSONNEL ISSUES CLOSED SESSIONS.

09. FINANCIAL REQUEST:

- **Church of God - June Lockwood:**
The Indian Mission supports the Alpha Omega Annual Camp Meeting. Alpha Omega is requesting monetary support. Councilman Hale motioned to grant \$1000.00. Seconded by Councilman Fox.

Vote: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not Voting. Motion carried.

10. MANDAREE AGING MEAL SITE BUDGET FY 2000:

Fiscal Year budget submitted for the year 2000. Councilman Bird Bear motioned to accept proposed budget in the amount of \$49,992.00. Seconded by Councilman Fox.

Vote: 5 Ayes, 0 Nays, 2 Abstentions, 0 Not Voting. Motion carried.

11. YOUTH BUILD PROGRAM - #00-145-DSB:

Motion made by Councilman Bird Bear on behalf of the Fort Berthold Family Independence Program to withdraw Certificate of Deposit for youth build graduates for the purpose of starting business enterprises. Seconded by Marcus Wells Jr.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

12. PERSONNEL ISSUES - CLOSED SESSION.

13. COMMUNITY STAKE HOLDERS TEAM - #00-146-DSB:

Motion made by Councilman Fox to organize and develop a Community Stake Holders Team in an effort to reduce the alcohol and substance abuse problems on

COMMUNITY STAKE HOLDERS TEAM #00-146-DSB(cont.):
the reservation. Seconded by Councilman Marcus Wells Jr.

Vote: 5 Ayes, 0 Nays, 0 Abstentions, 2 Not Voting. Motion carried.

14. FINANCIAL REQUEST:

• **Kermit Heart:**

Motion made by Councilman Fox to grant emergency medical loan in the amount of \$1,500.00. Seconded by Councilman Hale.

Vote: 6 Ayes, 0 Nays, 0 Abstention, 1 Not Voting. Motion carried.

• **Steve Sandven:**

Motion made by Councilman Hale for a \$500.00 grant for the South Dakota Candidate for Senate. Seconded by Councilman Fox.

Vote: 4 Ayes, 1 Nays, 1 Abstentions, 1 Not Voting. Motion carried.

• **Veterans Service Program - #00-147-DSB:**

Veterans Service Program will be sponsoring a program and meal May 29, 2000, in honor of our tribal veterans. Motion made by Councilman Bird Bear to grant proposed budget in the amount of \$2,000.00. Seconded by Councilman Hale.

Vote: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not Voting. Motion carried.

• **Lois Standish:**

Financial request in the amount of \$2,500.00 loan for farming expenses. Motion made by Councilman Hale to grant loan. Seconded by Councilman Bird Bear.

Vote: 4 Ayes, 0 Nays, 2 Abstentions, 1 Not Voting. Motion carried.

• **Gloria Wilkinson:**

Motion to grant loan in the amount \$500.00 by Councilman Spotted Bear. Seconded by Councilman Gillette.

Vote: 5 Ayes, 0 Nays, 2 Abstentions, 0 Not Voting. Motion carried.

• **Rock View Good Samaritan Center:**

Motion made by Councilman Fox to grant payment for billing description in the name of Florence Dean in the amount of \$2,360.00 for medical services that were denied by Medicare. Seconded by Councilman Bird Bear.

Vote: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not Voting. Motion carried.

FINANCIAL REQUESTS (cont.):

- **Jeff Fox:**
Motion made by Councilman Bird Bear to approve of a \$15,000 loan for home purchase to be taken from the North Segment JTAC funds. Seconded by Councilman Hale.

Vote: 3 Ayes, 1 Nays, 3 Abstentions, 0 Not Voting. Motion carried.

15. Water Resources Planning and Management Program -# 00-149-DSB:

Bureau of Indian Affairs allocated \$30,000 for the Fiscal Year 2000 budget. Motion made by Councilman Fox to allow monies set aside by the B.I.A. to be transferred to the Tribal Business Council. Seconded by Councilman Hale.

Vote: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not Voting. Motion carried.

16. SOLID WASTE DIVISION-ROADS DEPARTMENT #00-150-DSB:

The Fort Berthold Housing Authority has agreed to make available "user fees" to the Solid Waste Program and Roads Department, to provide operating and maintenance costs. Councilman Fox motioned to accept the agreement. Seconded by Councilman Gillette.

Vote: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not Voting. Motion carried.

17. WATER QUALITY CONTROL - #00-151-DSB:

The Environmental Division for the Three Affiliated Tribes was created to protect, preserve, evaluate and regulating all actions that will effect the land air and water. The Environmental Division has proposed draft that will set standards for surface water quality control. Councilman Bird Bear motioned to adopt regulation standards. Seconded by Councilman Marcus Wells Jr.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

18. RELINQUISHMENT OF ENROLLED MEMBERS - #00-152-165-DSB:

Motion made by Councilman Bird Bear to accept the relinquishment of 14 enrolled members. Seconded by Councilman Hale.

Vote: 5 Ayes, 2 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

19. NEW ENROLLMENT #00-166-DSB:

Motion made by Councilman Bird Bear to amend enrollment policy where as no member shall have dual enrollment receiving benefits from another tribe. If eligible for enrollment, person shall relinquish all rights he/she has with another tribe. Seconded by Councilman Gillette.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

20. **PER CAPITA VS. B. I. A. :**

Councilman Fox requested a review the 1982 per capita income cut off date. Legal Staff Attorney would reexamine if the Bureau was submitting new enrollment applications late that would effect if applications dated prior to cut off date would have been eligible for per capita supplement. Seconded Bird Bear.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

21. **FINANCIAL REQUEST:**

• **Kathy Smith:**

Motion made by Councilman Fox to grant loan application for \$200.00. Seconded Councilman Hale.

Vote: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not Voting. Motion carried.

22. **T.A.T. REGION VIII-HUD ADMINISTRATOR/DIRECTOR VACANCY #00-167-DSB:**

It has been brought to the attention of the Tribal Business Council that the HUD is considering transferring a person from the Phoenix Area Office of Native American Programs to be permanently hired in vacant position. Motion made by Councilman Hale set in resolution to strongly urge that HUD not hire but to re advertise and seed qualified Native American from Area VIII. Seconded by Councilman Fox.

Vote: 6 Ayes, 0 Nays, 0 Abstentions, 1 Not Voting. Motion carried.

23. **LITTLE SHELL POW WOW GOLF TOURNAMENT:**

Motion by Councilman Gillette to grant monetary donation of \$500.00 towards tournament. Seconded by Councilman Hale.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

24. **CONSULTANT-IRENE FREDERICKS #00-168-DSB:**

Motion made by Councilman Hale to approve of consultant agreement ending December 31, 2000, for the purpose of producing and development of films relating to the T. A. T. and the Lewis and Clark Expedition. Seconded by Councilman Marcus Wells Jr.

Vote: 4 Ayes, 3 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

25. **CHARTER OF THE EARTH LODGE PEOPLE #00-169-DSB:**

Request from certain members of the West Segment community to become an organized non profit charter promoting and improving the health ,social and economic development of the members within the community. Motion made by Councilman Hale to approve of the charter. Seconded by Councilman Fox.

CHARTER OF THE EARTH LODGE PEOPLE #00-169-DSB(cont):

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

26. N. D. HUMAN SERVICES DEPT.-TITLE III OLDER AMERICANS ACT:

Motion made by Councilman Hale to approve applying for grant application in the amount of \$27,275.00, to provide services to persons 60 years of age and older. Seconded by Councilman Marcus Wells Jr.

Vote: 6 Ayes, 0 Nays, 1 Abstention, 0 Not Voting. Motion carried.

27. EDUCATION REQUEST:

• **Holly Fox:**

Motion made by Councilman Gillette to approve of grant request in the amount of \$3000.00. Acceptance into Master of Science program at Northern State University at Aberdeen S. D. Seconded by Councilman Hale.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

28. PERSONNEL ISSUES - CLOSED SESSION.

29. BRESLIN ADDITION LAND PURCHASE- #00-170-DSB:

Motion to approve by Councilman Bird Bear, of land for fair market value in the amount of \$64,720.00. Out lot 5 of S/2NW1/4, SW1/4NE1/4 Section 17, Township 152 North, Range 92 West, Fifth Principal Meridian, N. D., 32.36 less or more acres. Seconded by Councilman Hale.

Vote: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not Voting. Motion carried.

30. TRIBAL GAMING COMMISSION #00-171-DSB:

Motion to approve of a Gaming Commission composed of seven members, to serve a 4 year term by Councilman Hale. Members include a Chairman, a Comptroller and other officers deemed appropriate by Commission. Seconded by Councilman Bird Bear.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

31. HOUSING IMPROVEMENT PROGRAM #00-172-DSB:

HIP was intended to provide funds for major housing improvements on reservations nation wide. A fairer distribution of funds for the FY 2000 for tribes in the Great Plains Region is sought. Motion made by Councilman Gillette enter into an attorney contract with Dorsey Whitney to seek a preliminary injunction against the B. I. A. Seconded by Councilman Hale.

Vote: 5 Ayes, 1 Nays, 1 Abstentions, 0 Not Voting. Motion carried.

32. **KRAUS-ANDERSON EXPANSION AMENDMENT #00-173-DSB:**
Increased funding request for expansion project will be capped at \$8,300,000 million. The general contractor will obtain its fee from the total price of contract, which is at a fixed amount or a lump sum contract. Motion made by Councilman Gillette to approve. Seconded by Councilman Fox.

Vote: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not Voting. Motion carried.
33. **KRAUS-ANDERSON #00-174-DSB:**
Motion made by Councilman Gillette to approve of Sovereign Immunity Waiver that will be on mutual terms of contract, disputes to be resolved through the commercial arbitration process of the American Arbitration Association. Seconded by Councilman Fox.

Vote: 6 Ayes, 0 Nays, 1 Abstentions, 0 Not Voting. Motion carried.
34. **DEBT REPAYMENT POLICY #00-175-DSB:**
Motion made by Councilman Hale to adopt a dept repayment policy to become part of Tribal Personnel Policy to insure a wage withholding plan in is effect with all persons who owe funds to the Tribe will be paid in full. The plan would include provisions of an action collection process. Seconded by Councilman Marcus Wells Jr.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.
35. **YOUTH ACTIVITY GRANT #00-181-DSB:**
Motion made by Councilman Bird Bear to approve of a \$60,000 grant for a youth baseball program for all 6 segments to benefit from. Grant would be taken from the General JTAC Fund. Seconded by Councilman Fox.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.
36. **JR. BEARS TAIL MEMORIAL:**
Motion made by Councilman Hale to approve of grant for memorial basketball tournament in the amount of \$500.00. Seconded by Councilman Fox.

Vote: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.
37. **INDIAN YOUTH COUNCIL #00-176-DSB:**
Motion made by Councilman Fox to approve of grant in the amount of \$1250.00 for enrolled members to attend the National UNITY Conference to be held from June 23-27, 2000 in Seattle, Washington. Seconded by Councilman Hale.

INDIAN YOUTH COUNCIL #00-176-DSB (cont.):
Vote: 5 Ayes, 0 Nays, 0 Abstentions, 2 Not Voting. Motion carried.

38. SACRED EAGLE DRUM #00-177-DSB:

Motion made by Councilman Hale to approve of grant in the amount of \$3200.00, for the Mandaree School Singing Group to participate in the invitation to attend the 28th Annual Dartmouth Powwow. Seconded by Councilman Fox.

Vote: 5 Ayes, 0 Nays, 0 Abstentions, 2 Not Voting. Motion carried.

39. EMERGENCY LOAN-RAYMOND RICHARDSON:

Motion made by Councilman Hale to assist in medical emergency loan in the amount of \$3000.00. Seconded by Councilman Spotted Bear

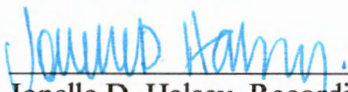
Vote: 4 Ayes, 0 Nays, 1 Abstentions, 2 Not Voting. Motion carried.

40. ADJOURNMENT:

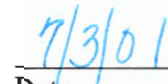
Motion made by Councilman Hale to adjourn. Seconded by Councilman Marcus Wells Jr.

Meeting adjourned at 9:30 PM.

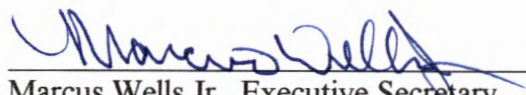
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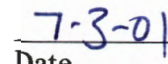
Jonelle D. Halsey, Recording Secretary
Tribal Executive Secretary Office



Date



Marcus Wells Jr., Executive Secretary
Tribal Business Council, Three Affiliated Tribes



Date

ATTEST:

Tex G. Hall, Chairman
Tribal Business Council, Three Affiliated Tribes

Date