

SPECIAL MEETING CONTD

Name of Organization: Tribal Business Council
Three Affiliated Tribes

Place of Meeting : Ramada Inn - Board Room
Minot, North Dakota
22 December 1970

Roll Call: Vincent Malnourie, Myra Snow, Adam Mandan, Nathan L. Soldier, Nathan L. Fight, Robert Bell, Robert Fox and Ralph Wells, Jr. Quorum present. Absent: James Bluestone and John Stone, Sr. Others present: Superintendent James R. Keaton, Frank Whitehead, John Danks and Marie D. Wells.

First order of business, Mr. Keaton explained the planned BIA Reorganization. It was stated that many of the senators favored said plan, however, there were complaints such as civil service regulations had been violated in the discharge or transfer of BIA employees and that the tribes had not been contacted.

Nathan L. Soldier presented Resolution No. 70-143 pertaining to hunting with artificial light and hunting with firearms when intoxicated. Nathan L. Soldier moved, seconded by Vincent Malnourie for approval of Resolution No. 70-143. Remarks: Vincent Malnourie stated we should have a season for hunting, before we use to kill game for food, but now they just kill to be killing. People from other reservations seem to feel they have hunting rights. Mr. Keaton stated some tribes have ordinances limiting hunting at gestation period. It was also reported that snowmobiles are chasing game on the Reservation. Motion carried.

Nathan L. Soldier moved to amend Resolution No. 70-143 to also read that using of snowmobiles to hunt, even during hunting season, was illegal; to confiscate rifles or any firearms when in violation to Resolution No. 70-143 and also it is illegal for a non-Indian married to an Indian to hunt on the Reservation, seconded by Nathan Lone Fight. Motion carried.

Nathan L. Soldier presented Resolution No. 70-144 pertaining to Adam Mandan acting as over-all coordinator of the Tribal Four Bears Training Program and further Adam Mandan delegating Ted Bolman, Jr., as direct supervisor of the Training Program and authorize him to devote as much time as necessary for the proper fulfillment of the Training Program. Nathan L. Soldier moved, seconded by Robert Fox for approval of Resolution No. 70-144. Motion carried.

Chairman Wells stated he talked with Gilbert Mann in reference to getting the Summer Youth Program started early and to delegate someone to get the proposals started. Vincent Malnourie moved, seconded by Nathan Lone Fight to have Adam Mandan work with Gilbert Mann. Motion carried. 1 abstained.

Nathan L. Soldier asked Superintendent to leave the room for about five minutes. He than presented Resolution No. 70-147 pertaining to retaining Mr. Keaton as Superintendent of the Ft. Berthold Reservation and not to be included in the BIA Reorganization Plan. It was further stated that the copy of said Resolution be sent to the Commissioner, congressmen and senators. Nathan L. Soldier moved, seconded by Vincent Malnourie for approval of Resolution No. 70-147. Motion carried unanimously.

Mr. Keaton returned and Nathan L. Soldier related to him of action taken by the Council. Mr. Keaton thanked the Council and expressed his sincere gratitude.

The Boundary Hearing is scheduled for 10:00 a.m., on 7 January 1971. Adam Mandan moved, seconded by Nathan L. Soldier for the Council to go down to Bismarck the 7th of January to meet with Jerry Straus and again on the 8th of January. Motion carried.

Motion to recess for lunch, seconded and carried.

SPECIAL HEALTH MEETING

Place of Meeting:

Ramada Inn - Minot Room
Minot, North Dakota 1:15 p.m.

Meeting called to order by Chairman Ralph Wells, Jr. Roll Call: All Council Members present except James Bluestone and John Stone, Sr. Others Present: James R. Keaton, Superintendent; Charles Benson, Aberdeen Executive Director; Robert Mecklenberg, Aberdeen Chief Area Dental Service; Ed Nelson, Chief Aberdeen Area Construction & Maintenance; Barron Halfred, Engr IPHS; William Miner, M.D., IPHS; Lieutenant Steve Belknap, MAFB Representative; Frank Whitehead, BIA Land Operations, John Danks, BIA Adm. Officer and Marie D. Wells, Tribal Clerk.

Robert Fox opened the floor for discussion of health problems confronting the Tribe. Mr. Fox stated sometime ago, a while back dissatisfaction of some of the patients of our Reservation were methods and care of the hospital in Minot. I think at that time a meeting was held with the people who are serving in our communities, the Community Health Representatives, with the officials of the Minot Hospital and there were some resolutions introduced by the Tribal Council which the Council tabled to review and re-writing of the resolutions.

Myra Snow stated at the meeting we talked with Colonel Carny, he is new, he has been there for only five or six months and he was not aware of any of this, what took place there, different complaints from different patients that were hospitalized there. He gave us the understanding that things would be different from now on. We told him how the people do not like to go to a veterans hospital. He explained to us that the name has been changed to the Minot Air Force Regional Hospital and they read the different complaints that the CHR's had and they also presented a petition of over 200 names of people who did not want to go to the Air Force Hospital.

Adam Mandan stated a while back they were looking for a laboratory to set up at Rapid City and Nathan and I made a request to have it in New Town and wondered how it was coming along.

Mr. R. Mecklenberg stated about these laboratory program you speak of, I will give you a little briefing now. The Indian Dental Health Program is principally directed to the children and most of the work was essential dental care. Very little laboratory work was necessary for a number of years, however, as the program has gotten better, we have been able to do more things. We have gotten to the point where laboratory services are being required, some dentures are being made and other orthodontic things, some for children and some for adults. About a year ago, Dr. Boggs, who was my assistant in this Area, went through quite a study, lasted several months, other federal laboratories, figuring out the cost of maintaining a laboratory and other things that go into it, comparing cost of contract service that is being done now and we found that we were rapidly approaching our trend that by early 1970 it would be more economical to establish dental

Frank Whitehead, BIA Land Operations Officer, stated he was glad to be included in the agenda. He stated this was an important item concerning the contract period for 1972. The resolution has to be passed by the Council and then it goes to Washington. There is a lot of things that go into the resolution. The resolution has to satisfy the landowners and also the operators. Mr. Whitehead further stated nothing has to be approved today and desired ideas and what they wanted in the grazing resolution.

One of the things to consider is qualifications, mixed spouses, 100% allocation etc. It was stated we are here to discuss the resolution and revising the resolution where necessary.

Chairman Wells stated we will go on with delinquent leases. Mr. Whitehead stated we have 1400 acres on tribal land with no leases at the present time. 17 units to be advertise for bid opening on January 6, 1971. December 7, 2 das before the cut of date.

Nathan L. Soldier asked if the previous Resolution is what they went by. It was stated notices were sent out November 9th. Resolution authorizes them to bid. It was stated that Land Operations meet with John Stone, Sr., Nathan L. Soldier and Robert Fox since there were the only council members present on that day. They referred to the previous resolution passed by the former council.

Adam Mandan stated these people who are delinquent go to the FHA which is a Government source to make loans. FHA takes a long time to process loans and as a results people making loans do not receive full amount to pay for the lease. Nathan L. Soldier stated that the reason for Indian operators not receiving loans right away was because they did not apply for the loan soon enough. They should start making application in June and the trouble being the landowners do not want to wait.

Ralph Wells, Jr., stated the landowners can really give us a rough time since they depend on us and that last year clients were called in and we learned they were slow in applying.

Mr. Whitehead stated they were requested and recommended to hold out on the following: Bill Hall, Arnold White Eagle, Gerald Nagel and Ernest Wilkinson because they were working with FHA.

Mr. Keaton discussed the grazing tax delinquency which was due November 1st. Marie D. Wells stated she received the tax list from Land Operations and would be mailing out form letters (notice of payment due) as soon as she returned to the office.

Robert Fox stated that lessees should be notified given them 10 days to pay said tax. Adam Mandan stated if we are going to tax our Indians on cattle we should tax all the Indians. He was told that we do tax the Indians, such as execution fees and when collected it all goes back into the U. S. Treasury.

At this time, Mr. Keaton announced that the Election Hearing will be held on the 30th of December 1970 at the Mandaree Community Hall.

Adam Mandan announced a telephone call from Jerry Straus stating that he will be in Bismarck on the 7th of January 1971 and desires to meet with the Council the evening of the 7th. It was stated on the 8th of January, the coal people will

laboratories in the Indian Health Service than to contract for these services. Three (3) sites were selected and they are Albuquerque, New Mexico to serve the Oklahoma City, Albuquerque, Window Rock and Phoenix Areas; Rapid City, South Dakota to serve the Aberdeen and Billings Areas; and Portland, Oregon to serve the Anchorage and Portland Areas.

At this time, Kenneth O. Leonard, M.D., Garrison introduced the staff accompanying him. Sister Angele, her secretary and Dr. Leonard stated that he brought along his secretary in order to be able to answer some of the problems that we have as we are involved in Indian Health too, as some of you will remember, a few years ago, the Tribal Council did help us built an addition to our hospital to take care of Indian patients and everything and we are all set up to take care of Indian patients and we have room to take care of them and are able to take care of them but the policy is being changed I guess and they just asked us up today to sit in on the meeting, will learn a little too and may be we can answer some questions too. I think that is about it isn't it.

Mr. Mecklenburg continues discussion on laboratory services. He stated that these 3 locations are central to the grouped areas as far as rail, bus and air transportation are concerned and it is principally on that reason we can get faster service in and out as they have or handle deliveries during the day. Speed of transportation being very important for the success of this type of work. He further stated the first will also be a center to train Indian men in this line of work.

Dr. Miner explained the difference between contract service and service units services offered under Indian Public Health. Dr. Miner also explained the budget.

Charles Benson stated we put in a budget, the budget is usually put in three (3) years ahead. Let me give you an example what has happened to us in the Area and in the Division too. In Fiscal Year 1969, the hospital cost has increased 17% and physician fees another 8%. For Fiscal Year 1970 we were given a budget increase of only 10% by Congress. In Fiscal Year 1971 our budget was increased again 7% but again our hospital cost and medical cost, total medical cost has risen approximately 18%, we cannot catch up so in affect we have to take care of fewer people within the buying power that we have. We have less buying power really.

It was stated that funds are provided to every service unit on equitable basis, we try to make provisions in case there is high incidents of diabetes or some special problems that could require some more money. We fill an amount into those service units where these problems might exist. A good example was utilization of the Air Force Hospital in Minot.

Lieutenant Belknap stated in the Air Force Hospital when a patient comes there, each day the patient is in the hospital, it cost the Indian Health Service \$40.00 but if they need a brain skin which we cannot do, we sent them down to St. Joseph's Hospital and St. Joseph's sends us a bill for \$100.00 which we pay and many people get a brain skin and EDG, that is \$140.00 we pay. People, something wrong with there eyes and we do not have the facilities, we sent them down town to the eye clinic for \$15.00, \$20.00 and \$25.00. All these extra cost there is one benefit here, no matter what care we provide, we still charge \$40.00. It may cost us \$300.00, \$400.00 to sent them down for brain skin, kidney skin or whatever it is, that is paid. Once a person is admitted to the hospital, it is \$40.00, no matter what we have to do. Sometimes it may cost us \$300.00 or \$00.00 out of our pockets to go down town, there is one benefit you have, I do not think in other

hospitals you have if you were going to St. Joseph Hospital, you would have to pay the \$58.00 a day, plus you would have to pay the \$100.00 for brain skin and \$50.00 for the EDG and everything else. It is a financial advantage, nothing else.

If you went to St. Joseph's you have to pay \$58.00 for your room, plus \$10.00 for this lab procedure, \$5.00 for that lab procedures, \$2.00 for television plus you have to pay the doctor for all his services, but if you go to the Air Force Hospital you pay \$40.00 for everything. All doctors services given. Sometimes we, it is rare, we have patients there where we need, we have only one radiologist for xrays, if he goes on leave and in this instance this summer, the old one got out of the service, we had no radiologist, we paid \$2,400 for Dr. Wallace to come down to the Air Force Hospital to give the test.

Sister Angele stated if they can do with \$40.00 a day which is costing \$70.00 or \$80.00 to do it, why cannot some of that money go back to Indian Health and be able to pay us. Now at the Garrison Hospital we have been asked to discount over \$1200.00 within the last four (4) weeks on Indian patients accounts. It has not been easy to get Indian patients up to the Air Force Hospital, believe me, in the first place the Indian patients want to choose their own hospitals and to choose their own doctors. It is up to us to go into the patients room and say, now look we cannot get authorization for you and they want you to go up to the veterans hospital.

Dr. Leonard stated IPHS was without funds and yet it is not easy to get an Indian patient to the MAFH since the patient has to be treated as an out patient and they repeatedly have trouble in referrals and providing the Indian patient with transportation to get to the Air Force Hospital. He further stated they have unlimited funds (Minot Air Force Hospital) to do anything with anyone of you Indian patients, all you got to do is pay \$40.00 a day to sent you to heaven or do anything you want, Dr. Miner, here does not even have the money to sent an Indian patient to the hospital. We do not know what to do we are sort of caught in a bind. People come to us as an individual person, they are sick, they can talk about tonsillitis, I have one patient here, Ralph Wells, Jr., I do not think Ralph Wells has been in the hospital 2 or 3 years or may be longer, he came in the hospital one day and I thought he was going to die.

Lt. Belknap explained the \$22,000 extra money received for care down town. This is used on equitable basis, first come, first served basis and when that is gone, it is gone.

Mr. Benson stated he would like to comment on the doctors statements. No. 1, there are only four (4) people in the Area that are paid under contract medical care money so all that money goes to the care of the Indians, all that \$3,600,000. There is also provisions per patient for escort travel in the contract program. He was asked to repeat said statement. Mr. Benson said there is provision for escort travel in getting patient to a facility in the contract program. Again we are strapped by per dollar a month. We authorize payment, we do not authorize care.

Lt. Belknap stated he gets his money from Congress. We got a job to do and do the best we can. If you can convince Congress to appropriate more money, then everyone would be happy.

Discussion followed pro and con in reference to wages and salary grades; war and draft etc. It was stated that welfare clients received the best medical care.

It was suggested with all the money spent for contract service program, perhaps the Tribe could request for a hospital. The Fort Yates Hospital was used as an illustration. Even though it provided the most modern facilities, intensive care patients had to be referred to the larger hospitals in Bismarck.

Myra Snow asked the possibility of the Tribe contracting with Blue Cross-Blue Shield for insurance to cover the Tribe and that way we would be able to go to any hospital or doctor we choose.

Dr. Miner stated the budget was made out for \$65.00 per person. \$240,000 is appropriated for Fort Berthold, \$60,000 being paid out in quarters. This quarter all we have left is zero, we can dip into the next quarter which is what we have done and this is used for emergency and priorities.

Nathan L. Soldier presented a resolution pertaining to retain Dr. Quillin, Dentist on the Ft. Berthold Reservation. Mr. Mecklenburg stated before passage of the resolution he would comment on the transfer of Dr. Quillin. He stated a special situation developed this year that has placed our direct service program in short supply. They are trying to provide dental services equitably to all Indian groups in the Aberdeen Area at the best cost to service ratio, therefore, the reason for Dr. Quillin's transfer is the need is greater elsewhere in the Aberdeen Area. Dr. Quillin was requested by Indian Health Service Headquarters that he be re-assigned to Rapid City, South Dakota effective January 25, 1971. Rapid City, with a 40% greater oral health problem than Ft. Berthold.

He stated that Dr. Quillin was selected for this transfer for several reasons: (1) No dentist is available to come into the Public Health Service for Rapid City before July 1, 1971; (2) The Four Bears Health Center cannot open before late next spring. Dr. Quillin would not have a place to work among the Ft. Berthold people because the mobile dental unit now at Ft. Berthold is committed to go to another reservation which has had no direct care this fiscal year and (3) Dr. Quillin is interested in making the PHS a career and should be reassigned to an entirely different type of clinical assignment to enrich his experience and aid him in his professional growth.

The Council stated that they were not informed of Dr. Quillin's reassignment. It was stated that they were informed immediately at the time the decision was made.

Adam Mandan asked how they were coming along with the building on the other side of the project. It was stated for a few minor things, it was complete. He said he understood they were going to connect on to the museum well. Nathan L. Soldier stated we cannot function because of the water and all these new houses cannot be utilized, we are losing revenue on these houses.

B. Halfred stated the hang up was with the Department of Labor in obtaining construction labor rates for survey of the project. They were detained as much as seven (7) weeks until Paul Ewald shook them up. He further stated that we cover seven area and handle everything. We are understaffed and when he came here in March we had no project engineer and it is government procedures, you have to go through channels. He said they even considered temporary facilities, such as chemical toilets.

It was stated the museum well would not provide sufficient water even if a larger pump was installed and the possibility of opening the health center with a separate water storage and pumping system was abandoned because of the high operational risk involved.

It was stated that water deliveries during extreme weather conditions was impossible because of weather and road conditions or freeze-up problems hauling and transfer pumping.

The hold up on the sewage lagoon was because one lady backed out on signing the easement.

Myra Snow asked if the budget had been worked up. It was stated the budget was submitted up to 1975 and they had not received anything from headquarters for revision. Mr. Benson stated what we could do here is when we get our annual allocation and prior to that, you know you will get at least the same amount of money and figure at least a 10 per cent increase for contract work, the board could get together with Dr. Miner, Administrator to develop your plans, if you want eye glasses, free choice etc.

Nathan L. Soldier moved that we authorize Public Health to come on over, in their convenience, sit down and discuss the proposal for dental, financing and anything. Remarks: We have to talk about financing for the new houses. The motion to include the CHR's, seconded by Myra Snow. Motion carried unanimously.

Adam Mandan said I was going to ask, they were talking about some equipment. They may have some equipment that they can turn over to the Tribe. Maybe they can make a list of it and sent it down to us and we can look it over. Mr. Halfred stated I will tell you one thing on this equipment, it concerns OEH (Office of Environmental Health), this is where we want to get you people started on this Tribal Utilities Commission. Mr. Benson stated the only way we really can turn equipment over to the Tribe is through an OEH Project, so if we can get a hold of any trucks or plows or whatever it may be, it has to have the insurance of the Project Engineer and he has to insure that somebody is responsible for the equipment until the project is completed, than we turn everything loose, this is one of the reason for that.

It was stated that the first step is to organize this Commission so they can transfer this equipment to this Commission.

Adam Mandan moved that the Health Committee to get some equipment organize a Tribal Utilities Commission. It was stated that Mr. Halfred would give the Tribe a format to follow. Motion seconded by Nathan L. Soldier. Motion carried.

Nathan L. Soldier stated on our dentist, we were trying to retain him to full capacity and moved that a resolution be drawn up to retain Dr. Miner to the full extent of his term, seconded by Vincent Malnourie. Motion carried unanimously.

Meeting with Indian Public Health Service adjourned.

SPECIAL FHA & LAND OPERATIONS

Others present: Mr. Carl Opstad, FHA Chief Farmers Program and Mr. Don Streifel, FHA, New Town.

Nathan L. Soldier stated the reason he called Mr. Opstad and Mr. Streifel here was the Council ran into complications on leasing. He said we have something like 34 clients that are delinquent on leasing fees. He further stated we have to close the gap of consideration so the money would not be available to the client so they could pay by November 1st. It is our responsibility to see that the 34 clients are paying the 2000 landowners. The Council being concerned with those who are FHA clients.

Mr. Whitehead said they were short \$30,000 on grazing fees and we have 17 delinquents. There is 2000 landowners to be paid out. Mr. L. Soldier presented one drastic case. He stated this one individual owes us \$5,000 plus and he has not paid us for four years. We are not prejudice toward the individual but we would like to have our money.

FHA was asked if they could offer any suggestion to correct the wrong for the tie up and were aware that this was not FHA's policy. Their main concern was getting their money and since they work hand in hand with FHA, is there anyway we can have a hand in their pocket book of the individual.

John Wilkinson's indebtedness was discussed; namely, who was responsible for his indebtedness to the Tribe, who was going to take care of his cattle and who was going to pay the grazing fees. It was stated that this is a complicated estate. Everything is tied up in an estate. It is a law and the law determines who is going to get the property. FHA cannot decide to make up Mrs. Wilkinson's mind.

Mr. Keaton asked when the Tribe leases to one of your borrowers, when the money comes in, what can the Tribe do so they get their prorated share too. Do you take the cream off the top and they get the rest. FHA said they can take a lien off the crop, cattle etc.

Ernest Wilkinson's delinquency was further discussed. The Tribe stated we have waited too long, we cannot wait any longer. FHA stated he was to the office and requested \$5,000.

It was stated the only way to resolve the delinquency problem was to go back home and call each individual in to discuss the situation. In the future we can go on this lien, then we have something to fall back on.

Nathan L. Soldier moved to approve Jackson Ripley's application on Block 3, the Northeast quarter of the Southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 30, Township 148 North, Range 88 West of the 5th P.M., seconded by Vincent Malnourie. Motion carried.

Nathan L. Soldier presented an application for 40 acres of farmland in Section 26, Township 148 North, Range 88 West of the 5th P.M., for 3 years in the amount of \$6.00. Application was made by Almit Breuer. Nathan L. Soldier moved to approve of Almit Breuer's application, seconded and carried.

Adam Mandan stated or designated the three Councilmen from White Shield to work on the Ernest Wilkinson delinquency.

It was stated that Ted Bolman, Jr., was in liquidation and was going to sell out.

Illegal sub-leasing was brought up. The Council did not know who were all sub-leasing. Robert Fox stated we do not want to act as squealers, however, this should not be allowed and it should be stipulated that some action to be taken, legal action taken against the individual who abuse their privilege.

Mr. Keaton stated sub-leasing on tribal land should not be permitted. It is grounds for cancellation.

Nathan L. Soldier moved supporting BIA to execute sub-leasing regulations, seconded by Robert Fox. Motion carried.

Robert Fox recommended that the Tribal Land Committee work with Land Operations to draw up farm-grazing resolution.

The \$60,000 for a juvenile center was brought up again. It was stated that Plant Management desired to meet with the Council as to what kind of a design was needed. They are to take into consideration how many people they were going to serve. It was stated after June 30, it would be lost. The Chairman stated we should take what we have right now.

John Danks was assigned by the Council to write up a proposal combining Law and Order.

Motion was made to adjourn, seconded and carried.

Marie D. Wells, Tribal Clerk