

SPECIAL MEETING

Name of Organization: Tribal Business Council  
Three Affiliated Tribes

Place of Meeting: Four Bears Motor Lodge  
March 10, 1977  
1:30 P.M.

PRESENT: Rose Crow Flies High, Chairperson, Sam Little Owl, Vice-Chairman,  
Roy Bird Bear, Treasurer, Hazel Blake, Secretary, Wayne Packineau,  
Tom Eagle, Austin Gillette, Ralph Bird Bear, Eva Beaks.

ABSENT: Larry Rush and John Stone

OTHERS: Doug Parks, Director of Language Program, Mary College  
Wes Jones, Language Program, Mary College  
Jerry Nagel, Tribal Advisor  
Dale McGrady, Tribal Planner  
Bill Lockwood, Chaplain  
Helen Wilkinson  
Ron Smith, Ron Rabbithead  
Ron Reichert, Tribal Attorney

Meeting called to order.

Roll call - Quorum present.

Prayer given by Chaplain.

Helen introduced Mr. Parks and Mr. Jones and explained in Hidatsa what these gentlemen were doing and why they wished to obtain support from the Tribal Council. These gentlemen wish to develop cirricula and other class room material for teaching Mandan, Hidatsa & Arickara in Fort Berthold Schools.

Doug Parks was given the floor to explain his program and what they expected to accomplish. Mr. Parks gave his reasons for wanting the Council's endorsement for his program. Eva wanted to know where their funding was coming from and Mr. Parks stated that they were funded from two sources. Their main source of funding came from the National Endowment for the Humanities and the other source was a Title III Grant through Mary College. Mr. Parks stated that they would be trying a one semester course in Mandan at the Twin Buttes elementary school in a couple of weeks, and that they hoped to carry this for a whole year. Eventually, all three languages will be taught. Mr. Jones stated that he has developed a Hidatsa word list which is quite extensive. Mr. Parks stated that all of this would be done in accordance with the wishes of the people & the Council. Mr. Parks went on to explain the situation in White Shield where they had attempted to teach Arickara. This has been under Title VII. This had been discontinued, but White Shield Board of Education expressed that they would like to revive this course.

A rough draft of Resolution No. 77-103 is read by Tribal Secretary, Hazel Blake. This is a Resolution in support of Mr. Parks' program. Sam Little Owl moves to approve Resolution No. 77-103, and that any corrections that are needed can be made. Hazel Blake seconds motion.

Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, no, Hazel Blake, yes. Seven in favor, one opposing, Chairperson not voting, motion carried.

Natural Resources: Ralph Bird Bear reported that they had a meeting, but the minutes weren't prepared as of today's meeting. Wayne Packineau stated that they took care of the farm leases, about 85% of them.

Human Resources: Hazel gave a briefing of the meeting they had with Social Services. They were supposed to get a Resolution out for Social Services on boundaries for eligibility purposes for assistance.

Business tabled from last meeting: Emerson Baker, homesite, Lots 5 & 7 in Block 4, Van Hook townsite, Section 32, Township 152, Range 91 West. Sam states that Roberta High Elk met with the Land Committee and she requested an acre of land. It seems that Lots 5 & 7 were involved.

Sam moves for approval of Emerson Baker's homesite, and if there are any changes to be made, that they will be made. Second by Hazel Blake. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, Abstain, Wayne Packineau, Abstain, Tom Eagle, Abstain, Eva Beaks, yes, Hazel Blake, yes. Rose recommends that the Chairman of the Land Committee check up on this before action is taken on it.

Discussion had on key areas for homesites. Sam rescinds his motion. Hazel rescinds her second. Wayne Packineau moves that we table action on this matter until it is checked out, because Housing is asking the 18th as the deadline for people to have their homesites approved. Sam seconds motion. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, Chairperson not voting, motion carried.

McCaleb contract on Planning Services on General Recreation Development.

Jerry Nagel stated that the Area Office had lost the money because they had filled out the wrong form, but that George Croslin had informed him that the sixteen thousand dollars was still available, but that it had gone back to the U.S. Treasury. Hazel suggests that the Council wait until they have the money before committing themselves to McCaleb.

Austin moves that this contract be approved and signed subject to restrictions and based on the fact that it is contingent upon Bureau funding. Motion seconded by Sam Little Owl. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, Abstain, Hazel Blake, no.

Hazel read letter from D.W. Knutson concerning an appraisal fee. Jerry states that this had already been taken care of.

Tribal Telephone Credit Cards:

A memo dated March 8, 1977 was read by Hazel. Discussion was had on charges for credit card service. Sam Little Owl made a motion to limit Dale and Jerrys' credit card privileges to \$20.00 a month, the same as set for the Tribal Council, and that anything over \$20.00 would be the responsibility of the individual. Second by Wayne Packineau. Vote on motion. Roll call vote: Roy Bird Bear, no, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, no, Wayne Packineau, yes, Tom Eagle, no, Eva Beaks, yes, Hazel Blake, yes. Five in favor, three opposing, motion carried. Chairperson not voting. Jerry stated that he cancelled his credit card.

Letter from Donald L. Peterson, Attorney at law, read by Hazel. This letter is in regard to litigation in Three Affiliated Tribes -vs- Western Surety. Discussion is had on this matter. Ron Reichert suggests that the Tribal Council write and inform them that they will settle for \$12,750. Jerry states that if the Council is going to act positively on this, that he recommends the Council to do the same with the people involved with the funds now under audit. Austin asks which funds Jerry is talking about. Jerry states he is referring to the Revenue Sharing funds. Austin states that this would include the whole present Council. Jerry states that this not necessarily so. Sam stated that when David Little Swallow, Jr., had been Business Manager, he was directed by Nell Boozenny to reject the twelve thousand dollar figure. Ron Reichert states that the CAP people were directing this lawsuit when they weren't involved, that it was the Three Tribes. Sam states that the Council should accept the twelve thousand dollar figure and settle the case.

Tom Eagle wanted to know if Jerry was inferring that he was embezzeling Revenue Sharing funds. Jerry stated that he didn't say that. Ron Reichert stated that this was not a case against any one individual, but against Western Surety.

Austin Gillette moves to accept the twelve thousand seven hundred fifty dollar figure from Western Surety. On remarks, Hazel asks if this would relieve the third party. Ron Reichert informs her that this will not. Roy Bird Bear seconds motion. Motion is amended to have Ron Reichert contact Western Surety's attorneys. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, no, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, abstain, Hazel Blake, no. Five in favor, two opposing, one abstention, motion carried. Chairperson not voting.

Tom Eagle makes a motion to set up a date for modifying the plan for the use of the 93-638 Grant, so that all the Council members can come in and discuss the plan. Austin seconds motion. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, abstain, Sam Little Owl, no, Wayne Packineau, yes, Austin Gillette, yes, Tom Eagle, yes, Eva Beaks, no, Hazel Blake, yes. Five in favor, three opposing, motion carried. Chairperson voting no.

Five minute break.

Ron Rabbithead wants to sell his lot and house to the Tribe for \$7,000.00. Tom Eagle makes a motion that this be paid out of Corporate Credit. Motion is dead for lack of second.

Wayne makes a motion to buy this property subject to funding being available.

Motion seconded by Tom Eagle. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, motion carried.

Ron Reichert suggests to Council that they make sure that the resolution is attached to the McCaleb contract.

Damson Oil & Rainbow Resources:

Both companies have a proposal before the Tribe. Meetings are to be set up with both companies. Wayne suggests that the Tribal Council draw up questions to ask these company representatives so that the Tribe will be prepared.

Ron Reichert states that the Marjorie Necklace case is in the 8th Circuit Court of Appeals and that oral arguments are scheduled. Ron will be down there during the week of April, 11th.

Resolution No. 77-104 is read by Tribal Secretary. This is a resolution in regard to reimbursement of \$195,000 to Roads budget of the Three Tribes.

Sam moves to approve. Second by Ralph Bird Bear. Vote on motion: Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, motion carried.

Resolution No. 77-105 is read by Tribal Secretary. This is a resolution in regard to creating a new position in Social Services, Bureau of Indian Affairs, New Town. Austin moves for approval. Second by Tom Eagle. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, no, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, abstain, Hazel, yes.

Eva moves that Resolution No. 77-105 be tabled until it is worded right. Motion is dead due to lack of second.

Resolution No. 77-106 is read by Tribal Secretary. This is a resolution requesting the Department of Housing and Urban Development to approve award under Force Account to complete homes.

Eva moves to approve Resolution No. 77-106. Second by Tom Eagle. Vote on motion: Roll call vote: Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. Chairperson not voting. All in favor, motion carried.

Resolution No. 77-107 is read by Tribal Secretary. This is a resolution designating Garrison, Halliday, Killdeer, Keene, Watford City and Stanley as areas to be considered by BIA Social Services for determining eligibility.

Sam moves for approval of Resolution No. 77-107. Second by Tom Eagle. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, motion carried. Chairperson not voting.

Resolution No. 77-108 read by Tribal Secretary. This is a resolution requesting Governor Link to place Fort Berthold Indian Reservation in Region II.

Hazel moves for approval of Resolution No. 77-108. Second by Sam Little Owl. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, motion carried. Chairperson not voting.

Resolution No. 77-109 read by Hazel. This is a resolution supporting decision by President Carter on Garrison Diversion Project. Eva Beaks moves for approval of Resolution No. 77-109. Second by Sam Little Owl. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, motion carried. Chairperson not voting.

Resolution No. 77-110 read by Tribal Secretary. This is a resolution reaffirming establishment of Fort Berthold Housing Authority. Sam Little Owl moves for approval of Resolution No. 77-110. Second by Hazel Blake. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, abstain, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, Hazel Blake, yes. All in favor, motion carried. Chairperson not voting.

Resolution No. 77-111 read by Tribal Secretary. Resolution authorizing withdrawal of \$1,350.00 from Revenue Sharing fund for payment to Zine, Le Tourneau & Hoover, Auditors.

Sam moves for approval of Resolution No. 77-111. Second by Tom Eagle. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, motion carried. Chairperson not voting.

Resolution pertaining to PHS employee retirement was tabled for further study. Eva moves that this be tabled. Second by Sam Little Owl. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, motion carried.

Discussion is had on Senate Bill 666.

Lengthy discussion is had regarding authority for Tribal Police to carry weapons. Discussion is had as to training. The Police Academy in Brigham City, Utah is first choice. Also, the State sponsors a program to train policemen in the use of weapons. Adrain states with the proper supervision and facilities, the training could be done right here on the Reservation.

Donation to Pow-Wow at North Dakota State Prison. Suggestions are discussed as to ways of collecting money for this pow-wow. No decision is made by Council.

Shirley Grady requests to rent house located in Bear Den. This building was reserved roping group. Eva moves that more information be obtained before a final decision is made on this building. Second by Wayne. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, motion carried. Chairperson not voting.

It is reported to the Council that Ed Danks had been charging people for gravel he delivered to new homes on the Reservation. Wayne informs the Council that he is on the Indian Action Team Board of Directors and that he will bring this up at their meeting March 11th.

Discussion is had on 90-day probation period for employees picked up by DINAP under the PSE Grant. Allen addresses Council on this. It is Allen's opinion that this probation period is not necessary for these people. A letter is read from Hazel Blake to Katherine Real Bird. Austin moves to approve letter from Hazel to Katherine Real Bird, and that this be done by resolution. Second by Hazel Blake. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, abstain, Tom Eagle, yes, Hazel Blake, yes. One abstention, eight in favor, motion carried. Chairperson not voting.

Austin moves when programs apply for refunding or when new programs are organized, that they include in their funding packages that they will adopt the Tribal Personnel Policies & Procedures, and that this be incorporated in their grants, and that they follow Tribal guidelines. Hazel seconds motion. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake. All in favor, Chairperson voting, motion carried.

Resignation of Johanna White Bear. Hazel reads letter of resignation from Johanna White Bear. Wayne moves to accept Johanna White Bear's resignation. Second by Sam Little Owl. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, motion carried.

Wayne makes motion to select new *CAP* Director. Second by Austin. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, motion carried. Chairperson not voting.

Tom Eagle moves to accept the three applicants. Wayne seconds motion. The three candidates are: Adrain Bird Bear, Harley Good Bear, J.C. Whitman. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, motion carried. Chairperson voting.

Sam Little Owl moves to vote by secret ballot. Second by Ralph Bird Bear. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle,

yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, motion carried.

Austin moves that the Chairperson be authorized to declare voting on selecting for positions be by secret ballot. Second by Sam Little Owl. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Eva Beaks, yes, Hazel Blake, yes. All in favor, motion carried.

Results of voting: Adrain Bird Bear, two votes. Harley Good Bear, four votes. J.C. Whitman, three votes. Harley Good Bear is selected as the new CAP Director. No alternate.

Austin moves to have an alternate. Motion dead due to lack of second.

Discussion is had on Jerry's salary. Hazel moves that Jerry be paid on the same basis as Waldron and Bill Lockwood. Sam seconds motion. On remarks, Roy states that this should be done by resolution and that the salary figure be put in the resolution. This is to as of February 1st. Vote on motion. Roll call vote: Roy Bird Bear, abstain, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, no, Wayne Packineau, abstain, Tom Eagle, abstain, Hazel Blake, yes. (Eva left meeting at 7:00 P.M.) Four in favor, three abstentions, one opposed, motion carried. Chairperson voting.

Discussion is had on Dale's salary as to the Tribe being reimbursed from Title X. Sam makes a motion for the Chairperson to follow up on telephone calls from Aberdeen regarding Dale's salary. Austin seconds motion. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Hazel Blake, yes. All in favor, motion carried.

Rose entertains motion to take her Executive Board, along with Jerry and Dale, to Washington to check into various grants pertaining to salaries as well as other programs. Moved by Wayne. Second by Sam Little Owl. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, no, Wayne Packineau, yes, Tom Eagle, yes, Hazel Blake, yes. Seven in favor, one opposing, motion carried. Chairperson voting.

More discussion had on Dale's salary.

Sam moves to pay Dale \$13,500 per annum under Title X. Second by Wayne Packineau. Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, no, Wayne Packineau, yes, Tom Eagle, yes, Hazel Blake, yes. Seven in favor, one opposing, motion carried. Chairperson voting.

Adrain suggests that since the Executive Board is going to Washington, D.C., that his budget and other program budgets be given top priority.

Donna Davis's salary is discussed. Donna is going on her third month without being paid. Donna was brought up here through IPA, a program of the Bureau. IPA is supposed to pick up Donna's salary. The Sacramento Office sent out the wrong form. Sam makes a motion to have Mr. Morgan write a letter to the Sacramento Area Office concerning Donna's salary. Second by Tom.

Vote on motion. Roll call vote: Roy Bird Bear, yes, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, yes, Wayne Packineau, yes, Tom Eagle, yes, Hazel Blake, yes. All in favor, motion carried. Chairperson voting.

Jerry's duties and responsibilities are discussed. Sam makes a motion that Jerry Nagel's duties be reaffirmed according to what is stated in the Resolution appointing him. Second by Ralph Bird Bear. Vote on motion. Roll call vote: Roy Bird Bear, no, Ralph Bird Bear, yes, Sam Little Owl, yes, Austin Gillette, no, Wayne Packineau, yes, Tom Eagle, no, Hazel Blake, yes. Five in favor, three opposing, motion carried. Chairperson voting.

Austin moves to adjourn. Second by Roy. Meeting adjourned at approximately 7:45 P.M.

ATTEST:

  
HAZEL M. BLAKE, Secretary, Tribal Council