

REGULAR COUNCIL MEETING

Name of Organization: Tribal Business Council
Three Affiliated Tribes

Place of Meeting : Tribal Conference Room
Tribal Business Office
New Town, North Dakota
September 8, 1977

PRESENT: Rose Crow Flies High, Chairperson; Ronald Little Owl, Vice-chairman; Roy Bird Bear, Treasurer; Wayne Packineau, Council Member; Theodore Bird Bear, Council Member; Thomas Eagle, Jr., Council Member and John Stone, Sr., Council Member.

ABSENT : Hazel Blake, Secretary, Eva Beaks, Council Member; Larry Rush, Council Member and Austin Gillette, Council Member.

OTHERS : Ronald Reichert, Tribal Attorney, Ronald Spratt, In-House Attorney; Tillie Walker, Tribal Programs Manager; Phyllis Howard, Community College Director; Tom Nelson, Adult Education Director; Donald Morgan, Superintendent; Nell Boozenny, American Indian Development Association (AIDA) and Pete Fredericks.

The meeting came to order at 1:00 PM.
Roll call - Quorum present.
Prayer given by Thomas.

Minutes from morning Council Review were read for approval by Ronald, Acting Secretary.

On corrections, Ronald states that Material Resources met on September 6, instead of September 9.

On remarks, Ronald, also stated that he and Theodore went to the Bureau to look into Richard Smith's landsale. Ronald reported that they were informed that there was a delay in FHA processing of approximately two hundred applications, and that they would not be processed until November or December of 1977.

Ronald moved to approve the council review minutes with corrections. Second by Wayne. Vote on motion: all in favor, motion carried. Chairperson not voting.

Report from Treasurer: Roy reported that he has been requesting a month-by-month financial report from the Tribal Comptroller. Roy stated that Linda Baker informed him that she would have a complete financial report ready within two or three weeks.

Roy also stated that one of the council members should be appointed to take the names of all who attend Committee meetings so there would not be any confusion as to who was present and no mistakes would be made on the council paychecks.

Rose entertained a motion to give authority to Roy, Tribal Treasurer, to pay qualified council members pay from previous meetings for which they were not compensated. Wayne moves to that effect. Second by Theodore. On remarks, this is for per diem and tribal duties. Vote on motion: seven in favor, none opposed. Motion carried. Chairperson voting.

Roy is nominated to take names at each of the council meetings.

Wayne made a motion to have the Budget Committee meeting on the morning of September 14, at 10:00 AM, to go over the T/2 account for fiscal year 1978. Second by John. Vote on motion: six in favor, none opposed, motion carried. Chairperson not voting.

Ronald Smith, Community Action Program, would like a resolution approved for next year's Summer Youth Program. Wayne moved to table this until the council reaches the agenda for new business. Second by John. Vote on motion: six in favor, none opposed, motion carried. Chairperson not voting.

Ronald Reichert, Tribal Attorney, is granted the floor. Ronald gave a detailed report of the status of Morsette and Young Bird vs. The Three Tribes.

Ronald Reichert reported on Warren Means vs. Rose Crow Flies High and Austin Gillette. Ronald stated that depositions will be taken on September 30 at the Federal Courthouse in Minot, North Dakota.

Discussion is had on David Peterson's voucher. Ronald instructed the Tribal Recorder to do follow up on resolution and voucher.

Ronald read a rough draft of a resolution to amend the Constitution and By-Laws of the Three Affiliated Tribes. This pertains to an amendment bringing the Constitution and By-laws in compliance with a court order requiring the one-man one-vote principle to be incorporated in the Tribe's Constitution.

A typographical error is noted in the Tribal Constitution on Page 19. "(20" should read, "(2)".

After further discussion, Thomas made a motion to have a Special meeting set for Tuesday, September 13, at 1:00, and that all council members be notified both verbally and by certified letter of this meeting, which will be a meeting to discuss amendment of the Tribal Constitution. Second by John. On remarks, Ronald stated that the Council should act on this today. Vote on motion: John, Wayne, Thomas, Theodore, Roy - yes. Ronald no. Five in favor, one opposing, motion carried. Chairperson not voting.

Rose asked each of the Tribal Council Members present their opinion on how they would like their representatives selected, on an at-large basis or votes from within their respective communities.

John stated that he is neutral on that point. Wayne stated that he believes as John, because this had been done previously by referendum vote. Thomas refuses to comment. Theodore stated that he would like to see representatives elected within their own communities. Roy would like further discussion before he comments either way. Ronald wants voting in communities, he's against at-large election.

More discussion was had on amendment of Constitution. Rose stated that she thinks this has to be settled in court.

Ronald stated that he would like to have Cletus Medicine Crow, Tribal Recorder, take the depositions scheduled for September 30. Wayne moved that Ronald hire Cletus for these depositions. Second by Thomas. Vote on motion: Roy, Theodore, Thomas, Wayne, John - yes. Ronald - no. Five in favor, one opposing, motion carried. Chairperson not voting.

Jerry asked Ronald if the SBA audit and audit on the Four Bears Complex is in. Ronald stated that they are awaiting Brian Story's audit for the SBA audit, which is finished, as well as the Four Bears Complex. Thomas stated that the Tribe is stuck with the Four Bears Complex.

Ronald read a resolution pertaining to purchase of CHR vehicles. On remarks, it is stated that since these vehicles would be purchased with Judgment monies, more discussion should be had with the rest of the council members present. Thomas moved to table this resolution. Second by John. Vote on motion: Ronald, Roy, Theodore, Thomas, John - yes. Wayne - no. Five in favor, one opposing, motion carried. Chairperson not voting.

Rejection for funding for the Day Care Center is discussed. Ronald moved that Tillie Walker, Tribal Programs Director, be authorized to request evaluation on rejection of the Day Care Center grant. Second by Wayne. Vote on motion: all in favor, motion carried. Chairperson not voting.

The resolution pertaining to the Summer Youth Program is read by Ronald. Ronald moved for approval, second by Thomas. Vote on motion: six in favor, none opposing, motion carried. Chairperson not voting.

The resolution pertaining to Gas & Oil Tax Ordinance is read by Ronald. This was submitted by Ronald Spratt. Ronald moved for approval, second by Roy. Vote on motion: six in favor, none opposing, motion carried. Chairperson not voting.

The resolution pertaining to Waldron Crows Breast's landsale is ready by Ronald. John moved to approve, second by Wayne. Vote on motion: six in favor, none opposing, motion carried. Chairperson not voting.

The resolution pertaining to the Criminal Justice Program for fiscal year 1978 is read by Ronald. Thomas moved for approval. Second by Theodore. Vote on motion: six in favor, none opposing, motion carried. Chairperson not voting.

The resolution pertaining to authorization for Bureau to enter into a contract with the Tribe for funds to provide surplus commodities to needy families is read by Ronald. Thomas moved to approve, second by Wayne. Vote on motion: six in favor, none opposing, motion carried. Chairperson not voting.

The resolution pertaining to the formation of an Adult Education Program on the Reservation is read by Ronald. John moved to approve, second by Theodore. Vote on motion: seven in favor, none opposing, motion carried. Chairperson voting.

The resolution pertaining to funding for the TWEP Program is read by Ronald. John moved to approve. Second by Theodore. Vote on motion: seven in favor, none opposing, motion carried. Chairperson voting.

The resolution pertaining to funding for HIP Program is read by Ronald. John moved to approve. Second by Ronald. Vote on motion: six in favor, none opposing, motion carried. Chairperson not voting.

Pete Fredericks is granted the floor, and he explained the purpose of his presence at the meeting. Ronald read Pete's petition signed by various members of the Tribe in full to the council. This pertains to a request for a Senate investigation of nepotism on the Reservation. John moved to recognize this petition and to present it at the next scheduled council meeting. Second by Ronald. On remarks, Thomas stated that as he has stated before, the people involved should be granted a hearing. Vote on motion: six in favor, none opposing, motion carried. Chairperson not voting.

Phyllis Howard, Director of the Fort Berthold Community College is granted the floor. Before Phyllis gives her presentation, Rose gave her opinion of the Community College Program. Phyllis continued with her presentation, which is a request to utilize the vacant trailer near the location of the Community College Office. Phyllis stated that CAP did not have the say on the building, but that it rested with the Tribal Council. Phyllis stated that although no one can own federal property, the Tribe has the authority to grant approval for use of this property. Phyllis stated that her program has funds to pay rent of a hundred dollars a month, plus their regular four hundred dollars rent. This would enable the Community College to renovate this building and the Tribe could have a building which is being of benefit to the tribal members instead of standing vacant. Wayne moved to accept rent for the months of July, August and September, from the Community College. Second by John. Vote on motion: six in favor, none opposing, motion carried. Chairperson not voting.

Discussion is had on enrollment of Trudy Chase. Thomas moved that the Tribal Enrollment Clerk contact the Standing Rock Sioux Enrollment Clerk to see if Trudy has received any benefits from the Standing Rock Sioux Tribe. Second by John. Vote on motion: six in favor, none opposing, motion carried. Chairperson not voting.

Ronald read two letters from the Area Office pertaining to approval of two requests for use of a portion of funds under Docket 350-F.

Ronald read a resolution granting authority for Rose, Ronald, Hazel, Roy, Jerry Nagel and Ronald Spratt to travel to Washington, D.C. to follow-up on status of Dockets 350-C & D. Ronald moved to approve, second by Wayne. On remarks, Wayne inquired if this group is also going to look into other matters pertaining to the Tribe. Rose stated that they will. Vote on motion: Ronald, Roy, Theodore, Wayne, John, Rose - yes. Thomas - no. Six in favor, one opposing, motion carried. Chairperson voting.

Nell Boozenny gave her presentation to the Tribal Council. Thomas moved that a Special Meeting be set for Monday, September 12, at 10:00 AM, to discuss this matter with members of the Council, as well as Kathy Real Bird, Nell Boozenny and Tillie Walker before the Tribe acknowledges Nell's request to provide agriculture and fuel technology training on the Fort Berthold Indian Reservation. Second by Wayne. Vote on motion: seven in favor, none opposing, motion carried. Chairperson voting.

Wayne stated for the record that Larry had informed Francis Standing Soldier that Wayne would have to present Francis' request to be considered as the Tribal Chaplain.

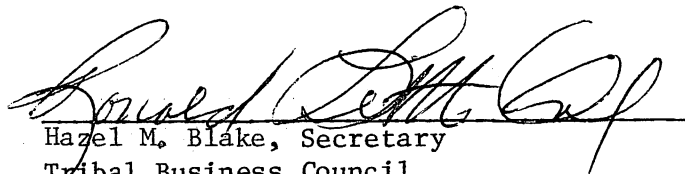
There being no further business, Roy moved to adjourn the meeting. Thomas second the motion. Vote on motion: all in favor, motion carried.

The closing prayer was said.

The meeting adjourned at 5:30 PM.

ATTEST:

acting


Hazel M. Blake, Secretary
Tribal Business Council