

SPECIAL MEETING

Name of Organization: Tribal Business Council  
Three Affiliated Tribes

Place of Meeting : Conference Room  
Tribal Building  
October 19, 1979

Present : Austin Gillette, Chairman; August Little Soldier,  
Vice-Chairman; Tillie Walker, Secretary, Eva Beaks,  
Roy Bird Bear, Theo Bird Bear, Louis Felix, Ron Little Owl,  
Willard Yellow Bird.

Absent : Thomas Eagle, Treasurer; Marie Wells.

Others : Harrison Fields, BIA; Claryce Baker, Education Officer;  
Ron Brugh, Norman Baker, Curtis Danks, Clement Baker,  
Ed Hall, Jim Danks, Ivan Johnson, Kingdom Black Hawk - Mandaree;  
John Fredericks, Maurice Danks, Ann Voigt - Twin Buttes;  
Weston Schettler, Viola Schettler, Almit Breuer - Emmet;  
Ken Charging, Eugene Voigt - Raub; Solly Danks, Dennis Snow,  
Hugh Baker, John Sitting Crow - New Town; Delvin Foote - Parshall.

Meeting was called to order at 1:05 pm.  
Roll call; Quorum present.

CATTLEMEN:

John Fredericks, Jr., was called on. He said the lessors have contract with BIA on leases and were never approached on land lease increases. There was stipulation to review land values at the end of three years.

The Chairman said the BIA informed the Council we had to review leasing of lands and gave a deadline. Mr. Fields explained that an appraiser had prepared a report and the Area Director has the right to make allotted land rental rate. The Bureau of Indian Affairs recommended \$57.

Jim Danks said there was a clause whereby the BIA would review rental rates at the end of three years and reappraise at that time. He thought it was for the 1980 contract. There had been a meeting in 1976 when the rate and general agreement had been made. Larry Burr pointed out that it said there would reevaluation prior to the fourth year. Jim Danks said there was a catch phrase in the contract. According to the proposal in the resolution, reevaluation was to be made prior to August 8th. It was not there and it is a blanket contract and as near as we can figure, it was put in there by Aberdeen. At that time ranchers had a four year permit. Solly Danks said they had three years on the contract and this is the end of the fourth year. John Fredericks suggested the matter should be reevaluated before anything is done.

The Chairman said that the BIA required the resolution at the end of the fiscal year or they would set the rate. He asked what the cattlemen considered a fair price. John Fredericks said tribal land should be at the same rate as allotted land. An increase is in order, but you must look at all other factors. The increase should be made a year in advance.

CATTLEMEN Cont. :

Larry Burr said the cost of land purchase program is \$4.40/per acre interest and the cost to the Tribe is \$101.20 for grassland where one must have 23 acres per cow for grazing. Jim Danks said that FmHA loan was made to purchase land going out of trust and consolidating heirship lands, and the Tribe is now competing with individuals on land purchases. Larry Burr said since 1950 the Tribe has acquired 45,000 acres of whole pieces and 65,000 acres of undivided interests. Carl Whitman said the loan was made to keep land from alienation. He said during his experience of working in other areas, he found that White Mountain Apache has grazing at 12 acres per cow and Fort Berthold has 23 acres. The Chairman said there was need for a range management plan. There was a soil range inventory in 1951, and soil and range survey is being completed for five counties on the reservation.

Jim Danks suggested that the 1971-72 MRBI report is a helpful document in assisting the Tribe to increase the carrying capacity. John Fredericks said that the ranchers would like to see the rates remain through the contract period ending in 1980. This would give ranchers an opportunity to get out. Jim Danks said the concensus of the ranchers was that they would have to fold up their cattle operations. He did not think the Tribe needed the taking area since they have oil rentals and shot hole fees. The Tribe could subsidize the ranchers. The ranchers got the taking area back for the Tribes. He wanted to know if the BIA was exempt from the federal guidelines of 7% for wage and price. He said there is more winter here with 120 days of frost free weather. Fort Yates and Rosebud have from 250 to 300 frost free days, and they are able to do all their fencing in the winter.

Little Soldier said he had been a rancher all his life and each needed to have sufficient hay. Yellow Bird said landowners want all they can get and both landowners and ranchers must be considered. He stated further that there are a lot of outside cattle coming into the reservation and subleasing continues.

Jim Danks asked what happened to the trespass cases. He said four of the cases settled at 10¢ on a \$1.00 by Aberdeen and the U.S. Attorney office. He asked for an opportunity to have a written proposal for consideration by the Council.

The Chairman responded to the question about the trip to Washington. He explained that the trip was to meet with the Assistant Secretary of the Interior for Indian Affairs about the "taking area" being returned to the Tribe. There is a law which gives the Department authority to have the land returned in trust for the Tribe. Other areas of concern are roads, law enforcement, hospital, schools. Clement Baker asked about the water rights and the water allocations being made by the State.

Maurice Danks reported that the Indian rancher at Fort Yates pays \$35 for an allocation and the rate is \$72.00.

Sam Little Owl left at 3:35 pm.

CATTLEMEN Cont.:

Almit Breuer spoke about the price of cattle being low and causing problems for Indian ranchers. Larry Burr said many of the big ranchers are not leasing large amounts of land. Little Soldier said the only ones with allocations should be the ranchers with 100 head or less. Roy Bird Bear pointed out that a subsidy was tried before and did not succeed. The larger operators came in and changed the plans.

15 minute break. Session resumed at 4:00 pm.

A brief discussion continued on the grazing lease.

MINUTES:

The Secretary read Minutes of September 28.

Wells moved for approval of Minutes of September 28 with corrections; second by Felix. Vote: Ten (10) in favor, motion carried.

Yellow Bird left at 4:30 pm.

The Secretary read Minutes of October 12.

Little Soldier moved for approval of October 12 Minutes as read; second by Wells. Vote: Eight (8) in favor, motion carried.

PER DIEM:

Little Soldier said Washington, D.C. is a high cost area and the current per diem allowed is not sufficient. A double room rate is \$42 and single room is \$39.

Wells moved that the tribal delegation traveling to Washington, D.C. receive \$75 per diem for the October 24-25 trip; second by Little Soldier. Vote: Nine (9) in favor, motion carried.

FOUR BEARS:

The Secretary reported that the recreation staff for the Four Bears Community had been in touch and wanted to purchase posts for basketball court from Public Facilities funds. The Community has approved the purchase.

Walker moved to authorize purchase of posts for basketball court from Four Bears Community share of Public Facilities funds in the amount of \$59.00; second by Beaks. Vote: Nine (9) in favor, motion carried.

JOM RESOLUTION:

The Secretary read resolution approving the choice of Option 1 which allows fund distribution to eligible contractors based on number of eligible Indian students to be served times 25% of national average per pupil operating cost.

Beaks moved for approval of Option 1 of the Johnson O'Malley fund distribution formula; second by Wells. Vote: Nine (9) in favor, motion carried. Resolution #79-342.

SALARY NEGOTIATION:

Claryce Baker was called into the meeting for the salary negotiation. She was asked the total of her last salary. She said she was principal of the Busby School on the Northern Cheyenne Reservation, and her salary was \$17,000. The school was a 638 contract school. She was then asked to leave the room during Council discussion.

Beaks moved to set the salary for the Tribal Education Officer at \$15,900 with review at the end of the probationary period of ninety (90) days; second by Wells. Vote: Nine (9) in favor, motion carried.

Little Soldier left at 5:00 pm.

AGRICULTURAL PLANNER:

Barbara Lindley explained that the resolution on the Agricultural Planner was revised to make clear that Hugh Baker was the Natural Resources Planner. The Secretary read the resolution approving proposal to FmHA for agricultural planner position. Walker raised the question about the planning staff being a part of the Planning Office rather than in Natural Resources.

Eagle moved to approve proposal for agricultural planner to the FmHA for funding; second by Wells. Vote: Six (6) in favor, two (2) abstentions, motion carried. Resolution #79-343.

MOOSE:

The Secretary read resolution to protect moose on the reservation. It was pointed out that the maximum fine can be \$500 and not \$1,000 as stated in the resolution.

Eagle moved to approve maximum fine of \$500 for the killing of moose on the Fort Berthold Reservation; second by Beaks. Vote: Eight (8) in favor, motion carried. Resolution #79-344.

"FUGITIVE FROM JUSTICE":

The Secretary read resolution repealing the "fugitive from justice" provisions of the Law and Order Code. The resolution was drawn up in response to information that off-reservation courts have misused the procedures allowed by the tribal court in turning over enrolled members to outside authorities.

"FUGITIVE FROM JUSTICE" Cont.:

Eagle moved to authorize the appeal of the "fugitive from justice" provisions of the Law and Order Code; second by Wells. Vote: Eight (8) in favor, motion carried. Resolution #79-345.

SOCIAL SERVICES:

The Secretary reported that a call had come from Evadne Gillette concerning a meeting with the State Social Services Board inviting the Tribe to discuss Medicaid problems.

Eagle moved to approve travel for Human Resources Committee and Tom Abe, Health Planner, to attend the meeting of the State Social Services Board; second by Walker. Vote: Eight (8) in favor, motion carried.

MISS USA PAGEANT:

The Secretary read letter from Jami Thorton requesting the Three Affiliated Tribes to sponsor her to compete in the North Dakota MISS USA Pageant. The fee is \$250.00.


Beaks moved for approval of sponsorship of Jami Thorton for the North Dakota MISS USA Pageant to be held December 7-9, 1979, in Minot, North Dakota; second by Wells. Vote: Seven (7) in favor, one (1) abstention, motion carried.

PIERRE INDIAN SCHOOL BOARD:

Beaks informed the Council that she had appointed Louis Felix to attend the Pierre Indian School Board meeting on October 20.

Wells moved to approve the appointment of Louis Felix to attend the Pierre Indian School Board representing Fort Berthold; second by Beaks. Vote: Seven (7) in favor, one (1) abstention, motion carried.

ADJOURNMENT: Meeting adjourned at 5:25 pm.

  
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SECRETARY, Tribal Business Council

APPROVED: November 16, 1979  
(date)