

REGULAR MEETING

Name of Organization: Tribal Business Council
Three Affiliated Tribes

Place of Meeting : Conference Room
Tribal Building
February 14, 1980

Present : Austin Gillette, Chairman; August Little Soldier,
Vice-Chairman; Thomas Eagle, Jr., Treasurer;
Tillie Walker, Secretary; Eva Beaks, Roy Bird Bear,
Theo Bird Bear, Louis Felix, Ronald Little Owl,
Marie Wells, Willard Yellow Bird.

Others: : Tom Tippeconnie, Robert Nagel, Office of Surface Mining;
Jim Dunn, ITAC, Denver, CO; Mr. Foughty, State of North
Dakota; Juanita Helpfrey, Indian Affairs Commission;
Rich Melton, Gary Noonan, Office of Environmental Health;
Don Kellar, Housing Authority; Richard Lindgren, Roads;
Larry Burr, Trust & Natural Resources; Clyde Brady.

The Meeting was called to order at 11:25am.
Roll call; Quorum present.

TIME CLOCKS:

Funds for time clocks was discussed. The Chairman suggested the budgets of Tribal Programs Manager and Personnel.

LEGAL MATTERS:

John Holm, Tribal Attorney, was called on to speak concerning the fugitive from justice law repealed by the Council. He said the alternative was to sue in tribal court and get judgement. Tribal Court judgement must be recognized. He suggested the Tribal Court setting bond schedule. The bond rates set by outside courts are exorbitant. The main items which need response from the Attorney General are (1) Tribes enter into agreement with the state to honor fugitive from justice statute; extend tribal court civil judgement beyond reservation borders.

Walker moved to authorize the Chairman to write letter to State Attorney General requesting opinion if state can give full faith and credit to tribal court judgements against non-Indians in return for tribal court enforcing state court arrest warrants in criminal matters and collect reasonable bonds to secure appearances; second by Eagle. Vote: Nine (9) in favor, motion carried.

WATER LINE:

The Secretary read resolution on legal action for Four Bears Water System. The contract for the water system was for an adequately designed system, and since installed by Wold Engineering, the communities served have been without water each winter because of breakdown of the system in the cold weather.

WATER LINE Cont.:

Eagle moved to direct attorney to institute appropriate legal action to rectify situation with Wold Engineers, P.C.; second by Little Soldier. Vote: Nine (9) in favor, motion carried. Resolution #80-11.

COURT FEES:

The filing fees in tribal court were discussed. The fee for divorce is now \$5.00 and for all other civil actions excluding bad checks is \$10.00. There were suggestions to increase filing fees, and a check of the members resulted in four (4) for \$50.00; two (2) for \$35.00, and two (2) for \$15.00. The tribal attorney was asked to write resolution on filing fees.

Break for lunch at 12:00.
The meeting resumed at 12:45pm.

SUPERINTENDENT SELECTION:

The applications for Superintendent - Alvin Picotte, Everett Johnson, Tim DeAsis, John Danks, and Harrison Fields were considered. Vote was taken by secret ballot with the following results: Fields - 8 votes; Danks - 3 votes; DeAsis - 0 votes; Johnson - 0 votes, and Picotte - 0 votes.

Little Soldier moved to support Harrison Fields for the Superintendent position; second by Roy Bird Bear. Vote: Ten (10) in favor, one (1) not voting, motion carried. Resolution #80-12.

INDIAN ACTION:

James Dunn, of the Indian Action Office in Denver was called on. The Chairman suggested that a letter be written Indian Action requesting an evaluation of our total program including financial management, personnel, and planning. Mr. Dunn said Indian Action reports for third and fourth quarters of FY 1979 were missing, equipment leases must have signature by Denver office, must have modification for use of carryover funds.

ROADS:

Juanita Helphrey, Executive Director of Commission on Indian Affairs, introduced Donovan Foughty, Transportation Planner of North Dakota Highway Department. He said he was interested in two areas public transportation and road/bridge development. The Chairman expressed concern about state/county plans for bridge development in South Segment of the Reservation. The Chairman said a letter would be written the state concerning roads.

SURFACE MINING:

Tom Tippeconnie of the Office of Surface Mining in Denver spoke concerning role of his office. He said OSM regulations and proposed legislation have been drafted and in 30 days Tribes will receive the drafts for comment. He said IPA arrangements can be made with Tribes to help develop to deal with the surface mining legislation. If request comes from Tribe, OSM budget can include request.

Little Soldier moved to authorize request to Office of Surface Mining, Denver Regional Office, for IPA position to be placed with Three Affiliated Tribes; second by Wells. Vote: Eleven (11) in favor, motion carried. Resolution #80-13.

FORT BERTHOLD HOUSING AUTHORITY:

Rich Melton, Indian Health Service, spoke concerning problems with 1979 5-11 housing project. Indian Health Services upgrades water and sewer systems and sanitary facilities are tied to housing development. Don Kellar, Housing Authority Director, said that no expansion can be made in Drags Wolf Village because of no sewer facilities. There will be twelve (12) units in this area, and Indian Health Service can get water system if housing is in Drags Wolf Village.

LAND SALE:

Yellow Bird explained that BIA reported appraisal on Wade White Body land was \$15,300. He negotiated with Natural Resources Committee for that amount. Larry Burr of BIA then informed the Committee the appraisal was \$11,000 rather than \$15,300.

Beaks moved to approve land purchase from Wade White Body, Allotment 1450 S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 3 T159N R92W, 80 acres at \$15,300; second by Felix. Vote: Six (6) in favor, four (4) opposed, motion carried.

Wells pointed out that many errors are made in BIA on oil leases and asked why funds had to be repaid and if error is BIA's. Larry Burr said BIA handles 2,500 oil leases and pays to rightful owners. Walker said there is problem with knowing what payments are being received when government checks give no indication of source.

GREEN HOUSE/EARTH LODGE:

Request from Mike Cross of Community College for taking over greenhouse and earthlodge projects from the Tribes. The Tribe received the greenhouse project funded by CSA at \$16,000 and State CETA from the earthlodge project.

GREEN HOUSE Cont.:

Eagle moved to authorize Mike Cross of Community College to develop the earthlodge and greenhouse projects with Administration through the Tribes; second by Yellow Bird. Vote: Ten (10) in favor, motion carried.

LAND SALES:

Larry Burr, BIA, stated the Tribes may need justification when paying beyond appraisal for land.

The Secretary read resolution on Esley Thorton, Jr., land sale.

Eagle moved to approve land purchase from Esley Thorton, Jr., Allotment 897A Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18 T149N R93W 79.81 acres of grassland appraised at \$8,000 to be acquired through Judgment Funds; second by Little Owl. Vote: Ten (10) in favor, motion carried, motion carried. Resolution #80-14.

The Secretary read resolution on Gordon Bird land sale.

Walker moved to approve land purchase from Gordon Bird, Allotment 990A, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31 T151N R94W 40 acres appraised at \$4,000 to be acquired through Judgment Funds; second by Wells. Vote: Ten (10) in favor, motion carried. Resolution #80-15.

The Secretary read resolution on Opal Bird land sale. Yellow Bird explained that Pansy Hale wants to trade with the Tribes if this land is purchased. Opal Bird owns 1/6 interests in the land.

Eagle moved to approve land purchase from Opal Bird, Allotment 577A E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19 T152N R93W, 1/6 interest appraised at \$3,200 to be acquired through Judgement Funds; second by Yellow Bird. Vote: Eight (8) in favor, three (3) abstentions, motion carried. Resolution #80-16.

FARMERS HOME ADMINISTRATION:

Oscar Howard, County Supervisor, was introduced. He has replaced Ellis Ross for the Reservation. He reviewed FHA programs including housing, loans, and various types of non-farm enterprises.

LAND EXCHANGE:

The Secretary read resolution for land exchange for Naomi Bekoe. Naomi Bekoe land of 120 acres is appraised at \$10,800 and Tribal land appraised at \$10,500 for 117.5 acres. Forty (40) acres is located by the Taking Area, and forty (40) acres a quarter mile from Taking Area.

LAND EXCHANGE Cont.:

Little Soldier moved to approve land exchange Naomi Bekoe, Allotment 92, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19 T147N R89W 40 acres at \$3,600 and Allotment 792A, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 2 T146N R92W 80 acres at \$7,200 total \$10,800 for Tribal land, Allotment 955A NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Lot 1 Section 7 T146N R89W 117.5 acres at \$10,500; second by Yellow Bird. Vote: Seven (7) in favor, two (2) abstentions, Chairman not voting, motion carried. Resolution #80-17.

ROIL ENERGY COMPANY:

The Secretary read letter from Roil Energy Company requesting a special meeting with the Tribal Council to discuss investments in the oil and gas business.

Little Soldier moved to invite Al Riley of Roil Energy Company to meet with the Tribal Council regarding oil and gas investments; second by Yellow Bird. Vote: Ten (10) in favor, motion carried.

MEETINGS:

The Chairman reminded members of meeting with farmers on February 22 at 1:00pm, and Roads meeting on February 20-21.

HOUSING:

Little Owl reported that the Housing Authority is selling 2 x 4's to a non-Indian from a Fort Berthold Housing Authority house which had burned and was assigned to his father-in-law Richard Crows Heart, Sr.

Little Owl moved that Attorney follow up on insurance and the Crows Heart want to purchase the lumber; second by Wells.
Vote: Seven (7) in favor, one (1) opposed, two (2) abstentions, motion carried.

Little Soldier left meeting.

SOCIAL AND ECONOMIC DEVELOPMENT STRATEGIES:

The Secretary read resolution approving Social and Economic Development Strategies proposal to improve administration of programs and planning for Fort Berthold.

Walker moved to approve Social and Economic Development Strategies proposal to be sent to Administration of Native Americans; second by Eagle. Vote: Ten (10) in favor, motion carried.
Resolution #80-19.

MANDAREE SCHOOL:

The Secretary read letter from Clarinda Baker requesting financial aid from the Tribes for Alan Fast Horse. He was selected to attend legislative proceedings in Washington, D.C. Walker suggested contacting Mandaree School Board about assistance.

Walker moved to refer request to Mandaree School Board and if no action taken there, to reconsider request for financial help; second by Eagle. Vote: Nine (9) in favor, motion carried.

DANCE PERMIT:

The Chairman reported that the Community Chairman for Northern Segment gave key for community building to Agnes Vondall, and they held a keg party from 1:00am to early morning without a dance permit. Wells said police want to know when dance permit is approved.

Wells moved to amend dance permit to include white dances, that no liquor be allowed, and dances may go to 1:00am; second by Roy Bird Bear. Vote: Seven (7) in favor, one (1) opposed, two (2) abstentions, motion carried.

SALARY:

Salary raises for Alan Smith, Personnel Director, for 7% retroactive to October 1, 1979, was presented by Beaks.

Wells moved to approve raise of 7% effective February 14, 1980 for Alan Smith, Personnel Director; second by Felix. Vote: Eight (8) in favor, two (2) abstentions, motion carried.

ADJOURNMENT: The meeting recessed until 1:00pm, February 15.

Approved: 3/14, 1980.
(date)


SECRETARY, Tribal Business Council