

REGULAR MEETING

NAME OF ORGANIZATION:

TRIBAL BUSINESS COUNCIL  
THREE AFFILIATED TRIBES

PLACE OF MEETING :

TRIBAL COUNCIL CHAMBERS  
TRIBAL ADMINISTRATION BUILDING  
NEW TOWN, NORTH DAKOTA  
11 SEPTEMBER 1980

Chairman Gillette called the meeting to order at 11:05a.m.  
Roll call: Austin Gillette, Chairman; August Little Soldier,  
Vice-Chairman; Tillie Walker, Secretary; Thomas Eagle, Jr.,  
Treasurer; Eva Beaks, Roy Bird Bear, Theo Bird Bear,  
Louis Felix, Ronald Little Owl, Willard Yellow Bird.  
Absent: Marie Wells. Quorum present. Others present:  
Clyde Brady, Sargeant-at-Arms; Harrison Fields, BIA  
Superintendent; Larry Burr, Paul Howling Wolf, Adeline  
Brunsell, BIA Trust & Natural Resources; Mary Baker,  
Tribal Programs Manager; Ron White Owl, Indian Action;  
Karol Parker, Nathan Hale, Lydia Charging.

MINUTES: Secretary Walker read Tribal Business Council Meeting  
Minutes of August 22.

Eagle moved, seconded by Little Soldier to approve Special  
Meeting Minutes of August 22 with corrections in spelling.  
Vote: Eight (8) in favor, motion carried.

Secretary Walker read Tribal Business Council Meeting Minutes of  
August 28.

Little Soldier moved, seconded by Yellow Bird to approve  
Special Meeting Minutes of August 28 as read. Vote:  
Seven (7) in favor, one (1) not voting, motion carried.

Secretary Walker read Natural Resources Committee Minutes of  
August 29.

Eagle moved, seconded by Yellow Bird to approve Natural  
Resources Committee Minutes of August 29 as read.  
Vote: Five (5) in favor, two (2) abstentions, Chair  
not voting, motion carried.

Secretary Walker read Natural Resources Committee Minutes of  
September 9.

Yellow Bird moved, seconded by Felix to approve  
Natural Resources Committee Minutes of September 9  
as read. Vote: Eight (8) in favor, motion carried.

Beaks arrived at 11:40a.m.

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MINUTES Continued: Secretary Walker read Election Board Minutes of August 29.

Little Soldier moved, seconded by Eagle to approve Election Board Minutes of August 29 as read. Vote: Eight (8) in favor, one (1) not voting, motion carried.

ATTORNEY REPORT: Tribal Attorney John Holm reported that most of his time was spent with the Election Board, and he is working on Four Bears water lawsuit.

TRIBAL COMPTROLLER: Secretary Walker read resolution giving salary increase commensurate to GS/12 to James Monteau, Tribal Comptroller.

Little Soldier moved, seconded by Roy Bird Bear to approve GS/12 salary for James Monteau, Tribal Comptroller through IPA as of October 1, 1980. Vote: Seven (7) in favor, two (2) opposed, Chair not voting, motion carried. Resolution #80-169

CHASE & ASSOCIATES: Secretary Walker read resolution presented by Wallace Chase for Tribe to request \$1,000.00 from each oil company on the Fort Berthold Reservation to assist Wallace Chase in establishing abstract business. Attorney Holm raised question about legality of the resolution on the leases already completed. It was suggested Wallace Chase be present for further discussion. Chairman Gillette said he wanted to have abstract office set up before there was oil leasing on Fort Berthold but could not get any interest.

Recess for lunch.

The Meeting resumed at 1:00p.m. PRESENT: Theo Bird Bear

WATER RATES: Secretary Walker read resolution establishing water rates for the Four Bears Water System.

Eagle moved, seconded by Little Soldier to approve water rates at \$10.00 for first 2,000 gallons and \$1.50 per 1,000 gallons after first 2,000 gallons. Vote: Ten (10) in favor, motion carried. Resolution #80-170

SHOT HOLE PLUGGING: Secretary Walker read resolution concerning individual landowners being allowed to plug seismic shotholes. Concern was expressed that this practice creates dangers to ground-water reserves, landusers, livestock, and wildlife.

Walker moved, seconded by Little Soldier that all seismic shothole plugging must be done by a professional shothole plugging service. Vote: Ten (10) in favor, motion carried. Resolution #80-171

CHILD WELFARE: Karol Parker, consultant to the On-going Child Welfare Program, distributed licensing requirements for foster care and philosophy for children and youth for the Tribe and reviewed each. Beaks suggested the licensing requirements should be reviewed more carefully before adoption. Mrs. Parker reported these documents would be shared with the State.

Walker moved, seconded by Eagle to adopt tribal philosophy for children and youth. Vote: Nine (9) in favor, one (1) abstention, motion carried.

WATER: Lydia Charging asked about her application for well development and was referred to the Home Improvement Program office.

INDIAN HEALTH SERVICES: Mary Lou Stanton, Acting SUD, was called on. She reported that the end of her three month assignment is Friday, September 12. Robert O'Reilly of the Aberdeen Area Office would be assigned not to exceed four months. IHS is still attempting to find permanent SUD. The contract services budget for Fort Berthold will come out even for Fiscal Year 1980 and the field health program will be \$40,000 in the red. The physician extender project (family nurse practitioners) contract should be sent out next week.

Dr. Roger Grey Eyes responded to request by the Council for payment of bill for Mildred Bull at Bismarck Hospital. He said IHS has contract with hospitals with stipulations: (1) living on the reservation; (2) referred by Indian Health Services; (3) emergency situations. He said IHS considers payment when quality of care is good, and reported the bill for Mildred Bull to the Bismarck Hospital had been paid. As for hospitalization at Hazen Hospital, payment will be made if Indian Health Services receives documentation.

Ms. Stanton assured the Council that there will be opportunity for review of SUD applicants.

SYNTHETIC FUELS: Mr. Tuntland of Garrison was called on. He said he was requested to approach the Council to ask for support to Department of Energy for funding for a synthetic fuel processing plant to be located near White Shield. This is the exploratory stage and cost would be about one billion dollars. The corporation is being organized in North Dakota and is a subsidiary of Beverly Hills Oil Company. He said he thought the corporation would take the Tribes coal and get water from Lake Sakakawea. He was asked why the site near the reservation had been chosen. Mr. Tuntland replied the site was near a town with population and close to water and coal. He requested again if the Council would help get grants for exploration. He was asked for further information on the corporation and told the Tribe may need the same funds from DOE.

LAND SALES: Secretary Walker read resolution on purchase of fee patent farm from Don and Kathleen Voigt.

Little Soldier moved, seconded by Yellow Bird to authorize purchase of fee patent land, Allotment 92A, SE $\frac{1}{4}$  Section 18, NE $\frac{1}{4}$  Section 19, T148N, R90W, 320 acres, from Don and Kathleen Voigt for \$50,000 from Judgement Funds. Vote: Ten (10) in favor, motion carried. Resolution #80-172

Secretary Walker read resolution for purchase of 80 acres of land from Leonard Hosie. The land was appraised at \$350 per acre, and he is requesting \$400 per acre. Leonard Hosie owns one-fourth interest in the land and cost would be \$8,000.00.

Yellow Bird moved, seconded by Little Soldier to authorize purchase of Allotment 301-264A, N $\frac{1}{2}$ SW $\frac{1}{4}$  Section 9, T150N, R90W, 80 acres with share from Leonard Hosie at \$8,000.00. Vote: Ten (10) in favor, motion carried. Resolution #80-173

LAND EXCHANGE: Chairman Gillette stated that the Natural Resources Committee Minutes authorizing exchange of land with John McGrady was tabled. The Resolution #80-127 approved the land exchange although the value of tribal land was \$600.00 greater than John McGrady's land.

Eagle moved, seconded by Little Soldier to rescind Resolution #80-127 which approved land exchange with John McGrady. Vote: Nine (9) in favor, one (1) not voting, motion carried.

The Secretary was requested to write Mr. McGrady about the decision and his options available.

OIL LEASE: Secretary Walker read resolution on March 14, 1980 oil lease high bid.

Little Owl moved, seconded by Yellow Bird to accept high bid of \$8,800.00 from Grace Petroleum Corporation on Tract #T-1, Allotment 1854, McKenzie County, 160 acres. Vote: Nine (9) in favor, one (1) passed, motion carried. Resolution #80-174

Secretary Walker read resolution on high bid for March 4 oil lease.

Little Owl moved, seconded by Yellow Bird to accept high bid of \$1,000.00 by Home Petroleum Corporation on Tract #T-1, McLean County, 40 acres. Vote: Nine (9) in favor, one (1) passed, motion carried. Resolution #80-175

Break at 3:00p.m.

ROADS: There was lengthy discussion on tribal and BIA roads projects. The Material Resources Committee designated eleven (11) roads for priority, and BIA was asked if they can complete work. There is need for (1) gravel; (2) trucks to haul gravel and scoria; (3) scrapers; (4) culverts; (5) road work to homes with school children. Mr. Fields said BIA had responsibility for culverts for approach and IMPL may be used for purchase of gravel and culverts.

Little Soldier moved, seconded by Little Owl that the BIA Superintendent Fields authorize expenditure for culverts and gravel for families on Material Resources Committee priority list and lease whatever is needed to complete job. Vote: Ten (10) in favor, motion carried.

Ron White Owl stated there was need for scrapers to complete road repair.

ANA: Chairman Gillette reported that the Health and Human Services have notified the Council that the ANA grant of \$135,000 and SEDS grant of \$271,000 were being held up because of improper documentation on Community Action Program in 1977 and Tribe will be obligated to pay the \$9,351.00 of the in-kind contribution, cost sharing requirements before SEDS and ANA will be released. CAP did not document CAA Board member attendance at community meetings from June 1976 - June 1977 when Harley Good Bear was CAP Director.

Little Soldier moved, seconded by Yellow Bird to make payment of \$9,357.00 "in protest" and submit documentation to cover the in-kind contribution. Vote: Seven (7) in favor, three (3) abstentions, motion carried.

AUDIT: There was discussion about tribal bank accounts which are not identified.

Little Soldier moved, seconded by Yellow Bird to authorize audit by Nitschke, Wolfe & Company of all idle bank accounts at Lakeside State Bank. Vote: Ten (10) in favor, motion carried.

638 GRANT: Walker referred to the 638 grant providing for natural resources staff for the Council and Natural Resources Committee. She recommended Duane Bird Bear, and enrolled member who is an attorney employed at EPA, for the position. Eagle suggested exploring an IPA with him.

Walker moved, seconded by Eagle to authorize 638 position to Duane Bird Bear and exploration of IPA with EPA with him. Vote: Ten (10) in favor, motion carried.

CROSS RANCH: Chairman Gillette opened discussion on Tribe purchase of 10,000 acre Cross Ranch recently turned down by North Dakota voters. The Ranch includes many burial grounds and home sites of the Three Tribes, is near the Missouri River about 30 miles from Fort Berthold border, and is primarily rangeland.

Little Soldier moved, seconded by Walker to authorize Chairman Gillette and Tribal Attorney Holm to make initial contact for purchase of Cross Ranch. Vote: Ten (10) in favor, motion carried.

Vice-Chairman Little Soldier reported trip to the Army Engineers and learned the property at the Radar Base is still available.

Little Soldier moved, seconded by Yellow Bird to authorize Tribal Attorney Holm to make request for the Radar Base property near Minot for the Three Affiliated Tribes. Vote: Ten (10) in favor, motion carried.

RIGHT-OF-WAY: The right-of-way for telephone service to Lord Deegan.

Eagle moved, seconded by Little Soldier to approve right-of-way for telephone for Lord Deegan. Vote: Ten (10) in favor, motion carried.

RALLY: Council members were reminded of the political rally on September 12 at the Four Bears Motor Lodge.

Walker moved, seconded by Little Owl to approve purchase of fruit, coffee, and sandwiches for the political rally on September 12, 1980. Vote: Ten (10) in favor, motion carried.

SCHOLARSHIP: Chairman Gillette reported that Diane Johnson was returning to Denver University Law School and needed financial assistance.

Little Owl moved, seconded by Walker to approve grant of \$1,000.00 for Diane Johnson for second year at Denver University Law School from Docket C & D. Vote: Ten (10) in favor, motion carried.

DINAP/WELL DRILLER: Chairman Gillette set 10:00a.m., September 12, or meeting with DINAP and interview for well drill operator.

ADJOURNMENT: The Meeting adjourned at 4:05p.m.

SECRETARY: Ellie Walker  
TRIBAL BUSINESS COUNCIL

APPROVED: Sept. 25, 1980.