

SPECIAL MEETING  
TRIBAL BUSINESS OFFICE  
THREE AFFILIATED TRIBES

CONFERENCE ROOM  
TRIBAL BUILDING  
OCTOBER 9, 1980

PRESENT: AUSTIN GILLETTE, CHAIRMAN; AUGUST LITTLE SOLDIER, VICE-CHAIRMAN;  
TILLIE WALKER, SECRETARY; GERALD WHITE, TREASURER; ROY BIRD BEAR,  
THOMAS EAGLE, NATHAN PAUL GOODIRON, WILLARD LITTLE OWL, MATTHEW  
MASON, MARIE WELLS, WILLARD YELLOW BIRD.

ABSENT: NONE

OTHERS: JOHN HOLM, TRIBAL ATTORNEY; DELORES SAND, ROSIE STONE, REBA WALKER,  
SUSAN PHELAN, LUKE YEAHQO.

Chairman called the meeting to order at 11:05 A.M.  
Roll call; Quorum present with 9 present, two absent.

The Chairman reported since Comptroller Joe Monteau was absent, we will reschedule Tribal Budget for Tuesday, October 14, 1980, at 10:00 A.M.

MINUTES: Secretary Walker read minutes of September 30, 1980. Councilman  
Mason said Stockman's Association had resolution pertaining to  
Resolution #80-155 to be presented. It was decided that they will discuss this  
later on.

Wells moved to approve the Special Meeting minutes of September 30, 1980.  
Second by Eagle. Vote; all in favor; motion carried.

August Little Soldier arrived at 11:20 P.M.

Secretary Walker read minutes of October 1, 1980. Councilman GoodIron made  
correction on attendance. He had been excused to check grass in Dunn County with  
ASCS and B.I.A.

Eagle moved to approve October 1, 1980 Special Meeting minutes with  
typographical errors corrected and attendance of GoodIron added. Second  
by GoodIron. Vote: all in favor; motion carried.

Secretary Walker read minutes of Human Resource Committee meeting of October 7, 1980.

Little Soldier moved to approve the Human Resource Committee minutes of  
October 7, 1980 as read. Second by Eagle. Nine (9) in favor; one (1)  
opposed; one (1) abstained; motion carried.

Yellow Bird arrived at 11:30 A.M.

GoodIron suggested not to approve the part of minutes designating Human Resource  
secretary for the hiring committee.

TRIBAL BUSINESS COUNCIL - SPECIAL MEETING  
PAGE TWO - OCTOBER 9, 1980

Chairman informed the Council members that Mr. Hobbs of Wilkinson, Cragun, & Barker called and said it was not necessary to go to Washington for the interest bill. The Office of Management and Budget were hedging on the bill and they withdrew their objections. President Carter has signed S341, the bill to allow Fort Berthold to file a claim for interest off the 1930 Judgement case. Now the Tribe can proceed to go to court by March, 1981, and we might get up to \$22,000,000.

CENEX: Chairman reported to the Council members that the Cenex Oil Company has agreed to use the per-barrel method. He will meet with Mr. Koros and several other people from CERT, to go over escalation of oil prices, etc. The agreement offered is for \$35,000 at a one time payment for 20 years. The per-barrel method is \$82,000 at 3¢ (this will be every year) to \$237,000 at 10¢ a barrel. The Chairman's recommendation to the Bureau is that the Tribe take half to utilize in programs such as subsidy, land programs, feed programs, and educational loan funds, etc.

NTCA: Secretary Walker read the letter from Kenneth E. Black, Executive Director of the National Tribal Chairman's Association with a Letter of Intent for Council action designating Chairman to represent the Tribe at NTCA meetings.

Vice-Chairman Little Soldier entertained a motion for approval of letter. Wells moved to approve Letter of Intent designating Chairman Gillette to NTCA. Second by Goodiron. Vote: Eleven (11) in favor; motion carried.

S341: Chairman received call from Senator Burdick's office informing Council members that President Carter has signed bill S341. This allows Tribe to go to court with possibility of winning \$22,000,000 for interest off the 1930 Judgement case. The Blackfeet, Gros Ventre, and Assiniboine are included in the bill for their interest claim.

TREASURER'S REPORT: Gerald White reported that his reports were not completed at this time.

ATTORNEY'S REPORT: Attorney Holm reported that last week, there were some questions on divorces that were granted prior to 1972. Enrolled members living within the exterior boundaries of the Fort Berthold Reservation have received divorce judgements from State Court, and there are serious questions to the validity of divorces granted by State Courts. John Holm, Tribal Attorney, recommended the Council accept the State Court judgements and filed with Tribal Court. Chairman requested that John Holm draft a resolution and present it to the full Council.

ENROLLMENT: Secretary Walker read resolution on enrollment of Tasha Stephanie Bad Bear, daughter of Mary Ellen Baker Bad Bear. Secretary Walker reported to the Council that she got in touch with the Montana B.I.A. Area Office and local agency, and Jill Gillette, Tribal Enrollment Clerk, called the Tribal Enrollment Clerk of the Crow Tribe. All the mother needed to do was to send a

TRIBAL BUSINESS COUNCIL - SPECIAL MEETING  
PAGE THREE - OCTOBER 9, 1980

letter relinquishing membership with the Crow Tribe, if she was enrolled. The child was not given a roll number and was not forwarded to B.I.A. for final action.

Walker moved to accept enrollment of Tasha Stephanie Bad Bear. Second by Wells. Vote: Seven (7) in favor; one (1) opposed; three (3) abstaining; Chairman voting. Motion carried. Resolution #80-197

ENROLLMENT: Secretary Walker read resolution on enrollment of Tyler Ralph Wells, son of Thomas W. Wells and Greta Cottonwood.

Yellow Bird moved to accept enrollment of Tyler Ralph Wells. Second by Mason. Vote: Eleven (11) in favor; motion carried. Resolution #80-198

As a courtsey, the Chairman suggested that copies of enrollment resolution with a letter informing parents of enrollment.

Little Soldier moved to write parents the Council has enrolled child and send resolution. Second by Eagle. Eleven (11) in favor; motion carried.

LUKE YEAHQO: Luke Yeahquo was asked to speak next. He was having a difficult time locating a place to live. He could get a mobile home through Veteran's Administration, however, he has to have facilities on the site. The Tribe told him that he had to be resideing on the site before he could get service through the HIP Program. He suggested that maybe the Council could write him a letter of intent. Secretary Walker reported that he has been in touch with her and he got no where with Housing. Gerald White reported that he spoke with him yesterday and informed him that at this time HIP Program does not have any funds and it is at a standstill. Chairman suggested that Gerald White research the regulations. White said he would look into it and be in touch with the Council and Luke Yeahquo.

ROSIE STONE: Rosie Stone was asked to speak next. She said she has been running the Spotted Horn Store in Mandaree and has put a lot of work into it. She said she was not making much profit after paying expenses, and there wasn't much left to live on. She would like to be able to sell beer. There was a discussion regarding laws on the reservation for selling liquor. John Holm will look into the possibility of selling liquor and Chairman directed Mrs. Stone to the Judiciary Committee. He also requested John Holm to get a clarifying statement. Meeting was scheduled for Wednesday, October 14, 1980.

FOUR BEARS DAY: October 13, 1980 is Four Bears Day, and there will be no work that day.

RECESS: The meeting was recessed at 12:00 noon.

The meeting was reconvened at 1:15 P.M.

TERMINATION HEARING: Reba Walker, Tribal Health Planner, was called on to speak. She was asked to present her case. Chairman Gillette

explained since the Chairperson of Human Resources is sister of Reba Walker, she is coming before the Council on the termination. Reba Walker presented her background and circumstances leading up to her termination. She requested that: (1) she be reinstated with full pay, (2) all memorandum and letters be removed from her personnel record.

Reba Walker left the meeting.

Chairman Gillette asked the Tribal Attorney if Chairman had authority to grant leave without pay. John Holm said the Personnel Policies give Tribal Chairman authority to grant administrative leave with pay and he would interpret leave without pay would be within the authority of the Chairman though it does not specify anyone in the policies. He stated subparagraph 3 f, part 5 of the Policies and Procedures violates basic due process rights.

Susan Phelan was asked to come into the meeting. She distributed her personal statement, and spoke about the termination. She questioned the Council agenda, including physician recruitment since it was one of her department's priorities, and the meetings with Indian Health Services without clearance with her.

Wells moved to reinstate Reba Walker as Tribal Health Planner with full pay and all correspondence relating to the termination be removed from her personnel file. Second by Yellow Bird. Ten (10) in favor; one (1) abstained; motion carried.

Mason moved to reinstate Susan Phelan to the position of Tribal Health Director. Second by White. Seven (7) in favor; three (3) abstained; motion carried.

It was suggested the Human Resources Committee meet with all program directors to revise the personnel policy and take their recommendations for consideration to the full Council.

Eagle moved to direct the Human Resources Committee to meet with program directors to revise Personnel Policies and Procedures. Second by Yellow Bird. Vote: Ten (10) in favor; motion carried.

John Holm noted that under Part 3 of the Policies and Procedures, there is to be a review each year.

NCAI: Chairman Gillette requested from Council members whether or not they will attend the National Congress of American Indian Conference in Spokane, Washington, October 26-31.

Walker moved to designate August Little Soldier the official voting delegate to NCAI with Willard Yellow Bird as the alternate. Second by Eagle. Ten (10) in favor; motion carried.

AGING SERVICES-FINANCIAL MATCH: Roberta Young Bird, Director for Aging Services, was called on to speak. She presented her proposal and budget to the Council for fiscal year '81. Two grants were submitted for Nutrition and Outreach/Transportation services. The program has

submitted position requests to the DINAP office and asked that the program be given as a special priority this year. In the application for federal assistance under Title III, III-B, and III-C-1. There was a cash match from the Tribe of \$640.00 for nutrition and cash match of \$652.00 for outreach/transportation services. Councilwoman Wells asked specific duties of the outreach worker. Young Bird reported that they did not have any at this time because they did not get funded from DINAP. Wells said she knew of some elderly people who would like to stay in their own homes instead of being taken care of in institutes, and they should be under these outreach workers or under some other aid where the worker could wash clothes, clean house, shop, and prepare one meal. Something should be provided for the elderly. Walker reported that each of the communities gave the Aging Services Program money from Community Developments funds and Young Bird will have to make a request for payment through the Finance Office. The actions have been approved by the Council.

Eagle moved that non-federal share of \$1292 from Community Development funds already allocated and the balance be put into budget this year. Second by Yellow Bird. Eleven (11) in favor; motion carried.

Young Bird was asked to make a statement of how many of her staff are being paid out of her program, how many from DINAP, and how many additional she needs that the Tribe can provide. There will be a meeting with her budget on Tuesday, October 14 and they would like the information then.

Mason moved to authorize submitting proposal for Aging Program for FY 81. Second by White. Vote: Ten (10) in favor; one (1) not voting; motion carried.

ROPING ARENA: Secretary Walker read letter from Mike Cross on development. Mike Cross, Acting EDA Planner, was asked to speak. He reported that there has been some developments relating to the Roping Arena Facility that should be reviewed by the Council's appropriate committees. Mike Oblittner, Chief, EDA Industrial Development in Washington has developed a dialog with Southern Utah Industries, a western clothing manufacturing company, concerning the potential development of a plant site on the Ft. Berthold reservation. The company is interested in sponsoring a joint-owned company or developing a company that would be owned by a Indian Tribe.

Yellow Bird moved to request Mike Cross to contact Mr. Oblittner to provide more information, and Dun and Bradstreet for credit clearance of the company. Second by Little Soldier. Vote: Eleven (11) in favor; motion carried.

AMSA PHYSICIAN RECRUITMENT CONFERENCE: Secretary Walker read letter of Edward White from Indian Health Service of Aberdeen, for the physician recruitment conference to be held in Bismarck. Chairman Gillette requested that council members attend this conference on Saturday.

Councilman Little Solier moved to authorize Human Resources Committee Chair and Tribal Chairman to attend Physician Rescruitment Conference. Second by Councilman Bird Bear. Vote: All in favor; motion carried.

TRIBAL BUSINESS COUNCIL - SPECIAL MEETING  
PAGE SIX - OCTOBER 9, 1980

FORT BERTHOLD LAND & LIVESTOCK ASSOCIATION: Councilman Mason read resolution from Ft. Berthold Land and Livestock Association requesting removal of B.I.A. Superintendent Harrison Fields and Range Conservationist Jim Quackenbush. A discussion was held on the merits of this resolution and John Holm was asked to get charter for this organization. Question was raised about membership. We will formerly recognize that the cattlement have petitioned the Council for the removal of Superintendent Fields and Range Conservationist Jim Quackenbush, and that the Tribal Council denies their request, based on the fact that they do not have sufficient evidence to support their allegations.

Bird Bear moved to accept resolution and deny request to remove Superintendent Fields and Range Conservationist Jim Quackenbush by the Stockmen's Association. Second by Little Soldier. Vote: Nine (9) in favor, two (2) abstained. Motion carried.

JOM CONTRACT PROGRAM: Secretary Walker read resolution on JOM Contract Program.

Councilman Little Soldier moved to authorize JOM application for FY 81. Second by Wells. Vote: Eleven (11) in favor; motion carried. Resolution #80-199.

IDFC MEETING: Discussion on appointment to the Indian Development Fund Committee was held. It was suggested that we appoint Tribal Chairman and Mike Cross to be on Board and attend IDFC meetings. Next meeting is November 14, 1980 in Belcourt, North Dakota.

Councilman White moved to designate Chairman Gillette to the Board of IDFC and Mike Cross as alternate. Vote: Eleven (11) in favor; motion carried. Resolution 80-200.

HOUSING: Councilwomen Wells reported the need to enlarge the community center in Parshall. It was pointed out that the North Segment also needed an addition. Suggestion was made to have FBHA modify their contract to assist on the community buildings.

Councilman Little Soldier moved to direct Fort Berthold Housing Authority to modify contracts to allow assistance to enlarge Parshall and North Segment Community Centers, that Attorney John Holms draft resolution to be directed to HUD, Region VIII Office for consideration. Second by Councilman White, ten (10) in favor, one (1) abstained, motion carried.

Councilman Good Iron stated he wanted more say on what goes on at the Motor Lodge.

Meeting adjourned at 3:30 P.M.

Next meeting will be on Tuesday, October 14, 1980 at 10:00 A.M.

SECRETARY

*Ellen Walker*  
TRIBAL BUSINESS COUNCIL

APPROVED: October 24, 1980  
(Date)