

SPECIAL MEETING
TRIBAL BUSINESS COUNCIL
THREE AFFILIATED TRIBES

CONFERENCE ROOM
TRIBAL BUILDING
DECEMBER 12, 1980

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

ABSENT : TILLIE WALKER

OTHERS : CHARLES HOBBS, WILKINSON, CRAGUN & BARKER; ALTON WHITE BEAR

Vice-Chairman Little Soldier called the meeting to order at 11:00 a.m.

MAPS: Alton White Bear presented maps of range units which the Council
requested. He reported that maps were up to date, and that he was
working on a larger map that will have an up date on all tribe owned and fee
patent land.

ATTORNEY'S FEES: Treasurer White presented clarifying statement of how
much tribe owed to Wilkinson, Cragun & Barker, including
past months' bills that were not paid.

Councilman Yellow Bird moved to authorize payment to Wilkinson,
Cragun & Barker of \$18,166.37, for November, 79; December, 79;
May, 80; June, 80; and October, 80 expenses and legal fees, minus
\$6,385.15 for double payment for January, March, and April, 1980
fees and expenses. Second by Councilman Wells. Eight (8) in
favor, motion carried.

The tribe is up to date as of October, 1980.

FISH AND GAME MANAGEMENT: Mr. Hobbs commented on article in Garrison News-
paper regarding lake jurisdiction to tribes. He
said Larry Kruckenberg, commissioner of the State Game & Fish Department, stated
his case pretty accurately, in his opposition to tribe taking over jurisdiction.
He had hoped Gov. Link will give support, and thought there will be no support
from the newly elected State office. Interior Department says you have right
and a law saying you have jurisdiction. But sooner or later, we will have to
go to court. He said the other phase is a bill we hope Senator Burdick will
introduce this summer. Senator Burdick said he will introduce the bill restor-
ing land, minerals, and giving back hunting and fishing to the tribes, but he
didn't say when he will introduce. Senator Burdick said to give Corps of Engi-
neers thirty (30) days to give comments, then he will introduce the bill. Mr.
Hobbs said they waited three months and received no answer, so they asked Burdick
if he would do what he said he was going to do. Jim Nygard said they were busy
then, and that it would be difficult to take time out, but he assured them that

it didn't represent getting cold feet. He didn't promise for the next session, but Mr. Hobbs is hoping it would be introduced on January 21, 1981.

Larry Kruckenberg said if tribe gets jurisdiction, State will pull out. Mr. Hobbs said the State didn't do very much. Game Habitat is seeing to it that there's corn fields growing for ducks, and they have underbrush for nesting. They spend maybe \$40,000 to \$60,000 a year. They said they would also stop patrolling, but without tribe's permission, they can't send patrol cars into the reservation. If tribe does have jurisdiction, you would rather have State get out of the picture.

In the article, Mr. Kruckenberg also stated that fisheries would be destroyed, but that's not true. Tribe can also run fisheries just as good as State. With the help of Fish and Wildlife, it can be done. If unrestricted fishing is permitted, it might happen, but I don't think you will allow that to happen. Mr. Hobbs suggested developing local support with civic clubs, etc, because it's not going to go through Congress without more help.

Mr. Hobbs said law gives Corps of Engineers authority over hunting and fishing within Take Area. They had in 1955 given State a 25-year lease to run hunting and fishing, and when they came up for renewal in October, He went to them and told them if they renewed licenses, it would be 25 more years in talking about transfer of jurisdiction. He also said they would renew licenses, but make it cancellable in a 60-day notice. So if tribe eventually wins over Corps of Engineers, license will be revoked in a two-month period, on jurisdiction over hunting and fishing.

Councilman Goodiron made a motion to draw up letter for newspapers, and also Outdoor Magazine for the State, for getting support. Second by Mason. Nine (9) in favor, one (1) not voting, motion carried.

Remarks: Discussion was held on contacting radio and television stations. Mr. Hobbs said you should make your own statement first, have somebody write it up, then give it to the reporters. Reporters are usually not willing to take their story and show it to you for approval first. He also said the legal background is complicated. If you get newspapers involved, have them call me, so I can explain the legal terms. Jurisdiction situation includes only civil jurisdiction, not criminal, over non-Indian in lake area.

B.I.A. ROADS DEPARTMENT: A discussion was held on possibility of tribe contracting B.I.A. Roads Department, specifically Road Maintenance.

Councilman Goodiron made a motion requesting B.I.A. Roads Department, Material Resource Department, and full Council to meet and discuss tribe contracting Roads Department. Second by Little Owl. Eight (8) in favor, one (1) not voting, motion carried.

Chairman Gillette arrived at 11:45 a.m.

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WATER CODE: Mr. Hobbs reported that on the last meeting with the Council, it was agreed, and there was time then, that I would appear here at 10:00 a.m. to discuss water code, but at the time I didn't know how urgent it was. I can say what our idea is on a water code. You requested us to do a water code sometime ago in May, and purpose was to have water code prepared on the shelf and ready for use, so it can be put into action. There seemed to be no hurry, so we took our time, then a request came that you would like to have it done. The decision you have to make now is to decide which kind of code, which is the first step approach, whether to start out with registration or go all the way with full-fledged control program. With the registration program, you would have people on reservation to notify you how much they're using. You will have to appoint secretary to run program, develop files, and to show who uses how much. This program would be more complete than studies and would be more informative. This would in two years expanded into a control program, from just a notification program. Then you can tell them how much to use, etc. If you want the control program, you will have to issue permits and hire more people. So you will have more man power on tribal budget and secondly, you will generate more opposition with control program, particularly with non-Indians. They would probably say they have to resist this now, so you would probably find a lot of opposition from non-Indians, you will have to be ready for that. It's our opinion that you would be better off to start up with the first step which the registration program. You can expand later on. We got back comment through Hugh Baker that they preferred that tribe should have control program. We responded that it was entirely up to you. You can discuss pros and cons and decide which way you want to go.

Vice-Chairman Little Soldier made a motion to go according to Hobbs' plan, and take one step at a time until it's finalized. Second by Yellow Bird. Eight (8) in favor, one abstained, one (1) not voting. Motion carried.

Remarks: Chairman Gillette said Duane Bird Bear's comments on the water code were that it was inadequate. But he was thinking of a control-type program. A discussion followed on deciding which way the tribe should go, developing full water system, etc. It was decided that a date should be set aside to discuss pros and cons, and decide which program would be best.

ADJOURNMENT: Meeting adjourned at 12:00 noon.


Secretary, Tribal Business Council

APPROVED: Jan 9, 1980
(Date)