

REGULAR MEETING  
TRIBAL BUSINESS COUNCIL  
THREE AFFILIATED TRIBES

CONFERENCE ROOM  
TRIBAL BUILDING  
FEBRUARY 12, 1981

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, AND WILLARD YELLOW BIRD.

ABSENT : NONE

OTHERS : MIKE WEAVER, ART RONAMIES, IHS, MINOT; RICHARD YOUNG, ENVIRONMENTAL  
HEALTH OFFICER; ALBERT WHITE CALF JR. AND DENNIS HUBER, COMMUNITY  
CHAIRMAN FROM WHITE SHIELD AND TWIN BUTTES;

Chairman Gillette called the meeting to order at 11:00 a.m.  
Roll call, quorum present.

MINUTES: Secretary Walker read minutes of December 17, 1980 Special meeting.

Councilman Mason moved for approval of December 17, 1980 Special meeting.  
Second by Councilman Goodiron. Seven (7) in favor, motion carried.

Councilman Bird Bear arrived at 11:15 a.m.

Secretary Walker read Judiciary Committee minutes of February 3, 1981.

Councilman Goodiron moved for approval of Judiciary Committee minutes  
of February 3, 1981. Second by Treasurer White. Eight (8) in favor,  
motion carried.

HOUSE LOT: Treasurer White reported that Jim Fitzsimmons of Legal Services  
called concerning home of William Bearstail. At the time of pur-  
chase, he was not aware taxes were outstanding. He was assisted earlier and now  
back taxes is again a problem.

Councilman Eagle moved to authorize Treasurer White to explore the  
tax problem on William Bearstail's property and make recommendations  
for assistance. Second by Councilman Mason. Eight (8) in favor,  
motion carried.

MEETING: Councilman Mason reported the Landowner Association and Stockmen  
will meet at the North Segment Hall at 1 p.m. on February 15, 1981.

MINUTES: Secretary Walker read minutes of February 3, 1981 Human Resources  
Committee meeting.

Councilman Mason moved for approval of February 3, 1981 Human Resources

Committee meeting. Second by Councilman Eagle. Eight (8) in favor, motion carried.

Secretary Walker read minutes of February 9, 1981 Natural Resources Committee meeting.

Councilman Eagle moved for approval of February 9, 1981 Natural Resources Committee meeting. Second by Councilman Mason. Eight (8) in favor, motion carried.

MEMORANDUM OF AGREEMENT: Mike Weaver and Art Ronamies from IHS in Minot were present to give information and answer questions of Council members on Memorandum of Agreement to be made among Indian Health Service, Department of Health and Human Services, Three Affiliated Tribes, City of New Town, Bureau of Indian Affairs, and the Fort Berthold Housing Authority for provision of water supply and waste disposal facilities in Parshall, New Town, Twin Buttes, White Shield, and Mandaree communities on the reservation. Council had questions on parts: 4, 5, 6, 10, and 11, which Secretary Walker read. One concern was tribe has purchased a well-drilling unit and will have trained staff to develop the project and the job should be given to them. The Tribe would have preferred to have the housing project, lagoon, and water system in the Four Bears area but Housing Authority ignored the recommendations of the Council. Indian Health Service is providing financial assistance not to exceed 20% of contract cost for water line, sewer-line extensions and construction costs. It was decided to have letter send to Housing-Authority with Council's recommendations and to contact Mr. Kellar to be here in the afternoon session today.

Vice-Chairman Little Soldier arrived at 11:45 a.m.

RECESS: Meeting recessed at 11:55 a.m.

Meeting reconvened at 1:20 p.m.

HOSPITAL FUND DRIVE: Chairman Gillette suggested a Hospital Fund Drive with a goal of \$200,000 to be established. The drive could be for a 10-year period and used as matching funds. He asked for response from Dennis Huber, Community Chairman of Twin Buttes and Albert White Calf Jr. Chairman of White Shield who were present. Both responded that a drive would be a good idea. This would be a reservation-wide project.

PLANNING/MANAGEMENT PROCESS: Ken Deane, Tribal Planner, presented a resolution to adopt the attached "Three Affiliated Tribes Long Range Planning/Management Model" as the official Planning/Management Process for use by the Three Affiliated Tribes. Discussion followed and Councilman Mason expressed his concern about losing communication between department heads and Council members. It was decided to approve with modifications.

Vice-Chairman Little Soldier moved to accept chart of Long Range Planning/Management Model with clarifications about Tribal Court, Department heads and Program Manager's line of authority. Second by Councilman Goodiron. Ten (10) in favor, motion carried. Resolution #81-49

GERARD, BYLER & ASSOCIATES: Secretary Walker read proposal of agreement to formalize the contractual relationship between the tribe and firm, so the firm could assist and advise the the tribe regarding funding for irrigation development on the reservation. Discussion followed on various sources tribe can get information and funding. It was decided to invite Becky Adamson to meet with the tribe at the next meeting before any decisions were made.

Councilman Eagle moved to table the Gerard, Byler Associates's proposal until further meeting with Ms. Adamson. Second by Vice-Chairman Little Soldier. Nine (9) in favor. one (1) abstention, motion carried.

INDIAN JUDGEMENT FUNDS ACT AMENDMENTS: Secretary Walker read memo from Chairman Gillette concerning the amendment to the Act of October 19, 1973, relating to the use or distribution of certain judgement funds awarded by the Indian Claims Commission or the Court of Claims and for other purposes. Chairman Gillette informed the Council that now would be the time to prepare comments on proposal. Discussion followed on what change, if any, should be made. It was decided to refer the proposal to the Judiciary Committee.

NATIONAL TRIBAL CHAIRMEN'S ASSOCIATION: Secretary Walker read National Tribal Chairmen's Association's request designating representative to NTCA.

Councilman Goodiron moved to appoint Chairman Gillette as representative to the National Tribal Chairmen's Association. Second by Councilman Mason. Nine (9) in favor. motion carried.

ROADS: Secretary Walker read letter from Supt. Fields regarding tribe requesting to contract BIA Roads Maintenance Program. In his letter he said there were regulations tribe must adhere to in requesting and preparing application, and listed major points.

Councilman Yellow Bird arrived at 2:10 p.m.

Vice-Chairman Little Soldier moved to refer Roads contract to Material Resource Department and Programs Manager to get information for all projects involved and contract Bureau people Charlie Hobbs etc. Second by Councilman Eagle. Nine (9) in favor one (1) opposed motion carried.

MISSOURI RIVER BASIN TRIBES WATER MEETING: Chairman Gillette reported a Water Rights meeting is being called in Bismarck for tribes in the Dakotas.

Vice-Chairman Little Soldier moved to approve travel to Water Rights meeting for Council members and Natural Resource Department staff. Second by Councilman Goodiron. Eleven (11) in favor motion carried.

ARIKARA REBURIAL: Secretary Walker read letter from Department of Army Omaha District Corps of Engineers regarding the reburial of ancestral Arikara. They were recovered from the Crow Creek Village site in Buffalo County, South Dakota. They wanted to know if Tribal Council is interested in creating a short dedicatory inscription. Reburial is tentatively scheduled in the spring of 1981.

Councilman Yellow Bird moved to authorize Vice-Chairman Little Soldier and Councilman Yellow Bird and four elders from White Shield to represent the Arikara at the reburial in South Dakota. Second by Vice-Chairman Little Soldier. Eleven (11) in favor, motion carried.

EMERGENCY LOAN: Treasurer White reported on \$1,000 loan to Gloria Marsette on behalf of Maribelle Shell recently deceased. An agreement was made with BIA with proper form signed by Mrs. Marsette and Supt. Fields so loan can be paid by IIM account. Payment will take approximately three years.

Vice-Chairman Little Soldier moved to approve \$1,000 loan to Gloria Marsette for Maribelle Shell's funeral expenses to be repaid through IIM account. Second by Councilman Yellow Bird. Eleven (11) in favor, motion carried. Resolution #81-50

ATTORNEY FEES: Secretary Walker read resolution authorizing payment of legal services and expenses for the month of December 1980 to Wilkinson, Cragun & Barker.

Councilwoman Wells moved to authorize payment of \$1,851.38 to Wilkinson, Cragun & Barker for legal services and expenses for the month of December, 1980. Second by Vice-Chairman Little Soldier. Eleven (11) in favor, motion carried. Resolution #81-51

REFERENDUM: Secretary Walker read resolution authorizing Referendum vote on for the Accounting Claim offer from the U. S. Justice Department.

Vice-Chairman Little Soldier moved to authorize referendum vote on March 25, 1981 for decision of the U. S. Justice Department offer of \$10,250,000 on Accounting Claim. Second by Councilman Yellow Bird. Eleven (11) in favor, motion carried. Resolution #81-52

MATERIAL RESOURCES DEPARTMENT: Secretary Walker read resolution appointing Material Resources Administrator to the Housing Authority's Board of Governors in a non-voting status and to be present at all meetings to give information.

Councilman Mason moved to approve resolution appointing Material Resources Administrator to Housing Authority's Board of Governors in a non voting status. Second by Vice-Chairman Little Soldier. Eleven (11) in favor, motion carried. Resolution #81-53

RECESS: Meeting recessed at 2:50 p.m.

Meeting reconvened at 3:05 p.m.

CHIEF JUDGE: Secretary Walker read resolution authorizing Magistrate for the Mandaree Area to act as Chief Judge when Chief Judge is unable to preside, and if he is unable to preside, then the Magistrate for the New Town Area shall act as Chief Judge.

Councilman Goodiron moved for approval of resolution authorizing Magistrate for the Mandaree Area to act as Chief Judge in his absence, and if he is unable to preside, Magistrate of New Town Area shall act Chief Judge. Second by Councilman Eagle. Eleven (11) in favor, motion carried. Resolution #81-54

COMMUNITY DEVELOPMENT: Secretary Walker read resolution on Docket C & D allocating funds to each community on the reservation.

Vice-Chairman Little Soldier moved for approval of resolution on Docket C & D Community Development Fund, allocating funds to each community: Mandaree Community, \$14,184.60; Four Bears Community, \$13,677.51; White Shield Community \$12,867.56; Parshall/Lucky Mound Community, \$10,416.60; New Town/Little Shell Community, \$10,212.35; and Twin Buttes Community, \$9,071.38. Second by Councilman Goodiron. Eleven (11) in favor, motion carried. Resolution #81-55

TRIBAL JUDGE: Secretary Walker read letter from Robert Mandel requesting \$15.00 increase per court date including travel and per diem, due to additional travel by court being moved to New Town.

Councilman Goodiron moved to refer Mandel's request to the Judiciary Committee. Second by Councilman Eagle. Eleven (11) in favor motion carried.

ATTORNEY CONTRACT: Chairman Gillette reported there are two applicants for Tribal Attorney: Ronald Hodge and Vance Gillette. An interview will be set for 1 p.m. on Friday, February 20, 1981.

COMMUNITIES: Secretary Walker read resolution assigning Councilmen to communities beginning in March.

Vice-Chairman Little Soldier moved for approval of resolution scheduling Councilmen to be stationed in communities beginning in March, 1981. Second by Councilman Eagle. Eleven (11) in favor, motion carried. Resolution #81-56

LAW AND ORDER CODE: Vice-Chairman Little Soldier reported a meeting with Vance Gillette on the revised Law and Order Code, set for Thursday, February 19, 1981.

HOUSING AUTHORITY: Don Kellar of the Housing Authority was called on regarding the proposed tri-agency agreement. He stated the responsibility of Indian Health Service is to inspect and provide technical assistance. He stated he would not sign the agreement and questions #10.

Vice-Chairman Little Soldier moved to meet with agencies: IHS, BIA, Housing Authority, and tribes to clarify agreement. Second by Councilman Bird Bear. Eleven (11) in favor, motion carried.

NATURAL RESOURCES ADMINISTRATOR: Secretary Walker read letter from Hugh Baker requesting reconsideration of the Natural Resources Administration position. Councilman Mason suggested offering Human Resources Administrator to John Charging.

Secretary Walker moved to authorize Chairman Gillette to discuss employment matter with John Charging and Hugh Baker. Second by Treasurer White. Six (6) in favor five (5) opposed. motion carried.

PERSONNEL POLICIES: Chairman Gillette stated he was supervisor of the Natural Resources Administrator and Personnel Director. He asked what authority he had with supervision.

Councilman Eagle moved that Personnel Policies and Procedures be followed in terminating employees. Second by Vice-Chairman Little Soldier. Seven (7) in favor, three (3) abstained one (1) opposed, motion carried.

Vice-Chairman Little Soldier left meeting at 4:10 p.m.

INSURANCE: John Fox Jr. reported on the health insurance package reviewed by tribal staff and presented options. If the tribe adopts policy covering all members of families, the fringe benefits of employees would not cover costs.

Councilman Eagle moved to approve insurance package from Occidental Life Insurance effective February 16, 1981 for tribal employees with the employee paying for family members. Second by Councilman Goodiron. Ten (10) in favor, motion carried. Resolution #81 57

WELLS LETTER: Secretary Walker read letter from Marie Wells explaining absence and sick leave.

ANA: Chairman Gillette suggested the support for David Lester being retained at ANA by the Republican Administration.

Councilman Eagle moved to recommend Health and Human Services retain David Lester as Commissioner of Administration of Native Americans. Second by Councilwoman Wells. Ten (10) in favor, motion carried.  
Resolution #81-58



CENEX: Chairman Gillette reported Cenex representatives will meet with CERT, BIA, and him on the pipeline negotiations. They are asking \$70,000, half to tribe and half to landowners along the pipeline each year with an escalating clause. The meeting will be held on Thursday February 19, 1981 at 11 a.m.

PETITIONS: Chairman Gillette reported James Danks brought petition to his office. Secretary Walker read the petition.

Councilman Eagle moved to have Chairman Gillette respond to each part of the petition. Second by Treasurer White. Ten (10) in favor, motion carried.

ADJOURNMENT: Meeting adjourned at 4:55 p.m.

  
Secretary, Tribal Business Council

APPROVED March 6, 1981.  
(Date)