

SPECIAL MEETING
TRIBAL BUSINESS COUNCIL
THREE AFFILIATED TRIBES

CONFERENCE ROOM
TRIBAL BUILDING
MARCH 6, 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, WILLARD YELLOW BIRD.

ABSENT : MARIE WELLS

OTHERS : ROSIE STONE, RICHARD YOUNG, TERRY HASKA, MIKE WEAVER, INDIAN HEALTH
SERVICE; DON KELLAR, LAVONNE BRUCE, MAYNARD FOX, HOUSING AUTHORITY;
ED DANKS, REBA WALKER, HEALTH PLANNER; WILBUR SPOTTED WOLF, CONSUL-
TANT.

Chairman Gillette called the meeting to order at 11:25 a.m.
Roll call, quorum present.

MEMORANDUM OF AGREEMENT: Chairman Gillette reported the IHS staff were
here to review the Memorandum of Agreement for
Housing Project. Terry Haska, Office of Enviromental Health, Aberdeen Area
Office, was called on. He explained that funds for the 5-11 Housing Project
were received in January. The Memorandum of Agreement to be signed is an
obligating document for specific use, and it is important to obligate the
funds. If they funds are not obligated, there is danger in losing the funds.

Chairman Gillette stated questions were raised on items 4, 5, 6, 10, 11, and
17 in the Memorandum of Agreement. There was discussion of the items.

Treasurer White arrived at 11:40 a.m.

Chairman Gillette stated that the Indian Health Service Clinic is closed when
water system is not working and Tribal staff is affected. There is need for
IHS assistance in improving sewer and water systems, but this is impossible
without new housing. Terry Haska reported that 22% of cost of New Town water
svstem will be paid by Indian Health Service because the 5-11 project will be
built in New Town. It was suggested that the site for the 5-11 project be changed
to the Four Bears area.

CREDIT: Vice-Chairman Little Soldier stated that Otter Sage and her son,
Matthew, were at the meeting to request a long of \$20,000 ~~to get~~ a
business started. Mrs. Sage will mortgage her land for tie loan. Chairman
Gillette said the tribe did not have funds available in loan program, and there
are prior commitments when funds become available. If they go to a bank, a
subordination form can be used. A meeting with the Credit Committee was set
for 10 a.m. on March 9, 1981.

RECESS: Meeting recessed for 12:00 noon. Meeting resumed at 1:05 p.m.

TRIBAL BUSINESS COUNCIL - SPECIAL MEETING
PAGE TWO - MARCH 6, 1981

MINUTES: Secretary Walker read January 30, 1981 minutes.

Vice-Chairman Little Soldier moved to approve Special Meeting minutes of January 30, 1981, as read. Second by Councilman Goodiron. Ten (10) in favor, motion carried.

Treasurer White reported the buses owned by the tribe were put up for bid. Bids were received on scraps of paper and no funds included with bids. The bids will be readvertised and require one-half payment with bid.

Secretary Walker read minutes of February 6, 1981.

Vice-Chairman Little Soldier moved to approve February 6, 1981 Special Meeting minutes, with corrections on resolution numbers. Second by Councilman Mason. Ten (10) in favor, motion carried.

Chairman Gillette reported that he received a call from Senator Burdick's office advising him the Council should cancel trip to Washington, D.C. Senator Burdick has not had any response from the Corps of Engineers or the State of North Dakota in regard to returning the Taking Area to the Fort Berthold Reservation. Governor Olson, Secretary of Interior Watt, Rep. Dorgan, and Sen. Burdick have met together recently and it is likely this issue was discussed. The Chairman stated he will try to arrange a meeting with the Corps of Engineers.

Secretary Walker read February 12, 1981 Regular Meeting minutes.

Vice-Chairman Little Soldier moved to approve Regular Meeting minutes on February 12, 1981, with corrections on resolution numbering. Second by Councilman Eagle. Ten (10) in favor, motion carried.

Councilman Bird Bear asked about the Community Development funds and was informed the funds are now available for communities. He stated that sometimes communities hold several meetings before they know how they wish to budget the funds.

Secretary Walker read Human Resources Meeting minutes of March 3, 1981.

Councilman Mason moved to approve March 3 Human Resources Committee meeting minutes. Second by Councilman Little Owl. Nine (9) in favor, one (1) abstained, motion carried.

HOSPITAL DRIVE: Councilman Mason spoke about the Hospital Fund Drive, the interest, and that the Chairman of Credit Committee be designated to head the drive.

HOUSING: Don Kellar, Executive Director of the Housing Authority, was asked about moving site of fourplex units from New Town to Four Bears area. He said it would be the decision of the contractor and approved by HUD. Chairman Gillette explained that there is water and lagoon problems which affect work at Tribal office and IHS Clinic as well as homes in the Four Bears area. The water system and lagoon cannot be fixed by Indian Health Service without new housing built in the area.

TRIBAL BUSINESS COUNCIL - SPECIAL MEETING
PAGE THREE - MARCH 6, 1981

Ed Danks of Eagle Nest Construction, the contractor, said the change was not an impossibility. There are some problems such as checking the bonding company because of variation in contract. Eagle Nest had planned to lay water and sewer next week in New Town. The contract is to be completed within 355 days.

Councilman Mason moved to disapprove New Town site for the 5-11 project, bring matter up at March 12 Regular meeting, and evaluate change. Second by Vice-Chairman Little Soldier. Six (6) in favor, two (2) opposed, one (1) abstained, one (1) not voting, motion carried.

It was agreed that decision on Memorandum of Agreement will be made at March 12 Regular meeting.

Don Kellar reported the Housing Authority will be bankrupt. HUD has cut operating subsidy by 30%. \$128,000 must be paid from operating subsidy for insurance for next three years. LP gas was \$43,000. \$2,714.12 must be paid by the Housing Authority by May 22, 1981 for the 20 unit 5-2 project. \$3,700 is still owed to Housing Authority by the participants. Reference was made to National American Indian Housing Council alerting Tribes that the Indian section of HUD may be eliminated.

There was further discussion on deficiencies on the mutual homes, the poor inspection process, and Housing Authority staff not following up when they are informed of deficiencies. Don Kellar stated Buckingham received final payment by the Board of Commissioners without withholding any funds for deficiencies. He said there was no reason for condemning houses even if floor warped, siding came off corners, or gutter and down spout came off.

LEGAL SERVICES: Secretary Walker read letter from Legal Services saying Vance Gillette was not eligible for their Board because he represents a client in lawsuit against the Legal Service. This will be considered at March 12 meeting.

TELECOMMUNICATIONS: Secretary Walker read memorandum from Reba Driver concerning President Reagan's cut of all program funds. The construction grant for FM Radio station will not be funded. She urged contact with congressional delegation for FY '81 funding.

GRAVEL LICENSE: Rosie Stone was referred to the Judiciary Committee on Tuesday, at 1 p.m. on March 10, 1981, to get temporary gravel license. She was informed that the business license was not completed yet.

LAND SALES: Secretary Walker read each resolution on land purchase:

Councilman Mason moved to authorize purchase of 1/3 interest of Allotment 338A, 80 acres, from George Fox Jr. at \$11,333.32 from Judgement Funds. Second by Councilman Goodiron. Nine (9) in favor, one (1) not voting, motion carried. Resolution #81-65

Councilman Eagle moved to authorize purchase of 2/9 interest of Allotment 338A, 80 acres, from Zandra Fox Bruce at \$7,555.56 from Judgement Funds. Second by Councilman Mason. Ten (10) in favor, motion carried. Resolution #81-66

Councilman Yellow Bird moved to table land sale of Matilda White to allow her to meet with Council. Second by Councilman Eagle. Ten (10) in favor, motion carried.

Vice-Chairman Little Soldier moved to authorize purchase of Allotment 884A, 298.88 acres, from William Hall Sr. at \$48,000 from Judgement Funds. Second by Councilman Yellow Bird. Ten (10) in favor, motion carried. Resolution #81-67

Councilman Goodiron moved to authorize purchase of Allotment 2237, 80 acres, from Eloise K. Yellow Bear Willow at \$7,200 from Judgement Funds. Second by Vice-Chairman Little Soldier. Ten (10) in favor, motion carried. Resolution #81-68

Councilman Eagle moved to authorize purchase of Allotment 1754, 40 acres, from Christine Bearstail Young at \$4,800 from Judgement Funds. Second by Councilman Mason. Nine (9) in favor, motion carried. Resolution #81-69

Councilman Mason moved to authorize purchase of Allotment 2231, 40 acres, from Francis Young at \$4,800 from Judgement Funds. Second by Councilman Eagle. Nine (9) in favor, one (1) not voting, motion carried. Resolution #81-70

ATTORNEY CONTRACT: Secretary Walker read resolution and contract with Vance Gillette, Tribal Attorney.

Vice-Chairman Little Soldier moved to approve resolution and attorney contract with Vance Gillette for \$28,000 and \$7,000 for expenses. Second by Councilman Little Owl. Nine (9) in favor, one (1) abstained, motion carried. Resolution #81-71

FIREARMS: Secretary Walker read resolution amending Law & Order Code to include the use of firearms.

Councilman Yellow Bird moved to disapprove resolution amending Law & Order Code to include use of Firearms. Second by Councilman Little Owl. Six (6) in favor, one (1) opposed, three (3) not voting, motion carried.

Councilman Yellow Bird stated there is no insurance to protect tribe for liability. The section on firearms should not be adopted until insurance is available.

ANIMAL DAMAGE PROBLEMS: Secretary Walker read resolution on assistance from U.S. Fish and Wildlife Service in the alleviation of the animal damage problems on a request basis on the reservation.

Councilman Goodiron moved to approve resolution authorizing the Natural Resources Department in cooperation with U. S. Fish and Wildlife to alleviate animal damage on the Ft. Berthold Reservation, rescinding Resolution No. 75-12. Second by Vice-Chairman Little Soldier. Eight (8) in favor, two (2) opposed, motion carried. Resolution No. 81-72

Councilman Goodiron explained that U. S. Fish & Game can be contacted for assistance and they have budget to cover costs. Councilman Mason stated he would favor rescinding portion on resolution No. 75-12 allowing Ham Kinden to hunt coyotes on the reservation.

JUVENILE CODE: Secretary Walker read resolution authorizing adoption of revised Juvenile Code.

Councilman Goodiron moved to approve resolution authorizing adoption of revised Juvenile Code. Second by Councilman Eagle. Ten (10) in favor, motion carried. Resolution No. 81-73

JUVENILE JUDGE: Secretary Walker read resolution placing Juvenile Judge under direction of Judiciary Committee. Chairman Gillette said the Juvenile Judge should be supervised by the Chief Judge.

Councilman Goodiron moved to approve change in supervision of Juvenile Judge to the Judiciary Committee. Second by Councilman Little Owl. Seven (7) in favor, two (2) abstained, motion carried. Resolution No. 81-74

HIRING POLICIES: Secretary Walker read resolution to change hiring of all to the Council. Councilman Goodiron spoke at length in behalf of the change.

Councilman Yellow Bird moved to table resolution until a later date. Second by Councilman Little Owl. Eight (8) in favor, two (2) opposed, motion carried.

REORGANIZATION: The resolution on re-electing officers and committees was considered. Councilman Goodiron spoke at length on behalf of the resolution.

Councilman Eagle moved to table resolution on re-electing officers and change of committee membership. Second by Councilman Yellow Bird. Nine (9) in favor, one (1) not voting, motion carried.

Councilman Eagle was excused at 4 p.m.

TRIBAL BUSINESS COUNCIL - SPECIAL MEETING
PAGE SIX - MARCH 6, 1981

TRIPS: Councilman Yellow Bird requested leave on March 13, 1981 to attend Wahpeton Indian School Board meeting.

Councilman Yellow Bird moved to approve trip for August Little Soldier to attend DINAP meeting in Denver, and for Council members trip to Bismarck for testimony on behalf of the 3% liquor tax bill. Second by Councilman Mason. Nine (9) in favor, motion carried.

HIDATCO: Secretary Walker read resolution of Tribes supporting Hidatco, an Indian-owned business, in obtaining minority contracts.

Secretary Walker moved for approval of resolution of Tribes supporting Hidatco in obtaining minority contracts. Second by Councilman Mason. Nine (9) in favor, motion carried.
Resolution #81-75

TRIBAL COURT: Secretary Walker read resolution authorizing Tribal Court to have alternative sentencing for prisoners, to pick up debris in ditches, etc., and to help in tribal programs.

Councilman Goodiron moved for approval of resolution authorizing Tribal Court to have alternative sentencing for prisoners. Second by Vice-Chairman Little Soldier. Nine (9) in favor, motion carried. Resolution #81-76

Vice-Chairman Little Soldier was excused at 4:05 p.m.

HEALTH PROGRAM: Secretary Walker read resolution authorizing Health proposal to the Indian Health Service. Reba Walker, Health Planner, and Wilbur Spotted Wolf, consultant, reviewed the Tribal Health Planning and Development Program budget request and responded to questions raised.

Treasurer White moved to approve Tribal Health Planning and Development Program proposal for \$99,748.90 to the Indian Health Service. Second by Councilman Yellow Bird. Six (6) in favor, one (1) abstained, motion carried. Resolution No. 81-77

OLD PROS: Secretary Walker read letter from Gerald Fox requesting \$150.00 on behalf of Old Pros to attend State Amateur Tournament in Minot.

Councilman Goodiron moved to table request from Old Pros until they attempt to find other funds. Second by Councilman Bird Bear. Seven (7) in favor, one (1) not voting, motion carried.

IRRIGATION PROJECT: Secretary Walker read letter from Gerard, Byler, and Associates in relation to seeking funds for irrigation development on the reservation.

TRIBAL BUSINESS COUNCIL - SPECIAL MEETING
PAGE SEVEN - MARCH 6, 1981

Councilman Mason moved to table agreement to be made with Tribe and Gerard, Byler & Associates because Becky Adamson gave Tribe a good deal and Gerard is no longer recognized by the Reagan Administration. Second by Councilman Goodiron. Four (4) in favor, Four (4) opposed, motion defeated.

The agreement will be considered on March 12, 1981 Regular Meeting.

ADJOURNMENT: Meeting adjourned at 4:25 p.m.


Secretary, Tribal Business Council

APPROVED: March 18, 1981