

SPECIAL MEETING  
TRIBAL BUSINESS COUNCIL  
THREE AFFILIATED TRIBES

CONFERENCE ROOM  
TRIBAL BUILDING  
MARCH 26, 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, AND WILLARD YELLOW BIRD.

ABSENT : MARIE WELLS

OTHERS ; HUGH BAKER, NATURAL RESOURCES DIRECTOR; KEN DEANE, TRIBAL PLANNER;  
JOHN FOX, TRIBAL COMPTROLLER,

Chairman Gillette called the meeting to order at 11:30 a.m.  
Roll call; quorum present.

NATURAL RESOURCES DEPARTMENT: Secretary Walker read resolution on organi-  
zational chart presented by Natural Resources  
Department. Hugh Baker, Natural Resources Administrator, was called on to  
explain the resolution presented. In the organization, he stated the staff  
will be planners rather than directors. Councilman Goodiron inquired about  
the organizational plan and questioned the role of the Programs Manager.

Vice-Chairman Little Soldier arrived at 11:40 a.m.  
Councilman Mason arrived at 11:45 a.m.

Councilman Goodiron moved to accept the reorganization plan  
of the Natural Resources Department. Second by Treasurer White.  
Seven (7) in favor, two (2) abstentions, motion carried.  
Resolution #81-87

ADMINISTRATION FOR NATIVE AMERICANS: Ken Deane presented information for  
decision on the coming FY ANA grant.  
The Council can make a decision if they choose to change direction of the grant.  
The purpose of ANA grant is to strengthen management of Tribes. He asked that  
a decision be made at an early date so application can be sent to ANA for FY 82.  
He reported that his department is reviewing all cuts in government funding and  
will give reports to the Council.

Vice-Chairman Little Soldier said program staff should bring in their resolu-  
tions and information prior to making the decisions so Council members are able  
to review them before making decisions.

RECESS: Meeting recessed at 12:10 p.m. for lunch.

Meeting reconvened at 1:10 p.m.

INDIAN HEALTH SERVICE: Mary Lou Stanton, Service Unit Director, presented the Indian Health Service budget and reported all service unit directors reviewed the budgets at a meeting in Bemidji, Minnesota. The total budget is \$1,978,015 for FY 81 and an additional \$50,000 was received from the Area Office. She reported that Dr. Stephen Rouse, dentist, will report for duty at Minni Tohe Clinic. His wife is an registered nurse and she suggested the Tribe discuss a job with her. She reported the urban health programs, scholarship program, Indian housing, and sanitation programs will be eliminated. NIAAA grants will now go directly to the states for alcoholism programs through block grants. Chairman Gillette suggested that Tribes deal with the federal government because of the numerous problems with state governments.

The sixteen tribes in the Dakota area will meet together with the Administration to discuss these problems. Councilman Mason expressed concern about working with the state and county governments and the problems involved. Councilman Yellow Bird mentioned that the State Legislature turned down the 3% liquor tax bill to aid Tribes in alcoholism programs. Ms. Stanton reported that \$3,000,000 has been cut from the Tribal Management budget, and Tribal Health Departments will be affected. Councilwoman Walker said this particular cut in the budget gives a good indication the Administration support of Self-Determination.

Chairman Gillette stated we have had complaints about the number of Bakers on the IHS staff and asked Ms. Stanton who hires at Minne Tohe Clinic. She said the supervisor makes the selection and the SUD has final authority under Civil Service regulation.

INSURANCE: Ms. Stanton reported that the tribal employees who have the health insurance plan will not have to go through Indian Health Service Clinic for referrals. She asked for a list of employees insured and stated that they will try this method for a time to see what happens.

NON-MEMBER SERVICE: Ms. Stanton reported she had two applications: Susan Folden, Chippewa living in Garrison for four years, and Janice Kerzman, Chippewa also living in Garrison, have applied for health service on the Fort Berthold Reservation. The matter was referred to the Human Resources Committee.

SERVICE AREA: Inquiry was made about the Bismarck area being part of the service area for the Fort Berthold Reservation health service. Chairman Gillette stated that Bismarck has been included in the service area by resolution. Ms. Stanton reported that Indian Health Service had not received any resolution on the matter. It was suggested that Human Resources Committee explore this issue.

MINUTES: Secretary Walker read minutes of March 12, 1981, Regular Meeting.

Treasurer White moved to approve March 12 Regular Meeting minutes with corrections. Second by Vice-Chairman Little Soldier. Ten (10)

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in favor, motion carried.

Land Bid: Chairman Gillette reported that the Ernest Johnson land bid on by the Tribe for \$225,000 went for \$369,000.

MINUTES: Secretary Walker read minutes of March 18, 1981, Special Meeting;

Councilman Eagle moved for approval of March 18, 1981, Special Meeting minutes with corrections. Second by Vice-Chairman Little Soldier. Ten (10) in favor, motion carried.

Secretary Walker read minutes of February 11, 1981 Material Resources Committee meeting.

Councilman Mason moved for approval of February 11, 1981 Material Resources Committee meeting. Second by Councilman Goodiron. Ten (10) in favor, motion carried.

Secretary Walker read minutes of February 18 and 20, 1981 Material Resources Committee.

Councilman Goodiron moved for approval of February 18 and 20, 1981 Material Resources Committee minutes, with corrections. Second by Vice-Chairman Little Soldier. Ten (10) in favor, motion carried. -

Secretary Walker read Judiciary Committee minutes of February 24, 1981.

Councilman Goodiron moved for approval of Judiciary Committee minutes of February 24, 1981 with necessary corrections. Second by Treasurer White. Ten (10) in favor, motion carried.

TRIBAL COURT: Chairman Gillette asked who authorized move of Tribal Court to New Town. He expressed concern about the loss of jobs at Mandaree and the effect on the post office. Councilman Goodiron stated that the Kinden Building in New Town was too small for the Tribal Court, and they are looking for a larger place for the court. Secretary Walker urged that the Tribal Court remain in Mandaree.

Councilman Goodiron stated that anyone signing commitments should know who that person is for that person has a right to take the signer to court. This procedure protects individuals who may be committed.

MINUTES: Secretary Walker read minutes of Natural Resources Committee held on March 18, 1981.

Vice-Chairman Little Soldier moved for approval of March 18, 1981 Natural Resources Committee meeting minutes with corrections. Second by Treasurer White. Ten (10) in favor, motion carried.

BREAK: Meeting recessed for 10 minutes at 2:45 p.m.

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TRAVEL: Councilman Yellow Bird reported that he will be attending school board meetings in Pierre and Aberdeen in April and requested his base pay.

Councilman Goodiron moved to approve travel for Councilman Yellow Bird for Wahpeton and Pierre School Board meeting on April 1-3, April 10, and April 23-24, 1981. Second by Councilman Eagle. Eight (8) in favor, motion carried.

SHOTHOLE FEES: Secretary Walker read resolution presented by the Natural Resources Department raising shothole fees to \$125.00 and minimum shothole fees paid to leasors be set at \$25.00 per shothole.

Councilman Yellow Bird moved to approve resolution raising shothole fees to \$125.00, minimum shothole fees paid to leasors be set at \$25.00, and minimum vibrosies fee be set at \$300.00 per mile. Second by Councilman Eagle.

Questions were raised about farm land affected by shotholes and payment to the farmer if land has been seeded or summer fallowed.

Councilman Yellow Bird withdrew motion. Councilman Eagle withdrew second.

Vice-Chairman Little Soldier moved to refer resolution to Natural Resources Committee for review and recommendation. Second by Councilman Goodiron. Ten (10) in favor, motion carried.

ATTORNEY FEES: Secretary Walker read resolution authorizing payment to Wilkinson, Cragun & Barker for legal fees and expenses incurred during the month of February, 1981.

Vice-Chairman Little Soldier moved to authorize payment of \$2,251.40 to Wilkinson, Cragun & Barker for the month of February, 1981 for legal fees and expenses. Second by Councilman Yellow Bird. Ten (10) in favor, motion carried. Resolution #81-88

IRRIGATION PERMIT: Secretary Walker read resolution authorizing permit to Frank and Oscar White Calfe for irrigation purposes.

Vice-Chairman Little Soldier moved to authorize permit for irrigation to Frank and Oscar White Calfe. Second by Councilman Yellow Bird. Ten (10) in favor, motion carried. Resolution #81-89

HOME IMPROVEMENT PROGRAM: Secretary Walker read resolution concerning HIP Program, requesting Indian Health Service, Area Office in Aberdeen, to recognize Tribes as the prime contractor for H.I.P. Project #AB-80-496.

Councilman Eagle moved for approval of resolution authorizing Tribes

to be prime contractor for H.I.P. Project #AB-80-496. Second by Treasurer White. Nine (9) in favor, one (1) not voting, motion carried. Resolution #81-90

HOUSING: The information concerning cuts in Indian Housing by the Reagan Administration were distributed.

Councilman Eagle moved to refer the Indian Housing information to the Material Resources Committee for consideration. Second by Councilman Mason. Nine (9) in favor, one (1) not voting, motion carried.

INDIRECT COSTS: Information on problems with Indirect Costs from the Coalition of Indian Controlled School Board was distributed. There was brief discussion about the problems.

SCHOLARSHIP REQUEST: Secretary Walker reported that Ray Cross had written requesting financial aid to attend the London School of Economics in the fall, 1981. The scholarship fund for law, medicine, and engineering was available.

Secretary Walker moved to authorize the Treasurer and Chairman to meet with Ray Cross and to approve scholarship for him for the London School of Economics. Second by Councilman Eagle. Nine (9) in favor, one (1) abstention, motion carried.

Chairman Gillette reported that the scholarship fund has been used for grants to Alyce Spotted Bear and Diane Johnson for law school. The problems with the funding were that some students go to school for a short time and never complete their training. Vice-Chairman Little Soldier suggested that this application be presented to the United Church of Christ which may have funds available. Councilman Goodiron reported that Diane Johnson may need more funds. There was a suggestion that if a large grant was needed, the student should promise to return to work for the Tribe.

LEGAL SERVICES: Councilman Mason inquired about what the Council was doing to assist the Legal Services program with the Administration. Chairman Gillette reported he has a letter going to the Congressional delegation supporting legal services.

DALE LITTLE SOLDIER: Councilman Yellow Bird reported that there were people from Fort Berthold opposed to Dale Little Soldier becoming Superintendent on the Cheyenne River Reservation, and wanted the Council to write him a letter of support. It was decided that the letter would be after the fact since Dale Little Soldier has the superintendent job and leaves soon.

BURDICK DINNER: Secretary Walker reported that there will be a dinner sponsored by the Democratic NPL in Bismarek on April 4, 1981 in honor of Senator Burdick.

Vice-Chairman Little Soldier moved to authorize any Council member available to attend the Burdick dinner on Saturday, April 4, 1981. Second by Councilman Yellow Bird. Ten (10) in favor, motion carried.

PETITION RESPONSE: Chairman Gillette presented a draft response to the petition for a \$300 per capita and other matters for consideration. Vice-Chairman Little Soldier stated that he opposed allocations and said the Tribe would not have all this trouble if they put land on bid. The previous leasor could have preference on the bids. Treasurer White stated that there are some ranchers on Fort Berthold Reservation who are established and should not be on allocations. The problems created by the lawsuits have forced landowners to borrow funds paying interest on their own leases.

Vice-Chairman Little Soldier moved to approve Chairman's response to the four points made in the petition. Second by Treasurer White. Ten (10) in favor, motion carried.

RECESS: Meeting recessed at 2:34 p.m. to reconvene at 10 a.m. on Friday, March 27, 1981.

Meeting reconvened at 10:35 a.m. and Tribal Business Council members present were: 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, and Willard Yellow Bird.

Others: Leo Cummings, Bertina Chase, DINAP; Jim Quackenbush, BIA Range Management; Kingdom Black Hawk, Norman Baker, Myra Snow, John Fox, Jr., Tribal Comptroller, and Clyde Brady, Sargent-At-Arms.

STIPENDS: The memorandum from John Fox, Tribal Comptroller, concerning Council stipends was distributed for information. There was discussion about the stipends being earned income and therefore taxable.

Vice-Chairman Little Soldier arrived at 10:50 a.m.

TRIBAL CHAIRMANS ASSOCIATION: Chairman Gillette reported that the sixteen Tribal Chairman from the Aberdeen Area will attend hearing of Appropriations Committee and give overall budget to meet needs of tribes in the Aberdeen area. He stated that the Tribes own a large portion of the land base of tribes in the United States and of the population.

Vice-Chairman Little Soldier moved to approve trip to Washington, D. C. for Chairman Gillette and other Council members who can go for the Appropriations Committee hearings. Second by Councilman Little Owl. Nine (9) in favor, motion carried.

DINAP: Leo Cummings reported that on April 7, 1981, the Displaced Homemakers Program is being cut by the State. There will be eighty-eight (88) people laid off from DINAP on April 10, 1981. The letters informing them of the DINAP action have been sent to each participant. He explained that the

lay offs were caused by an overexpenditure in Title VI, over estimate of the carry-over funds, and the current Administration cuts in the CETA Program. There are now eleven (11) DINAP staff, and they must be reduced to four. There are nineteen (19) remaining on the DINAP programs: five (5) on OJT, twelve (12) on YEPT, and two (2) on YCCIP.

Delores Wilkinson stated her concern about the training programs at the Fort Berthold Community College. The LPN Program is 3/4 completed, and they will be taking state boards. It took the College two years to get the nursing program established. She suggested the Tribe take over the nursing program, so it will be on going and requested continued financial help to LPN students.

Leo Cummings stated that he would recommend the staff to remain be the staff who had been on DINAP staff the longest. The staff on the longest were: Leo Cummings, Bertina Chase, Harriet Goodiron, and Lindy Marsette.

Councilman Goodiron moved to support Leo Cummings' recommendation on retaining staff who were on DINAP staff the longest. Second by Vice-Chairman Little Soldier. Nine (9) in favor, motion carried.

LAND SALES: Secretary Walker read resolutions authorizing land purchases.

Councilman Goodiron moved to authorize purchase from Judgement Funds of Allotment 465A, 161.23 acres, for \$40,295.65 from:

Melvine Fox Everette, 252000/2772000 undivided interest at appraised price of \$6,718.18. Resolution #81-91

Gladys J. Fox Soules, 252000/2772000 undivided interest at appraised price of \$6,718.18. Resolution #81-92

Rose Ellen Drapeau, 252000/2772000 undivided interest at appraised price of \$6,718.17. Resolution #81-93

Cordell C. Morsette, 31500/2772000 undivided interested at appraised price of \$839.77. Resolution #81-94

Julia Morsette, 126000/2772000 undivided interest at appraised price of \$3,359.10. Resolution #81-95

Leon J. Fox Morsette, 37800/2772000 undivided interest at appraised price of \$1,007.73. Resolution #81-96

James L. Morsette, 9198/2772000 undivided interest at appraised price of \$245.21. Resolution #81-97

Lloyd G. Morsette, 37800/2772000 undivided interest at appraised price of \$1,007.73. Resolution #81-98

John Fox, Sr., 252000/2772000 undivided interest at appraised price of \$6,718.18. Resolution #81-99

Alfred Morsette, Sr., 252000/2772000 undivided interest at appraised price of \$6,718.18. Resolution #81-100

Joel F. Morsette, 9198/2772000 undivided interest at appraised price of \$245.21. Resolution #81-101

Second by Councilman Mason. Nine (9) in favor, motion carried.

Councilman Mason moved to authorize purchase of 20/36 interest of Allotment 714A for \$18,102 from:

Benedictina Mahto Bearstail, 6/36 undivided interest at appraised price of \$5,408.33. Resolution #81-102

Lucille Mahto Newman, 7/36 undivided interest at appraised price of \$6,309.73. Resolution #81-103

Leslie Mahto, 6/36 undivided interest at appraised price of \$5,408.33. Resolution #81-104

James Thorpe Mahto, 1/36 undivided interest at appraised price of \$901.39. Resolution #81-105

Second by Councilman Goodiron. Nine (9) in favor, motion carried.

RECESS: Meeting recessed at 12:00 noon. Meeting resumed at 1:20 p.m.

Councilman Yellow Bird arrived at 1:20 p.m.

APPEAL: Jim Quackenbush, BIA Range Conservationist, was called on to update Council on rancher's appeal on the grazing rate from \$42.00 to \$57.00, and the status of the \$78.00 rate. He responded there was a meeting in Bismarck with the rancher's attorney, Tom Schoppert, on March 23, 1981. The Bureau is holding \$15.00 of the \$57.00 grazing fee at the agency until the appeal is settled. The Indian Board of Appeals has approved the \$57.00 grazing rate, but the case is still in court. If the case is dismissed, the \$15.00 will be paid out to the landowners. If the case is not dismissed, the cases in federal court may be combined. The \$78.00 appeal process has been completed, and now goes into federal court. The new \$78.00 rate was upheld by the Commissioner of Indian Affairs and settled within the department. There is a hearing on April 6, 1981 before a magistrate on whether or not to pay out the \$78.00 to the landowners. The Land & Livestock Association is requesting that the funds be paid out to landowners at \$42.00. The pending trespassing and non-payment cases the Bureau is taking to federal district court are: Curtis and Lyle Danks, Solly Danks, John Fredericks, Jr., and Bobby Chase.

BONDS: Norman Baker made inquiry about the bond waiver resolution. There was discussion on the waiver and suggestion that further inquiry be made on the issue with Superintendent Fields at meeting.

Vice-Chairman Little Soldier and Councilman Yellow Bird left meeting at 2:30 p.m.



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EMERGENCY WATER DEVELOPMENT: Proposal submitted by Material Resources Department was read and reviewed by the Council on Emergency Water Development Program. It was decided to refer back to Material Resources Committee for more information on funding.

MANDAREE COMMUNITY: The Mandaree Community budget for the \$14,184.60 from Docket 350 C & D was presented. It was pointed out that at least twenty (20) community people must be present when decisions are being made on the budget. The budget included \$2,910.20 for outstanding bills; \$7,500 for fuel, lights, and water; \$1,000 for furnace repair; \$1,000 for senior citizens; and \$2,674 for community project.

Councilman Eagle moved for approval of 1981 Community Development Funds budget for Mandaree Community for \$14,184.60. Second by Councilman Little Owl. Seven (7) in favor, motion carried.

ADJOURNMENT: Meeting adjourned at 2:45 p.m.

  
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SECRETARY, TRIBAL BUSINESS COUNCIL

APPROVED: April 10, 1981  
(Date)