

REGULAR MEETING
TRIBAL BUSINESS COUNCIL
THREE AFFILIATED TRIBES

CONFERENCE ROOM
TRIBAL BUILDING
JULY 9, 1981

PRESENT: Austin Gillette, Chairman; August Little Soldier, Vice-Chairman; Tillie Walker, Secretary; Gerald White Sr., Treasurer; Roy Bird Bear, Thomas Eagle, Willard Little Owl, Matthew Mason, Willard Yellow Bird

ABSENT : Nathan P. Goodiron, Marie D. Wells

OTHERS : Reba Walker, John Danks, Programs Officer; John Fox, Tribal Comptroller; Stella Levea, Jim Masat, First American Insurance, Co.

Chairman Gillette called the meeting to order at 1:20 p.m. Roll Call: Quorum present.

MINUTES: Secretary Walker read minutes of June 23, 1981 Special Meeting and Executive Committee of July 6, 1981.

Vice-Chairman Little Soldier moved for approval of June 23, 1981 Special Meeting minutes, with corrections if necessary. Second by Councilman Eagle. Nine (9) in favor, motion carried.

Vice Chairman Little Soldier moved for approval of July 6, 1981 Executive Committee minutes. Second by Treasurer White. Nine (9) in favor, motion carried.

IHS MASTER CONTRACT: Reba Walker, Health Planner was called on and she explained the IHS Master Contract on Physician Extender, Alcoholism, and CHR Program. There are alternatives for CHR Program budgeting. The CHR budget is currently in difficulty because the 32¢ per hour was kept in addition to the 7% increase. As a result, White Shield will go without an additional CHR.

Vice-Chairman Little Soldier moved for approval of option 1 for CHR in master contract with IHS with following budgets: CHR - \$260,444.00; Alcoholism - \$60,155.00; and Physician Extender - \$87,405.00, totaling \$408,004.00 with indirect cost at 20.8%. Second by Councilman Eagle. Nine (9) in favor, motion carried. RESOLUTION #81-168

FIRST AMERICAN INSURANCE: Stella Levea and Jim Masat were called on. They discussed bonding, burial, health, and life insurance and expenses for setting up an insurance agency on reservation. Discussion followed and Council decided to review at a later date.

Secretary Walker moved to have Executive Committee follow up on insurance and make recommendations to the Council, second by Councilman Masan. Nine (9) in favor, motion carried.

CRIMINAL JUSTICE PROGRAM: Criminal Justice Program for FY82 was presented to Council.

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Vice-Chairman Little Soldier moved to refer Criminal Justice Program for FY82 to Programs Manager for review, second by Treasurer White. Nine (9) in favor, motion carried.

FORT BERTHOLD COMMUNITY COLLEGE SUBSIDIES: Secretary Walker read mailgram from Leroy Clifford of American Indian Higher Education Consortium on budget cut of \$70,000,000 from the BIA Education Budget for FY82. The Senate will have a hearing on Indian Education budget early next week.

Secretary Walker moved to prepare testimony supporting 290.4 million dollars for FY82 for Indian Education and separate budget for community college. Second by Councilman Mason. Nine (9) in favor, motion carried.

LEGAL SERVICES: Secretary Walker read letter from Jim Fitzsimmons, Legal Services, requesting input from Council as to which types of services they feel Legal Services should continue and which ones should be discontinued. Council referred to Judiciary Committee for draft recommendations and draft priorities for Council consideration.

TRIBAL ENVIRONMENTAL PROPOSAL: Barb Lindley of Natural Resources Dept. presented resolution for funding Environmental Protection Office on Fort Berthold Reservation. The funding requires 80-20 match.

Councilman Mason moved to approve Tribal Environmental Protection Proposal to be submitted for funding to Administration for Native Americans to establish Environmental Protection office for \$74,000, second by Vice-Chairman Little Soldier. Nine (9) in favor, motion carried. RESOLUTION #81-169

MODEL ACCOUNTING SYSTEM WORKSHOP: Material was read by Secretary Walker on workshop to be held on a model accounting system for tribes in Bismarck on July 29-31, 1981.

Vice-Chairman Little Soldier moved to authorize Council members and other staff to attend workshop on model accounting system in Bismarck on July 29-31, 1981. Second by Treasurer White. Seven (7) in favor, two (2) abstaining, motion carried.

PROGRAMS OFFICER: John Danks, BIA Programs Officer reported that the Tribe had not invoiced for 638 programs back to 1977. The BIA Area Office had requested that the work be completed within 30 days. He said 1970's were difficult to put together because Finance office did not maintain records and tribal records in 1979 and 90% of 638 accounts in 1980 and 70% in 1981 were not invoiced. The responsibility for the 638 grants is with the COR.

LEGAL DEPARTMENT CONSULTANT: Chairman Gillette reported that the Executive Committee reviewed work of Kimberly Ordon, legal department consultant, and found her work as duplication of Planning Department. She had requested for payment from the tribe for airfare to North Dakota and other expenses. It was pointed out that the Tribe did not invite her and were unaware that negotiations for hiring her had taken place without the knowledge of council members.

Treasurer White moved to terminate Kimberly Ordon as Legal Department

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consultant effective July 10, 1981, second by Councilman Little Owl. Eight (8) in favor, one (1) abstaining, motion carried.

WHITE SHIELD SCHOOL: Secretary Walker read resolution pertaining to White Shield School contracting with the BIA for Title I services for the 1981-1982 school term.

Councilman Eagle moved for approval of White Shield School contracting with BIA for Title I Services for the 1981-82 school term, second by Councilman Yellow Bird. Nine (9) in favor, motion carried. RESOLUTION #81-170

Discussion was held on requiring schools to teach tribal history, tribal government, and languages. Human Resources Committee was requested to discuss matter with Programs Manager and Agency Superintendent of Education to draft plans and to develop program.

ATTORNEY FEES: Secretary Walker read resolution on attorney fees for Tribal Attorney, Vance Gillette for the month of June 1981 for general counsel services.

Councilman Mason moved to authorize payment to Tribal Attorney, Vance Gillette in the amount of \$1,622.50 for general counsel services for the month of June 1981, second by Vice-Chairman Little Soldier. Nine (9) in favor, motion carried. RESOLUTION #81-171

WILKINSON, CRAGUN & BARKER: Discussion was held on Tribes payments made to Wilkinson, Cragun & Barker during the 29 year claim and if Tribe could get credit for payments made during that period and off set any prior payments to them against the fee to Wilkinson, Cragun & Barker for the claims settlement.

Treasurer White moved to have payments made to Wilkinson, Cragun & Barker audited for any duplication of payments made from the general counsel contract for work done on claims contract and to hold up payment on the Accounting Claim until audit is completed and approved, second by Councilman Mason. Nine (9) in favor, motion carried. Mr. Danks said BIA will need a memo from the Secretary containing motion, vote, and date for the audit.

NITSCHKE, WOLFE & COMPANY: Secretary Walker read resolution presented on payment to Nitschke, Wolf & Company.

Vice Chairman Little Soldier moved to authorize payment to Nitschke, Wolf & Company for audits of Crisis Intervention Program for \$400.00; Energy Crisis Assistance Program for \$1,550.00; Low Income Energy Assistance Program for \$600.00 for total of \$2,550.00 for services rendered, second by Councilman Eagle. Nine (9) in favor, motion carried. RESOLUTION #81-173.

ORVILLE MANDAN: Secretary Walker read resolution authorizing Chairman and Treasurer to sign on behalf of Orville Mandan for A \$10,000 loan from Lakeside State Bank, and use of Emergency Feed Loan CD of \$14,000 as collateral.

Councilman Mason moved to authorize Chairman & Treasurer to sign a \$10,000 loan documents on behalf of Orville Mandan at Lakeside State Bank, with Emergency Feed Loan Certificate of Deposit as collateral and that all three parties: Meyers Construction, Orville Mandan, and Three Affiliated Tribes sign contract on repayment schedule, second by Vice-Chairman Little Soldier. Seven (7) in favor, one (1) opposed, and one (1) abstained, motion carried.
RESOLUTION #81-174

TEENAGE DANCES: White Shield Pow-Wow Committee has requested a dance permit for a teenage dance during their annual pow-wow. Council went on record last year not to allow teenage dances and Chairman wanted members position on this request. Each council member gave their opinion as to the dance.

Councilman Yellow Bird moved to do away with permit system for dances, refer matter to Judiciary Committee to review and make recommendations, second by Councilman Eagle.

It was pointed out that the Judiciary Committee should review first and make their recommendations before rescinding present resolution.

Councilman Yellow Bird withdrew his motion. Councilman Eagle withdrew his second.

It was decided to refer matter to the Judiciary Committee for review and to make recommendations to full council, and to give approval to White Shield Pow-Wow for teenage dance.

TRIBAL BUDGET: John Fox was called on to present budget and Treasurer White explained budget. John Danks, BIA Programs Officer gave report on Tribal finance requested earlier by the Council.

Vice-Chairman Little Soldier left meeting at 3:40 p.m.

John Danks reported he reviewed finance records back to 1977 and there were questions about the oil income use. He stated that that the Trust Fund was not audited. Council decided to wait until audit is done before any action is taken.

Secretary Walker reported she has been appointed to the review committee for the State Alcoholism Program designated for the Tribes in North Dakota and will attend meeting in Bismarck on July 10 to review proposals.

CERT PROJECT LIST: Chairman Gillette informed the Council that a letter was sent to the Natural Resources Department to forward to CERT the projects that the Tribe has on-going, otherwise, projects will not be on the list. Chairman Gillette said approval was needed on projects to be forwarded to CERT.

Treasurer White moved for approval of requested assistance for the following projects: 1. Right-of-way Analysis Project, 2. the Oil and Gas Regulations Analysis Project, 3. the Oil & Gas Conservation Project, 4. the Refinery Pre-Feasibility Project, 5. the Economic Development Plan Project, and 6. Home Petroleum Exploratory Oil & Gas Well-Tribal 1-1-Monitoring Project. Second by Councilman Eagle. Eight (8) in favor, one (1) not voting, motion carried. RESOLUTION #81-175

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

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Bill Walker
Secretary, Tribal Business Council

APPROVED: July 6, 1981