

SPECIAL MEETING  
TRIBAL BUSINESS COUNCIL  
THREE AFFILIATED TRIBES

CONFERENCE ROOM  
TRIBAL BUILDING  
NOVEMBER 25, 1981

PRESENT: AUSTIN GILLETTE, CHAIRMAN; AUGUST LITTLE SOLDIER, VICE-CHAIRMAN;  
TILLIE WALKER, SECRETARY; GERALD WHITE, TREASURER; ROY BIRD BEAR,  
WILLARD LITTLE OWL, MATTHEW MASON, MARIE WELLS, WILLARD YELLOW BIRD, SR.

ABSENT : THOMAS EAGLE, JR., NATHAN PAUL GOODIRON.

OTHERS : HARRISON FIELDS, BIA SUPERINTENDENT; ANGELITA PRIMEAUX, BIA SUPERINTENDENT  
OF EDUCATION; ANGUS FOX, BIA FACILITIES MANAGEMENT; DELORES SAND,  
ROSE CROW FLIES HIGH, PANSY HALE, KINGDOM BLACK HAWK, CLEMENT BAKER,  
NORMAN BAKER, WILBUR SPOTTED WOLF, HAZEL BLAKE, CLYDE BRADY, SARGEANT-AT-ARMS;  
RACHEL GRADY, STENO.

Chairman Gillette called the meeting to order at 10:55 a.m.  
Roll call, quorum present.

RANGE UNITS: Chairman Gillette asked Superintendent Fields status of payment on  
all 100 range units on the reservation. 90 of these 100 range units  
are allocated. Superintendent Fields said billings were sent out on September 22, 1981  
to all operators and payments were due on November 1, 1981. Grazing fees were collected  
on 32 units as of November 15, 1981, which amount to \$183,771.42. There remains an  
outstanding balance of \$453,477.76 to be collected. BIA sent out notices informing  
operators they have 30 days to make payment. If payment is not made by December 3, 1981,  
their units will be cancelled October 1, 1982 and will be readvertised. Included in  
the units are 5 units that are permitted to non-Indians. Only 3 have paid in.

Vice-Chairman Little Soldier arrived at 10:58 a.m.

Vice-Chairman Little Soldier asked if bonding was required. Superintendent Fields said  
it was discretionary authority that rests with him. In the Three Affiliated Tribes  
Grazing Rules and Regulations, Resolution #80-155, bonding is required.

Mssrs. Clement and Norman Baker gave reasons why some operators cannot get bonded.  
Some Council members said Superintendent Fields should be more considerate of the  
small operators on the reservation, because it is their responsibility to see that  
they make a livelihood on the reservation. Based on that, he should be able to make  
some kind of condition. Superintendent Fields said bonding could be flexible,  
for instance, when payments are made BIA can waive bonding, provided they are paid  
on time. If not, bonding will be required again.

Councilman Wells arrived at 11:15 a.m.

Superintendent Fields said a payout is planned for the middle of December with money  
collected from payments made as of November 15, 1981. So far, BIA has collected  
bonds for 29 range units.

Overstocking and subleasing were discussed. Some Council members said BIA seems to be helping the non-Indian operators on the reservation instead of the enrolled members. A suggestion was made to change payment date of leases and extend bonding.

Vice-Chairman Little Soldier moved to have 90 day extension on bonding, to invite bonding companies to meet with the Council to clarify jurisdictional issues and to have landowners get paid when money comes in. Second by Councilman Yellow Bird. VOTE: Nine (9) in favor, motion carried.

It was decided to invite allocattees to the meeting and have the bonding companies work with BIA.

Clement Baker said BIA should make clear to operators the effective date of cancellation that they will be able to use units for 1982. Mr. Baker said operators might think they paid in leases but cannot use the units.

EDUCATION/FACILITIES MANAGEMENT: Chairman Gillette asked for update on the action BIA is taking concerning bus drivers in White Shield and Mandaree. Mr. Angus Fox, BIA Facilities Management, explained BIA Education has control over the bus drivers. His program provides half of the bus drivers salaries, about \$4.59 per hour, for janitorial services. Mr. Fox said he has been getting static because of work not getting done at the schools. He said they are to work at the schools 4 hours a day and the other 4 hours are spent working for Facilities Management. But, this has not been happening. Mr. Fox said he is going to take half of the salaries his program provides and create a full-time janitorial position in White Shield. Bus drivers will be working 4 hours a day at \$4.59 per hour.

Dr. Angelita Primeaux, BIA Superintendent Education, said Education was not going to get \$48,000 of their allotment for FY-82. The Council asked how Education would absorb the cuts, Dr. Primeaux said Education will have to be more cost effective and accountable for their programs. She said 5 positions will be furloughed. Positions held by teachers will be 10 months a year instead of 12 months. She said the school year was based on 180 days, but she could not justify a budget where teachers get a salary for 12 months.

School budget cuts were discussed. Dr. Primeaux said Impact Aid schools have been receiving will be phased out completely in 1984. She expressed concern of people on the reservation losing sight of what education is all about. People should be looking at achievements, basic skill development, etc.

TRIBAL RANGE UNITS: Superintendent Fields reported on status of the three range units the Tribe has. He said Range Unit 26 has a carrying capacity of 300 head year long. Mr. James Danks owns land within this range unit, and was authorized 78 head. At last count, there were 315 head on the unit. Chairman Gillette said this was the first time the Tribe was informed of an in-common permit on Range Unit 26. He thought the Tribe paid for the whole unit. Superintendent Fields said the Tribe did not pay for Mr. Danks lease, but that Mr. Danks obtained a permit to run in-common.

Range Unit 805 has a carrying capacity of 100 head six months. At last count, there were 72 head on the range unit.

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Range Unit 905 has a carrying capacity of 350 head. At last count, there were 284 head on the unit.

Superintendent Fields said BIA is doing range utilization surveys but did not do one for Range Unit 26. Range Unit 905 range use was 82% (normal). Range Unit 805 was 30% (lightly used). He said Range Unit 26 is still in litigation because of the lease suit.

The Council asked Superintendent Fields to provide them with written report of his report today.

BUREAU PROGRAM ACTIVITIES: Secretary Walker read resolution establishing new priority ranking for BIA programs.

Vice-Chairman Little Soldier moved for approval to establishment new priority ranking for BIA programs. Second by Councilman Yellow Bird.

VOTE: Nine (9) in favor, motion carried. Resolution #81-244

REFERENDUM: Mrs. Delores Sand asked if the Council made any plans for the referendum vote. She was informed no decisions have been made and no date set for the referendum vote on the two proposed judgement disbursement plans. Chairman Gillette informed the group present that the Tribe has asked for an extension which will take it up to March of 1982.

RECESS: The meeting recessed for lunch at 12:55 p.m. Reconvened at 2:00 p.m.

TRIBAL ATTORNEY: Councilman Mason read memorandum from Vance Gillette, Tribal Attorney, regarding late payments. Discussion followed.

COUNCIL TRAVEL & PER DIEM: Councilman Mason read resolution regarding travel and per diem policy for Council members. Council members would have to file travel advance request, travel expense report and travel report. Treasurer White said this would assure accountability.

Secretary Walker arrived at 2:05 p.m.

Councilman Yellow Bird moved to table resolution on Council travel and per diem policy. Second by Vice-Chairman Little Soldier.

VOTE: Four (4) in favor, five (5) opposed, motion defeated.

Further discussion was held.

Secretary Walker moved for approval of Council travel and per diem policy. Second by Treasurer White. VOTE: Six (6) in favor, two (2) abstained, motion carried. Resolution #81-245

ATTORNEY FEES: Secretary Walker read resolution authorizing payment to Vance Gillette for attorney fees rendered for the month of October 1981.

Councilwoman Wells moved to authorize payment of \$1,512.50 to Vance Gillette for general counsel services rendered for the month of October 1-31, 1981. Second by Councilman Bird Bear.  
VOTE: Nine (9) in favor, motion carried. Resolution #81-246

FIELD PERSONNEL CONSOLIDATION: Secretary Walker read resolution for continuance of the Field Personnel Consolidation program. The proposal was reviewed by the Natural Resources Committee prior to the meeting.

Councilman Mason moved for approval of the Field Personnel Consolidation proposal in the amount of \$171,000. Second by Councilman Bird Bear. VOTE: Seven (7) in favor, one (1) opposed, one (1) abstained, motion carried. Resolution #81-247

ATTORNEY FEES: Secretary Walker read resolution continue contracting with Wilkinson, Cragun & Barker to December 31, 1983, and amending monthly retainer fee from \$1,000 to \$1,100.

Councilwoman Wells moved that the Tribe continue to contract with Wilkinson, Cragun & Barker to December 31, 1983, and to amend monthly retainer fee from \$1,000 to \$1,100. Second by Treasurer White.  
VOTE: Nine (9) in favor, motion carried. Resolution #81-248

WAHPETON INDIAN SCHOOL: Secretary Walker read resolution that the Three Affiliated Tribes supports the continued existence of the Wahpeton Indian School. It is proposed to be eliminated in FY-83.

Councilman Yellow Bird moved that the Three Affiliated Tribes supports the continued existence of the Wahpeton Indian School. Second by Councilwoman Wells. VOTE: Eight (8) in favor, one (1) opposed, motion carried. Resolution #81-249

YEARBOOKS: Secretary Walker read resolution that the Three Affiliated Tribes contribute \$100 to the Mandaree and White Shield Schools for yearbooks.

Secretary Walker moved that the Three Affiliated Tribes contribute \$100 to the White Shield and Mandaree Schools for yearbooks. Second by Treasurer White. VOTE: Nine (9) in favor, motion carried.  
Resolution #81-250

ARMY CORPS OF ENGINEERS: Secretary Walker read letter from the U.S. Army Corps of Engineers informing the Council that the Corps plans to place a dedicatory plaque at gravesite in Crow Creek. The remains were reinterred at Crow Creek on August 10, 1981. The Corps wants to know if this meets Tribe's approval.

Vice-Chairman Little Soldier moved to authorize Secretary Walker to send letter of approval from the Tribe. Second by Councilman Yellow Bird. VOTE: Nine (9) in favor, motion carried.

BRIEFING SESSION: Secretary Walker read notice of briefing session on Indian water policy scheduled for December 2, 1981 in Washington, D.C. It is being sponsored by NARF and the American Indian Lawyer Training Program. Discussion followed on will attend the briefing session with Chairman Gillette.

Councilwoman Wells moved to authorize travel for Chairman Gillette Secretary Walker and Councilman Mason to attend Indian water policy briefing session in Washington, DC, December 2, 1981. Second by Councilman Mason. VOTE: Nine (9) in favor, motion carried

JUDGEMENT PLAN: Chairman Gillette reported that tribal members residing in Bismarck have requested meeting with the Tribal Council in regards to the Judgement Disbursement Plans.

Councilman Mason moved to authorize travel for the Tribal Council to attend meeting in Bismarck, North Dakota, with tribal members on the Judgement Disbursement Plans, November 30, 1981, 7:00 P.M. Second by Vice-Chairman Little Soldier. VOTE: Nine (9) in favor, motion carried.

The meeting will be held at the UTETC facility.

TRIBAL FINANCE: Discussion followed on late payments made by the Tribal Finance Office. Recommendations were to meet with John Fox, Tribal Comptroller, in regards to staff assignments, etc.

MINUTES: Secretary Walker read minutes to each meeting.

Treasurer White moved for approval of Natural Resources Committee Minutes of July 27, August 17, 24, 31, 1981, with corrections. Second by Vice-Chairman Little Soldier. VOTE: Seven (7) in favor, two (2) abstained, motion carried.

Vice-Chairman Little Soldier moved for approval of Material Resources Committee Minutes of June 10, 1981, with corrections. Second by Councilman Yellow Bird. VOTE: Eight (8) in favor, one (1) abstained, motion carried.

Treasurer White moved for approval of Judicial Committee Minutes of June 12, 1981, with corrections. Second by Vice-Chairman Little Soldier. VOTE: Seven (7) in favor, two (2) abstained, motion carried.

REVENUE SHARING: Discussion followed on putting \$35,000 of Revenue Sharing funds into CD until spring. The funds will be used to complete the Head Start Dome. Chairman Gillette said the Tribal Council has requested three accounts put into CDs and it has not been done yet.

Secretary Walker reported there will be a meeting on Revenue Sharing in White Shield on November 30, 1981.

ADJOURNMENT: The meeting adjourned at 2:55 P.M.

APPROVED: April 8, 1982.

  
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SECRETARY, TRIBAL BUSINESS COUNCIL