

SPECIAL MEETING
TRIBAL BUSINESS COUNCIL
THREE AFFILIATED TRIBES

CONFERENCE ROOM
TRIBAL BUILDING
DECEMBER 17, 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

ABSENT : THOMAS EAGLE, NATHAN PAUL GOODIRON

OTHERS : ROLLIE MORUD, NEW TOWN SCHOOL SUPERINTENDENT; BILL DEMAREE, EDWIN LOE
ELEMENTARY PRINCIPAL; DOUGLAS SAND; ASSISTANT ADMINISTRATOR; LYNN
ENGBERG; NEW TOWN HIGH SCHOOL PRINCIPAL; JEAN HALL, TITLE IV DI-
RECTOR; VANCE GILLETTE, TRIBAL ATTORNEY; KEN DEANE, TRIBAL PLANNER;
JOHN FOX, JR., TRIBAL COMPTROLLER; JOHN DANKS, RESERVATION PROGRAMS
OFFICER; WALLACE CHASE, TRIBAL COURT ADMINISTRATOR; HUGH BAKER,
NATURAL RESOURCES ADMINISTRATOR; JOHN CHARGING, TERO DIRECTOR;
ADELINE BRUNSELL, BERNADINE GRINNELL; BIA REALTY; JARRETT JOHNSON,
J & B DRILLING FLUIDS, SIDNEY WHITE BODY, CLYDE BRADY, SARGENT-AT
ARMS; RACHEL GRADY, RECORDING SECRETARY.

Chairman Gillette called the meeting to order at 10:15 a.m.
Roll call; quorum present.

NEW TOWN SCHOOL ADMINISTRATION: Rollie Morud, Bill Demaree, Lynn Engberg,
Douglas Sand and Jean Hall of the New Town
School Administration were present and introductions were made. They gave re-
ports on activities of the grade and high schools. Discussion followed on the
main problems they were having with students: absenteeism and vandalism. Mr.
Demaree said they worked a lot with Child Welfare Program in the past until funds
ran out for the program. When a student had a attendance problem or was not well
cared for, Child Welfare would be notified, and they would make home visits. Mr.
Demaree said they have no cooperation from Mountrail County Social Services. They
rely on Melvin Walker at Minne-Tohe Health Center and Francis Boyd at BIA Social
Services. Other problem areas discussed were alcohol and drug abuse, which are
often related to absenteeism and vandalism.

Mr. Morud reported breakfasts are served at the grade school, but because of very
little participation at the high school they had quit the program there.

Discussion followed on school budget cuts and what is expected in the future.
When asked about Impact Aid monies, Mr. Morud said he expects a cut anywhere
up to 25% this year for New Town. He said they never designate exactly what it
comes to on a per-child basis.

Sport activities were discussed, and Mr. Morud was asked how the schools support
rodeo as a sport activity. He said rodeo is not a sanctioned sport in the North
Dakota High School Activities Association. Jean Hall, Title IV Director, said a
group interested in rodeo got together, and they're forming a rodeo club. It will
be treated like the German Club, Eagle Feather Club, etc., where they will have fund

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raising activities. Councilman Bird Bear asked if it was possible to assist the rodeo club with JOM funds. Mr. Morud said it would be up to the JOM Board.

Mr. Morud said total high school students enrolled are 670, and 55% or 375 to 390 are Indians. Councilman Mason informed the Administration about the Tribal Council sponsoring a reservation-wide education conference in the Spring of 1982. The Human Resources Committee at a meeting on October 27, 1981 called for a committee to work on the planning of the conference. They selected people for the committee and Dr. Primeaux will notify the people selected.

Chairman Gillette invited the Junior and Senior classes of New Town High School for a visit while the Tribal Council is in session.

MINUTES: Secretary Walker read minutes.

Vice Chairman Little Soldier moved for approval of Special Meeting minutes of October 2, 1981 with corrections. Second by Treasurer White. Eight (8) in favor, motion carried.

Vice Chairman Little Soldier moved for approval of Material Resources Committee minutes of October 9, 1981. Second by Treasurer White. Eight (8) in favor, motion carried.

TRIBAL BUDGET: John Fox, Jr., Tribal Comptroller, was present to go over budget with the Council. Mr. Fox was asked why some employees have not received their raises and deductions when budgets were approved. He said he gave Personnel office the list of changes, and changes should be made soon.

Salaries of Programs Management Assistant and Enrollment Clerk were discussed, and the two policemen on tribal salary. Chairman Gillette reported BIA will pick up their salaries the first part of 1982.

John Fox presented Tribal Operating budgets for 1979, 1980, 1981 as requested by the Council at previous meeting. The Tribal Operating budget for 1979 showed an overexpenditure of \$170,064.00; 1980 was overspent by \$62,095.00; and 1981 was overspent by \$122,626.69. It was pointed out the overexpenditures were caused by items such as Insurance. The funds are to be reimbursed to T/2 account. Mr. Fox presented the revised Tribal Operating budget for review. Secretary Walker said the overexpenditures have to be corrected. Treasurer White said one of the reasons was because we have people who cannot manage programs, and the Council gets caught with them. Mr. Fox was asked if Tribe's accounts were separated from the central account as requested, and he said it has not been done yet.

LEGAL DEPARTMENT: Chairman Gillette said Tribal Attorney has tentative budget of \$103,000.00 for the legal department. Attorney Gillette said the Council has to decide if they want to contract with NARF. He suggested NARF do Tribal Code revision and change the present General Counsel Contract to In-House Contract.

Future referendums were discussed and budgets will have to be made for: 1) Judgment Plan, 2) Constitutional Revision and 3) General Tribal Council Election.

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RECESS: Meeting recessed at 12:30 p.m. Reconvened at 1:00 p.m. Councilman Little Owl arrived for the afternoon session.

BIA LAND OPERATIONS OFFICER: The transfer of James Quackenbush was discussed, and some Council members expressed concern about Mr. Quackenbush's lack of cooperation with tribal members and Tribal Council. Numerous complaints have been brought to the Council's attention from ranch operators, as well as landowners. The Indian ranchers claim they cannot deal with him because he does not like them. On September 16, 1982 the Tribal Council requested the Agency Superintendent, Agency Land Operations Officer and Agency Programs Officer to meet with the New Town Rural Fire Department to negotiate a fire protection agreement. The Agency Superintendent and Agency Land Operations Officer failed to attend the meeting, and a fire protection agreement could not be reached. Some Council members said the ones he helps are the big operators who are not enrolled. It was pointed out that he has polarized the ranchers and landowners over the \$78.00 AUM. Another concern discussed was the lack of leadership at the BIA Agency.

Councilman Mason moved to transfer James Quackenbush, BIA Land Operations Officer. Second by Councilman Little Owl. Roll call vote: Little Soldier, abstain; Bird Bear, no; White, yes; Little Owl, yes; Yellow Bird, abstain; Wells, yes; Mason, yes; Walker, yes; and Chairman Gillette, yes. Six (6) in favor, two (2) abstained, and one (1) opposed, motion carried.

LEGAL DEPARTMENT: Secretary Walker read resolution on Tribal Code revision. Discussion followed.

Vice Chairman Little Soldier moved for adoption of sections of Chapter 1, General Provisions and Chapter 15, Rules of Appellate Procedures for Tribal Code. Second by Councilwoman Wells. Eight (8) in favor, one (1) not voting, motion carried. Resolution No. 81-259

MANDAREE SCHOOL: Secretary Walker read resolution regarding Mandaree School District to continue contracting for JOM funds.

Secretary Walker moved for approval of Mandaree School District to continue contracting for JOM funds with further resolve to have Tribal Council make arrangements for evaluation of the Mandaree School. Second by Councilman Yellow Bird. Nine (9) in favor, motion carried. Resolution No. 81-260

X-RAY TECHNOLOGIST: Secretary Walker read resolution regarding Minne-Tohe Health Center request to have Tribe pay for the services of Norman LaChance, X-Ray Technologist.

Vice Chairman Little Soldier moved to authorize Tribe to pay for the services of Norman LaChance through September 30, 1982, to be reimbursed through agreement between Health Center and IHS in Aberdeen. Second by Councilwoman Wells. Nine (9) in favor, motion carried. Resolution #81-261

HUNTING SEASON: Secretary Walker read resolution regarding a special 1981 hunting season for tribal members.

Councilman Yellow Bird moved to authorize a Special 1981 Hunting Season which will begin at sunrise, December 20, 1981 and close December 31, 1981. Second by Councilman Little Owl. Eight (8) in favor, one (1) opposed, motion carried. Resolution #81-262

ACCESS PERMITS: Discussion followed on access permit ordinance drafted by Wilkinson, Cragun & Barker. Tribal Attorney recommended further study. Chairman Gillette requested Tribal Attorney to review drafted access permit ordinance and present it on January 14, 1982 Regular Meeting.

Attorney Gillette said if budget is approved today for the Legal Department, he would like to get started on the library and hire a legal secretary. He asked who will hire the legal secretary. The Council decided to leave the hiring to Attorney Gillette.

Councilwoman Wells moved to authorize Tribal Attorney to hire legal secretary when funding for Legal Library is here. No second.

Treasurer White moved to authorize Tribal Attorney and Tribal Planning Department to order library material from Block Grant funds available. Second by Councilwoman Wells. Eight (8) in favor, one (1) not voting, motion carried.

Tribal Attorney reported NARF will be sending a proposed budget to the Council, and he is requesting the assistance of Planning Department to set up goals and objectives as it pertains to Court Administration and code systems.

BIG SKY MUD, INC.: Discussion followed on resolution presented by Big Sky Mud for Tribal Council to recognize and certify them as an Indian-owned contracting business for the purpose of Indian preference. John Charging, TERO Director, was present and said he requested proof of ownership, and he has not received one yet. He reported Jim Laducer of Minority Contractors Association informed him that they will be interviewing and screening Big Sky Mud in February, 1982. When resolution was presented the first time on November 13, 1981, Thelma Stearns owned and controlled 52% of the company. A few weeks later, they came back with resolution and Vivian Pankey was the owner of the 52% according to resolution. Mr. Charging said she should have notes or accounts for approximately \$15,600.00 to own 52% shares, and the promissory notes indicated she falls short of that. When Big Sky Mud applied December 10, 1981, she said she had them. Ms. Pankey said she paid \$75.00 a share, and the rest was for her education.

Tribal Attorney recommended using Minority Contractor Association regulations in the future to certify companies, and said the three-man commission for TERO should be handling this, not the Council. Mr. Charging said he agreed. Chairman Gillette said TERO and Tribal Attorney should get together on this to clarify proof of ownership. Ms. Pankey said she wanted a decision made today.

Councilman Yellow Bird moved to recognize and certify Big Sky Mud, Inc. as an Indian-owned contracting business for the purpose of Indian preference. Second by Vice Chairman Little Soldier. Five (5) in favor, three (3) opposed, one (1) abstained, motion carried. Resolution #81-263

TERO COMMISSION: Discussion followed on selection of the TERO Commission. Attorney Gillette said to let them deal with certification, and if Big Sky Mud does not meet certification, they can be decertified.

Councilwoman Wells moved to appoint Wallace Chase to TERO Commission. Second by Councilman Mason. Nine (9) in favor, motion carried.

Treasurer White moved to appoint Councilman Mason and Carl Whitman, Jr. to the TERO Commission. Second by Councilman Yellow Bird. Eight (8) in favor, one (1) opposed, motion carried.

Vice Chairman Little Soldier moved to appoint Luther Grinnell, Sr. as alternate to the TERO Commission. Second by Treasurer White. Nine (9) in favor, motion carried.

CASH BOND: Secretary Walker read resolution regarding cash bond.

Councilman Mason moved to authorize the Superintendent, Fort Berthold Agency, to hold the amount of \$52,702.48 from the Three Affiliated Tribes FmHA Land Revenue Fund as a bond for the Tribe's grazing permits. Second by Councilman Little Owl. Nine (9) in favor, motion carried. Resolution #81-264

LAND EXCHANGE: Secretary Walker read resolution regarding land exchange for Harriet J. Myrick. Chairman Gillette explained her house was suppose to set on the 40 acres she orginally applied for and Housing Authority had the wrong location, and house was set south of there instead. This resolution corrects that. She was suppose to be paif \$5,200.00 for the difference in land value but that will be changed now since she received advance cash lease for 1981, 1982 and 1983. The advances will have to be refunded to the Tribe, so it will be deducted from the \$5,200.00.

Councilman Yellow Bird moved for approval of land exchange for Harriet J. Myrick and rescind Resolution #81-157. Second by Vice Chairman Little Soldier. Eight (8) in favor, one (1) not voting, motion carried. Resolution #81-265

WILLIAM BEARSTAIL PROPERTY: Adeline Brunsell said she will be checking with Mountrail County to get exact amount owed on back tases on William Beartail's property, Lots 15 and 16. The matter will be placed on agenda for the next meeting.

SIDNEY WHITE BODY: Sidney White Body was called on to speak. He said he would like to get his job back, and if not, he would like to get unemployment. Discussion followed on the break-in that occurred on

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November 29, 1981 when the copy machine was damaged. Bryan Brady was called into the meeting. He said Mr. White Body was written a letter of warning on September 1, 1981 for leaving work early. He received another letter of warning on November 29, 1981 after the break-in.

Vice Chairman Little Soldier moved to terminate the position effective December 12, 1981 because of lack of funding. Second by Treasurer White. Six (6) in favor, two (2) opposed, one (1) abstained, motion carried.

TESTIMONY: Reba Walker was called on to speak. She said she needed authorization to present testimony in Billings, Montana for the Senate Select Committee Oversight Hearing pertaining to IHS. She said IHS, Aberdeen Area Office was the only area office that took 12% cut and all the other areas took a 2% cut.

Treasurer White moved to authorize Reba Walker, Tribal Health Planner, to present testimony on behalf of the Three Affiliated Tribes on December 21, 1981 in Billings, Montana. Second by Councilwoman Wells. Eight (8) in favor, one (1) not voting, motion carried.

TRIBAL OPERATING BUDGET: Secretary Walker read resolution authorizing the FY-82 revised Tribal Operating budget.

Treasurer White moved to approve the FY-82 revised Tribal Operating budget. Second by Councilwoman Wells. Eight (8) in favor, one (1) not voting, motion carried. Resolution #81-266

SALARIES: Councilman Mason presented memorandum regarding Laurie Albert's salary. She had accepted the position of Programs Management Assistant when she was informed she would be receiving the same salary as when she was Adult Education Director. The Enrollment Clerk's salary was discussed.

MATERIAL RESOURCES ADMINISTRATOR: Discussion followed on the Material Resources Administrator's failure to appear to work. He also failed to appear in court on behalf of the Tribes in the case of Three Affiliated Tribes v. Wold Engineering.

Treasurer White moved to suspend G. Russell Gillette, Material Resources Administrator, for two weeks without pay effective December 17, 1981. Second by Councilwoman Wells. Five (5) in favor, two (2) opposed, one (1) abstained, motion carried.

PROGRAM FUNDING: Discussion followed on tribal programs operating without funds and the employees under those programs. The Aging Program proposal has not been funded and employees continue to work.

Treasurer White moved to have employees put on Leave Without Pay. Second by Secretary Walker. Five (5) in favor, two (2) opposed, one abstained, one (1) not voting, motion carried.

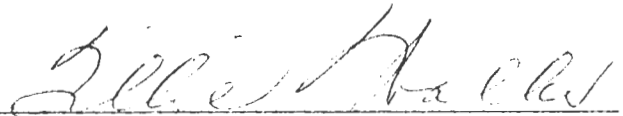
TRIBAL ACCOUNTS: Secretary Walker read resolution regarding having a separate account for contract funds and General Council Administrative

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funds. All accounts are now comingled in the same checking accounts.

Councilman Mason moved to have the contract funds and General Council Administrative funds separated from Tribal Council T/2 account starting January 1, 1982. Second by Councilwoman Wells. Eight (8) in favor, one (1) not voting, motion carried. Resolution #91-267

ADJOURNMENT: Meeting adjourned at 4:30 p.m.


SECRETARY, TRIBAL BUSINESS COUNCIL

APPROVED: April 8, 1982