

REGULAR MEETING
TRIBAL BUSINESS COUNCIL
THREE AFFILIATED TRIBES

CONFERENCE ROOM
TRIBAL BUILDING
December 9, 1982

PRESENT: Alyce Spotted Bear, Chairman; Dennis Huber, Treasurer; Roy Bird Bear
Paul Good Iron, Gerald White, Ernest Stone, Pete Coffey, Donald Malnourie,
Tillie Walker, Vice-Chairman; Marie Wells, Matthew Mason, Secretary.

ABSENT: None!

OTHERS: Rosella Mandan, Mary Lou Stanton, IHS Director; Florence White, Dorothy
Yellow Bird, Claryca Mandan, Phyllis Wells, Christine Mann, James Bluestone,
Calvin Stone, Delores Sand, Joanne Matthews, Mable Howling Wolf, Shirley
White, Arvilla White, Gloria Fast Dog.

The meeting was called to order by Chairman Spotted Bear at 10:35 AM. Florence
White said an opening prayer.

Roll Call, quorum present.

MARY L. STANTON, IHS: Ms. Stanton informed the Council she is transferring to San
Carlos, AZ. and that Rosella Mandan will be acting director
until Ms. Helen Baker arrives in about a week. She remarked
the 1982 budget looked very bleak and that they did not receive their cost of living
increases. She stated the contract health care budget was given to Chairman Spotted
Bear. She handed out some informational material to all councilmen. She explained
that IHS is now \$35,000 in the red with bills still coming in. Payment of these
bills will have to be met with next quarters monies therefore leaving that quarter
short also. Since the overall budget is bad, there will be changes in the contract
health care services such as blood quantum, eliminating non-Indian spouse care, etc.

She mentioned the tribal health insurance that the tribe initiated in March of 1981.
At that time, IHS picked up the 20% and the deductible costs. This deductible has
to be met again this year and she wondered if the Tribes could help pick up the
deductible or discuss an alternate source of payment. She suggested that policyholders
be notified of getting prior approval from IHS before going elsewhere. She claimed
she has a stack of Occidental claims that she cannot pay. Mr. Coffey questioned if
this payment of unpaid balances pertained to Blue Cross Blue Shield also. Ms. Stanton
replied, "yes, but unless they have prior authorization, IHS will not pay the unpaid
balance."

There was some discussion on the Health Maintenance Organization. At this time,
Mr. Larry Burr, Trust Services Officers, BIA and Mr. Richard Bad Moccasin, Acting
Area Director, IHS, Aberdeen, arrived at 11:11 AM. Mr. Bad Moccasin addressed the
Council regarding types of services we could possibly receive in the future due to
the drastic cuts. He remarked that IHS will be looking at alternate sources of
health care, and if the Three Affiliated Tribes were interested in a health benefit
plan, he explained the council would have to request this technical assistance from
his office to initiate such a plan.

MOTION was made by Dennis Huber to pursue for technical assistance
monies from Aberdeen, SD to do a study on a health benefit plan and
financing our medical health problems on the reservation. SECONDED by
Ernest Stone.

REMARKS: None. VOTE: all in favor, MOTION CARRIED.

MINUTES: The minutes of the Special Meeting, November 29, 1982 were read by Matthew Mason, Secretary.

MOTION was made by Marie Wells to approve the minutes with the corrections. SECONDED by Paul Good Iron.

REMARKS: Mr. Bird Bear stated on the \$1.00 a mile, Marie Wells will write a resolution and that Ernest Stone needed one also. VOTE: all in favor, MOTION CARRIED.

The minutes from the Human Resource Minutes, November 30, 1982 were read by Mr. Mason, Secretary.

MOTION was made by Paul Good Iron to approve the minutes with the corrections. SECONDED by Gerald White

REMARKS: None. VOTE: all in favor, MOTION CARRIED.

The meeting recessed at 12:00 Noon for lunch until 1:00 PM.

The meeting resumed at 1:18 PM.

PRESENT: Alyce Spotted Bear, Chairman; Dennis Huber, Treasurer; Paul Good Iron, Gerald White, Ernest Stone, Pete Coffey, Donald Malnourie, Tillie Walker, Vice-Chairman; Marie Wells, Matthew Mason, Secretary.

ABSENT: Roy Bird Bear.

OTHERS: Alva Karlson, Fred Gunn, Oscar White Calf, Neil Karlson, Kenneth Danks.

NORTH SEGMENT: Mr. Kenneth Danks, community board member for North Segment Hall addressed the council regarding the community development funds for North Segment Community. He informed that the community had a meeting on November 16, 1982 and the community requested for a certain amount of money to be deposited from the community development funds to an account for North Segment community so they could be assured of paying their bills on a timely basis. In the past, the community board members were unable to meet their bills on a timely basis which resulted in the hall running out of propane, pipes being frozen which caused additional expenses.

MOTION was made by Matthew Mason to withdraw \$800.00 from the community development funds and deposited to a bank account for the North Segment Community Board for operating expenses. SECONDED by Dennis Huber.

REMARKS: Mr. Huber asked if there were outstanding bills. Mr. Danks replied there was but reassured the new bills will be paid as they come due. Mr. Good Iron suggested a line item be created on the budget to help the elderly people and health needs. He added this would be a good suggestion for every segment. Mr. Danks said he would take that suggestion back to the community and if they approve, an amount could be set at that time. Mr. Danks asked how long this money will be available and Chairman informed him that this is from a former trust fund. VOTE: all in favor, MOTION CARRIED.

Christine Little Owl and Theodora Vigen came in at 1:25 PM.

LITTLE SHELL LIVESTOCK ASS'N: Mr. Mason presented a proposal from the Little Shell Livestock Association outlining their intention to start a farming and ranching operation for the Little Shell area. This would create employment for the families living in this area plus be engaged in an activity that they were familiar with. It would benefit the use of the natural resources and would be a self-supporting within one year.

There was a discussion regarding the long-range operation, how this would operate, who would benefit and clarifying the proposal to the council. Martin Seneca Law Firm would try to find the funding for the initial operation plus the Association needed to secure two range units (8,000 acres) from the tribe. Presently the two-range units are be utilized by non-Indian ranchers, and if negotiable, the BIA would secure these two units and lease them to the Tribal Council who in turn would sub-lease to the Association.

There was further discussion regarding the sub-leasing and it was stressed that it's important to move quickly on this issue because of overall cuts in all sources of funding. Mr. Mason informed that Martin Seneca Law firm was sure they could secure the funding. At this time, it was suggested tabling this issue until Monday at which time it will be taken up again and anyone with questions will have the weekend to get them answered.

AUDIT: Chairman Spotted Bear read a resolution regarding an audit of all the accounts including Tribal monies in the Tribal Finance Office.

MOTION was made by Marie Wells to approve the Resolution (#82-5-S),
SECONDED by Dennis Huber.

REMARKS: None. VOTE: all in favor, MOTION CARRIED.

DEPT. OF TRANSPORTATION: Chairman Spotted Bear read a resolution establishing a Department of Transportation under the Tribal Council to take care of the roads on the reservation. This program would work with the BIA, State and County road departments.

MOTION was made by Marie Wells to approve the Resolution (#82-6-S),
SECONDED by Pete Coffey.

REMARKS: Mr. Huber stated that in their Material Resource meeting, the BIA informed they could not take their equipment off the main road into private roadways. He added this department would also involve snow removal.
VOTE: 9 in favor, 1 opposed, MOTION CARRIED

GIFTS & AMENITIES: Chairman Spotted Bear read a resolution regarding gifts and/or amenities to be made by the Tribal Business Council from the T/2 account. Discussion followed on the disadvantages of such a resolution and that maybe a petty cash fund would better serve the purposes. It was recommended to table this until other alternatives could be looked at. At this time, a discussion was held on the gifts purchased Ms. Stanton who was leaving the area.

MOTION was made by Marie Wells to approve the flowers and pendleton that were purchased as gifts for Mary Lou Stanton, IHS Director. SECONDED by Matthew Mason.

REMARKS: None. VOTE: all in favor, MOTION CARRIED.

NATIONAL AMERICAN INDIAN
RODEO AND POW-WOW:

Neil Karlson addressed the council and said that back in November, Ed Hall and Ron Brugh received a \$500 assistance from the Tribe to attend events as contestants as they had qualified under the point system. Mr. Karlson requested that since Frank White Calf, J. D. Young Bird and himself did not receive assistance at that time, that they now be reimbursed for their expenses. Mr. Good Iron stated that Shirley Smith had asked for the same compensation for one of her children who also attended the pow-wow.

MOTION was made by Marie Wells to approve for Neil Karlson, J.D. Young Bird, and Frank White Calf who all qualified under the point system, to pay \$500 to be taken out of the miscellaneous account, and that in the future, such requests be made on a Resolution. This is also to include one child of Shirley Smith. SECONDED by Tillie Walker.

REMARKS: Ms. Wells suggested that also some of these clubs could support these contestants and that an amount be set for such purposes.

VOTE: 9 in favor, 1 opposed, MOTION CARRIED.

KEITH PRICE: Mr. Price addressed the council and informed them that their three children who are band members at St. Mary's Central in Bismarck will be going on a concert tour to Mexico leaving on June 7 through 17, 1983. He said that these kids were the only Indian kids going on this tour and asked assistance from the Tribe.

MOTION was made by Matthew Mason, to assist each child for \$500 for a total of \$1,500.00. SECONDED by Donald Malnourie.

REMARKS: None. VOTE: 8 in favor, 1 opposed, 1 abstaining, MOTION CARRIED. Chairman Spotted Bear asked Mr. Price to let the school know that the Tribal Council had contributed to their tour. (The contribution is to be sent to Band Dept., c/o Bill Schmidt, St. Mary's Central, Bismarck, ND).

INVESTMENT OF MONIES: There was a discussion of possibly investing some of the Tribal monies for a 30-day period in order to earn some interest. Further discussion followed and it was suggested that a resolution be drawn up to that effect and presented at the next meeting.

VANCE GILLETTE'S FEES: Chairman Spotted Bear read two resolutions regarding payment of legal fees. One resolution was for \$423.33 for expenses from October 1 through 31, 1982. The second was for payment of General Council Services rendered for the same period.

MOTION was made by Gerald White to approve the two resolutions in the order that they were read. SECONDED by Pete Coffey.

REMARKS: Mr. Huber asked what had Mr. Gillette been doing in the past. Ms. Wells informed that Mr. Gillette attended meetings and gave his report to the council. VOTE: 8 in favor, 2 opposed, MOTION CARRIED (Resolutions #82-7-S and #82-8-S respectively).

MOTION was made by Marie Wells to accept the resignation of Vance Gillette. SECONDED by Gerald White.

REMARKS: None. VOTE: 9 in favor, 1 opposed. MOTION CARRIED.

HEAD START: Chairman Spotted Bear read the resolution from Head Start regarding the handicap that are of Head Start age and financial assistance from the Tribal Council.

MOTION was made by Marie Wells to approve the Head Start Handicap resolution (#82-9-S). SECONDED by Pete Coffey.

REMARKS: None. VOTE: all in favor, MOTION CARRIED.

PER CAPITA: Chairman Spotted Bear read the resolution regarding a per capita distribution for all enrollees which will be paid out of the escrow account that was set aside for pending applications for enrollment during our last per capita payment.

MOTION was made by Dennis Huber to approve the resolution (#82-10-S). SECONDED by Pete Coffey.

REMARKS: Mr. Coffey questioned the amount and was told the total amount of the distribution per person would be under \$100. and as for the children the fees would be paid directly to the parent.
VOTE: all in favor, MOTION CARRIED.

The High School History Class escorted by Ms. Arlene Baker arrived to observe a Council meeting in progress.

MATILDA WHITE: Ms. White addressed the council pertaining to hardships that people her age encounter and the expenses they have to meet which are necessary to the livelihood whether they can afford it or not. She presented a billing she had paid for electrical wiring repairs to her house for an amount of over \$300.00.

MOTION was made by Marie Wells to reimburse Matilda White for her expenses in getting her electrical wiring replaced out of CDBG funds. SECONDED by Matthew Mason.

REMARKS: Mr. Mason suggested that the 3 councilmen from her district go to her house and see what can be done in helping her fix her house and road.
VOTE: all in favor, MOTION CARRIED.

CHARLIE HOBBS: Mr. Hobbs addressed the council beginning with some background information of his law firm and their past affiliation with the Three Affiliated Tribes. He handed out General Memorandum No. 82-13 for informational purposes. Mr. Hobbs explained the importance and benefit of getting Senator Mark Andrews to run for the chairmanship of the Committee of Indian Affairs. He presented a resolution to this effect. Chairman entertained a motion to pass this resolution.

MOTION was made by Matthew Mason to approve the resolution (#82-11-S) as presented in support of getting Senator Andrews to accept the chairmanship for the Senate Selected Committee on Indian Affairs. SECONDED by Marie Wells.

REMARKS: Mr. Huber asked if the other tribes in ND were supporting this. Chairman informed Paulette Hanson was calling all of the tribes and informing them. VOTE: all in favor, MOTION CARRIED.

MINERAL RESTORATION BILL: Mr. Hobbs showed a map to the council of the taking area on the Ft. Berthold Reservation pertaining to Indians and non-Indians lands showing the minerals displayed by different colors. Yellow representing land that use to belong to the Indians, pink or red indicating land that use to belong to non-Indians, showing that at least 10 per cent use to belong to non-Indians in the taking area. Pink represented non-Indians that did not reserve their minerals. Red showing non-Indians that reserved their minerals and still owning it today.

The purpose of the Mineral Restoration Bill was to restore these minerals back to the Tribe using three possible options. He explained Option 1 was to return all the minerals in the taking area no matter where they are which included all the yellow and pink areas. There was some discussion clarifying why the tribes lost their minerals when some of the non-Indians were able to hold on to theirs which was due to the Corps of Engineers changing their policy after oil was discovered nearby. He further explained the disadvantages of Option 1 which would be the people in the homestead area who don't want the tribe to have what was formerly theirs. The advantage being back in 1910 when Congress opened the reservation for homesteading it did not intend for the settlers to have the minerals. Mr. Hobbs said when he talked to Senator Burdick six months earlier regarding the first option, Mr. Burdick said he could not go along with it because of political pressures against the Tribes in getting the minerals back in the homestead area. If this case is still true with Mr. Burdick, Mr. Hobbs recommended the Tribes authorize him to drop the matter and proceed with options 2 and 3. Mr. Hobbs stated he would first talk to Senator Burdick and whatever option he agrees to he will then go talk to Senator Andrews.

Mr. Hobbs further explained the strategy he was proposing with Option 2 which would be to not ask for minerals under the homestead area that being the 10% whose owners were formerly non-Indians (pink area). He indicated this would be stronger than Option 1, but if Mr. Burdick further disagrees Mr. Hobbs will continue with the 3rd Option. This option being to return all the minerals in just the yellow areas which he thought was non-controversial since this is all minerals formerly owned by Indians.

Once this is achieved, Mr. Hobbs stated he would see Congressman Dorgan who would support that position and getting the bill introduced to both houses. If Option 3 is agreeable, he stated it should go fairly fast. The other options could be delayed some due to controversy.

Mr. Hobbs read the first resolution which supports options 1 and 2, with the second resolution supporting option 3.

MOTION was made by Paul Good Iron to approve both resolutions as read,
SECONDED by Gerald White.

REMARKS: Mr. Good Iron amended his MOTION to approve the first resolution (#82-12-S), SECONDED by Gerald White.

REMARKS: None. VOTE: all in favor, MOTION CARRIED.

MOTION was made by Paul Good Iron to approve the second resolution (#82-13-S). SECONDED by Marie Wells.

REMARKS: None. VOTE: all in favor, MOTION CARRIED.

HOSPITAL BILL: Mr. Hobbs explained the creation of the hospital bill which was the result of a reduction in the attorney fees donated to a hospital fund for the purpose of a hospital. This amount was \$113,770 which could be used as seed money for other federal monies. This was achieved by the attorneys now drawing out that portion of their fee from the last interest case (80-20 plan). The Tribes were to spell out this purpose in the plan. This was done by putting a clause in the judgment plan by a referendum but the BIA failed to notice this and as a result the money is temporarily lost until a bill could be passed through Congress restoring it. A copy of the bill drafted by the Department of Interior was attached to a resolution. Mr. Hobbs explained if this bill passes, the Tribe would have a fund which with interest could probably be around \$120,000 earmarked for 5 years and if it hasn't been used by then, it could be used for other purposes. Mr. Hobbs recommended that both the bill and resolution be approved.

MOTION was made by Tillie Walker to approve the resolution (#82-14-S), SECONDED by Gerald White.

REMARKS: Mr. Huber questioned the 5 years and Mr. Hobbs remarked that the wording should not be changed since this is what Senator Andrews agreed to. He assured the interest would also be deposited in the trust fund. There was some discussion on the feasibility of a hospital on the Reservation and the location of it. Mr. Hobbs informed that 3 - 5 years ago a feasibility study was done that concluded a 25-bed hospital be recommended. Ms. Walker expressed the importance of resecuring this money at this time. Further discussion was held on other possibilities of this money should the hospital not work out.
VOTE: 9 in favor, 1 opposed, MOTION CARRIED.


ATTORNEY'S CONTRACT: Mr. Hobbs explained the present conditions of the contract between Mr. Hobbs' firm and the Tribal Business Council. The contract ends December 1983. This fixed fee per month gets the Three Affiliated Tribes their general representation in Washington, DC which also includes newsletter services and 4 trips to New Town. In addition to this, the Tribes are being charged so much an hour plus a 15% discount which are below most Washington law firms. The present rates in Washington are from \$45 for law clerks to \$135 for senior attorneys. To make things simpler, Mr. Hobbs proposed \$95 an hour. This rate would be for services whether it was a clerk or a senior attorney working on any case. This would also alleviate a lot of bookkeeping and save the Tribes some money over the present expenditures. Mr. Hobbs asked the Tribal Council to be thinking of these terms and the next time they meet he will have a proposal to this effect.

ATTORNEY FEES: Mr. Mason read a resolution regarding Mr. Hobbs legal fees.

MOTION was made by Gerald White to approve the resolution for the attorney fees. SECONDED by Marie Wells.

REMARKS: None. VOTE: all in favor, MOTION CARRIED.

ADJOURNMENT: Chairman Spotted Bear informed the Council of a Natural Resource Orientation on Monday at 10:00 AM and for a Special meeting to begin at 1:00 PM. Meeting adjourned at 4:25 PM.


SECRETARY, TRIBAL BUSINESS COUNCIL

ATTEST:


CHAIRMAN, TRIBAL BUSINESS COUNCIL

APPROVED: 1-13-83
DATE