

SPECIAL MEETING  
TRIBAL BUSINESS COUNCIL  
THREE AFFILIATED TRIBES

CONFERENCE ROOM  
TRIBAL BUILDING  
FEBRUARY 3, 1983

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

TARDY: Tillie Walker, Vice-Chairman.

OTHERS: Janice Conklin, Jacquelyn Lara, June Lockwood, Larry Lockwood, Wade White Body, Fred Gunn, Paul White Owl, Sr., Eugene Brugh, Jr., Alfred Driver, Jr. Burton Bell, Frank Fox, Jr., Theodore Hale, Barbara Finley, Rosalie Bird Bear, Floyd Hand, Doris Smith, Paul Fox, Titus Hall, Fred Lone Fight, Buddine Stewart, Amy Henry, Jarrette Johnson, Ken Danks, Christine Mann, Thomas Schoppert, Martina Perkins, Kim Myrick, Jean Hand, John Bad Brave, John Fredericks, Orlin Smith.

Chairman Spotted Bear called the meeting to order at 10:47 AM. Roll call, quorum present.

MINUTES: Secretary Mason read the minutes of the Regular meeting of January 13, 1983. Tillie Walker arrived at 10:52 AM.

CORRECTIONS: Under sub-title DELEGATED TRAVEL, Under REMARKS: "Mr. Good Iron stated that according to the Constitution and By-laws.. 'it should read, 'according to a resolution'" corrected by Marie Wells. Under sub-title WHITE SHIELD SCHOOL BOARD, Gerald White that Resolution 83-12-S was not a resolution because it was not passed. Under sub-title, TRANSPORTATION COMMITTEE Discussion was had on the MOTION. Paul Good Iron moved that the Transportation Committee be comprised of the members of the Material Resource Committee due to that the work involved is the same as the work done in the Material Resource dept. Further clarification caused Paul Good Iron to withdraw his motion and made another motion to disapprove the resolution. It was decided to have the secretary check on her notes. Under sub-title, TERO DIRECTOR, Chairman Spotted Bear wanted the record to show that the Executive Committee met and selected Titus Hall for the position.

MOTION was made by Pete Coffey to approve the minutes with the corrections as made, SECONDED by Donald Malnourie.

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

The Judiciary minutes of December 15, 1983 were read. Discussion held on why this was referred to the full council.

MOTION was made by Paul Good Iron to disapprove the minutes, SECONDED by Marie Wells.

REMARKS: Paul Good Iron explained the reasons for the disapproval by the Judiciary committee. Dennis Huber commented on the abuse of travel by tribal employees and that the minutes should not be disapproved in its entirety but only the part that applies. Paul Good Iron amended MOTION to stated that the December 15, 1982 Judiciary minutes be approved with exception of all that comes under the Indian Child Welfare Act, Marie Wells amended SECONDED.

REMARKS: Gerald White felt the Tribal Judge should have some input in regards to employees. VOTE: 10 in favor, 1 abstaining, MOTION CARRIED.

ED DANKS: Ed Danks gave a report on his trip to Washington. He reported that the 5¢ gasoline tax which is called the Highway Improvement Act of 1982 which is being allocated on an existing distribution formula to various agencies throughout the Bureau-wide system. This will increase Aberdeen Area Road Construction budget for 1982 about 6 million dollars. For years, 1984, 1985 and 1986 the allocation will be made on a justification process. He informed the Tribes at a local level have to start justify their needs, plan and be accountable to their needs. Another meeting is scheduled at Albuquerque, NM the week of Feb. 16, 1983. He said he was attending and if no Tribal Councilmen attend, he would give another report if the council wished.

TERO DIRECTOR: Amy Henry handed out a list of the applicants for the TERO Director position. Discussion followed on the request for reinstatement by John Charging and the lapse of time before his request. Chairman Spotted Bear reiterated that Titus Hall was selected by the Executive Committee. Letters of supports were given from Jim Laducer and Ken Danks for North Segment Community.

MOTION was made by Dennis Huber to retain Titus Hall as TERO Director with this stipulation that his name be removed from all check signing documents and let that procedure go back to the proper authorities.

SECONDED by Roy Bird Bear.

REMARKS: Paul Good Iron remarked that the council should interview the applicants. Dennis Huber remarked some of the applicants have withdrawn and some, their whereabouts unknown. He further stated that Titus has been working with some of the big employers in the State and if changes are made in the middle of progress, the reflection on the Tribe could be detrimental. FOR THE RECORD, Paul Good Iron stated under #2, in Employees Conduct or Disciplinary Action, when a person runs for council, the council has completely overlooked that if the tribal employee does not get on the tribal council - provided his position is not filled, he shall be re-established in his former position. He also pointed out that John Charging is the most qualified person also the person that is hired for this position is suppose to know about the budget. The budget for TERO is not complete. Does this person know how to do budgets, I myself checked. He was a pesticide person, the budget for the pesticide proposal was done by the Natural Resource Dept. Hugh Baker and Barb Lindley. The Tribal Business Council has done a tremendous injustice to the other people that have applied by railroading it through. At a later meeting when there is a different quorum, this action could be reversed. The people had better learn to go ahead and start doing things right.

Chairman Spotted Bear felt the person hired was qualified.

VOTE: 7 in favor, 2 opposed, 2 abstaining, MOTION CARRIED.

The meeting recessed for lunch at 12:30 PM. The meeting reconvened at 1:45 PM with Roy Bird Bear absent.

MARY ALICE WELLS: Mary Wells requested an emergency loan of \$200 to help with her deposit on an apartment. She attends Ft. Berthold Community College and works part-time. She was to sign a promissory note.

MOTION was made by Pete Coffey to approve Mary Alice Wells for \$200

SECONDED by Matthew Mason.

REMARKS: Paul Good Iron asked what line item this would be taken from. Dennis Huber replied from the Revenue Sharing funds. Paul Good Iron suggested that it could be taken out of the interest accrued from the investment monies.

Pete Coffey amended MOTION to include the \$200 come out of the accrued interest of the invested monies. SECONDED by Matthew Mason. VOTE: 9 in favor, 1 abstaining, 1 not voting, MOTION CARRIED.

PLANNING MGMT PROCESS & ANA/SEDS  
PROPOSAL - 1983-84:

Ken Deane presented the comprehensive planning/management process and the 1983/84 ANA/SEDS Proposal. Deadline for submission was March 31, 1983. He suggested the Tribal Council along with department heads and administrators meet at least 2 full days a week for the next 2 months to finalize the proposal. The Council decided to cancel all meeting the following week and for Ken Deane to draw up a schedule.

MOTION was made by Matthew Mason to have the council have a planning session starting at 10:00 AM each day the following week and for Ken Deane to draw up the schedule, SECONDED by Pete Coffey.

REMARKS: All administrators should be present and Bureau officials if necessary. VOTE: 9 in favor, 1 abstaining, MOTION CARRIED.

JOHN BRAVE: Pete Coffey explained to the council for John Brave regarding the Shell Creek road. The right-of-way easement has taken part of his field and he wanted to know if he was gonne get paid for it. Matthew Mason was to check on this for John Brave at the Bureau of Indian Affairs. No Council action was taken.

WHITE SHIELD DROP-IN CTR: Floyd Hand of the Drop-in Center asked the council for monetary assistance for the center in the amount of \$19,000.00. Discussion followed on where this money would come from. Mr. Hand informed he had proposals to various funding institutions and agencies but they won't become a reality until June.

MOTION was made by Gerald White to re-program the Summer Youth program monies in the amount of \$13,500 to the White Shield Drop-in Center, SECONDED by Donald Malnourie.

REMARKS: Paul Good Iron remarked that this years Summer Youth monies have not been touched yet. Chairman Spotted Bear said perhaps the remainder of the money the drop-in center is seeking might come from the Community's Revenue Sharing funds.

VOTE: All in favor, MOTION CARRIED.

COMM. DEVELOP. BLOCK GRANT: Arnie Guimont informed that the Tribe has been invited by HUD in Denver, CO to submit a proposal for a Community Development Block Grant. Requirements by HUD in applying for this would be to have community input. No council action was taken.

GROWTH & DEVELOPMENT

BUDGET REVISION: Don Rush submitted a budget of Native American Alcohol and Drug Education program and gave a summary report of their activities. John Young explained the budget modification and asked for council approval.

MOTION was made by Matthew Mason to approve the modification of the Native American Alcohol and Drug Education budget, SECONDED by Marie Wells.

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

MARTELL & ASSOCIATES: Sonny Hair of Wagner, SD and John Weimar of Kansas City, KS. with Martell & Associates explained they wanted to enter into a joint venture agreement with the Tribal Business Council/Ft. Berthold Development Corp. to build 41 houses on the Reservation through HUD. Chairman Spotted Bear stated the Ft. Berthold Development Corp. met with Martell & Associates and they were agreeable to a joint venture. Discussion followed on the responsibilities and liabilities of such a venture. Chairman Spotted Bear read the resolution and changes were made on the resolution.

MOTION was made by Marie Wells to approve the resolution with the changes made by the Tribal Business Council, SECONDED by Pete Coffey.

REMARKS: None. VOTE: 8 in favor, 3 opposed, MOTION CARRIED (Res.#83-24-S)

DALE McGRADY: A resolution was presented authorizing Dale McGrady to seek out funds for the rehabilitation of 250 units of HUD constructed houses on the Reservation.

MOTION was made by Paul Good Iron to table until this was discussed with Ken Deane and Joe Deane.

Chairman Spotted Bear explained the discretionary funds set aside by President Reagan are to be used for HUD Homes. These monies are set aside for rehabilitation of HUD homes for which no funds presently exist and the Tribes is in a position to get some of these funds.

MOTION was made by Marie Wells to approve the resolution for 250 units appointing Dale McGrady to seek discretionary funds, Further discussion was had on the salary and other expenses that will be incurred through this. Dale McGrady said he would absorb the expenses and was asking for 1% for each unit based on \$7500 per unit.

AMENDED MOTION by Marie Wells to include in the resolution the travel payments and so forth stated in that resolution. SECONDED by Tillie Walker,

REMARKS: Dale McGrady said he preferred a contract with the Tribes.

VOTE: 10 in favor, 1 opposed, MOTION CARRIED (RES. #83-25-S)

TASK FORCE: Mike Yellow Bird informed the Human Resource Committee have directed him to develop a task force for an extended farm family residential project utilizing the Tribally-owned Foote ranch. This task force would study the feasibility of farm to rehabilitate tribal members who have various social problems.

MOTION was made by Matthew Mason to select the task force by appointing Mike Yellow Bird as chairman of the task force with, Marie Wells, James Bluestone, Ken Deane, Pete Coffey, Glen Yellow Bird, Don Rush, Jean Hand, Russell (Bud) Mason, Matthew Mason, Judy Black Hawk, Mike Cross, Luther Grinnell, SECONDED by Gerald White.

REMARKS: Marie Wells suggested that the task force may be able to get some funding through the Seneca Law Firm or Russell Mason.

VOTE: All in favor, MOTION CARRIED.

CHILD WELFARE: Mike Yellow Bird presented a resolution for the Child Welfare proposal to the Bureau of Indian Affairs to contract for 1 year beginning in 1983 in the amount of \$150,000. This was referred from the Human Resource Committee.

MOTION was made by Paul Good Iron to approve the resolution for the Child Welfare Proposal, SECONDED by Gerald White.

REMARKS: Mike Yellow Bird informed that Matthew Mason as a copy of the proposal. VOTE: All in favor, MOTION CARRIED (Res #83-26-S)

3RD PARTY INVOLVEMENT: Resolution was read pertaining to a third party involvement from the Tribal Council whenever meetings are held by the Bureau of Indian Affairs that pertain to the Ft. Berthold Reservation.

MOTION was made by Paul Good Iron to approve the resolution  
SECONDED by Pete Coffey.

REMARKS: None. VOTE: All in favor, MOTION CARRIED (Res. #83-27-S)

MANDAREE HEATING SYSTEM: Resolution was read changing the Mandaree heating system from the original request of coal conversion to a propane heating system which would have to be purchased.

MOTION was made by Tillie Walker to approve the resolution  
SECONDED by Gerald White.

REMARKS: None. VOTE: All in favor, MOTION CARRIED (Res. #83-28-S)

J. BURTON, CERT: Resolution was read requesting Jim Burton of CERT to provide technical assistance by researching and presenting a group health insurance plan or self-insurance plane and a retirement plan which will best serve the Tribes.

MOTION was made by Gerald White to approve this resolution,  
SECONDED by Donald Malnourie.

REMARKS: None. VOTE: All in favor, MOTION CARRIED (Res. #83-29-S)

LITTLE SHELL ROAD: Resolution was read classifying Project AHL-51(S) a 50% minority set-aside project by the State of ND and that the Bureau of Indian Affairs assist the Tribes in achieving this goal through negotiations. This also rescinded Resolution #83-23-S.

MOTION was made by Paul Good Iron to approve the resolution,  
SECONDED by Dennis Huber.

REMARKS: Matthew Mason informed that a meeting was be set up in Bismarck pertaining to this project. He wanted authorization for travel for himself as well as Kip Quale and Titus Hall.

VOTE: All in favor, MOTION CARRIED. (Res. #83-29-S)

MOTION was made by Paul Good Iron to authorize Matthew Mason and any other council member to attend this meeting in Bismarck with State officials, SECONDED by Gerald White.

REMARKS: Roy Bird Bear stated that Kip Quale and Titus Hall should pay for their own travel expenses. VOTE: All in favor, MOTION CARRIED.

ALBUQUERQUE, NM: Tillie Walker felt that someone should attend the meeting in Albuquerque, NM with the Bureau of Indian Affairs in regards to the Highway Improvement Act of 1982.

MOTION was made by Tillie Walker to have Paul Good Iron and Donald Malnourie attend this meeting in Albuquerque, NM, SECONDED by Gerald White.

REMARKS: Discussion followed on the planning sessions scheduled for the following week and that this was for invited officials and contracting officers only. VOTE: 3 in favor, 8 opposed, MOTION NOT CARRIED.

V. GILLETTE'S FEES: Chairman Spotted Bear read a memo from the contracting officer explaining the disallowance on Vance Gillette's request for payment and also read the resolution.

MOTION was made by Paul Good Iron to approve the resolution for payment for Vance Gillette in the amount of \$2,940.00, SECONDED by Gerald White.

REMARKS: Chairman informed Gerald White that a breakdown of this payment was given each councilman earlier.

VOTE: All in favor, MOTION CARRIED (Res. #83-31-S)

Chairman Spotted Bear explained the payment was held up mainly because of the unavailability of Vance's contract extension from March 1982. A second resolution was read.

MOTION was made by Paul Good Iron to approve the resolution for payment of \$4,740 for attorney contract for October 1, through November 3, 1982. SECONDED by Pete Coffey.

REMARKS: Discussion was had on how to pay Francis Lamabull through other funds. Dennis Huber will check into the line items for a payment from the budget, or possibly through the legal department.

VOTE: All in favor, MOTION CARRIED. (Res. #83-32-S)

2415 CLAIMS: Barbara Lindley asked if the council would approve a request for the Bureau of Indian Affairs to notify all tribal members of the 2415 claims and what is being done on this by the Natural Resource Dept. by publishing a notice in all area newspapers.

MOTION was made by Matthew Mason to have Bureau of Indian Affairs send notices to each member of the Three Affiliated Tribes to insure the membership is brought up-to-date on these 2415 land claims, SECONDED by Pete Coffey.

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

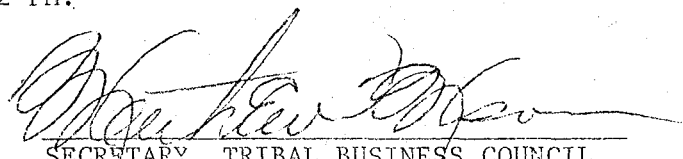
COMMUN. DEVEL./WHITE SHIELD: Gerald White said according to Resolution #82-98 it designates a certain amount to each community with White Shield having \$13,620.60 for FY '82. Resolution 82-199 is for \$25,370.60

MOTION was made by Gerald White that these monies be made available to the White Shield Community, SECONDED by Donald Malnourie.

REMARKS: These are monies that are already allocated.

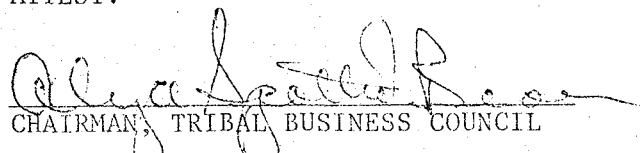
VOTE: 10 in favor, 1 not voting, MOTION CARRIED.

ADJOURNMENT: The meeting adjourned at 5:22 PM.

  
SECRETARY, TRIBAL BUSINESS COUNCIL

APPROVED: 3-18-83  
DATE

ATTEST:

  
CHAIRMAN, TRIBAL BUSINESS COUNCIL