

SPECIAL MEETING
TRIBAL BUSINESS COUNCIL
THREE AFFILIATED TRIBES

CONFERENCE ROOM
TRIBAL BUILDING
MARCH 3, 1983

PRESENT: Alyce Spotted Bear--Chairman; Roy Bird Bear, Paul Good Iron, Gerald White, Ernest Stone, Pete Coffey, Donald Malnourie, Tillie Walkter--Vice-Chairman, Marie Wells

ABSENT: Dennis Huber--Treasurer, Matthew Mason--Secretary.

OTHERS: Sister Anna Rose Ruhland, Rose Crow Flies High, Adeline Porter--BIA, Yolanda Bearstail, Clyde Bearstail, Larry Burr--BIA, Jim Bluestone, Ron Laverdure--IHS, Richard Bad Moccasin--IHS, Aberdeen, SD; Levi Bruce, Brad Hentschel, Mike Wynne, Rich Schilf, Susan Malnourie, Robert Young Bird, Melda Berget, Gertrude Y. Silletti, Buddine Stewart, Evalon Crows Heart, Ronald Little Owl, Ray Cross, Ron Hodge.

The meeting was called to order by Chairman Spotted Bear at 10:35 AM. Marie Wells was appointed Acting Secretary in Matthew Mason's absence. Roll call, quorum present. Sister Anna Rose gave an opening prayer.

NUTRITION MONTH: Sister Anna Rose gave a slide presentation on nutrition activity on the Reservation. This was to coincide with this month's nutrition month. She gave a brief history of her program and asked for continuing support from the Tribal Council. She informed that her program will have to find their own funding beginning January 1984.

LAND TRADE: Larry Burr explained the situation with Almit Breuer's proposed land purchase in Twin Buttes for which he would like to trade for some land near his resident in White Shield. Discussion followed on the location and value of the two tracts of land and the possible advantages for such a trade for the Tribe. He was requesting a preliminary approval so the paperwork could be started. MOTION was made by Roy Bird Bear to preliminarily approve the proposed land trade with the Three Affiliated Tribes, SECONDED by Gerald White. REMARKS: Roy Bird Bear explained that the Natural Resource Committee considered this but wanted to get the full council's input since the full council action can disapprove committee actions and he expressed his favor for this trade due to the pipeline which may go across this land which would put the Tribes in a better position to negotiate. Discussion was had on the location of the old highway on this land and where the pipeline might run. Also discussed was the income that could be realized off this land in Twin Buttes, and the moratorium on land sales and exchanges. Larry Burr informed that when the Tribes give preliminary approval, Mr. Breuer will not buy the property until a resolution is approved at the next council meeting, that the transactions will be done at the same time and upon approval of the resolution it will be sent to Aberdeen at the same time so they'll be done simultaneously. VOTE: 5 in favor, 3 opposed, 1 abstaining, MOTION CARRIED.

IHS REPORT: Ron Laverdure introduced himself that he is acting director at the Minne-Tohe Health Clinic until the new director is hired. Richard Bad Moccasin answered questions the Council had pertaining to the advertisement, job duties and hiring of a new service unit director. He wanted to be put on the

agenda for the April 14, Regular meeting in order for the council to interview eligible candidates and make their recommendation to the Aberdeen Area Office. Mr. Laverdure stated that upon receipt of the Health & Human Services budget, he will share this information with the committee and/or council if they desired. He reported that the clinic is operating in the red presently with most expenditures due to alcohol-related accidents and from outside referrals.

NATURAL RESOURCE: Rich Schilf introduced Brad Hentschel and Mike Wynne of Trans-Texas Oil who gave a presentation of their plans of exploration in the Twin Buttes area. They showed maps of their seismic readings and explained what prospects they had. Rich Schilf explained the situation with Williams' Exploration in regards to the location of the well pertaining to spacing since the Bureau of Land Management told them to relocate to a more flat surface. The Tribe in agreement with the State needed to approve this so Williams Exploration could obtain a State permit and this would make the well environmentally sound as well as easier to reclaim.

MOTION was made by Marie Wells to approve the exceptional location for the Williams Explorations, SECONDED by Ernest Stone.

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

The meeting recessed for lunch and reconvened at 1:40 PM.

ANA/SEDS: Resolution was read that opposed the moving of ANA/SEDS office from the Dept. of Health & Human Services to the Bureau of Indian Affairs.

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

REMARKS: Marie Wells thought that maybe NCAI should have a copy of the Resolution and told Ken Deane to express strong opposition in his cover letters to the Senators. Tillie Walker suggested that in the "Be it further" clause, that the Three Affiliated Tribes should be added. VOTE: 7 in favor, 2 not voting. MOTION CARRIED. (Res. #83-41-S)

DRAGS WOLF COMMUNITY: Rose Crow Flies High presented a request for payment on bills and said the community met and wanted their Community Development Funds and Revenue Sharing funds released to the community. Discussion was had on both funds and the procedure of payment used in the past.

MOTION was made by Tillie Walker to approve the resolution to release the balance of the 1982 Community Development Funds to the communities and that for 1983 the Community Development Funds be released only if the communities have a charter, SECONDED by Pete Coffey.

REMARKS: Gerald White suggested that this be in a resolution form. The council agreed this be drafted into a resolution for the disbursement of these funds. Chairman stated that each community will be sent a copy of the resolution and be informed that the funds are subject to an audit. VOTE: 8 in favor, 1 opposed, MOTION CARRIED (Res. #83-42-S)

HOUSING PARTICIPANTS: Chairman explained the situation with the individuals approved for a HUD home who presently are awaiting the construction of their homes. They were concerned that the joint venture between the Fort Berthold Development Corp and Martell Associates would delay the project. Chairman explained the proposed advantages of this joint venture for the tribal members. Marie Wells read a letter from Joseph Deane, Sr. Chairman reported that the joint venture agreement sent by Martell Associates was not agreeable with the Tribe so presently Ray Cross and Ron Hodge were working on the agreement.

MOTION was made by Paul Good Iron that the Housing Authority Board of governors go ahead and advertise the 41 units and that there be no more discussion on the joint venture.

Further discussion followed on the joint venture agreement and the opinions of this subject were expressed by Gertrude Silletti and Rose Crow Flies High. After expressing his opinions also, Gerald White SECONDED the motion. Susan Malnourie and Donald Malnourie expressed the same concern that the bids be let immediately since people were waiting for their homes.

Ray Cross and Ron Hodge came into the meeting at this time and explained in detail the joint venture and that this would not delay the construction because all legal processes would be completed before construction season. Also Melda Berget and Leo Cummings expressed their concerns on the housing units.

MOTION was made by Paul Good Iron that the joint venture agreement be drawn up between Ft. Berthold Development Corp. and Martell & Associates and finalized by March 10, 1983, if no agreement is in effect at that time, the project for the 41 units will go up for bid, Ron Hodges stated that it would not change the process that much by the Tribe submitting the joint venture bid but by submitting this bid, it provides more assurances that the economic benefit will remain here along with the housing benefits.

SECONDED by Gerald White. REMARKS: None.
VOTE: All in favor, MOTION CARRIED.

Paul Good Iron left at 3:22 PM.

GULF OIL: Daniel Brudsvold explained the reason Gulf Oil did not use an Indian-owned company which was that none of the Indian contractors were qualified to provide the services needed by Gulf for the inverted mud system. He explained that due to the cost of this system which if not carefully monitored by a support group could rise astronomically and through their past experience, Gulf decided to go with a professional and major mud company as IMCO. Benefits in using IMCO would be in keeping their costs down and the well would last longer. He asked for assistance and consideration from the Council on this particular well. He didn't think it was the Indian preference issue but the inability of the Indian-owned companies trying to contract for services that they were not qualified for. Marie Wells read a letter from Mary Edith Good Bear requesting the same consideration. Discussion followed on the TERO ordinances, and other issues.

MOTION was made by Marie Wells that the Tribal Business Council go on record to support Gulf's decision to contract with IMCO in that they have determined after extensive scrutiny, the three local companies are not qualified to do the work for which they propose to contract, SECONDED from Gerald White.

REMARKS: Marie Wells asked if this was in line with what Mary Edith Good Bear was requesting and it was. Gerald White stated that the Tribe was also involved in this along with Ms. Good Bear. Donald Malnourie agreed in going with Gulf's decision in hopes of attracting more drilling on the Reservation. Discussion was had on the ordinance when approved will regulate these oil companies and hopefully alleviate these types of problems. VOTE: All in favor, MOTION CARRIED.

AGING SERVICES: Roberta Crows Breast gave out copies of her FY'83 budget which begins on May 1, 1983. She requested funds from the Tribes for her Nutrition Outreach Technicians in the amount of \$53,900.00. Discussion was had on the amount requested and if she had approached the communities for assistance through their community development funds and/or Revenue sharing funds. The portion of the Judgment funds that was earmarked for Senior Citizens was also discussed. Ms. Crows Breast informed that without this local match, their program will not be refunded.

MOTION was made by Marie Wells to use the 10% portion of her Judgment funds which is for senior citizens as a preliminary match so as to let Aging Services submit their proposal but to take the issue to the Senior Citizens in the communities for their suggestions before distribution.

SECONDED by Gerald White. REMARKS: None. VOTE: All in favor, MOTION CARRIED.

COMMODITIES: Mike Yellow Bird explained that he needed to amend the commodity program to include Trenton area if the council approves. This request is because Trenton is not a reservation and in order for the Dept. of Agriculture to service them, they have to be near an area of service. He explained there will not be liabilities or costs to the Three Affiliated Tribes; however, if approved, this will allow Trenton to have a commodity program.

MOTION was made by Pete Coffey to approve this request to let Trenton use our name for commodity services, SECONDED by Donald Malnourie. REMARKS: None. VOTE: All in favor, MOTION CARRIED.

TRIBAL BUDGET: Resolution was presented on the proposed budget for the Tribal Business Council. In the absence of the Treasurer, it was suggested that this be tabled until the next meeting.

MOTION was made by Tillie Walker to table until the Regular meeting, SECONDED by Marie Wells. REMARKS: None. VOTE: All in favor, MOTION CARRIED.

F. LAMEBULL: Chairman explained that this was the resolution that was tabled earlier due to some unanswered questions as to who hired Francis Lamebull. Since then, Kip Quale, from the Legal department shed some light on the subject and the resolution needed council approval to pay Mr. Lamebull the \$990.00.

MOTION was made by Marie Wells to approve the resolution for payment to Francis Lamebull, SECONDED by Gerald White. REMARKS: None. VOTE: All in favor, MOTION CARRIED (Res. #83-43-S)

C. HOBBS: A resolution was read to pay Charles Hobb's for legal services in the amount of \$9,342.52 for the months of October, November and December 1982.

MOTION was made by Gerald White to approve the resolution, SECONDED by Donald Malnourie. REMARKS: Pete Coffey asked if this came out of a line item in the budget and he was told it was. VOTE: All in favor, MOTION CARRIED. (Res. #83-44-S)

J. BINGEN: A resolution was presented that pertained to the enrollment of Josie Lynn Bingen. This was a special enrollment requested by Abigail Fox due to emergency legal problems.

MOTION was made by Marie Wells to approve the resolution pending the live birth certificate from the State of ND, SECONDED by Donald Malnourie. REMARKS: None. VOTE: 6 in favor, 2 abstaining, MOTION CARRIED (Res.#83-45-S)

TRIBAL COURT: Two resolutions were submitted by Tribal Court that were included in their proposal which pertained to alcohol-related accidents. It was suggested and decided to table these two resolutions until the next meeting.

L & I YOUNG BEAR: Louella Young Bear talked to the council regarding her home that needed renovation and that she did apply for assistance under Material Resource. It was explained to Ms. Young Bear that her and Ivan are being considered as first priority. Ivan Young Bear asked for a cash loan for a family venture in timber cutting. This loan would be to purchase items for business use. The council suggested that Mr. Young Bear meet with the credit committee.

HSG. AUTHORITY: Lavonne Bruce met with the council and asked if the council had ever passed or planned to pass a resolution to the effect that the Housing Authority cannot evict families during the winter months and that January and February are winter months. It was confirmed that there is a resolution to this

effect passed in the early 1970s and that Bobby Bell would located it and send a copy to Housing Authority so it could be forwarded to HUD.

MARK FOX: A letter was read from Mark Fox requesting a scholarship in the amount of \$1,613 or a loan or any type of financial aide. His aim in school is toward the medical field. He is presently at University of North Dakota.

MOTION was made by Marie Wells that the Tribal Business Council give Mark Fox \$1,613 from the scholarship account from the Tribal account to be reimbursed by the scholarship account under Plan B and that this be in the form of a resolution, SECONDED by Donald Malnourie.

REMARKS: Gerald White suggested the Tribal Council research to see if Mark Fox qualifies under the other scholarship plan. This would be a loan pending scholarship monies available to him.

VOTE: All in favor, MOTION CARRIED (Res. #83-46-S)

P. WHITE BEAR: Pauline White Bear presented a bill for medical expenses incurred in the amount of \$912.55 that the IHS clinic did not pay. It was decided that the Chairman call the Director of Minne-Tohe and direct them to pay this amount.

HEAVY EQUIP: Arnie Guimont explained the trade in machinery for machinery as far as the drilling rig that the Tribe has not been able to use. It was decided that Arnie Guimont will be put on the agenda for the next council meeting and will present a written agreement.

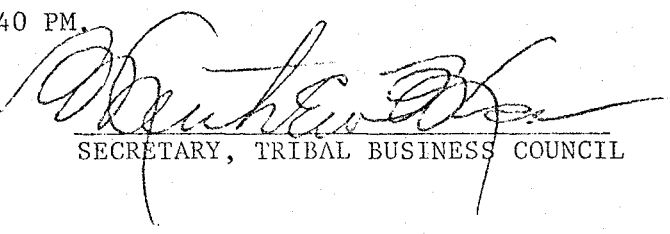
SUPERINTENDENT/BIA: The four candidates for the Superintendent position for Fort Berthold Agency were Leo Brockie, Jr., John Buffalo Horn, Ron Fisher, and George Kellar. Chairman asked the council who they wanted to go with. MOTION was made Marie Wells to approve for Leo Brockie, Jr.

SECONDED by Pete Coffey. REMARKS: None.

VOTE: 6 in favor, 2 abstaining, MOTION CARRIED.

PIERRE IND. SCH: Donald Malnourie reported that it came up in the Human Resource meeting from a concerned person in Pierre Indian School that they are requesting a person in the field of education to sit on their school board. After discussion, it was decided that a letter should be written from Pierre requesting this appointment. No council action was taken at this time.

ADJOURNMENT: The meeting adjourned at 5:40 PM.


SECRETARY, TRIBAL BUSINESS COUNCIL

APPROVED: Apr. 18, 1983
DATE

ATTEST:


CHAIRMAN, TRIBAL BUSINESS COUNCIL