

SPECIAL MEETING  
THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL

CONFERENCE ROOM  
TRIBAL CHAMBERS  
SEPTEMBER 1, 1983

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

ABSENT: None.

OTHERS: Vietnam Veterans: Virgil Chase, Daryl Hall, Dennis Conklin; Lewis Gwin, Connie Fox, Tribal Finance; Chris Quale, Tribal Attorney; Amy Henry, Tribal Personnel; Titus Hall, TERO Director; Ella James, Headstart; Sharon Poitra, Alfreda Good Bird, Head Start; Mike Yellow Bird, Human Resource Administrator; Don Rush, Growth & Development; John Monroe, Montana Indian Targeted Jobs Demonstration Project; Robert Bell, Tribal Staff Assistant; Rich Schilf, Tribal Geologists; Ray Cross, Tribal Attorney; Norma Staples, LIHEAP; Arnie Guimont, Material Resource Administrator; Mike Cross, DEED; Joe Deane, CDBG Coordinator; Clyde Brady, Sargeant-at-arms; Linda Little Soldier, Recording Secretary.

CALL TO ORDER (Item No. 1)

The meeting was called to order by Chairman Spotted Bear at 10:35 AM.

ROLL CALL (Item No. 2)

Roll call, quorum present.

ITEM NO. 3 LEWIS GWIN RE: HEAD START POSITION

Lewis Gwin addressed the Council in regards to a position he had applied for in Head Start and was questioning the procedures used by the Tribe and the Head Start Parent Policy Committee, who do the selection for the positions. Discussion followed and the Council referred the issue to the Human Resource Committee make recommendations to Parent Policy Committee.

ITEM NO. 4 MONTANA INDIAN TARGETED JOBS DEMONSTRATION PROJECT, INC.

John Monroe, of Montana Indian Targeted Jobs Demonstration Project, Inc., addressed the Council, for consideration, of an agreement that would allow his non-tribally affiliated corporation to work with TERO Directors in 6 States (including ND) to take on some of the burden of the TERO Director stationed in that particular TERO office as a Compliance Officer on a one-on-one matched budget with that particular tribe. The Projects basic objective is to work with small Indian businesses on Reservations that have gas and oil activity. Titus Hall informed that his budget would not be able to match the Project's monies until October 1, 1983 when the new funding period is in effect. No Council action taken.

ITEM NO. 5 REQUEST BY VIETNAM VETERANS FOR A PLACE TO HOLD MEETINGS

MOTION NO. 1 - Motion was made by Tillie Walker that the Vietnam Veterans be allowed to use the Lobby of the Tribal Administration Building for organizing for a period of one month, SECONDED by Donald Malnourie. VOTE: 9 in favor, 1 opposed, MOTION CARRIED.

ITEM NO. 6 T.A.T. RE-CONTRACT FOR COMMODITIES

MOTION NO. 2 - Motion was made by Gerald White to approve the resolution that the Tribes desires to recontract with the State Department of Public Instruction, U.S. Dept. of Agriculture for continued program operation and that the Tribes be granted \$88,502.00, SECONDED by Donald Malnourie. VOTE: 10 in favor, MOTION CARRIED (Res. #83-211-S)

ITEM NO. 7 HOUSING REQUEST FROM G. CONKO FOR HER FAMILY

MOTION NO. 3 - Motion was made by Tillie Walker that the Tribal Council ask the Housing Authority treat the case of Gilma Conko and her sisters request for housing in Mandaree as an emergency situation, SECONDED by Gerald White. VOTE: 10 in favor, MOTION CARRIED.

ITEM NO. 8 GROWTH & DEVELOPMENT BUDGET MODIFICATION

MOTION NO. 4 - Motion was made by Gerald White to approve the budget modification for the Growth & Development program, SECONDED by Pete Coffey. VOTE: 10 in favor, MOTION CARRIED.

ITEM NO. 9 RECESS & RECONVENEMENT

The Council recessed for lunch at 12:05 PM and reconvened at 1:18 PM.

ITEM NO. 10 PAYMENT OF FOUR BEARS DEBTS

Paul Good Iron joined the meeting at 1:25 PM.

A resolution was read that would approve the payment of outstanding bills to various vendors from 1980 to 1982. Discussion followed on the bills and Connie Fox was asked to check further into some of the bills since the Council thought some might have been paid already and to return the findings to their Regular Council meeting.

ITEM NO. 11 PAYMENT OF CLOSED PROGRAM DEBTS

MOTION NO. 5 - Motion was made by Ernest Stone to approve the resolution that the Tribal Business Council approves payment of the prior years obligations from different programs and to be charged against the line item provided, SECONDED by Gerald White. REMARKS: Gerald White asked Connie Fox to check on the 1982 CDBG debt since they just closed out 1981 budget. and that this expense may be charged against 1982 budget. Connie Fox said she would make a follow-up report on the bills. VOTE: 6 in favor, 1 abstaining, 4 opposed (record shows that Marie Wells opposed), MOTION CARRIED (Res. #83-212-S)

ITEM NO. 12 EXECUTION & FILING OF THE LIHEAP FY 1984 APPLICATION

MOTION NO. 6 - Motion was made by Tillie Walker to approve the resolution that authorizes the execution and filing of the LIHEAP FY 1984 application and authorizes the Tribal Business Council to enter into an agreement with the State of North Dakota to implement the Low Income Home Energy Assistance Plan, SECONDED by Donald Malnourie. VOTE: 11 in favor, MOTION CARRIED (Res. #83-213-S)

ITEM NO. 13 REPORT ON CASES BY RAY CROSS

Ray Cross reported that the U.S. Bureau of Land Management has signed off on the oil and gas agreement which basically gives Tribal input into gas & oil activity on the Reservation. On water rights, the project has been funded at the phase 1 level and handed out a draft plan, he proposed that the final draft would be ready for council review in 3 weeks. On 2415 claims, he reported that Natural Resource Dept. and the Legal Dept. are trying to complete the old age assistance. He reported that they are also drafting proposed legislation on secretarial transfers and working with the field solicitors office and the central solicitors office in D.C. on a resolution on forced fees.

Mr. Cross reported that they will be working with the new Indian Child Welfare Department on a social service plan and a workshop will be given at the Four Bears Motor Lodge which will enable professional staff to better protect the Indian child on and off the Reservation. He reported that they have drafted a plan for insertion of tribal control over the federal reservoir on Lake Sakakawea which will be available for council review soon. Mr. Cross reported that Rich Schilf is working on an air quality and environmental project. With constitutional revisions and jurisdictional issues, Mr. Cross suggested the Legal Dept. will provide a blue print should the Tribal Council request it. Also a plan could be provided for the re-districting issues and for streamlining the council administration as far as on how matters are administered.

Employment practices of ANG as far as enrolled members was discussed. on Legislative advocacy, he suggested a liaison position be established between the Tribe, State, State legislature, and Federal agencies that affect the Tribe. He reported that on the two pending cases regarding the per capita garnishment, which will be heard at the 8th circuit court of appeals, he felt the outcome will be favorable.

ITEM NO. 14 SOUTHWEST PIPELINE PROJECT

MOTION NO. 7 - Motion was made by Dennis Huber to approve the resolution that approves the conveyance of a right-of-way and easement to the State Water Commission for the construction of the Southwest Pipeline and further authorizes the Chairman of the Tribal Business Council to review, approve, and execute any such documentation on behalf of the Three Affiliated Tribes, SECONDED by Ernest Stone. REMARKS: Paul Good Iron commented that with a large project such as this, the entire Tribal Council should sign off on the easements at a special meeting. Ray Cross informed that there was a September 15, deadline to be met and he understood the Council may not meet again before then and this would basically authorize the Chairman who will be available to sign. Mr. Cross also informed Mr. Mason that the deadline

was set for the engineers because they have a certain amount of time to make decisions about these alternative sites. Marie Wells asked for a roll call vote. ROLL CALL VOTE: Marie Wells - No; Tillie Walker - No; Donald Malnourie - No; Pete Coffey - yes; Ernest Stone - yes; Gerald White - yes; Paul Good Iron - yes; Roy Bird Bear - yes; Dennis Huber - yes; Matthew Mason - yes; Alyce Spotted Bear - yes; 8 in favor, 3 opposed, MOTION CARRIED (Res. #83-214-S)

ITEM NO. 15 PAYMENT OF ATTORNEY FEES FROM WATER RIGHTS CONTRACT

MOTION NO. 8 - Motion was made by Paul Good Iron to approve the resolution that the Tribal Council request the BIA to approve the payment of Ray Cross time out of the funds appropriated under Contract #A00C14201333, up to the amount defined in the contract and Chairman Spotted Bear is authorized to direct a letter to the BIA requesting such payment from appropriated funds be allowed to be paid to Mr. Cross, SECONDED by Gerald White. REMARKS: In answer to some questions, Mr. Cross remarked that this would only be for 1/2 time on the water rights and that other attorneys may be paid out of this contract as they are called on to assist. VOTE: 9 in favor, 2 abstaining, MOTION CARRIED (Res. #83-215-S)

ITEM NO. 16 LAND EXCHANGE BETWEEN ARMY CORP OF ENGINEERS & CLIFFORD MOSSETT FAMILY

MOTION NO. 9 - Motion was made by Dennis Huber to approve the resolution that the Tribal Council approves the proposed land exchange between the Army Corps of Engineers and the Clifford Mossett family, whereby the Clifford Mossett family proposes to transfer to the Corp of Engineers its interest in following tracts of land, exclusive of its interest in any and all minerals: Allot # 1809, 1809, 2233, 1959, 1959, and 2236-A, SECONDED by Marie Wells. VOTE: 11 in favor, MOTION CARRIED (Res. #83-216-S)

ITEM NO. 17 PAYMENT OF JOHN HOLM FEES

MOTION NO. 10 - Motion was made by Gerald White to approve the resolution that approves payment of \$17.82 to be paid to John O. Holm for expenses and services through August 25, 1983, SECONDED by Dennis Huber. VOTE: 11 in favor, MOTION CARRIED (Res. #83-217-S)

ITEM NO. 18 KENNY FREEMAN'S FUNKIE FIX-IT SHOP APPLICATION FOR INDIAN AFFAIRS INDIAN DEVELOPMENT FUND

MOTION NO. 11 - Motion was made by Matthew Mason to approve the resolution that the Three Affiliated Tribes supports and recommends for approval FREEMAN'S FUNKIE FIX-IT SHOP in their efforts to secure assistance from the Indian Development Fund, SECONDED by Tillie Walker. VOTE: 11 in favor, MOTION CARRIED (Res. #83-218-S)

ITEM NO. 19 APPROVAL TO SPEND FY '81 CDBG MONIES

MOTION NO. 12 - Motion was made by Ernest Stone to give approval to Material Resource to work with R. Keplin, of BIA Roads, to finish the paving project thereby spending the 1981 CDBG monies, SECONDED by Gerald White. VOTE: 10 in favor, 1 not voting, MOTION CARRIED.

ITEM NO. 20 REMOVAL OF TRIBAL TREASURER

MOTION NO. 13 - Motion was made by Roy Bird Bear to disapprove the resolution that amends Resolution 82-1-S deleting Dennis Huber's name as Treasurer and that the Tribal Business Council select from its own members a replacement Treasurer, SECONDED by Pete Coffey. VOTE: 5 in favor, 6 opposed, MOTION DEFEATED.

MOTION NO. 14 - Motion was made by Paul Good Iron to approve the resolution that amends Resolution 82-1-S deleting Dennis Huber's name as Treasurer and that the Tribal Business Council select from its own members a replacement Treasurer, SECONDED by Gerald White. REMARKS: Roy Bird Bear remarked that when another individual was removed before, the procedure involved more than one meeting, hearings were involved with the final procedure being a resolution for removal, in all taking more than 1 meeting. He continued that Huber would have a right to appeal also, and there could be some legal ramifications. Marie Wells said this is to remove from a position, not from the council. Mr. Huber asked what does the Constitution say, as "for a cause"? There was no response. Matthew Mason commented that at a general public meeting, the public was blaming the council for allowing this to happen. In response to Pete Coffey's question of what did he do that was radically wrong, Dennis Huber explained that this took place the day he chaired a meeting and based on the assumption that Emerson Chase and his travel will be approved, a travel advance request was submitted to Finance. The checks were issued, Mr. Huber received his and Emerson Chase did not pick up his check. Upon disapproval of the trip, Mr. Huber returned the travel advance. Tillie Walker commented on one meeting where she made a motion that the Treasurer examine the whole issue and come back to the Tribal Council with his recommendation as to how to deal with a payment. Later Ms. Walker learned that a payment had been made and that she felt this was a real disregard to the Governing body. Discussion followed on the interpretation of that motion in that since it was referred to the Treasurer, Mr. Huber understood that the intent was to make payment upon availability of funds; therefore, making the payments to the individuals. Further discussion followed on the reason for removal. VOTE: 6 in favor, 1 abstaining, 4 opposed, MOTION CARRIED.

Nominations were opened for a new Treasurer: Gerald White nominated Paul Good Iron. Matthew Mason nominated Dennis Huber.

MOTION NO. 15 - Motion was made by Tillie Walker that nominations cease, SECONDED by Donald Malnourie. VOTE: (by secret ballot) Paul Good Iron - 6 votes, Dennis Huber - 5 votes. (Res. #83-219-S)

ITEM NO. 21 TRAINING PROPOSAL SUBMITTED TO GOVERNOR'S EMPLOYMENT & TRAINING FORUM

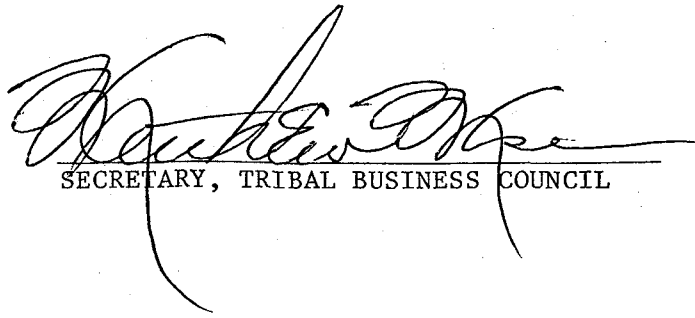
MOTION NO. 16 - Motion was made by Gerald White to approve the resolution that the Tribal Business Council recommends a Modern Micro-Computer and Word Processor training program proposal to the Governor's Employment and Training Forum, SECONDED by Ernest Stone. VOTE: 11 in favor, MOTION CARRIED. (Res. #83-220-S)

SPECIAL MEETING  
PAGE 6  
SEPTEMBER 1, 1983

ITEM NO. 22 ADJOURNMENT

The meeting adjourned at 3:52 PM.

DATE APPROVED: 2-9-84

  
SECRETARY, TRIBAL BUSINESS COUNCIL

ATTEST:

  
CHAIRMAN, TRIBAL BUSINESS COUNCIL