

REGULAR MEETING
TRIBAL BUSINESS COUNCIL
THREE AFFILIATED TRIBES

TRIBAL COUNCIL CHAMBERS
TRIBAL BUILDING
MAY 10, 1984

PRESENT: ALYCE SPOTTED BEAR, CHAIRMAN; TILLIE WALKER, VICE CHAIRWOMAN; PAUL GOODIRON, TREASURER; ROY BIRD BEAR, PETE COFFEY, DONALD MALNOURIE, ERNEST STONE, MARIE WELLS, GERALD WHITE

ABSENT : MATTHEW MASON, SECRETARY; DENNIS HUBER

OTHERS : TOM SCHOPPERT, ATTORNEY-AT-LAW; DIANE JOHNSON, TRIBAL COURT ADMINISTRATOR; DR. DENNIS FOX, GRANT ASSISTANT DIRECTOR FROM OFFICE OF INDIAN EDUCATION PROGRAMS; DR. ANGELITA FELIX, AGENCY SUPERINTENDENT OF EDUCATION; JAMES FOOTE, CHR DIRECTOR; ADELINE PORTER, BIA REALTY SPECIALIST; BARB BAKER, NATURAL RESOURCE DEPT.; ALFREDA GOOD BIRD, HEADSTART DIRECTOR; MIKE CROSS, DEED DIRECTOR; DON RUSH, GROWTH & DEVELOPMENT DIRECTOR; KIP QUALE, TRIBAL ATTORNEY; MIKE YELLOW BIRD, HUMAN RESOURCE DEPT, ADMINISTRATOR; ANTHONY HALE, JEAN HALE, MABEL STANDISH, HILLARD HOWARD, MANFRED ESTES, GRETA WHITE CALFE, CARRIE BRADY, DELORES STARR, ANNA WHITE, RONNIE STARR, ROXANNE STARR, SHIRLEY WHITE, BOBBY BELL, ROSE CROW FLIES HIGH, TITUS HALL, DION WHITE BEAR, TED LONE FIGHT, III, LAVERNE BRADY, ED GRINNELL, VINCENT HUNTS ALONG, JR., BOB WHITE, BERNARD MANDAN, ED BRACKLIN, SARGEANT-AT-ARMS; RACHEL GRADY, RECORDING SECRETARY

ITEM 1 CALL TO ORDER

Chairman Spotted Bear called the meeting to order at 1:20 p.m.

ITEM 2 ROLL CALL

In the absence of Secretary Mason, Paul Goodiron called roll; quorum present. (8 present at this time)

ITEM 3 OFFICE OF INDIAN EDUCATION PROGRAMS

Dr. Dennis Fox and Dr. Angelita Felix wer present at meeting to inform the Council members of Dr. Fox's new position as Grant Assistant Director of North and East area Agencies Superintendent of Education from the Office of Indian Education Programs, which includes the Aberdeen Area and Alaska agencies. He said they have been visiting various schools on this reservation since he has been here for a few days. He said in his new position, he will be doing more field work, visiting various reservations, etc. At the present time, since there is no director for the agencies in the South and West, he was assigned responsible for those areas also, so he is dealing with all agencies now. Discussion followed on Agency School Boards, and he answered questions the Council members had on the subject.

ITEM 4 LAND SALE - DEFERRED PAYMENTS

Motion No. 1 - Marie Wells moved, seconded by Pete Coffey to have the Tribal Council give Nancy Fox, Merele Jean Good Bear and Maynard Good Bear a letter indicating that they will be receiving a payment from the Tribe in the fall, probably October, from their land sale with the Tribe, so they can borrow from a lending agency. Nine (9) in favor, motion carried.

ITEM 5 TRIBAL JUDGE

Tom Schoppert, counselor for Anthony Hale, said his client is requesting to have all 11 members of the Tribal Council present when the matter of Chief Tribal Judge is taken up, and he indicated there are two (2) absent today.

Motion No. 2 - Tillie Walker moved, seconded Ernest Stone to have all 11 members of the Tribal Business Council present when the matter of Chief Tribal Judge is taken up. Remarks: the matter will be placed on the next full Council meeting's agenda. Eight (8) in favor, one (1) opposed, motion carried.

ITEM 6 RETURN TO TRUST STATUS

Motion No. 3 - Gerald White moved, seconded by Pete Coffey for approval of resolution regarding the approval of Herbert and Madelyn White Owl's request to return to trust a plot of ground their house is on in New Town, ND. Eight (8) in favor, one (1) abstained, motion carried.
Reso. #84-127-S

Motion No. 4 - Tillie Walker moved, seconded by Marie Wells for a resolution to be passed and sent to Marietta Shulstad, directing her to investigate the lands that the Tribe has requested to be placed back into trust status, both individual and tribal, and to investigate on back taxes. Nine (9) in favor, motion carried. Reso. #84-128-S

ITEM 7 LAND SALE

Chairman Spotted Bear informed the Council members that Alfred Morsette, Sr. had some land he wanted to sell to the Tribe along with two other people, and the sale went through, but Mr. Morsette changed his mind and wanted to give the land to his son, Alfred Morsette, Jr. He requested the Council to take care of this as soon possible. She said Joyce Standish had land sale approved for over \$5,000, and because of cancellation, this makes \$1,800 available to pay Joyce Standish on a partial payment. Mrs. Standish is afraid of losing her trailer home, so she needs the money.

Motion No. 5 - Tillie Walker moved, seconded by Pete Ceffey to pay Joyce Standish \$1,800 for a partial payment for her land sale to the Tribe, with funds made available by Alfred Morsette, Sr.'s cancellation of land sale. Nine (9) in favor, motion carried.

ITEM 8 LEASE OF TRIBAL LAND - 68A and 100A

Greta White Calfe was present at meeting and said she found out that two pieces of land Frank White Calfe put a lease application in for were given to somebody else. She said he released some land but retained those two tracts, 100A and 68A. Chairman Spotted Bear said this came before the Natural Resource Committee about three different times, and when John Danks and BIA Realty staff came over with lease applications, they said Frank White Calfe told Manny Morsette he was giving up his leases, so they were available for lease now. Ambrose Hosie, Gerard Hosie and Betty Heuser were interested in leasing them, so the Natural Resource Committee approved leases for them. After the meeting, when the leases were approved, Mr. White Calfe came in and said he still wanted 68A, and he was told what transpired. Then the matter came up in a Natural Resource Committee and was referred to the full Council. Greta said she went to see Ambrose Hosie at his office and asked him if he had leased it, and he said no. So she went to his dad, and he also said no.

Motion No. 6 - Tillie Walker moved, seconded by Gerald White to refer action taken by the Natural Resource Committee on 68A and 100A to the Bureau's Realty office and to have them return and recognize valid leases for Frank White Calfe, immediately. Nine (9) in favor, motion carried.

ITEM 9 WATER DEVELOPMENT CONTRACT

Motion No. 7 - Paul Goodiron moved, seconded by Marie Wells for approval of resolution regarding the Tribe approving the Natural Resource Department's proposal for P.L. 93-638 contract for water development. Eight (8) in favor, one (1) not voting, motion carried. Reso. #84-129-S

ITEM 10 FmHA LOAN APPLICATION

Motion No. 8 - Paul Goodiron moved, seconded by Roy Bird Bear for approval of resolution regarding the Tribe submitting application for a loan in the amount of \$1,000,000 to Farmers Home Administration to expand its land purchase and exchange program. Eight (8) in favor, one (1) abstained, motion carried. Reso. #84-130-S

ITEM 11 ALCOHOL AWARENESS WEEK

Don Rush was present at meeting to inform Council members of all the activities that will be taking place during Alcohol Awareness Week, May 14 -18, 1984, and there were no funds available for his request for financial assistance.

ITEM 12 REQUEST FOR FINANCIAL ASSISTANCE

Motion No. 9 - Marie Wells moved, seconded by Paul Goodiron that the

Tribal Business Council supports the efforts of Leonika Charging in Olympics of the Mind Competition on problem solving and creative thinking to be held in Akron, Ohio on May 28 to June 1, 1984 and request North Segment Community to assist her financially. Seven (7) in favor, two (2) not voting, motion carried.

Gerald White left meeting at 3:22 p.m.

ITEM 13 TAKEN AREA

Motion No. 10 - Paul Goodiron moved, seconded by Roy Bird Bear for approval of resolution rescinding Resolution #80-113, which declares that tribal lands within one (1) mile of the Corps of Engineers Taken Area are reserved as key tracts and are not available for exchange, and this resolution reduces it to one-fourth ($\frac{1}{4}$) of a mile. Four (4) in favor, four (4) opposed, motion defeated. Referred back to Natural Resource Committee

ITEM 14 SAVE THE CHILDREN PROGRAM

Motion No. 11 - Donald Malnourie moved, seconded by Marie Wells for approval of resolution regarding the Tribe authorizing the development of Save the Children Program on Ft. Berthold Reservation, and to have Tillie Walker and Marie Wells serve as coordinators for the program. Seven (7) in favor, two (2) not voting, motion carried. Reso. #84-131-S

ITEM 15 TRIBAL ELECTION ORDINANCE

Motion No. 12 - Tillie Walker moved, seconded by Donald Malnourie to authorize Kip Quale to revise the Tribal Election Ordinance Seven (7) in favor, two (2) not voting, motion carried.

ITEM 16 TRAVEL AUTHORIZATION

Motion No. 13 - Paul Goodiron moved, seconded by Donald Malnourie to authorize travel for any Council member who will be attending a meeting in Bismarck, ND on transfer of letter of credit, on May 15-17, 1984. Eight (8) in favor, one (1) not voting, motion carried.

ITEM 17 6TH ANNUAL HEALTH CONFERENCE

Motion No. 14 - Donald Malnourie moved, seconded by Marie Wells to authorize travel for Tillie Walker to attend 6th Annual Health Conference in Reno, Nevada on June 4-7, 1984. Eight (8) in favor, one (1) not voting, motion carried.

ITEM 18 MINUTES

Motion No. 15 - Marie Wells moved, seconded by Donald Malnourie for approval of Material Resource Committee minutes held on February 15, 1984; April 11, 1984; April 25, 1984 and May 2, 1984, with noted corrections. Eight (8) in favor, one (1) not voting, motion carried.

Motion No. 16 - Paul Goodiron moved, seconded by Donald Malnourie for approval of Judicial Committee minutes held on February 8, 1984. Eight (8) in favor, one (1) not voting, motion carried.

Motion No. 17 - Paul Goodiron moved, seconded by Pete Coffey for approval of Human Resource Committee minutes held on April 24, 1984 and May 1, 1984. Eight (8) in favor, one (1) not voting, motion carried.

Motion No. 18 - Marie Wells moved, seconded by Paul Goodiron for approval of Special Meeting minutes held on March 29, 1984, with noted corrections. Eight (8) in favor, one (1) not voting, motion carried.

ITEM 19 CHILD WELFARE BUDGET - DOCKET 647

Motion No. 19 - Paul Goodiron moved, seconded by Marie Wells to approve budget for Child Welfare, and to have Human Resource Committee make final determination as to whether or not to have indirect cost on unexpended portion. Eight (8) in favor, one (1) not voting, motion carried. Reso. #84-132-S

ITEM 20 GREAT PLAINS GASIFICATION

Motion No. 20 - Paul Goodiron moved, seconded by Roy Bird Bear to approve resolution regarding the Tribes approving the proposed Tribal/BIA strategy to (1) to continue to negotiate with Great Plains Gasification Associates to achieve a minimum of ten percent (10%) employment ratio of tribal members at this plant site; (2) to contact appropriate Federal officials in regards to this unsatisfactory rate of employment of tribal members; and (3) to file appropriate documentation with the appropriate Fedreal agencies if the desired tribal goals are not achieved. Eight (8) in favor, one (1) not voting, motion carried. Reso. #84-133-S

ITEM 21 ADJOURNMENT

The meeting adjourned at 4:45 p.m.


SECRETARY, TRIBAL BUSINESS COUNCIL

ATTEST


CHAIRMAN, TRIBAL BUSINESS COUNCIL

7-19-84
DATE APPROVED