

REGULAR MEETING
TRIBAL BUSINESS COUNCIL
THREE AFFILIATED TRIBES

TRIBAL COUNCIL CHAMBERS
TRIBAL BUILDING
JUNE 14-19, 1984

PRESENT: ALYCE SPOTTED BEAR, CHAIRMAN; TILLIE WALKER, VICE CHAIRWOMAN; MATTHEW MASON, SECRETARY; NATHAN P. GOODIRON, TREASURER; ROY BIRD BEAR, PETE COFFEY, DENNIS HUBER, DON MALNOURIE, ERNEST STONE, MARIE WELLS, GERALD WHITE

ABSENT : NONE

OTHERS : DON KELLAR, FT. BERTHOLD HOUSING AUTHORITY; RAY CROSS, TRIBAL ATTORNEY; CATHERINE HARMON, VIRGIL WILKINSON, STEVEN FRANCIS, TRIBAL COMPTROLLER POSITION APPLICANTS; DICK BAD MOCCASIN, ALLEN ALLERY, IHS-ABERDEEN AREA; HATTIE WALKER, ACTING SERVICE UNIT DIRECTOR; DON RUSH, GROWTH & DEVELOPMENT DIRECTOR; KIP QUALE, TRIBAL ATTORNEY; AMY HENRY, PERSONNEL DIRECTOR; ORSER, OLSON & ST. PETER, AUDITORS; JOHN FOX, ACTING COMPTROLLER; MURIEL RICEHILL, HAZEL BLAKE, DONNIE DICKENS, DIXIE KRUEGER, TRIBAL FINANCE OFFICE; LEVI BRUCE, THEODORE VIGEN, BEULAH CHAPIN, PHOEBE DIXON, BOB BELL, ROSE CROW FLIES HIGH, CATHERINE ROSARIO, ED BRACKLIN, SERGEANT-AT-ARMS; RACHEL GRADY, RECORDING SECRETARY

ITEM 1 CALL TO ORDER

Chairman Spotted Bear called the meeting to order at 9:25 a.m.

ITEM 2 ROLL CALL

Secretary Mason called roll; quorum present. (Seven present at this time.)

ITEM 3 MINUTES

Motion No. 1 - Matt Mason moved, seconded by Gerald White for approval of Natural Resource Committee minutes held on March 12, 1984; April 9, 1984 and May 18, 1984. Five (5) in favor, two (2) not voting, motion carried.

Motion No. 2 - Don Malnourie moved, seconded by Gerald White for approval of Human Resource Committee minutes held on May 10, 1984. Five (5) in favor, two (2) abstained, motion carried.

Motion No. 3 - Don Malnourie moved, seconded by Paul Goodiron for approval of Material Resource Committee minutes held on May 30, 1984. Five (5) in favor, one (1) abstained, one (1) not voting, motion carried.

ITEM 4 TRIBAL CHIEF JUDGE

Motion No. 4 - Gerald White moved, seconded by Don Malnourie to have a special meeting on Tuesday, June 19, 1984, starting at 1:00 p.m. to take up the matter of Tribal Chief Judge. Seven (7) in favor, motion carried.

Dennis Huber here at 9:35 a.m. (Eight present now.)

ITEM 5 TREASURER'S REPORT

Treasurer Goodiron gave a report on expenditures and remaining balances of all programs under Tribal Council T/2 budget for the period ending May 31, 1984.

Pete Coffey here at 9:45 a.m. (Nine present now.)

Discussion followed on an audit performed by Inspector General on BIA Realty Department. The Bureau will not release information on audit to the Tribe even though they are the ones that requested the audit. The Council decided to get audit report through the Congressional people.

Mr. Goodiron reported there were \$735,000 worth of business at this time for the Business Development Fund, so the Credit Committee needs to meet in the near future so go over applications.

Motion No. 5 - Gerald White moved, seconded by Don Malnourie to accept the Treasurer's report. Nine (9) in favor, motion carried.

ITEM 6 SERVICE UNIT DIRECTOR POSITION AT MINNE-TOHE HEALTH CENTER

Allen Allery and Dick Bad Moccasin were present at meeting to discuss with the Council the candidates who are eligible for the Service Unit Director position at the Public Health Clinic. Mr. Bad Moccasin said there were five eligible Indian candidates.

Ernest Stone arrived at 10:25 a.m. (Ten present now.)

Motion No. 6 - Gerald White moved, seconded by Don Malnourie to interview the tribal members who are eligible for the service unit director position: Wilbur Spotted Wolf, Fred Baker, Reba Walker and James Foote. Ten (10) in favor, motion carried.

Fred Baker will be contacted by Mr. Bad Moccasin to see if he can be here on Tuesday, June 19, 1984 at 2:00 p.m., and if he can, that will be the day the Council will interview the candidates.

Discussion followed on the Waxman's Amendments, and the Council decided to have a resolution approved by Tuesday, June 19, 1984, stating that the Tribes oppose the Waxman's amendments and present it at the National Tribal Chairmen's Association meeting.

ITEM 7 CHILD SUPPORT ENFORCEMENT PROGRAM

Motion No. 7 - Tillie Walker moved, seconded by Paul Goodiron to approve resolution regarding the creation and implementation of a Fort Berthold

Child Support Enforcement plan through a cooperative agreement between the respective social service boards of the counties of Dunn, McKenzie, Mountrail, McLean and Mercer and the Three Affiliated Tribes. Ten (10) in favor, motion carried. Reso. #84-147-S

ITEM 8 FORT BERTHOLD HOUSING AUTHORITY - NEW REGULATIONS

Don Kellar was present at meeting to discuss and go over new regulations regarding Housing Authority's rental units and mutual self-help units. He said rent will not increase too much for low income people, but for the higher income bracket, it will be substantial amounts, and any income from trust will be considered including the first \$2,000 of per capita shares received from judgement funds.

Roy Bird Bear here at 11:15 a.m. (Eleven present now.)

The Council requested Don Kellar to rough draft a resolution to be acted on on June 19, 1984 during Special meeting, expressing the Tribes' concerns about the new regulations, so the Council members, who are going to Washington, D.C. for a hearing on the Mineral Restoration Bill on June 21, 1984, can take the resolution to the Congressional people.

ITEM 9 COMPTROLLER POSITION FOR TRIBAL FINANCE OFFICE

The Council interviewed the applicants for the comptroller position: Catherine Harmon, Virgil Wilkinson, Steven Francis and John Fox, Jr.

Motion No. 8 - Paul Goodiron moved, seconded by Gerald White to vote by secret ballot, and the person receiving the highest number of votes will be selected for the comptroller position. Eleven (11) in favor, motion carried.

Vote: John Fox, Jr., three and Steven Francis, eight votes. Mr. Francis was selected for the comptroller position.

Motion No. 9 - Dennis Huber moved, seconded by Gerald White to have the Executive Committee to negotiate for Mr. Francis's salary. Nine (9) in favor, two (2) abstained, motion carried.

ITEM 10 RECESS

The meeting recessed at 1:40 p.m. to be continued on Tuesday, June 19, 1984 at 10:00 a.m.

ITEM 11 RECONVENEMENT ON JULY 19, 1984

The Regular Meeting reconvened at 1:30 p.m. with Treasurer Goodiron acting as Chairman, in the absence of Chairman Spotted Bear, and calling the meeting to order.

ITEM 12 ROLL CALL

Secretary Mason called roll and the following Council members were present at this time: Matthew Mason, Secretary; Nathan P. Goodiron, Treasurer; Roy Bird Bear, Pete Coffey, Donald Malnourie, Ernest Stone and Gerald White. (seven present.) Others present were: Wade White Body, Titus Hall, Theodore Vigen, Leroy Young Bird, Marlene Young Bird, Trilby Deserly, Louie Gwin, Manfred Estes, Rose Crow Flies High, Levi Bruce, Catherine Rosario, May Coffey, John Danks, Gertrude Sillitti, Bob Bell, Tom Schoppert, Anthony Hale, Jean Hale, Mike Yellow Bird, Austin Gillette, Danile Henry, Shirley Myrick, Valerie Baker, Inez Baker, Wilbur Spotted Wolf, John Charging, Fred Baker, Reba Walker, Delores Packineau, Jake Good Bear, Adie Porter, Kip Quale, Tex Lone Bear, Ted Bolman, Bernie Fox, Marcus Wells, Jr., Lisa Redford, Melinda Malnourie, Leonard Yellow Face, Flora Goodall, Vera Bracklin, Don Kellar, Ann Irwin, Claryssa Mandan, Al McKay, Dick Bad Moccasin, Allen Allery, Ed Bracklin, Sergeant-At-Arms; Rachel Grady, Recording Secretary, Austin Gillette

Dennis Huber here at 1:40 p.m. (Eight present now.)

ITEM 13 TRIBAL CHIEF JUDGE

Motion No. 10 - Ernest Stone moved, seconded by Dennis Huber to have the Tribal Council act on resolution referred to the full Council from the Judiciary Committee with recommendation for the termination of Anthony Hale as Chief Judge based on findings and conclusions submitted by the special hearing officer. Eight (8) in favor, motion carried.

Motion No. 11 - Gerald White moved, seconded by Don Malnourie to approve resolution for the removal of Anthony Hale as Chief Judge. Roll call vote: Huber, no; Bird Bear, no; Goodiron, yes; White, yes; Stone, no; Coffey, yes; Malnourie, yes and Mason, no. Four (4) in favor, four (4) opposed, motion defeated.

The matter of Chief Judge was referred to the next full Council meeting.

ITEM 14 INTERVIEW OF CANDIDATES FOR THE SERVICE UNIT DIRECTOR POSITION

Dick Bad Moccasin and Allen Allery were at the meeting and informed the Council that there were four (4) candidates who were tribal members that are eligible for the service unit director position at the Minnetohe Health Center, who are to be interviewed this afternoon. The following persons were interviewed: Wilbur Spotted Wolf, Fred Baker, Reba Walker and James Foote.

Alyce Spotted Bear and Tillie Walker entered the meeting at 2:42 p.m. (ten present now.)

Motion No. 12 - Paul Goodiron moved, seconded by Gerald White to

vote by secret ballot and to vote again for the two persons receiving the highest number of votes. Four (4) in favor, four (4) opposed, two (2) not voting, motion defeated.

Motion No. 13 - Paul Goodiron moved, seconded by Pete Coffey to vote by secret ballot and the person receiving the highest number of votes will be the person selected by the Tribal Business Council and to be recommended to IHS-Aberdeen, SD. Eight (8) in favor, two (2) abstained, motion carried.

VOTE: Reba Walker, five (5) votes, Fred Baker, one (1) vote, Wilbur Spotted Wolf, one (1) vote and James Foote, three (3) votes.

ITEM 15 PHOEBE DIXON LAND EXCHANGE

Shirley Myrick was present at meeting to find out if the Council had a land exchange with Phoebe Dixon on the tract of land she has lease on. After a lengthy discussion, the Council requested Kip Quale to contact Housing Authority to cease construction at homesite until the matter is resolved. Phoebe Dixon got a homesite lease on a tract of land that Shirley Myrick has had lease on for several years. Now a well has been dug, electric line put in and basement is being dug. The Council decided to refer this matter back to the Natural Resource Committee to see if Phoebe Dixon will accept an alternate site.

ITEM 16 LEGAL DEPARTMENT

Motion No. 14 - Paul Goodiron moved, seconded by Don Malnourie for approval of resolution regarding a release agreement between the Tribes and McKenzie Electric pertaining to the delivery of electricity to the Four Bears Motor Lodge. Ten (10) in favor, motion carried. Reso. #84-148-S

Motion No. 15 - Pete Coffey moved, seconded by Ernest Stone for approval of resolution regarding a new proposed agreement between the Tribes and McKenzie Electric for the delivery of electric power for the Four Bears Motor Lodge. Eight (8) in favor, two (2) opposed, motion carried. Reso. #84-149-S

ITEM 17 LIHEAP OVERPAYMENTS

Motion No. 16 - Gerald White moved, seconded by Tillie Walker for approval of resolution regarding 1981 overpayments in the Low Income Home Energy Assistance Program (LIHEAP) in the amount of \$3,764.00, made payable to the Department of Health and Human Services. Ten (10) in favor, motion carried. Reso. #84-150-S

ITEM 18 TRIBAL OIL & GAS LEASE SALES ADVERTISEMENT

Motion No. 17 - Gerald White moved, seconded by Don Malnourie for approval of resolution regarding the BIA to prepare an advertisement

of a competitive oil and gas lease sale, offering all of the unleased Indian owned oil and gas minerals on the reservation, with the advertisement being published at least 60 days prior to the date of sale. Ten (10) in favor, motion carried. Reso. #84-151-S

ITEM 19 AHEAD OF THE HERD

A resolution presented by Ahead of the Herd, to have the bakery building, its present quarters, rent free for their operation, was tabled for more information.

ITEM 20 STANTON COMMUNITY ACTION GROUP RE KNIFE RIVER INDIAN VILLAGES

Motion No. 18 - Gerald White moved, seconded by Paul Goodiron for approval of a resolution regarding the Tribes supporting the Stanton Community Action Group in their efforts to secure additional funding for a visitors center complex at Knife River Indian Villages National Historic Site at Stanton, ND, and to have Congressional officials seek adequate construction funding for this project in 1985. Nine (9) in favor, one (1) abstained, motion carried. Reso. #84-152-S

ITEM 21 COTTAGE SITE LOTS

Discussion followed on letter and maps from Jacquilynn Bratz, Omaha District, Corps of Engineers, regarding 15 cottage lots available in White Earth and Little Knife site areas, which the Corps of Engineers wants to advertise for sale and are requesting the Tribes' concurrence. After discussion, the Council decided to have research done before any action is taken.

ITEM 22 CONSULTANTS

Motion No. 19 - Tillie Walker moved, seconded by Paul Goodiron for approval of resolution regarding an addendum to the Tribes' Personnel Policies and Procedures pertaining to consultant work. Ten (10) in favor, motion carried. Reso. #84-153-S

ITEM 23 TRAINING SEMINAR

Motion No. 20 - Paul Goodiron moved, seconded by Don Malnourie for approval of a Comprehensive Planning/Management Team Proposal for an 18-hour Tribal Government Training Seminar for Tribal Administration and Tribal Business Council members, tentatively scheduled for June 27-29, 1984. Seven (7) in favor, one (1) opposed, two (2) abstained, motion carried. Reso. #84-154-S

ITEM 24 TITLE IV-B PROPOSAL FOR INDIAN CHILD WELFARE PROGRAM

Motion No. 21 - Gerald White moved, seconded by Don Malnourie for approval of the Tribes requesting that the Title IV-B Proposal be

approved and requesting that Child Welfare Services Grants provide these funds for the Indian Child Welfare Program. Ten (10) in favor, motion carried. Reso. #84-155-S

ITEM 25 WEST RIVER TRADING POST LIQUOR LICENSE RENEWAL

Motion No. 22 - Gerald White moved, seconded by Dennis Huber for approval of a liquor license renewal for the West River Trading Post. Five (5) in favor, five (5) opposed, motion defeated.

ITEM 26 KNIFE RIVER INDIAN VILLAGES HISTORIC SITE

Motion No. 23 - Gerald White moved, seconded by Pete Coffey for approval of resolution regarding the Tribes formally approving entry into an agreement with the National Park Service for construction of a visitors center complex at the Knife River Indian Villages Historic Site on "Site B". The Agreement provides for the removal and reinterment of any remains of human burial discovered in the area designated as Site B, in accordance with appropriate religious practices of the Tribes and with specific guidance from the Tribes. Nine (9) in favor, one (1) abstained, motion carried. Reso. #84-156-S

ITEM 27 LIMITED PARTNERSHIP PROVISIONS

Motion No. 24 - Gerald White moved, seconded by Don Malnourie for approval of adoption of the provisions entitled "Limited Partnership", for business ventures by tribal members, which shall be designated as subchapter 3 of Chapter 17 of the Code of Laws of the Three Affiliated Tribes. Seven (7) in favor, three (3) abstained, motion carried. Reso. #84-157-S

ITEM 28 SATROM TRAVEL AGENCY

Motion No. 25 - Gerald White moved, seconded by Don Malnourie for approval of the Tribes retaining Satrom Travel Agency as the official travel agency for the Tribes, with further resolve that the Bureau of Indian Affairs, Indian Health Service, Federal Agency's School Systems and tribal departments utilize Satrom Travel Agency. Eight (8) in favor, two (2) abstained, motion carried. Reso. #84-158-S

ITEM 29 SOLDIER'S HOME

Motion No. 26 - Gerald White moved, seconded by Pete Coffey to have consideration be given to the possibility of converting the John Moses Regional Air Force Hospital into a soldier's home, at the request of the Elmer Bear-Joseph Young Hawk Post #253, and to have the North Dakota Congressional members and the Governor notified of this request. Ten (10) in favor, motion carried. Reso. #84-159-S

ITEM 30 DEMOCRATIC CONVENTION

Motion No. 27 - Gerald White moved, seconded by Don Malnourie for approval of the Tribal Council sponsoring Austin Gillette, a delegate, to the National Democratic Convention being held on July 15-19, 1984, in San Francisco, CA, including airfare and per diem. Four (4) in favor, three (3) opposed, three (3) abstained, motion carried.
Reso. #84-160-S

ITEM 31 REQUEST FOR FINANCIAL ASSISTANCE

Leonard Yellow Face, selected as an exchange student to Paris, France, was present at the meeting to request for financial assistance. Chairman Spotted Bear said the Tribal Office staff will hold a fundraising for him, because there were no funds available. Matthew Mason and Tillie Walker each donated \$20.00 to him.

ITEM 32 MINERAL RESTORATION BILL

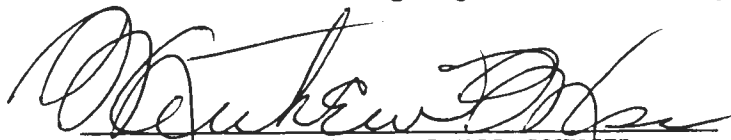
Motion No. 28 - Gerald White moved, seconded by Matthew Mason to authorize travel for Carl Whitman to accompany the Tribal Council members who are going to Washington, D. C. for the Mineral Restoration Bill hearing, on June 21, 1984. Eight (8) in favor, two (2) abstained, motion carried.

ITEM 33 LETTER FROM TOM SCHOPPERT

Mr. Quale reported that he received a letter from Tom Schoppert, legal counsel for Anthony Hale, addressed to the Chairman, stating that he had advised his client to report to work as Chief Judge as of Tuesday, June 19, 1984, 3:00 p.m, because a motion was made to remove Mr. Hale from the Chief Judge position and defeated by a tie vote of four in favor and four opposed. The Council said since there was a tie vote, the matter will be taken up again.

ITEM 34 ADJOURNMENT

The meeting adjourned at 6:48 p.m.


SECRETARY, TRIBAL BUSINESS COUNCIL

7-26-84
DATE APPROVED

ATTEST:


CHAIRMAN, TRIBAL BUSINESS COUNCIL