

TRIBAL BUSINESS COUNCIL  
THREE AFFILIATED TRIBES  
TRIBAL COUNCIL CHAMBERS

SPECIAL MEETING  
APRIL 25, 1991

PRESENT: WILBUR WILKINSON, CHAIRMAN: JOHN JACK RABBITHEAD, SECRETARY: ROGER BIRD BEAR, TREASURER: THEODORE LONE FIGHT, III, JAMES MOSSETT & AUSTIN GILLETTE, COUNCIL MEMBERS

ABSENT : TITUS HALL, VICE-CHAIRMAN

OTHERS : DOREEN YELLOW BIRD, PETE COFFEY, JR. & TONY LONE FIGHT, KMHA RADIO STATION: DIANE JOHNSON, LEGAL DEPARTMENT: DON MORGAN, HARLEY LONE BEAR, NATURAL RESOURCES DEPARTMENT: SHAWN FREDERICKS, MANDAREE ELECTRONICS: FELICIA FELIX, MUNICIPAL, RURAL & INDUSTRIAL; CHERYL WHITE, PERSONNEL; IVAN JOHNSON, CINDY PACKINEAU, RON RABBITHEAD, DOROTHY RABBITHEAD, V. RACHEL GRADY, RECORDING SECRETARY

ITEM 1 CALL TO ORDER:

Chairman Wilkinson called the meeting to order at 10:46 a.m.

ITEM 2 ROLL CALL:

Secretary Rabbithead called roll; quorum present with six (6) members present.

ITEM 3 EQUIPMENT OF KMHA RADIO STATION IN COUNCIL MEETINGS:

Chairman Wilkinson entertained a motion requiring KMHA staff to request in writing, prior to a Council meeting, authorization to bring in recording equipment into a Council meeting, and until that time is granted, the equipment will be prohibited from the Council meeting. Moved by Secretary Rabbithead, seconded by Treasurer Bird Bear. VOTE: Four (4) in favor, two (2) opposed, motion carried.

ITEM 4 KEITH FREDERICKS FAMILY:

Councilman Mossett moved to authorize \$1,600.00 from the Donation Line Item into the Wake Fund to help the Keith Fredricks family. Seconded by Councilman Gillette. VOTE: Three (3) in favor, three (3) opposed, Motion died on a split vote.

Councilman Gillette moved to authorize \$1,000.00 to be made available to the Keith Fredericks family. to be taken from the Donation Line Item into the Wake Fund, plus the loans which have already been made. Seconded by Councilman Mossett. VOTE: All (6) in favor, motion carried.

ITEM 5 WHITE SHIELD COMPLEX:

Councilman Gillette said the Ralph Wells Complex building is in need of a roof repair, approximately \$20,000. An appraisal is being done

LCM Corporation, so when that is completed, Councilman Gillette will present at a Council meeting, which should be by next month.

**ITEM 6**      **KMHA RADIO STATION:**

Councilman Gillette moved to authorize release of KMHA Radio Station's remaining balance of Docket 350 G monies. Seconded by Councilman Lone Fight.

Chairman Wilkinson inquired about the financial report that was to be submitted by KMHA. It was reported that the financial report was given to Dennis Burr. Dennis Burr is on leave at the present time, so Chairman Wilkinson said he will check with him when he returns. So if the motion passes and Mr. Burr has the report, the arrangements will be made.

VOTE: All (6) in favor, motion carried.

**ITEM 7**      **LCM CORPORATION:**

Secretary Rabbithead moved for approval of resolution of the Tribal Council appointing Chairman Wilkinson, Secretary Rabbithead, Treasurer Bird Bear and Councilman Gillette as interim Board of Directors for Lumber, Construction and Manufacturing Corporation, until such time a permanent Board of Directors is appointed. Seconded by Councilman Mossett. VOTE: Five (5) in favor, one (1) opposed, motion carried.  
**Resolution No. 91-93-JJR**

**ITEM 8**      **COMMUNITY DEVELOPMENT FUNDS:**

Councilman Rabbithead moved for approval of resolution authorizing the Docket 350 - C & D Community Development Funds for FY 1991 to be divided equally between the six segments, which is in the amount of \$12,464.24. Prior to receiving funds, each community shall submit all financial records for prior year expenditures, along with a request for the funds, accompanied by an operation plan. Seconded by Councilman Mossett. VOTE: Three (3) in favor, two (2) opposed, one (1) not voting, motion carried.  
**Resolution No. 91-94-JJR**

**ITEM 9**      **KENNETH FREDERICKS, JR.:**

Councilman Mossett moved for approval of resolution regarding the purchase of land from Kenneth Fredericks, Jr. for a cash consideration of \$3,750.00. Seconded by Councilman Lone Fight.

The purchase is needed for the Lake Intakes Project. Reverting the property back to the Tribes was discussed, and also the possibility of using funds in the project and obtaining supplementary funds when needed.

VOTE: Four (4) in favor, one (1) opposed, Chairman not voting,

Motion carried. Resolution No. 91-95-JJR

**ITEM 10**      LAND EXCHANGE - NORMA WOLF:

Councilman Rabbithead moved for approval of resolution regarding a land exchange between Norma Wolf and the Three Affiliated Tribes, with the Tribe paying the difference of \$6,500.00 to Mrs. Wolf, with a request for partitionment of the land. Seconded by Treasurer Bird Bear. VOTE: Five (5) in favor, one (1) not voting, motion carried. Resolution No. 91-96-JJR

**ITEM 11**      ALLOCATION OF GRAZING PRIVILEGES:

Chairman Wilkinson entertained a motion to allocate Units 105 and 22 to Ivan Johnson, contingent upon Mr. Ron Brugh failing to meet the deadline of April 26, 1991 with payment. Moved by Councilman Gillette, Seconded by Councilman Lone Fight. VOTE: All (6) in favor, motion carried.

**ITEM 12**      NATIVE AMERICAN FISH & WILDLIFE SOCIETY:

Councilman Lone Fight moved for approval of resolution with the Tribes' support of a \$385,603.00 proposal in the Native American Fish & Wildlife Society's Inter-Tribal Bison Cooperative to enhance the Three Tribe's Buffalo Project. Seconded by Councilman Mossett. VOTE: Five (5) in favor, one (1) not voting, motion carried. Resolution No. 91-97-JJR

Don Morgan, Director of Natural Resource Department, had two more items to present, but after discussion, it was decided to table until Mr. Morgan has a chance to look into the information mentioned.

**ITEM 13**      MUNICIPAL, RURAL & INDUSTRIAL:

Councilman Lone Fight moved for approval of resolution amending Resolution No. 91-35 - TL, whereby the Tribe approves HKM, Consultant, to proceed with bidding activities on the Lake Intakes for Four Bears and White Shield areas; and further to provide clarification on any and all questions relative to the project designs and specifications as requested by the Tribe. Seconded by Councilman Mossett. VOTE: Five (5) in favor, one (1) not voting, motion carried. Resolution No. 91-98-JJR

**ITEM 14**      VETERANS:

Councilman Mossett said assistance is needed from the Tribe to develop demographics for the veterans on the Fort Berthold Reservation in regards to establishing a Veterans Service office. Chairman Wilkinson said the Council discussed getting \$1,000.00 from each community to use for matching funds. Councilman Gillette said the Tribe should

match the funds too.

Chairman Wilkinson entertained a motion to employ Ron Rabbithead, a veteran, for 60 days to collect demographics on all the veterans on the Reservation to support the proposal that will be submitted for the establishment of a Veterans Service office.

Moved by Councilman Lone Fight, seconded by Councilman Gillette.  
VOTE: All (6) in favor, motion carried.

**ITEM 15**      **TAT PENSION PLAN:**

Cheryl White, Personnel Director, submitted to the Council for review and request for signature, a request for Amendment to Group Annuity Contract #IG 5744, with Massachusetts Mutual Life Insurance Company, which requests IG Contract be converted to a SuperFlex Contract, effective May 1, 1991. This includes a payment of \$2,400.00 for bookkeeping/record keeping, which Steven Francis used to do.

Moved for approval by Councilman Gillette to approve the Personnel Director's request, seconded Councilman Lone Fight. VOTE: Five (5) in favor, one (1) opposed, motion carried.

Chairman Wilkinson entertained a motion to require all tribal programs, schools and other entities to participate in the retirement program, providing they're willing to join. Moved by Secretary Rabbithead, seconded by Councilman Gillette. VOTE: All (6) in favor, motion carried.

**ITEM 16**      **DIANE JOHNSON, LEGAL DEPARTMENT:**

Diane Johnson asked the Council what their priorities were that she should be working on. She was asked to work on constitutional revision by the previous Council, but when it got close to election time, they decided to leave it up to the new Council.

Councilman Mossett moved to direct Diane Johnson to solicit comments from tribal members regarding Separation of Powers and Code of Conduct for elected Tribal Council members. She is to give the preliminary document to the Council for approval within 30 days. She is, then, to solicit comments and report the findings to the Council. They will decide to either pursue the matter or not. Seconded by Secretary Rabbithead. VOTE: four (4) in favor, one (1) opposed, one (1) not voting, motion carried.

**ITEM 17**      **BIA ROADS DEPARTMENT:**

Councilman Gillette moved to authorize Councilman Mossett to finalize negotiations for the contracting of the Roads Department, with all necessary language. Seconded by Councilman Lone Fight. VOTE: Four (4) in favor, one (1) not voting, motion carried.

Councilman Gillette moved to amend resolution #90-33-TL, the contracting of the Roads Department. Seconded by Councilman Lone Fight. VOTE: Four (4) in favor, two (2) not voting, motion carried.

**ITEM 18**     **MANDAREE ELECTRONICS:**

Shawn Fredericks of Mandaree Electronics is requesting for SBA 8(a) certification application checklist: a statement from Tribal Finance of tribal assets, copy of tribal government documents such as constitution bylaws, list of tribal enterprises or affiliates and documents to show the Tribe is economically disadvantaged status and other pertinent information. Also needed is a "sue and be used" clause.

Councilman Lone Fight moved to authorize Shawn Fredericks to get the information and documents he is requesting for Mandaree Electronics. Seconded by Councilman Gillette. VOTE: Four (4) in favor, two (2) not voting, motion carried.

**ITEM 19**     **ADJOURNMENT:**

The meeting adjourned at 12:57 p.m.

*approved*

John J. Rabbithead Jr.  
Secretary, Tribal Business Council

7/19/91  
Date

**ATTEST:**

Walker D. Wilbur  
Chairman, Tribal Business Council

7/19/91  
Date