

THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
TRIBAL CHAMBERS

Regular Council Meeting
May 9, 1991

PRESENT: Wilbur D. Wilkinson, Chairman; Titus Hall, Vice Chairman; John J. Rabbithead, Jr., Secretary; Roger Bird Bear, Treasurer; Austin Gillette, Theodore Lone Fight, III Councilmember and LaVerne Brady, Recording Secretary.

ABSENT: Jim Mossett, Councilmember arrived at 10:44.

OTHERS: Tom Miller, Manager of McKenzie Electric; Donald Link, Board Chairman, McKenzie Electric; Robert Dippold, Manager, McLean Electric; Gerald Oberg, Board Chairman, McLean Electric; Dale Haugen, Manager, Mountrail/Williams Electric; Dorvan Solberg, Mountrail/Williams Electric; Clayton Hoffman, Manager, Oliver/Mercer Electric; Louis Witte, Consolidated Telephone; Gene Sloan, Reservation Telephone; Bob Barfield, West River Telephone; Albert Grosz, Claudie Abel, Ken Littlefield, Electric and Telephone Company Representatives; Michael Lindblom; KMOT TV; Tom Ross, KMOT TV; Pete Coffey, Jr., KMHA Media; Doreen Yellow Bird, KMHA Media, Tom Needham, Joe Walker; Tax Commissioners; Diane Johnson, Legal Attorney; Manual Chase, Morgan Fettig, Mark Fox, John Charging, Tribal Members; Matthew Mason, Alcoholism Director; Hazel Blake, Tribal Health Director and Carolyn Danks, Growth & Development Coordinator.

ITEM 01: CALL TO ORDER:
Meeting called to order at 10:17 AM.

ITEM 02: ROLL CALL:
Roll called by Secretary Rabbithead. Quorum established. Prayer by Hazel Blake.

ITEM 03: ELECTRIC COOPERATIVES, INCORPORATED:
Letter from Co-ops read by Secretary Rabbithead.

Dennis Hill, Executive Vice President and General Manager of the ND Association of Rural Electric Cooperatives introduced himself. He stated the Utilities have been identified here today are members of the State Association.

The Co-ops requested granting of an exemption to member owned Cooperative Utilities from the Tribal Tax Code and they wished to be considered as non-profit making but are there to provide essential services. They also wan-

COOPERATIVES (CON'T):

ted the Council to consider what incentive/disincentive a tax of this type would provide to future economic development on the reservation.

Councilman Gillette stated that the State does tax the Co-ops. In turn, we pay the tax, so in effect, the State is taxing us, so in part, we want a part of those tax dollars.

Attorney Johnson stated there is a legal issue. That tax is assessed on the tribal issues and there isn't a co-op on this reservation that has come before the Council and has gotten a legal authorization from this Council to have you tax the tribal members.

Chairman Wilkinson stated these are the kinds of issues we need to work out as best as possible so everyone has a full understanding of how it is suppose to work.

Discussion was on the rate of Indian employment and upcoming scheduled workshops.

Chairman Wilkinson asked what the impact would be if the taxes applied or had not applied? The pro's and con's. Response was there is no information available yet.

Ms. Diane Johnson, Legal Attorney, Mr. Tom Needham and Mr. Joe Walker, Tax Commissioners will schedule a follow up meeting with the Cooperatives. Co-ops left at 10:47.

ITEM 04: 1989 AUDIT AND STATUS REPORT:
Report and audit presented by Comptroller, Marcus Wells. These need final approval.

Councilman Hall made a motion to approve Audit and Report, seconded by Councilman Rabbithead.

Vote: 4 for, 1 Opposed. Motion Carried.

ITEM 05: TRIBAL MEMBER REQUEST:
Emmanuel Chase, Mandaree Area Rancher presented his request for reconsideration for a range land allocation. He is increasing his herd and the land he had put in his bid for was already given to someone else before he got a chance to submit his allocation.

Councilman Lone Fight was directed to work with Manual Chase to acquire some range land.

ITEM 06: TRIBAL MEMBER REQUEST:

Morgan Fettig, Rancher from the Mandaree Area presented his request for reconsideration on range land allocations also. He stated that he had come before the previous Council numerous times but had not got anything done.

Discussion on 10% ownership/90% subleasing and community meetings to be set up to discuss these issues.

Councilman Lone Fight was directed to work with Morgan Fettig on this request.

ITEM 07: MEMORANDUM OF AGREEMENT:

Agreement read by Secretary Rabbithead. This is a MOA between IHS and TAT for services to the Housing Improvement Program.

Councilman Lone Fight made a motion to approve, seconded by Councilman Hall.

Discussion: There were some questions as to how much money involved, HIP, on #'s 3, 4, 11 and 12.

Councilman Lone Fight and Hall withdrew their motions. Dennis Burr is to arrange a meeting with IHS and keep Councilman Bird Bear and Councilman Mossett posted on any meetings and have something ready to be presented at the next Council meeting.

ITEM 08: ENROLLMENT:

Secretary Rabbithead presented enrollment on Jennifer Morin. She meets the blood quantum criteria.

Discussion on procedure for enrollment.

Councilman Rabbithead made a motion to approve enrollment, seconded by Councilman Hall.

Vote: 4 for, 0 opposed, 2 not voting. Motion Carried.

ITEM 09: METHOD OF ENROLLMENT:

Councilman Gillette made a motion to use the enrollment method as handled by the Clerk, Edith McNamara at BIA, seconded by Councilman Hall.

Vote: 7 for, 0 opposed. Motion Carried.

ITEM 10: DONATION REQUEST FOR POWWOW:

Secretary Rabbithead presented a letter from Phyllis

POWWOW REQUEST (CON'T):

Wilcox of the ND State Penitentiary in Bismarck requesting for financial assistance for their annual powow on June 8.

Councilman Bird Bear made a motion to table this request seconded by Councilman Hall.

Vote: 5 for, 1 opposed, 1 not voting. Motion Carried.

- ITEM 11: FINANCIAL ASSISTANCE REQUEST BY TRIBAL MEMBER:
Dennis Burr, CEO presented a request from Monica Mayer to purchase specialized medical equipment.

Discussion was on use of 3% carryover judgement plan funds. Questioned if INMED, JTPA or IHS could buy some of this equipment. Dorreen Yellow Bird stated that she was on the INMED Board and medical expenses are tremendous. Funds from INMED come from IHS and are already earmarked. Treasurer Bird Bear stated if there isn't enough resources for these Indian Students, the Secretary of Interior should be apprised of this.

Councilman Bird Bear made a motion to approve request of \$1,513.00, seconded by Councilman Lone Fight provided the Tribal Treasurer look into the possibility of getting reimbursed.

It was brought up that the field clinics need the same type of equipment and to research all future requests. There could be just so much assistance for each student.

Councilman Bird Bear and Councilman Lone Fight amended their motions to include all field clinics.

Vote: 4 for, 2 opposed, 1 not voting. Motion Carried.

- ITEM 12: TRIBAL MEMBER FINANCIAL REQUEST:
Secretary Rabbithead presented letter from El Marie Conklin. She plans to attend a post graduate course program in St. Paul MN. Mr. Burr explained that this course will enable her to pass her ND bar. Mr. Burr was advised to start visiting the financial Aids offices, Education office and churches to see if these other resources can help, although we fully support educating our youth. He was questioned if he explored the possibility of obtaining funds from the Helen Gough Scholarship and if the Education Director was contacted to see if funds are available. He was directed to check all other resources before bringing in these requests.

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ITEM 13: CLOSED SESSION:
Media and other people on the agenda dismissed at 12:00.
Noon. Doors opened at 12:11 PM. \$1500 grant/\$1000 loan.

ITEM 14: SACRED EAGLE INDIAN CLUB:
Financial Assistance request presented by Mr. Burr that
Barbara Smith is asking the Tribal Business Council for
help to defray expenses for the "All Indian Pow-wow" in
Howes SD on May 22 and 23, 1991.

Councilman Lone Fight made a motion to approve. Motion
failed due to lack of a second.

ITEM 15: PROGRAM BUDGETS:
Hazel Blake presented budget on Tribal Health.
Matthew Mason presented budget on Alcoholism.

They were all approved and signed off by Finance Comp-
troller, Marcus Wells.

Councilman Bird Bear made a motion to approve the
budgets as submitted, seconded by Councilman Hall.

Vote: 7 for, 0 opposed. Motion Carried.

Discussion: Letter to be prepared to recover Indirect
cost by Alcoholism Director for Chairman's signature.

ITEM 16: TWIN BUTTES COMMUNITY CENTER:
Proposal and letter presented by Secretary Rabbithead
It was explained by Councilman Mossett that the building
is nearly completed and this is how much is needed for
completion.

Discussion on access to office furniture and allocation
for each segment.

Councilman Gillette made a motion to provide \$4,000
as a matching grant for the flooring, seconded by
Councilman Hall.

Vote: 7 for, 0 opposed. Motion Carried.

ITEM 17: RESOLUTION/PHYSICIAN RECRUITMENT: #91-100.
This resolution was presented by Chairman Wilkinson and
Mr. Burr which would permits the Tribe to select physi-
cians.

PHYSICIAN RECRUITMENT (CON'T):

Councilman Rabbithead made a motion to approve the resolution, seconded by Councilman Hall.

Vote: 7 for, 0 opposed. Motion Carried.

- ITEM 18: RESOLUTION/VETERAN'S SUBMITTAL OF APPLICATION: #91-99.
This resolution was presented by Secretary Rabbithead which would authorize submittal of an application.

Councilman Mossett made a motion to approve this resolution, seconded by Councilman Rabbithead.

Vote: 7 for, 0 opposed. Motion Carried.

- ITEM 19: RESOLUTION/HOUSING AUTHORITY: #91-101.
This resolution was presented by Secretary Rabbithead for support of application for planning funds for FY'91 Indian Housing.

Discussion: Wording needs to be changed on Roads.

Councilman Lone Fight made a motion to approve Resolution, seconded by Councilman Rabbithead.

Vote: 7 for, 0 opposed. Motion Carried.

- ITEM 20: RESOLUTION/BIA TRUST FUND: #91-102.
This resolution was presented by Councilman Bird Bear. It is support for an adhoc advisory committee.

Discussion: RPM change to RFP.

Councilman Rabbithead made a motion to approve fund resolution, seconded by Councilman Hall.

Vote: 7 for, 0 opposed. Motion Carried.

- ITEM 21: SCOUT CEMETARY FLAG POLE LIGHT REQUEST:
Councilman Gillette stated he did some research on the Flag pole light and came up with a solar light installation that would be less than the amount requested prior to.

Councilman Gillette made a motion to approve \$700.00 payable to Delores White, Chairman of Ladies Auxiliary for a solar light to be installed at the Scout Cemetary, seconded by Councilman Mossett.

Vote: 5 for, 0 opposed. Motion Carried.

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ITEM 22: VEHICLE REQUESTS:

Councilman Gillette presented request from the fire fighting crews to secure vehicles for transporting. These crews are from the reservation and are headed by Felix Young Bird and David Charging.

A possibility is the Natural Resources vehicles.

ITEM 23: ARIKARA TRIBE REBURIAL:

Councilman Gillette requested that the Tribe pay for mileage for three tribal members going to Pierre SD for reburial ceremonies.

Councilman Gillette made a motion to approve to pay mileage to the following: Sybert Yellow Bear, Russell Gillette and Willard Yellow Bird, second by Councilman Lone Fight.

Vote: 7 for, 0 opposed. Motion Carried.

ITEM 24: TRIBAL MEMBERS REQUEST:

Darren Myrick and Virgil Eagle wish to make an Oil & Gas lease loan.

Councilman Gillette made a motion to approve loans, provided they are eligible, seconded by Councilman Mossett.

Vote: 7 for, 0 opposed. Motion Carried.

ITEM 25: M, R, & I:

Engineers Meeting at 3:00 PM-5/101/91

ITEM 26: AIDS:

Carolyn Danks presented AIDS issue request. She had contacted Video Productions on this controversial issue for cultural awareness. She is asking for support from the Tribal Business Council for a three year project.

ITEM 27: COMMUNITIES GARDEN PROJECT:

Carolyn was making the Council aware of the seeds that were available through the Dakota Leaders Project. She will make them available for the Segment Representatives to take back to their communities. Also she was looking for a site for the North Segment Community Garden and a spot by the North Segment Community Hall was specified.

ITEM 28: NATIONAL TEEN FINALIST:

Carolyn presented a request on behalf of Dianne Standish who will be a participant in the Teen Pageant. Carolyn stated any financial assistance will be appreciated.

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- ITEM 29: YOUTH TRIP TO MEXICO:
Carolyn informed the Council that she will be chaperoning a youth group to Mexico. A grant would be appreciated from the Council. This will be presented to Human Resources Committee.
- ITEM 30: LETTER OF ACKNOWLEDGEMENT:
Councilman Gillette stated that a letter of thanks and congratulations should be sent to Anita Baird and Linda Gonazales for the Desert Storm Salute. Dennis to prepare a letter for the Chairman's signature.
- ITEM 31: TEEN FINALIST REQUEST:
Councilman Lone made a motion to approve financial assistance to Dianne Standish in the amount of \$200.00, seconded by Councilman Bird Bear.
- Vote: 7 for, 0 opposed. Motion Carried.
- ITEM 32: GAMING COMMISSION NOMINATION:
Councilman Bird Bear made a motion to appoint Wayne Hunter and Matthew Foolish Bear to the Gaming Commission positions vacated by the resignations of Delphine Baker and Mr. Bird Bear, himself, seconded by Councilman Lone Fight.
- Vote: 3 for, 4 opposed. Motion dies.
- ITEM 33: ADJOURNMENT:
Meeting adjourned at 1:05 PM.

Approved

Disapproved

John J. Rabbithead Jr.
Secretary, John J. Rabbithead, Jr.

7/19/91
Date:

ATTEST:

Wilbur D. Wilkinson
Chairman, Wilbur D. Wilkinson

7/19/91
Date

ADDENDUM TO MAY 09, 1991-----Regular Meeting.
Word for Word documentation of minutes prepared for Treasurer
Bird Bear by Recording Secretary, LaVerne Brady.

MONICA MAYER REQUEST:

Dennis asked to present. He stated I have a letter from
Monica Mayer. She is a first year medical student from the
INMED Program at UND. She needs some specialized equipment
for her own personal use for medical school. She realizes
that is a lot there but she is not actually requesting for
all of that but she would like some help toward the purchase
of some of that equipment. She comes here each summer and
works at our IHS facility, Physician Extender Program they
have with the Aberdeen area.

Chairman Wilkinson asked what is the request?

Dennis responded the request is for \$1,513.00.

(Comments were asked from each councilmember)

Councilman Lone Fight responded has she been referred to
the Three Tribes Scholarship?

Treasurer Bird Bear responded the government is obligated to
education Indians throughout the US. Someone needs to look
into this and see if INMED could provide that assistance for
this. I'm more than willing to assist all our students but
if there's monies for their education, which is obligated by
the US Government.

Councilman Rabbithead stated I'd go along with the research.

Mr. Burr stated under the INMED program, the Special Assis-
tants to the IHS, they don't receive any kind of aid from
the tribes as they are under that contract. There are no
funds in there so usually they go and try to grab up funds
from where ever they can. There is really no money set aside
for them for this type of thing.

Councilman Rabbithead asked is employment assistance under
IHS?

Mr. Burr stated no, not employment assistance. Those type of
things would not be available. I don't think she'll use em-
ployment assistance, not while she's a student. Employment
Assistance is only when you go out on the job to be assigned
permanent.

Chairman Wilkinson stated I want to expand on the question.
Have you talked to Leo Cummings, JTPA or Carmen?

Mr. Burr stated I talked to Leo about it and he wouldn't have
funds available.

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Councilman Mossett questioned why not?

Mr. Burr stated he's got it pretty well used up because he used it for the reservation people he's been working with.

Councilman Lone Fight stated he may be able to come up with part of it.

Mr. Burr stated I'll talk to him again.

Councilman Mossett stated I had a similar request for the clinic at Twin Buttes. The LPN there needs a lot of equipment just to work on the people that come in day to day. I have a list that I would like to present. That's for our enrolled members coming in day to day. Taking Blood Pressure and temperatures. Does this lady work for us in the summer?

Response by Mr. Burr was yes.

Councilman Mossett asked how much does she make?

Mr. Burr responded not very much. Minimum wage...IHS tries to give their 1st or second year students experience. There's other reservations all over the country but Monica chooses to come home.

Councilman Mossett stated we have a need for some of this equipment in Twin Buttes to offer medical services to our enrolled members on the reservation.

Councilman Gillette stated if you would check with Ms. Blake there, those lists of equipment are requested by all our clinics-Mandaree, White Shield and Twin Buttes. I would rather have them here. We're the only tribe in this whole area that even has anything set aside for medical students on our scholarship thing so we're helping the best we can.

Mr. Burr stated as a student, you are not eligible for any type of service so that's why you get these type of special requests. Our clinics on the reservation are eligible for all different types of methods to get these equipment.

Councilman Bird Bear asked why aren't they available for students. You have a mandate to educate Indian students. 638 mandates education to everyone.

Chairman Wilkinson asked Mr. Burr, have you talked with Mr. Baker over there at the Service Unit to see if he could purchase those?

ADDENDUM-Page three

Mr. Burr stated I'm sure he could purchase them but I'm not so sure IHS could turn around and give the equipment to anyone. Not that type of equipment.

Chairman Wilkinson asked but you haven't explored it.

Mr. Burr stated no, this letter just came in just last week. There is a lot of requests from our students, especially the medical students. They get living expense monies and that's it. I'd like to point out Monica does a lot of work on her own. She travels to our high schools on the reservation and other schools off the reservation trying to recruit children for medical areas.

Chairman Wilkinson stated Gentlemen, you've heard the comments.

Doreen Yellow Bird asked for the floor for some comments. She stated Mr. Chairman I have a comment. I'm on the INMED Board. I've known Monica for a long time, daughter of Avis.

Medical School costs a tremendous amount like \$25,000 to \$27,000.00 and when you're in medical school, you do not have the opportunity to get in there and do an extra job as you are spending most of your time working on your classes.

Monica is an exceptional student. She has worked down here like Dennis said at the IHS and she's something we can really be proud of. I really think the money would well checked. This is all for the clinic, not for her own use. Thank you.

Chairman Wilkinson asked can INMED pick up any of this?

Mr. Burr stated I don't think INMED can. They are running on a budget like any other program that's funded out of IHS. I haven't checked with the Director but I know INMED has never provided for any thing like this.

Doreen stated the funds for INMED-they come down from IHS. There is no earmark for individual students. There is a guardipee funds which is just for emergency loans. It's very small and would not cover the cost of this.

Chairman Wilkinson stated gentlemen-you have heard the comments. Do you want to have it investigated further by Dennis before you act on it or you want to take some action today?

Councilman Lone Fight asked is there a time line on this thing.

Mr. Burr stated she's starting her Summer Institute portion here very shortly.

ADDENDUM-Page four

Councilman Bird Bear stated what I'd like to point out is that I think the Council is behind her. We just like to explore other sources of funding. If it's very crucial, perhaps we could consider this request today and see if we could find the sources to reimburse our own line item. If INMED's unwilling to do this, the Secretary of Interior should be apprised of this situation. There aren't enough resources for these Indian students to continue their education. If tuition is \$1,000.00 and the US is only giving them \$500.00, there's something wrong. The Law states they are suppose to provide this education for the Indian students.

Councilman Gillette stated you know, on that judgement plan there, the 3% scholarship money is available. There's a provision at the end of it that states that any of those funds that are not used at the time can be transferred into any of the other categories. The '76 plan, there's four categories, maybe it's possible to transfer a few more dollars in there and make something available because there's only one other Dr. I know that we have...Linda Gorneau and Sharon Keeney, there's two but they never requested this from us. This is the first one.

Mr. Burr stated there's a difference there. Her husband works for INMED and he was well salaried. They could afford some of that stuff. Monica is a single solo student that's on her own.

Chairman Wilkinson stated if we don't have a motion to act on this, we're going to move on to the next item on the agenda.

Councilman Bird Bear stated I'll move.

Chairman Wilkinson stated ok, the motion's made by Mr. Bird Bear to approve Monica Mayer's request for \$1,513.00. (one thousand five hundred and thirteen dollars), seconded by Councilman Lone Fight.

Discussion: Councilman Bird Bear stated with a provision that the Tribal Treasurer looking to the possibility of getting reimbursed.

Councilman Gillette stated Mr. Chairman, you know our communities still need this, this very same equipment and it's hard not to try to help one of our students and ours is going to be permanent here. Why don't we see if we could buy enough equipment for all our clinics at the same dealer and get a better cost.

ADDENDUM-Page five

Councilman Mossett stated I've never noticed this before but lately in the Spring of the year, we've had a lot of requests from students. It's in the thousand dollars to finish up their schooling. I know, in some cases, they're poor money managers and they're looking for a free ride so we should research some of them.

Councilman Bird Bear stated Dennis, I think, has provided the background for this request.

Councilman Mossett stated I'm hinting at a line item for this type of thing. So much assistance for each student to help everyone out.

Chairman Wilkinson asked if there was any further discussion.

Councilman Gillette asked do you want to amend your motion and request to include our field clinics? So you can give Ms. Blake a list. I know they have a list basically-the same time of equipment that our clinics need. This is right out of the bookstore at UND. That's the highest place to buy this stuff. It might even cost less somewhere else.

Chairman Wilkinson stated Mr. Bird Bear amends his motion and asked Mr. Lone Fight, do we have your second.

Councilman Lone Fight asked just one thing, Dennis said earlier, the Tribes were eligible for all these things on the list here, Is that right? here.

Mr. Burr stated well, there's a way, IHS, the Tribe through GSA or some other system could pick them up.

Councilman Lone Fight asked Hazel, are you aware of that? That the satellite clinics need the same type of equipment.

Ms. Blake stated I have one purchase order already. Our Mandaree PA needs all those and nobody has ever bought new equipment for our satellite clinics. They are so old and outdated and for Mandaree, right now, I'm going to use the carryover to buy that stuff for them.

Councilman Lone Fight stated to Dennis, why don't you see if we get these equipment for the Tribe. Does it become our own property or does it still attach to IHS?

Dennis stated it's our property if it comes from GSA. Then we could provide this type of stuff if they are available.

Councilman Mossett stated we can give it away then.

ADDENDUM-Page six

Chairman Wilkinson stated ok, gentlemen, we've got a motion and a second on the floor. All in favor, signify by raising your right hand.

Vote: 4 for, 2 opposed, 1 not voting. Motion Passed.

End of documentation.