

THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
TRIBAL CHAMBERS

Regular Council Meeting
March 12, 1992

PRESENT: Wilbur D. Wilkinson, Chairman; Titus Hall, Vice Chairman; Roger Bird Bear, Treasurer; John J. Rabbithead; Austin Gillette, Councilmember; Jim Mossett, Councilmember and LaVerne Brady, Recording Secretary.

ABSENT: Theodore Lone Fight in at 11:13 AM.

OTHERS: Tillie Walker, Charles N. Blake, III., Edmund White Bear, Sr., Ken Danks, John Danks, Maurice Danks, Don Morgan, Natural Resources Administrator; Rose Crow Flies High, Celeste Witham, Headstart Director Emerson Chase, Daniele J. Henry, Gaming Commission Member; Cletus Medicine Crow, Gaming Commission Member; Joe Walker, Tax Commissioner; Arnold Grady, Karen Stevens, Theodora Starr, Alva Rose Wilkinson, Elgin Crows Breast, Merval Hall, Dennis Burr, Chief Executive Officer and Perry Brady, Sargeant at Arms

ITEM 01: CALL TO ORDER:
Meeting called to order at 10:54 AM.

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

ITEM 03: RESOLUTION: LAW FIRM CONTRACT: #92-022-JJR
This resolution pertains to employing legal counsel. Resolution read by Secretary Rabbithead.

Discussion: Chairman Wilkinson stated it was my understanding this law firm was to be paid out of funds obtained through EPA. Response was yes. Resolution to reflect EPA where it says tribal funds on the last be it further resolved.

Chairman Wilkinson entertains motion to approve with this notation.

Treasurer Bird Bear made motion to approve resolution, seconded by Secretary Rabbithead.

LAW FIRM CONTRACT RESOLUTION (CON'T):

Discussion on hourly wage and effective date. It was mentioned if Hobbs, Strauss & Wilder Law Firm have the same skills. It was stated Depoe was the EPA Attorney working on this and this was his specialty.

Vote: 5 for, 1 opposed. Motion Carried.

ITEM 04: RESOLUTION/FACILITIES MANAGEMENT QUARTERS:

This resolution was read and explained by Chief Executive Officer Burr. Dennis stated in talking with the BIA Superintendent, they are intending to clear those quarters and facilities. We thought the tribe could take over these facilities management portion. Same as the schools.

Resolution proposes to contract the BIA Facilities Management Office and Quarters.

It was questioned if there was any discussions with the schools. Response was Lonnie Burr is putting together the project and has been meeting with the schools.

Chairman Wilkinson entertains motion to approve.

Motion failed due to no motion.

ITEM 05: RESOLUTION/EMPLOYMENT ASSISTANCE:

This resolution read and explained by Chief Executive officer Burr.

Discussion on \$137,000.00 contract.

Chairman Wilkinson entertains motion to approve.

Vice Chairman Hall made motion to approve. Motion failed due to no second.

ITEM 06: RESOLUTION/TAX COMMISSION:

This resolution read by Secretary Rabbithead and explained by Tax Commissioner, Joe Walker.

Mr. Walker stated the Tax Commission has directed me to bring this resolution before you in order to exempt stripper wells from the gross production tax and possessory interest tax due to the fact that these wells are considered a marginal well and is producing less than 10 barrels a day.

TAX COMMISSION RESOLUTION (CON'T):

Chairman Wilkinson stated with the number of exep-tions/exemptions being made by the Tax Commission, what good is the Tax Ordinance and why is there a need for the Tax Commissioners with the number of exemptions we are given?

Chairman Wilkinson entertains motion to approve on behalf of the Tax Commission.

Councilman Mossett made motion to approve, seconded by Treasurer Bird Bear.

Discussion: It was stated this exemption here is consistent with the Public Service Commission. They exempt Stripper Wells when they are marginal as an incentive. It was questioned if the State Production Tax applies regardless of what we do. Response was the State taxes these marginal wells on a gross production tax but exempts the tax. We believe we should be the only taxing authority here.

Chairman Wilkinson stated my point here is the State collects tax on everything we've exempted.

Vote: 2 for, 3 Opposed. Motion failed.

ITEM 07: RESOLUTION/HEIRSHIP LAND: Councilman Lone Fight in at 11:13 AM. Resolution read by Secretary Rabbit-head which pertained to allotted lands.

Discussion: It was questioned if this resolution was reviewed by Natural Resources Department, Legal Department and the Bureau of Indian Affairs.

Treasurer Bird Bear made a motion to table this resolution until further investigation, seconded by Vice Chairman Hall.

Discussion: There was a question about deleting "other than". If we do this, I'm infering this to meaning that the Tribe will be on individuals more than we should be. The Secretary of Interior is responsible for Indian allotted lands. There needs to be some negotiation before we take over that responsibility.

Vote: 6 for, 1 opposed. Motion Carried.

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ITEM 08: TWIN BUTTES SCHOOL BOARD:
This to be presented by Arby Little Soldier but there was no action due to presenter not present.

ITEM 09: MONITORING TEAM/HEADSTART:
Celeste Witham, Headstart Director explained that the National Monitoring Team will be coming out from Washington DC doing monitoring of all Headstart programs on the week of March 23. They would like to meet with the Tribal Business Council and Tribal Chairman. Also an invitation was extended to the Business Council to attend the Howard Rainier presentations.

It was questioned if arrangements were made through the Education Department. Response was they were aware of this.

ITEM 10: CIRCLE OF LIFE:
No action due to staff not present.

ITEM 11: FINANCIAL ASSISTANCE REQUESTS/BASKETBALL TEAMS:
There were three teams requesting for assistance. Letters were read by Secretary Rabbithead.

1. Arnold Grady/Pete Coffey team.
Arnold Grady was present with Karen Stevens to speak for his request.
2. Vincent Gillette team
3. Malcolm Wolf team.

Councilman Mossett made motion that we assist the defending champions.

Discussion: It was mentioned that there should be only one team representing this reservation, one representative is present and we should assist all three teams. It was further stated we ordinarily have one team but we have three teams and we could look at this as kids participating so we could help all the teams although the donation will be smaller.

Chairman Wilkinson entertains motion.

Secretary Rabbithead made a motion to assist all three teams up to \$500.00, seconded by Vice Chairman Hall.

FINANCIAL REQUESTS (CON'T):

Discussion: Are the other teams in the tournament besides the defending champions.

Secretary Rabbithead was questioned if he would like to amend his motion to assist only the team that's in the championship? Upon further consideration, Secretary Rabbithead decided to keep his motion as presented.

Chairman Wilkinson acknowledged motion and second to authorize \$500.00 per team on the condition that they be entered into the Denver tournament.

Vote: 4 for, 2 opposed. Motion Carried.

ITEM 12: KELLY DEMARAY MEMORIAL FUND REQUEST:

This request was presented and explained by Elgin Crows Breast. A request for \$750.00 to be used for 1st place prize money.

There will be a program in memory of Kelly though his Indian Memorial will take place at the PowWow.

Chairman Wilkinson entertains motion.

Treasurer Bird Bear made a motion to approve request for \$750.00, seconded by Councilman Mossett.

Check to be made out to the Kelly Demaray Memorial Fund at Lakeside State Bank.

Vote: 4 for, 2 opposed. Motion Carried.

ITEM 13: CHARLES BLAKE REQUEST:

This request was in regards to Founders Day Extravaganza Program in which Mr. Blake is a participant in on behalf of FBCC. He mentioned that he will be an emcee for the ribbon cutting ceremony.

He will be recruiting 125 4th graders for choreographic dancing from each of the schools on the reservation. This will be held at the New Town High School Gymnasium and he extended an invitation to the Indian Clubs and to the Tribal Business Council or representative.

Mr. Blake's request is to provide a meal for children and parents whom he has requested to be present. TDH Concessions will provide the meal at

CHARLES BLAKE REQUEST (CON'T):
\$750.00. It was stated we have been a strong supporter of Education, especially in getting our youth involved.

Chairman Wilkinson entertains motion.

Treasurer Bird Bear made a motion to approve this request of \$750.00, seconded by Councilman Mossett.

Vote: 7 for, 0 opposed. Motion Carried.

ITEM 14: BRUCE GILLETTE REQUEST:

This request was explained by Councilman Mossett. Mr. Gillette is taking his practicum for Drug & Alcohol Addiction Counseling at Jamestown, starting date - July 6, 1992.

Discussion included training monies out of alcoholism program but response by Mrs. Starr was no, there wasn't any. There should be a dollar amount available for this request and Treasurer Bird Bear stated this request was made in June, 1991 and he needs action/word on it.

It was stated we should see the budget and see what alternatives he's explored as far as financing for his education.

Request to be considered until the next regular scheduled meeting.

ITEM 15: GAMING COMMISSION:

This request was explained by Councilman Mossett. A request of \$1,343.00 to pay due to the National Gaming Commission.

Discussion: It was mentioned this request was "out of line" as these monies should be collected from the permit holders. Response was from here on, we will try to collect these fees. 60/40 percentage and carryover mentioned. They want to clean this up and be in compliance and everything will be enforced after this audit as they are two months behind on this report.

Chairman Wilkinson entertains motion.

Councilman Mossett made a motion to approve this request, seconded by Treasurer Bird Bear.

GAMING COMMISSION REQUEST (CON'T):

It was mentioned that this will be a cost reimbursement plan. The Federal Law has to be looked into plus the Indian Gaming Regulatory Act. Ordinance must be understood and federal law to be complied with.

Vote: 2 for, 0 opposed. Motion Carried.

ITEM 16: RESOLUTION/NET RECOVERY BUYOUT LAND SALE:#92-023.
This land sale pertains to Merval Hall property. Resolution read by Secretary Rabbithead and explained by Chairman Wilkinson.

This land is planned to be used for feed base for the Cattle Relending Program.

Chairman Wilkinson entertains motion.

Councilman Lone Fight made motion to approve net recovery buyout land sale with a stipulation that this be solely used for cattle program, seconded by Vice Chairman Hall.

Discussion: Acreage is 897 acres. Mr. Hall would be eligible in the month of April.

Vote: 7 for, 0 opposed. Motion Carried.

ITEM 17: ADJOURNMENT:
Meeting adjourned at 12:21 PM.

Approved

Disapproved

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

3-30-92
Date

ATTEST:

Wilbur D. Wilkinson
Chairman, Wilbur D. Wilkinson

3-30-92
Date



MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

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TRIBAL BUSINESS COUNCIL

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Roger Bird Bear
Four Bears

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Austin Gillette
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COUNCIL MEMBER
Ted Lone Fight III
Mandaree
(701) 759-3377

COUNCIL MEMBER
Jim Mossett
Twin Buttes
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AGENDA

Regular Council Meeting

March 12, 1992

1. Call to Order
2. Roll Call
- Resolutions:
3. *Law Firm Contract
4. *Facilities Management Quarters
5. *Employment Assistance
6. *Tax Commission
7. *Heirship Land
8. Twin Buttes School Board
9. Monitoring Team/Headstart
10. Circle of Life
11. Financial Assistance Requests/Basketball Teams
12. Kelly Demaray Memorial Fund Request
13. Charles Blake Request
14. Bruce Gillette Request
15. Gaming Commission Request
- Resolutions:
16. *Net Recovery Buyout Land Sale
17. Adjournment