

THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
TRIBAL CHAMBERS

Regular Council Meeting
February 10, 1993

PRESENT: Wilbur D. Wilkinson, Chairman; Ivan Johnson, Vice Chairman; Roger Bird Bear, Treasurer; John J. Rabbithead, Jr., Secretary; George Fast Dog, Jr., Councilmember; Austin Gillette, Councilmember; Jim Mossett, Councilmember; LaVerne Brady, Recording Secretary, and Leigh Foote, Assistant.

ABSENT: None

OTHERS: Enrolled Members: Claude Danks, Toni Starr Skibsrud Cynthia Danks, Hubert Danks, Leonard Hosie, John Danks, Pliga Young Bird Bordeaux, Hans Young Bird, Marty Danks, Edward S. Danks, Richard Chase, John Fredericks, Jr., Judy Fredericks, Kingden Black Hawk, Myra B. Snow, Peter Deane, Kenneth Matthews, Richard Danks, Pete Fredericks, Buddine Fredericks, James Danks, Morris Danks and Ken Fredericks.
Employees: Carol Good Bear, Assistant to Councilman Fast Dog; Ronald Brugh, Planner/Biotech; Delores White, Public Relations Assistant;
Others: Iva Deane; Ira Fox, Enrollment Clerk; Carey Dreher, BIA Range Conservationist.

ITEM 01: CALL TO ORDER:
Meeting called to order at 1PM.

ITEM 02: ROLL CALL:
Roll called by Secretary Rabbithead.
Quorum established. Prayer given by Mrs. Deane.

ITEM 03: RESOLUTION/RELINQUISHMENT OF ENROLLMENT:
Resolution read by Secretary Rabbithead.

This resolution pertains to the request of Evelyn Jean Baker to relinquish her enrollment.

Chairman Wilkinson entertains motion to approve this request.

Councilman Mossett made a motion to approve relinquishment, seconded by Vice Chairman Johnson.

Discussion: There was a question regarding the dual enrollment regarding receiving of any payments from the judgement awards. Has this person been notified that should she relinquish her enrollment,

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ENROLLMENT RELINQUISHMENT RESOLUTION (CON'T):
she must repay the Three Affiliated Tribes.

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

ITEM 04: RESOLUTION/RELINQUISHMENT OF ENROLLMENTS:
Resolution 93-11-JJR.
Resolution read by Secretary Rabbithead.

This resolution pertains to the relinquishment of membership request from the Three Affiliated Tribes of John Allen Menz, Levi Emerson Menz & Curtis Allen Menz as per written request of their mother, Wanda Smith.

Discussion: Mrs. Fox was questioned if she had anything to add? Mrs. Fox stated they received a payment already. Child welfare or child custody issues questioned.

Chairman Wilkinson entertains motion to approve relinquishment.

Councilman Mossett made a motion to approve, seconded by Councilman Gillette.

Discussion: Regarding dual enrollment.

Vote: 3 for, 1 opposed, 3 not voting.
Motion Carried

ITEM 05: RESOLUTION/DUAL ENROLLMENT: Resolution #93-12-JJR.
Resolution and names (attached to minutes) read off by Secretary Rabbithead.

This resolution pertains to the enrollment of 44 (forty-four) eligible applicants.

Chairman Wilkinson entertains motion to approve.

Councilman Mossett made motion to approve enrollment, seconded by Vice Chairman Johnson.

Further discussion on relinquishment.

DUAL ENROLLMENT RESOLUTION (CON'T):
Motion and Second amended to include that directive be given to the Legal Department to research and bring back a clearer interpretation of dual enrollment procedures to the next council meeting.

Discussion on provisions.

Vote: 6 for, 0 opposed, 1 not voting.
Motion Carried.

ITEM 06: RESOLUTION/EDUCATION FUNDING FORMULA: #93-13-JJR.
Resolution read by Secretary Rabbithead.

This resolution pertains to submission to funding agencies/sources to preserve the culture and languages of the Three Affiliated Tribes.

There was discussion regarding the draft proposal and the school board present were questioned.

Chairman Wilkinson entertains motion to approve.

Councilman Gillette made a motion to approve, seconded by Councilman Fast Dog.

Vote: 5 for, 0 opposed, 2 not voting.
Motion Carried.

ITEM 07: RESOLUTION/FORT BERTHOLD RESERVATION EXTENSION SERVICE PROGRAM: Resolution #93-14-JJR.
Resolution read by Vice Chairman Johnson.

This resolution pertains to approving funding for support services to the program in the amount of \$5,000.00.

Chairman Wilkinson entertains motion to approve.

Secretary Rabbithead made motion to approve, seconded by Vice Chairman Johnson.

A remark was made that this amounts to subsidizing the US Government's trust responsibility and it goes against what we are trying to do in recovering the docket funds.

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

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ITEM 08: RESOLUTION/ASSOCIATE JUDGE POSITION: #93-15-JJR.
Resolution read by Secretary Rabbithead.
This resolution pertains to the appointment of Diane Johnson Avery of Mandaree ND as Associate Judge of the Three Affiliated Tribes for a term of 24 months.

Councilman Gillette made motion to approve resolution with the term of 24 months, seconded by Councilman Fast Dog.

Chairman Wilkinson acknowledged motion and second.

Discussion: There was a suggestion that we revamp our Tribal Court System with a possibility to place a tribal member law trained attorney into the Chief Judge position so the case loads would not be so back logged. The legal department to be given a directive to do research and go through what we have in place to lessen the burden at Tribal Court.

Vote: 7 for, 0 opposed. Motion Carried.

ITEM 09: RESOLUTION:
There was another resolution on the same issue of Associate Judge submitted by our legal counsel. There was no action taken as it was already taken care of by resolution #93-15.

ITEM 10: RESOLUTION/CHILD PROTECTION: Resolution #93-16-JJR.
Resolution read by Secretary Rabbithead. This resolution pertains to 5 (five) amendments to the Child Welfare Code in order to operate a more effective and efficient department.

Janet Gunderson, Social Service Director who was present was asked if she had anything to add. She stated these changes would make the process a lot quicker.

Chairman Wilkinson entertained a motion to approve.

Councilman Mossett made a motion to approve, seconded by Councilman Fast Dog.

Vote: 6 for, 0 opposed, 1 not voting.
Motion carried.

ITEM 11: RESOLUTION/REAPPOINTMENT OF TRIBAL PROSECUTOR:
Resolution #93-17
Resolution read by Secretary Rabbithead. This resolution pertains to the reappointment of Dennis Edward Johnson of Watford City, North Dakota as Tribal Prosecutor for a term of twelve months.

Councilman Gillette made a motion to approve, seconded by Vice Chairman Johnson.

Discussion: It was questioned if this same person was suing the TERO office. Response was yes but Legal Counsel was going to dismiss the case.

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

ITEM 12: RESOLUTION/SPECIAL PROSECUTOR POSITION FOR SOCIAL SERVICES: Resolution #93-18-JJR.
This resolution pertains to establishing a prosecutor's position for the Social Services Program.

Comments were made that there was no individual identified for Social Services.

Chairman Wilkinson entertains motion to approve.

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

Discussion on the wording "hiring".

Mrs. Gunderson was questioned if she had anything in mind. Mrs. Gunderson stated "in Social Services, we really have a hard time on legal matters as we are not trained".

Vote: 7 for, 0 opposed. Motion Carried.

ITEM 13: RESOLUTION/ATTORNEY CONTRACT RENEWAL FOR HOBBS, STRAUSS, DEAN & WILDER: Resolution #93-19-JJR.
Resolution read by Secretary Rabbithead. This resolution pertains to extending the contract between our law office in Washington DC and the Three Affiliated Tribes. It also increases the fee to \$130.00 per hour.

CONTRACT RENEWAL RESOLUTION (CON'T):
Chairman Wilkinson entertains motion to approve.

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

Discussion on past years fees.

Vote: 6 for, 0 opposed, 1 not voting.
Motion Carried.

ITEM 14: RESOLUTION/GAMING COMMISSION MEMBERSHIP: #93-20.
Resolution read by Secretary Rabbithead.
This resolution pertains to the appointment of
the Gaming Commission.

Discussion: Be it further resolved to be stricken
on page two.

Chairman Wilkinson entertains motion to approve.

Councilman Mossett made motion to approve, seconded
by Vice Chairman Johnson.

Vote: 7 for, 0 opposed. Motion Carried.

ITEM 15: RESOLUTION/GAMING ORDINANCE:
Resolution read by Secretary Rabbithead.

Councilman Fast Dog was questioned if he had anything
to add.

Chairman Wilkinson entertained motion to approve.

Councilman Gillette made motion to approve, seconded
by Vice Chairman Johnson.

Discussion on "traditional societies."

Motion and second to be withdrawn and to be amended
as tabled.

ITEM 16: RESOLUTION/NATIONAL INDIAN GAMING ASSOCIATION:
Resolution #93-21-JJR.
Resolution read by Secretary Rabbithead.

This resolution pertains to the Three Affiliated
Tribes to become a member of the National Indian
Gaming Association.

NATIONAL INDIAN GAMING ASSOCIATION RESOLUTION
(CON'T):
Discussion on the purpose of NIGA.

Chairman Wilkinson entertains motion to approve.

Vice Chairman Johnson made motion to approve,
seconded by Treasurer Bird Bear.

Discussion on dues and location of NIGA.

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

ITEM 17: RESOLUTION 92-079-JJR/ECONOMIC DEVELOPMENT TEAM:
Resolution #93-22-JJR. Resolution read by
Secretary Rabbithead.

This resolution pertains to rescinding of 92-079
in it's totality.

Discussion on the Economic Development Team. A
disclosure of all projects prepared and written
by the team has been made by the Tribal Chairman
at all the segment meetings. (The status of all
the projects). It was stressed that a resolution
like this was harmful to the tribe and the content
"hereby frozen and prohibited" clearly states that
the Economic Development Team office to be shut
down.

Councilman Fast Dog made motion to approve reso-
lution as presented, seconded by Vice Chairman
Johnson.

Chairman Wilkinson acknowledged motion and second.

It was reiterated again that this resolution was
harmful and it, in fact, shuts down the Economic
Development Team office as there is a great number
of projects still pending and being currently
worked on. More discussion on resolution.

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

ITEM 18: RESOLUTION/FMHA PROPERTY: Resolution #93-23-JJR.
Resolution read by Secretary Rabbithead.
This resolution pertains to the Three Affiliated Tribes agreeing to provide John Fredericks, Jr., with loan funds for the purpose of buying his land back.

Mr. John Fredericks, Jr. was asked if he had anything to add. He stated he has been battling with FHA for several years now and in the process, his land was foreclosed on so he is requesting for help from the Tribe.

It was stated that the land acquisition budget would have to be looked into. Other land sales were mentioned.

Chairman Wilkinson entertained motion to approve the resolution.

Discussion on assistance to families in distress.

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

Discussion on payment schedule.

Vote: 3 for, 1 opposed, 2 not voting.
Motion Carried.

ITEM 19: FINANCIAL ASSISTANCE REQUESTS

A letter requesting financial assistance for the Sacred Hoop Club was submitted by Vivian Chase. Secretary Rabbithead read the letter stating the request for \$500.00.

Chairman Wilkinson entertained a motion to approve. No action was taken toward the motion.

Secretary Rabbithead inquired, "Before we go any further, I would like to ask if we could assist some of these financial requests?" The response given was that we may as well, as we are subsidizing trust responsibilities. It's up to the Tribal Business Council.

ITEM 20: EDUCATIONAL GRANT/STACY FOX KNIFE

Stacy Fox Knife requested \$250.00. Councilman Gillette explained that Stacy is a graduate student

FINANCIAL ASSISTANCE REQUESTS (CON'T)
in Oklahoma City.

Councilman Gillette made a motion to assist Stacy Knife with \$250.00. Motion was seconded by Councilman Mossett.

Chairman Wilkinson acknowledged motion and second.

Vote: 3 for, 0 opposed, 4 not voting. Motion carried.

ITEM 21: DONNA MAE WHITE BEAR

Ms. White Bear requested \$1600.00 for medical expenses. She is not eligible for IHS payment.

Chairman Wilkinson entertained motion for approval.

Councilman Gillette made a motion to assist Ms. White Bear with \$800.00. Motion was seconded by Secretary Rabbithead.

These monies are to be paid to the Dakota Hospital and the Fargo Clinic.

Motion and second acknowledged by Chairman Wilkinson.

Vote: 3 for, 1 opposed, 1 not voting. Motion carried.

ITEM 22: WELLNESS TEAM REQUEST:

Hazel Blake, Susie Paulson, Janelle Canyon, Holly Blake, Jarret Baker, Charles Moran, Bernadine Young Bird, and G. Janet Gunderson were all present on behalf of the Wellness Team.

Hazel Blake and Susie Paulson spoke on behalf of the Team stating that last year a conference was held on Promotion Wellness which will be repeated this year. It is an illness prevention education to our community. Last year the Tribal Business Council helped out and it was a success. Everyone enjoyed themselves. In order to change our lifestyles, we need to be aware first. Last year three thousand people attended the conference. It was further stated that the Tribal Business Council was commended for the \$10,000.00 donation last year, and that they were recognized in the IHS wellness

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WELLNESS TEAM (CON'T)

Conference in Washington D.C. The Tribal Business Council won the community award for the most outstanding efforts for the Aberdeen area for the Indian people in this area.

Chairman Wilkinson entertained a motion to approve the request for any amount.

Secretary Rabbithead motioned to approve for a \$14,000.00 donation to the Wellness Team. Motion seconded by Councilman Fast Dog.

Motion and second acknowledged by Chairman Wilkinson.

Vote: 4 for, 1 opposed, 1 not voting. Motion carried.

ITEM 23: EDUCATION GRANT/BIRON BAKER

Biron Baker requested an educational grant in the amount of \$2000.00. An explanatory letter was submitted on his behalf by Nancy White Temple. Secretary Rabbithead read the letter to the Council.

Chairman Wilkinson entertained a motion to approve.

Vice Chairman Johnson made a motion to approve a \$2000.00 loan to be repaid when Mr. Baker starts working. Motion was seconded by Councilman Gillette.

Discussion followed on Medical and Lawyer funds which are available in the Dockets section. A question was raised on the availability of these funds. The response was that there is three to four thousand dollars available, therefore a grant of \$500.00 for Biron from this source is possible.

Chairman Wilkinson acknowledged motion and second.

Vote: 7 for, 0 opposed. Motion carried.

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ITEM 24: ELAINE BLAKE
A letter from Ms. Blake requesting \$760.00 was read by Secretary Rabbithead.

Chairman Wilkinson entertains motion to approve.

Secretary Rabbithead made a motion to approve the \$760.00 Education loan for Elaine. Vice-Chairman Johnson seconded the motion.

Discussion: Ms. Blake is a UND senior majoring in criminal justice.

Chairman Wilkinson acknowledged motion and second.

Vote: 5 for, 0 opposed. Motion carried.

ITEM 25: YVONNE KIDDER
Ms. Kidder requested \$610.00 for educational purposes. Secretary Rabbithead read a letter submitted by Ms. Kidder.

Chairman Wilkinson entertains motion to approve.

Councilman Fast Dog made a motion to approve, seconded by Vice Chairman Johnson.

Discussion followed on the possibility of assistance from Carmen Eagle's Employment Assistance Program or the Education Department, or if there is any other monies available to meet these requests.

Chairman Wilkinson acknowledged motion and second.

Vote: 5 for, 0 opposed, 2 not voting.

ITEM 26: MAMIE SHERWOOD
Secretary Rabbithead read a letter submitted by Ms. Sherwood requesting \$1000.00 for educational purposes.

Chairman Wilkinson entertained a motion to approve.

Secretary Rabbithead motioned to approve, seconded by Vice Chairman Johnson.

Discussion followed on the size of Ms. Sherwood's immediate family.

MAMIE SHERWOOD (CON'T)
Chairman Wilkinson acknowledged motion and second.

Vote: 6 for, 0 opposed, 1 not voting. Motion
carried.

ITEM 27: CHARLES CHASE
Request for \$1000.00 to attend Ft. Lewis College.

Discussion followed on what kind of assistance
might be available to Mr. Chase, since Ft. Lewis is
a free college.

Chairman Wilkinson entertained a motion to approve.

Councilman Mossett motioned to approve the request,
seconded by Councilman Gillette, provided that
documentation be received from the Ft. Lewis
Admissions office.

Chairman Wilkinson acknowledged motion and second.

Vote: 3 for, 0 opposed, 1 not voting. Motion
carried.

ITEM 28: CASEY BRIM
Mr. Brim requested \$1000.00 for educational assis-
tance. Mr. Brim is a first year student at NDSU
with Community College credits. He will be sending
his documents as soon as possible.

Chairman Wilkinson entertains motion to approve.

Councilman Mossett motioned to approve, seconded by
Treasurer Bird Bear.

Chairman Wilkinson acknowledged motion and second.

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

ITEM 29: CHERYL FOX
Secretary Rabbithead read a letter submitted by Ms.
Fox for a \$1000.00 educational request.

Chairman Wilkinson entertains motion to approve.

Secretary Rabbithead motioned to approve a \$1000.00
grant, seconded by Councilman Fast Dog.

CHERYL FOX (CON'T)
Chairman Wilkinson acknowledged motion and second.

Vote: 3 for, 0 opposed, 3 not voting. Motion
carried.

ITEM 30: CAROLYN BIRD BEAR/JAYNE BIRD BEAR
Secretary Rabbithead explained that the request was
for \$1000.00 for education, and that \$500.00 was
already given to them.

Chairman Wilkinson entertained motion to approve.

Secretary Rabbithead motioned to approve for a
\$500.00 educational grant each for Carolyn and
Jayne Bird Bear. Motion was seconded by Treasurer
Bird Bear.

Motion and second acknowledged by Chairman
Wilkinson.

Vote: 6 for, 0 opposed. Motion carried.

ITEM 31: TOM HARWOOD
Karen Stevens spoke on behalf of Tom Harwood who
requested financial assistance in the amount of
\$2000.00. Mr. Harwood has not yet received any
assistance from the Tribe.

Chairman Wilkinson entertained motion to approve.

Secretary Rabbithead motioned to approve a \$1000.00
grant for Mr. Harwood, seconded by Vice Chairman
Johnson.

Discussion on assistance from the BIA for Mr.
Harwood that he did receive last year.

Chairman Wilkinson acknowledged motion and second.

Vote: 5 for, 0 opposed, 1 not voting. Motion
carried.

ITEM 32: CEDRIC RED FEATHER
Secretary Rabbithead read a letter requesting an
educational grant of \$1000.00.

Vice Chairman Johnson motioned to approve, seconded
by Councilman Fast Dog.

CEDRIC RED FEATHER (CON'T)
Chairman Wilkinson acknowledged motion and second.

Vote: 5 for, 0 opposed, 1 not voting. Motion carried.

ITEM 33: MEDICAL GRANT/VIOLA LANG
Letter read by Secretary Rabbithead. Ms. Lang requests \$1407.00 for medical expenses.

Chairman Wilkinson entertains motion to approve.

Councilman Gillette made a motion to approve for \$700.00, seconded by Vice Chairman Johnson.

Vote: 6 for, 0 opposed. Motion carried.

ITEM 34: BRANDON CLARK
Request for \$1000.00 for educational purposes.

Chairman Wilkinson entertains motion for approval.

Treasurer Bird Bear motioned for approval, seconded by Councilman Fast Dog.

Discussion followed on jobs held by Brandon's family members.

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

ITEM 35: ROSALYN BAKER
Request for \$2000.00 educational grant to complete a nursing degree.

Chairman Wilkinson entertains motion to approve.

Treasurer Bird Bear motioned to approve the \$2000.00 grant. Motion failed due to lack of second.

ITEM 36: RECONSIDERATION ON ROSALYN BAKER
Vice Chairman Johnson made a motion to approve Ms. Baker's request for \$1000.00. Motion was seconded by Treasurer Bird Bear.

Chairman Wilkinson acknowledged motion and second.

Vote: 5 for, 0 opposed. Motion carried.

ITEM 37: INEZ ASHES

Ms. Ashes submitted a request for payment of her medical bills. Letter read by Secretary Rabbithead.

Councilman Gillette motioned to approve, seconded by Councilman Fast Dog.

Chairman Wilkinson acknowledged motion and second.

Vote: 6 for, 0 opposed. Motion carried.

ITEM 38: KATHERINE EDNER HOLDING EAGLE

Request for education grant. Letter read by Secretary Rabbithead.

Councilman Gillette motioned to approve of a loan in the amount of \$3000.00, seconded by Councilman Mossett.

Chairman Wilkinson acknowledged motion and second.

Vote: 5 for, 0 opposed, 2 not voting. Motion carried.

ITEM 39: MANDAREE PUBLIC SCHOOL

Request for \$2500.00. Letter read by Secretary Rabbithead.

Chairman Wilkinson entertained motion for approval.

Secretary Rabbithead made a motion to approve, seconded by Vice Chairman Johnson.

Discussion followed on the students raising money and if the school would contribute any funding.

Motion and second amended to give \$1500.00 grant.

Vote: 6 for, 0 opposed, 1 not voting. Motion carried.

ITEM 40: JEFFREY SMITH

Mr. Smith requested \$200.00 to pay for medical expenses.

Councilman Fast Dog motioned to approve, seconded by Vice Chairman Johnson.

Chairman acknowledged motion and second.

JEFFREY SMITH (CON'T)
Discussion on assistance from IHS.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 41: GLENDA RUSH
Request for \$500.00 educational grant.

Councilman Fast Dog motioned to approve, seconded
by Councilman Gillette.

Chairman Wilkinson acknowledged motion and second.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 42: WHITE SHIELD SCHOOL
Request for \$2000.00. Letter submitted by Marie
Voight read by Secretary Rabbithead.

Chairman Wilkinson entertained motion to approve.

School Board members present were questioned if any
money was made available from the school and if the
school could match this grant. Response was given
that the members present could not confirm that
request due to the absence of other board members.

Councilman Gillette motioned to approve a grant of
\$1000.00 with a match from the school. Motion
seconded by Vice Chairman Johnson.

Vote: 5 for, 0 opposed, 1 not voting. Motion
carried.

ITEM 43: GPIRA/REQUEST
Phil Baird submitted a letter of request for
\$500.00. Letter read by Secretary Rabbithead.

Chairman Wilkinson entertains motion to approve.

Vice Chairman Johnson made a motion to approve,
seconded by Secretary Rabbithead.

Discussion on Arby Little Soldier request.

Vote: 4 for, 1 opposed, 1 not voting. Motion
carried.

ITEM 44: JUSTIN RACINE
Secretary Rabbithead presented the \$800.00 request.

JUSTIN RACINE (CON'T)

Chairman Wilkinson entertains a motion to approve.

Vice Chairman Johnson motioned to approve, seconded by Councilman Mossett.

Vote: 4 for, 1 opposed, 1 not voting. Motion carried.

ITEM 45: PRISON POW WOW/REQUEST

Letter of request for \$200.00 read by Secretary Rabbithead.

Chairman Wilkinson entertains motion to approve.

Secretary Rabbithead made a motion to approve, seconded by Vice Chairman Johnson.

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

ITEM 46: TWIN BUTTES SCHOOL BOARD REQUEST

Request was presented by Paul Fredericks on behalf of Plant Management and the school board to look into securing additional space for the school. He stated they are presently running out of six wide double trailer homes. Mr. Fredericks further stated that to his understanding it is better to build an addition than start a new construction. They are requesting the Tribal Business Council's support in resolution form in pursuing this matter.

Chairman Wilkinson entertains motion to approve.

Councilman Mossett motioned for approval, seconded by Vice Chairman Johnson.

Discussion followed on a resolution which has been drafted for this matter. Questions arose on the wording, a school board meeting, and signatory authorities.

Vote: 5 for, 0 opposed, 2 not voting. Motion carried.

ITEM 47: KEN FREDERICKS REQUEST

Mr. Fredericks expressed his concern on the MR&I Program and the agreement to purchase land from him. He would like to work with Councilman Mossett and the CEO on drafting a resolution to rectify the

KEN FREDERICKS (CON'T)
land situation. Mr. Fredericks requested to be on the next meeting agenda to present this resolution.

ITEM 48: LEASE ISSUE/PETE FREDERICKS
Mr. Fredericks presented necessary paperwork to the Council. He stated that he would like to get Range Unit 11 back which he lost to another rancher, Councilman Mossett. Mr. Fredericks explained the reason he wants this land back is because it lays adjacent to his headquarters, Section 23 and Section 14, which is the one involved. During the 60's and 70's he developed the land and built an artesian well next to it. In the late 1980's a tribal fence went in and cut off six miles of his water range unit. The reason he got into Section 24 was to obtain enough water for the range. Also, this tract of land is adjacent to Section 24.

In the discussion Mr. Fredericks was questioned if the lease was up when this land transaction took place. Mr. Fredericks replied that it took place during the interim term.

Councilman Mossett explained that his parents formerly leased the land in question. The land was given to Councilman Mossett after he started ranching, so he just continued paying for that unit. In 1980 it was taken away by the Tribal Business Council and given to non-Indian ranchers. When they left, Councilman Mossett resumed the payments on it and the Bureau billed him for it, but they forgot to include Range Unit 24. Councilman Mossett pointed out it has been fenced as one range unit. Pete then went over and paid for Range Unit 24 and has had it since. It has been the Bureau's recommendation that the range unit be combined as one like it was originally.

Discussion on head allowance. Councilman Mossett requested that Range Unit 24 be put back into Range Unit 5 as it originally was. Carey Dreher, Range Conservationist, was present. Mr. Fredericks presented a letter regarding the head total.

The Council was then reminded the issue was that Councilman Mossett has Range Unit 5, and Mr. Fredericks has Range Unit 24, the land in question. Mr. Fredericks and Councilman Mossett both want this land to be placed in their respective units.

PETE FREDERICKS (CON'T)

The letter presented by Mr. Fredericks from rancher Clayton Neurohr, was read. This letter reads: To whom it may concern, I have ridden the pasture which we run in common with Pete Fredericks about a dozen times. At no time did I even count more than twenty-three cows in the unit. I was led to believe that he was allowed to run that many. We have had cows go back and forth and Pete would call and it would be taken care of right away. Letter signed, Clayton Neurohr. Mr. Dreher was questioned if he had spoken to Clayton about this letter. Mr. Dreher replied that he had.

Chairman Wilkinson entertained a motion to approve either one of these requests.

Councilman Mossett questioned if someone would motion to put Range Unit 25 back into Unit 5.

Chairman Wilkinson entertained a motion to return the land to Mr. Fredericks.

Further discussion questioned the Bureau's position on this issue. Response given by Mr. Dreher was the Bureau will agree to whatever the Tribal Business Council dictates, provided that they follow regulations.

Mr. Dreher was questioned if, at one time, he had made a recommendation. Mr. Dreher replied that there was a recommendation made in 1989 to put Unit 24 back into Unit 5 due to overstocking problems. He was also questioned if he has a recommendation now. He responded that would be better answered by the Tribal Business Council.

Chairman Wilkinson entertained a motion to replace the land into Mr. Frederick's unit.

It was then questioned if Mr. Fredericks was notified when the lease came up for renewal. The response given was that he was not notified.

Chairman Wilkinson entertained a motion on the issue.

Secretary Rabbithead made a motion to return the land to Mr. Fredericks due to his lack of notification.

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PETE FREDERICKS (CON'T)

Discussion on unit section and lease payments. It was clarified by Mr. Dreher that Section 14 was currently in Range Unit 5, and it was in Councilman Mossett's unit. Mr. Fredericks had proof that he did have the land in question at one time.

A question on the permit on Range Unit 5 was brought up. The permit expires in December of 1994.

Motion failed due to lack of second.

Chairman Wilkinson entertained a motion in favor of Councilman Mossett.

Vice Chairman Johnson made a motion to have Section 14 remain as is until the permit expires in December of 1994. It was further stated that there was no questions on Section 14.

More discussion on range units.

Motion was amended to be tabled until more information can be received from the Bureau. Motion seconded by Treasurer Bird Bear.

Discussion on issue to be on the agenda at the next meeting.

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

ITEM 49: POUCH POINT BAY/RON BRUGH

Mr. Brugh presented documents to the Tribal Business Council. He referred to the memorandum of July 17, 1992 regarding a third party concession agreement with Delvin Driver on the Pouch Point Recreation area. He stated that he has yet to receive a confirmation from the Natural Resources Department on this issue. Mr. Brugh explained he has reports from the Corp of Engineers that Annual Inspection reports must be submitted by him, therefore he needs this transaction fulfilled on the purchase of Pouch Point from Glenn Brunsell. Until the Tribe buys Pouch Point, the third party concession agreements are null and void because Mr. Brunsell still owns the property. Other key points of discussion included concession payment,

POUCH POINT (CON'T)
liability insurance, and renegotiation of contract for the 1993 season. He also inquired of the Tribe to draw up some form of resolution on this issue.

A question arose on a report to be compiled if the Brunells received a grant to construct or to improve the property. There was also a question on the determination of what Glenn owned personally and what the Tribe owned. The response given was Mr. Brugh could not get a report from the administrator today.

Chairman Wilkinson questioned if we need to set aside money to finish the transaction. Response given was there is a bill of sale to the Three Affiliated Tribes in the amount of \$23,000.00.

Chairman Wilkinson entertained a motion to assure that there is enough money set aside for Mr. Fredericks and also to consummate this purchase of Pouch Bay.

Vice Chairman Johnson motioned to approve, seconded by Secretary Rabbithead.

Vote: 6 for, 0 opposed. Motion carried.

ITEM 50: SKUNK CREEK BAY RECREATION AREA/RON BRUGH
Mr. Brugh presented another memo of August 31, 1992 regarding Skunk Creek Bay Recreation Area. The Three Affiliated Tribes is lacking a third party concession agreement on this also. However, there is a lease with the Corp of Engineers. Also, the Three Affiliated Tribes went on resolution to request land to be taken out of grazing for recreational use. This was approved and dates back to 1985.

Discussion continued on the liability to the Tribe. It was questioned how the Tribe would be liable without any agreements. Response was the Tribe leases it. It is a recreational lease subleased to Jim Danks, but there is no third party concession agreement. Jim Danks explained the lack of the third party concession agreement. More discussion followed on the agreement. Mr. Brugh asked if it could be resolved so he could do his paperwork and further stated he needed a directive to continue the lease.

SKUNK CREEK (CON'T)

Mr. Brugh is to obtain a copy of the third party concession agreement for signature and to prepare all documents for signature.

- ITEM 51: MEDICAL RECORDS CLERK POSITION/TWIN BUTTES
Tribal Health Administrator, Hazel Blake, presented a letter which was read by Secretary Rabbithead. This is a request for \$22,712.25 to staff a medical records clerk in the Twin Buttes Clinic.

Councilman Mossett motioned to approve this funding to staff the position from the T-2 account. Motion seconded by Councilman Fast Dog.

Chairman Wilkinson acknowledged motion and second.

Discussion on the Twin Buttes medical records position continued. Mr. Baker is going to look for money for this position for the coming year. Ms. Blake stressed the point of only two staff persons working there now, which include an LPN and a doctor. Doing the job of a medical records clerk imposes on their other duties.

Vote: 6 for, 0 opposed. Motion carried.

- ITEM 52: HUMAN RESOURCES DEPARTMENT UPDATE
Janet Gunderson explained that in December, a group of employees from the Tribe and IHS got together to form a task force to propose a meeting. The task force consists of: Glenda Embry, Carol Walker, Catherine Harmon, Susan Paulson, Bernadine Young Bird, Ursula Eagle Staff, and Dorian Aho.

The task force stated they would like the Tribal Business Council to be aware of the things they are working toward and some of the concerns which involve family and child welfare issues. The task force mentioned they would like to work with the Comprehensive Management Team to see what they can do for their programs.

Bernadine Young Bird presented information from their planning meetings. They want the Council to be aware that they are in this process to propose some child and family impact statements as gaming is one of the biggest issues. They will inform the Council of their next meeting as they need the support.

HUMAN RESOURCES (CON'T)

Note read by Chairman Wilkinson regarding the impact of the gaming resolution on societies.

ITEM 53: EDUCATION UPDATE

Bernadine Young Bird explained a preliminary draft of the code has been submitted to all of the communities. The purpose of this is for everyone to get a chance to review and provide input. The other thing is the curriculum effort on which a resolution was passed and a letter sent to Anna Rubia to assist us in mediating our relationship between the Indian community and schools of New Town and Parshall and, also an update on the Education Week by Carol Walker, Education Activities Coordinator.

ITEM 54: JOHN DANKS/PETITIONS

Secretary Rabbithead introduced John Danks as the next item.

Mr. Danks thanked the Council for putting him on the agenda, and the people present who were waiting with him. Mr. Danks stated they have come in order to present some petitions to the Tribal Business Council. We have followed the procedures of the Tribal Constitution of the Tribe's Referendum Election Ordinance. When the Tribal business council does actions that we do not agree with, the Tribal Constitution provides under Article VIII, upon a petition signed by at least ten percent of the qualified voters of each community demanding a referendum vote. On any proposed or enacted ordinance or resolution of the Tribal Business Council, the Council shall call an election and the majority of qualified voters in such referendum election shall be binding upon the Tribal Business council, provided that at least thirty percent of the eligible voters shall vote in such referendum.

Mr. Danks then read a petition that stated as follows: The Tribal Business council or the Tribal Chairman Wilbur Wilkinson authorized bonus payments of twenty thousand dollars to the Chairman and each Councilman, also ten thousand dollars to the Comptroller, Marcus Wells, and Executive Officer, Spencer Wilkinson. We the undersigned enrolled members of the Three Affiliated Tribes, hereby request a referendum vote be held on the above stated action of the Three Affiliated Tribes

PETITIONS (CON'T)

Business Council or Wilbur Wilkinson. Should the referendum vote recall this transaction, the Chairman, Wilbur Wilkinson; the six Councilmen; the Comptroller, Marcus Wells; and Executive Officer, Spencer Wilkinson shall be required to immediately refund the bonus payments to the Tribe.

This petition was circulated in all six segments. It has the required number of signatures, a minimum of ten percent per district. In fact it has 336 signatures on this petition. This petition meets all requirements of the Business Council's bylaws and it also meets all the requirements of the Tribes Referendum Election Ordinance.

Mr. Danks then presented another petition that deals with the same subject. This petition stated: The Tribal Business Council Chairman, Wilbur Dale Wilkinson, stated in the Minot Daily News that he authorized the twenty thousand dollar bonus payments to himself and six Councilmen, and ten thousand dollar payments to Marcus Wells and Spencer Wilkinson. The Three Affiliated Tribes Bylaws, Article II, Salary, states that no compensation shall be paid to any Tribal officer out of any Tribal funds except by resolution duly passed and approved by the Tribal Council and said resolution shall be of no effect until approved by the Secretary of the Interior. We, the undersigned enrolled members of the Three Affiliated Tribes, believe that the bonus payments are a gross misuse of Tribal funds by Chairman Wilkinson. We, the undersigned, request that Tribal Chairman, Wilbur D. Wilkinson, be recalled from office by referendum vote.

Mr. Danks then stated, "This petition also has 336 signatures, it has the minimum requirement. The petitions have the proper affidavits, and I present them to the Council. I request the Council take action to accept them."

Chairman Wilkinson replied "In response to the two issues you've raised, Mr. Danks, number one, the bonuses and the authority behind the bonuses, it was this administration's procedure that the two resolutions passed by the Tribal Council, one in February, and one in April, did authorize the Tribal Council Treasurer to adjust and disburse

PETITIONS (CON'T)

funds. The Tribal Council Treasurer made a decision that is reflected in my December 1 memo, that it was based upon those actions that the bonuses were authorized." Chairman Wilkinson went on to explain that it wasn't just the Tribal Council that received the bonus. There was ninety-four (94) other people who received bonuses throughout, in all programs. Chairman Wilkinson then read a list of these recipients which included: LaVerne Brady, Judy Young Bear, Sue Romero, Abigail Country, Linda Little Soldier, Marion Spotted Bear, Virgil Wilkinson, Glenda Embry, Paula Danks, Pat Wilkinson, Ambose Hosie, Calvin Grinnell, Danile Henry, Sheryl Malnourie, Donald Dickens, Frank Henry, Karen Stevens, Joan Fredericks, Bonita Pedro, Dorothy Packineau, Maria Kraft, Renita Howling Wolf, Iva Gillies, Barbara Young Bird, Delvin Rabbithead, Leslie Morsette, Marcus Wells Jr., Jerome Dancing Bull, Johanna White Bear, Diane Hall, Martha Hunter, Mary Ann Connors, Carol Walker, Dorian Aho, Evengeline Conklin, Leo Cummings, Murphy Sitting Crow, Melva Driver, Janie Rabbithead, Cheryl White, Carey Brady, Phyllis Wells, Barbara Bear, Jarret Baker, Henry Young Bird Sr., Darryl Fox, Germaine Fox, Lilian Price, Lyda Gayton, Theresa Price, Theresa Valella, Bryan Young Bird, Marvin Driver, Candace Eagle, Elliott Windy Boy, Delphine Baker, Terrasina Smith, Mariel Fox, Janelle Canyon, Darryl Cummings, Doris Hoffman, Shawn Little Owl, Gordon Ward, Ada White Lightning, Marilyn Ogden, Yvonne Merrick, Connie Howling Wolf, Richard Young, Maxine Harrison, Grace Henry, Eugene White Jr., Malcolm Bruce Jr., Bert Krueger, Renita Otterman, Millard Hale Sr., Malcolm Bruce Sr., Virgil Eagle, Neil Karlson, Bruce Behles, Arthur Smith, Texx Lone Bear, Noreen Two Crow, Jason Two Crow, Leonard Eagle, Lonnie Boens, Magdaline Young Bear, Peter Young Bird, Myrna Jacobs, Kyle Baker, Eric Morning Star, Paul Danks, Katherine Sorenson, and Roger Grady.

Chairman Wilkinson added that throughout this payment of bonuses and incentives, it wasn't just exclusively Tribal Councilmen and front office people, that received these bonuses. Chairman Wilkinson stated he believes the two resolutions passed by the Tribal Council did in fact authorize this, and that's the reason it was done. As for

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the issues of recall, we've gone through this before. The Tribal Constitution does not provide for that. As far as the ten percent of the eligible voters, you know fully well that it includes both on and off the reservation. Total enrollment. Chairman Wilkinson said he agrees with the concerns. He stated, "We are willing to work with all of the people." As far as the direct challenge on the reason for the bonuses and the recall of the Chairman, the issue remains, the Constitution is the same, and we've dealt with these same resolutions before, same intent, and the position will be the same as that is what the Constitution calls for.

Mr. Danks then replied the Constitution provides for recall. It provides for ten percent of the eligible voters residing in each segment. We have that minimum number on this petition. These two petitions merely require a majority vote of this Tribal Business Council.

Vice Chairman Johnson questioned why the petition just calls for all the Councilmen that received bonuses, and excludes all the other recipients of the bonuses.

Mr. Danks answered the petition does not address all of those people, those mentioned on the petition are the people that we, the petitioners, addressed. This is who we request refund bonuses.

Vice Chairman Johnson asked Mr. Danks if it should be fair that everyone refund the bonuses.

Mr. Danks repeated that these are the only ones the petitioners are challenging.

Vice Chairman Johnson stated "That's not fair as far as I'm concerned."

Tribal member, Maurice Danks, then spoke, stating, that to his understanding there is only three, (Councilmen), that accepted the bonuses, the others didn't know what to do with them and turned them back. He asked if this is true. Maurice added that it states in our Constitution bylaws that the Councilmen will not give themselves a raise or a bonus without the full approval of the

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Council and then the approval of the Secretary of the Interior. He questioned if the Constitution bylaws mean nothing to the Council.

Vice Chairman Johnson replied that apparently there must have been a quorum that did approve a resolution allowing the bonus.

Maurice pointed out that the Constitution bylaws cannot be changed without referendum vote by the people.

Chairman Wilkinson asked if there were any other questions.

Councilman Gillette quoted from Article VIII of the Constitution saying ten percent of the qualified voters of each community. He then mentioned that would mean from White Shield, Twin Buttes, Four Bears, New Town, Mandaree, and Parshall. Ten percent of those communities. In 1976, 1982, and in 1989 referendums were done because the members didn't agree with what the Councils had proposed. He recalls that in Chairman Wilkinson's campaign speech he would have, if there was a difference between what he proposed to do and the memberships or the Council, he would allow a referendum. The other thing Councilman Gillette brought up is on the nominations and elections section of the Constitution, there is a reference to it, in Section 4, from Article IV, stating special elections may be called by two thirds vote of the Council in favor of such election, or by petitions signed by at least ten percent of the qualified voters of each community, as provided in Article VIII. So Article VIII is what these petitioners are presenting to the Council today. He mentioned that none of those present were lawyers, but they do have access to lawyers to advise them. Councilman Gillette stated, "My position is that they have the adequate petition numbers, they followed our rules to ask for a referendum. All it is, is that the members out there, they don't agree with us. And they have the right to say yes or no to us. And that's all they're asking. There is a resolution there, it has to be read yet." He also mentioned that he turned his bonus back.

Chairman Wilkinson responded that the Bureau of

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Indian Affairs whose responsibility it is to interpret the Constitution says that the requirement is for "all" the eligible qualified voters. He reminded those present that the Council has been through this in 1991, about what constituted enough names on the petition, and that position is that it requires the off reservation people, also. Chairman Wilkinson then mentioned the court case in Tribal Court right now concerning this issue, asking for the same thing. It's not within the Tribal Council's purview to preempt any decision that the Tribal Court is going to make. This issue is being dealt with in Tribal Court now. It's already being addressed.

Mr. John Danks requested the Secretary read the resolution.

Enrolled member, Myra Snow, spoke on behalf of the petitioners addressing Chairman Wilkinson. Ms. Snow reminded Chairman Wilkinson of his campaign speech, which he brought around to everyone. Ms. Snow stated, "It's got, 'Friends and relatives, young and old alike, I promise you that I will work hard for you and will do my best to help all of the reservation. By working for you, and with you, we can achieve all goals we set that will include life for ourselves, our children, and our elders. I am asking each and every one of you to exercise your Constitutional rights to vote for me.'"

Ms. Snow continued, "You are forgetting this all together, you are throwing it away. These are your words, I have more things that you promised. You can't sit there and get so darn onery, now. You are my nephew, and I'm talking to you. You better just step out. Because the people don't want you. Stealing twenty thousand dollars. That's stealing! Maybe it doesn't seem like that to you, but to the rest of us people, during Christmas we were hard up for money, we wanted at least five hundred dollars, and you denied us, and a couple days later, you gave yourself a Christmas bonus of twenty thousand. People don't forget that easy. They remember that. This petition has over what was just read, there's a lot more names, and that is what the people want. You better listen to them, because you stated it right in here."

Chairman Wilkinson explained that when speaking of bonuses, given to the senior citizens, if you go straight off the investments, it would've been one hundred dollars apiece. But the Tribe added fifty thousand to that, bringing it up to two hundred fifty dollars. Grants were made to churches and Christmas grants were given to communities. The accomplishments are many. As earlier stated, the issue Ms. Snow was talking about, is before the Tribal Court right now. It wasn't just the Tribal Council that got bonuses, there was ninety-four other people who received those bonuses. The options made available to the Councilmen were clear, one, they earned it, two, they could donate it to their communities, three, form a special project, or return it to the Tribe. That decision was to be made by each individual Councilman.

Chairman Wilkinson stated that on the issue of the bonuses, he firmly believes the two resolutions that authorized the Treasurer to make those decisions was appropriate. The issue that was filed in Bordeaux vs. the Councilman which is still before the court, accomplishes what is being attempted here.

John Danks replied the petitioners have made their decision on what action they are petitioning the Council on, and that they place before the Council, a valid petition. They decided what they wanted on that petition, that they do not agree with the Tribal Business Council. That is why they petition to recall these actions. Mr. Danks again requested the Secretary read their resolution.

Chairman Wilkinson responded that they comply with the requirements of the Constitution, also, that it's the Tribal Council Treasurer who handles the petitions. Chairman Wilkinson commented on his belief that the group Mr. Danks is speaking for does not represent the ten percent of eligible voters from Fort Berthold.

Secretary Rabbithead responded he firmly believes that there is also ten percent of the people who think the Council is doing a good job. On any given day, a petition may be brought in with ten percent, but, the two resolutions passed by the Council authorized this entire bonus issue. Secretary Rabbithead then said, "I don't believe

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you have an issue at all."

Mr. Danks once again requested the resolution be read.

Chairman Wilkinson informed Mr. Danks the resolution will not be read at this time.

Secretary Rabbithead explained that he had no idea that Mr. Danks was on the agenda to present the petitions. He further stated that Mr. Danks was supposed to be on the agenda concerning a different issue.

Mr. Danks admitted he called LaVerne Brady, Recording Secretary, stating only that he was requesting to be on the agenda to speak to the Tribal Council.

Mrs. Brady confirmed this.

Secretary Rabbithead stated, "I will not accept any petition at this time."

Councilman Gillette addressed the Treasurer on the bonus issue, stating, "The Constitution, which we are obligated as elected officials to operate under, whether we disagree or agree with each other from time to time, is only 37 pages long, and on page 34, it specifically states, 'The salary shall be passed by resolution.' and it states how much the amount is. Resolution 92-35 does not state anything about the amount we are getting. We do have one resolution on file that shows where we went to \$36,000.00. It shows that amount. Thirty-six for the Chairman, and thirty-one for everybody else. That was our famous 'Fortune Cookie' meeting." Councilman Gillette went on to say that resolution did specify the mentioned amount, but the one in use now, does not specify an amount. Councilman Gillette added, "That is the reason I voted against it, and because it's not according to this little piece of paper we're supposed to operate under. And this time you're wrong."

Treasurer Bird Bear informed the Council that they should have considered what 'budget adjustment' meant when they granted him that authority.

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Councilman Gillette stated, "A twenty thousand dollar increase, Roger, is a large area to be gray about."

Treasurer Bird Bear responded that is not a gray area. The Council gave him the authority of budget adjustment.

Councilman Gillette mentioned that it states in the Constitution that the Councilmen must specify the amounts they are receiving.

Treasurer Bird Bear informed Councilman Gillette that it was specified by the Treasurer's authority.

Councilman Gillette stated, "Well, I disagree with that."

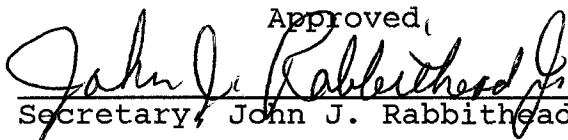
Secretary Rabbithead added that the two resolutions authorized the bonus, therefore, there is nothing illegal about it. Secretary Rabbithead then informed those present that he donated ten thousand to his community.

Chairman Wilkinson announced they would go to the next item on the agenda.

Councilman Gillette interrupted, "Mr. Chairman, I'm still on the bonus. I'm still on the floor. In view of Resolution 92-35, I'm going to make this motion that, that did not authorize the bonuses to the Councilmen. That's my motion. Because it did not comply with our Constitution. That's my motion"

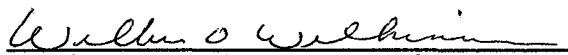
Chairman Wilkinson informed Councilman Gillette that he was out of order.

ITEM 55: ADJOURNMENT
Meeting adjourned at 5:36 PM.

Approved,

Secretary, John J. Rabbithead, Jr.

Disapproved
3-23-93
Date

ATTEST:


Chairman, Wilbur D. Wilkinson

3/23/93
Date

ADDENDUM TO FEBRUARY 10, 1992
RESOLUTION #93-22-JJR

Resolution 93-22-JJR was read by Secretary Rabbithead.

Chairman: Do you have any comments on this, Mr. Fast Dog?

George: Yes, we don't know what's happening over there. We're the Tribal Business Council, here, they should be reporting to us, and it's not like that. I talked to some people and it seems like I gotta report to them. It's wrong. There is a lot of things wrong here. We got to change a bit here, and we're not doing that. We're just staying at the same level. If you don't change, you gotta move, and that's the reason I got this resolution. I've received a lot of questions about the Casino and other projects, and I couldn't tell people, because I didn't know. They're too secretive. We have to communicate better and we don't do that.

Chairman: I believe the work of the Economic Development Team has been positive and the impact on our Tribe has been tremendous. This team puts together the documents, the proposals, and this Council approves them.

George: No, we've never approved them. You approve them. 'We' don't do that.

Chairman: No, this Tribal Business Council does approve those. As far as ceasing the operations of the Economic Development Team, I think is improper, I think a lot of the projects they are working on are nearing completion. It's had a very positive impact this Tribe.

George: Well, why can't they show it to us, when we ask, they leave. They take off. I've asked them to come over to my meeting, you were there when I asked them. They didn't show up, none of them did. What have they got that's so secret from all of us here?

Chairman: Well, the presentation that was made, had identified all the projects. I made that...

George: Well, what are they hiding, though, I mean, why are they hiding?

Chairman: They're not hiding anything. You know, when we go to community meetings, disclosure is made on all the projects. I definately feel that this resolution is improper, and I think you as Councilmen, you know when a project is going to be authorized,

is brought before this body, you know, you guys participated in the CDBG Project. It came before this Council. That entity prepares proposals after authorization is granted. You know, funding for that team comes from EDA, BIA, FMHA, these are projects that were prepared and written by this team. Hud. I certainly believe that the accomplishments of this team, you know, it's, how can you hide a proposal?

Ivan: I think what George is saying, too, is, we haven't seen anything.

Chairman: We've seen the recently approved CDBG package.

Ivan: What about all these other ones? Shouldn't that come up to the Council?

Chairman: The Council has to authorize the Team to put together a proposal, a package.

George: You know, the only one that authorizes anything is you.

Chairman: The Tribal Council authorizes.

George: No, I mean on this Economic Development Team. And we don't even have any say, we don't even know what's happening.

Chairman: That's not entirely true. It's this body that acts on all the proposals. Just like when we did the priority rating on the CDGB. It's like when we had Hans Walker prepare the revised ordinance, the compacted documents were presented to this body. You know, many of these projects began before November of last year. But I have a report that outlines all the projects and the status, and where they're at.

George: It would be good if you shared with us all that information. You don't do that. They don't do that.

Chairman: Yes, we have. I've gone to all the segments. White Shield, Mandaree, Twin Buttes, Parshall, and I have done that, project by project. I truly believe that this resolution is improper, because the Tribal Council does, in fact, approve the submitting of proposals, just as you approved Mr. Johnson's proposal today.

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Ivan: We haven't had any input on any of these though, that I know of.

Chairman: Well, many of these projects have been being worked on.

George: One of the things I should bring up too, I was going to take some travel last Friday, and I had to go and ask Marian if I could go. Is that right? I thought she was working for the Tribal Council.

Chairman: I think that is an issue that is not a part of what we are discussing right now.

George: Well, that's part of it.

Chairman: It cannot be, it's not included in this.

Austin: Mr. Chairman, on the discussion, I have before me, on block grant, our CDBG money is, I remind the Treasurer here, the amount is \$800,000 for the block grants for '93, for now. But of that \$800,000 we have \$286,000, that the Tribe has to match. So that leaves us with \$514,000 that we are receiving from HUD, and the Cattle Relending Program is \$400,000. Of that, our share is \$172,000 of Tribal funds that match that. Now my concern was expressed at the last special meeting, I have a receipt from the Agency, it shows how much Tribal income we have from farm and pasture. It's \$314,000 for '91, and \$320,000 up to August of '92. And in that resolution 92-79, it authorizes you to commit Tribal funds. I don't think I voted for it, but if I did, I'm in support of having every individual project come here to make sure we have enough money to do these, rather than authorize one person as it is in the resolution, that is currently in place. I finally got a list of people that are going to be getting cows, this is the first time I seen this, yesterday. We got, I don't know how many head here, but, these are the things that we are concerned about. Myself, I'm concerned about our money situation, Roger.

Chairman: I believe, too, that the work that is being accomplished by this team, cannot be stopped. We've got a lot of projects that are in the mill, and that's what this resolution is purporting to do. I agree that the projects will continue to be brought before the Council, but there should not be a decision to stop the work of the Team.

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George: Well, why can't they report to the full Council?

Chairman: We can do that too.

George: Are we gonna vote on this?

Chairman: Just a minute, you are out of order.

John: A resolution like this is harmful to the Tribe at this point. All these projects that the Economic Development Team is working on, brought in over \$189 million. If that is not enough to do away with this resolution, I don't know what you want. \$300 million? That's \$189 million that this Tribe has never had in 1990. That's what the Economic Development Team does. They do a lot of research, they make contacts, they submit proposals, and they work late hours. All Councilmen are allowed to participate. The Chairman has made that known. I think it's a little bit of responsibility of the new Councilmembers to take part in this. I know Ivan has been. That's how he's known what's happening here. That's the only way you'll find out what's happening. When you jump into a ball game half way, you miss the first half.

George: We could try to, whatever, we gotta do it differently, we gotta, you know the way it is right now there's only two people that's, that know what's going on. We don't.

John: Make an effort to find out what's going on.

George: I'm here every day! I take everybody's calls here. I'm always here.

John: Since you've been on the Council, I think I've only talked to you once. I got my office right there. I could tell you anything you want to know. So is the Chairman.

Chairman: Well, I think for the purposes of this discussion, as an example, the recently approved CDBG grants, was involving you in the process for the North Segment hall. It was involving Mr. Rabbithead for the facility to be constructed in Parshall. It's involving you people in the Gaming Agreement, the Management Agreement, it's getting you involved with that. That's a big time project. You can't sit there and tell me that, that information is withheld from you.

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George: That's just one. You see this list right here?

Chairman: Well, that list that was presented to you,

George: Yeah, right here, I don't...

Chairman: The one on the left hand side of you, there, you know, if we were not disclosing information to you, you would not have that.

Carol: The way we got that was because it was left in a desk that was moved in our office.

George: We didn't know about that. None of us did.

Chairman: If you would have asked me, I would have given it to you.

Delores: At Bismarck, that was presented, at New Town it was presented, at Parshall it was presented, the Economic Development Team projects.

Chairman: These are the projects, that when I go to the community meetings, when I make a presentation to the people, we talk about all of these. Just as I did at the North Segment meeting last week.

George: You never added that to us, because we just found that in the desk, and that's the first time I ever seen it.

Chairman: Well, if you kept minutes of that North Segment meeting, it's all in there.

Ivan: I think what George is saying, is we don't have any input at the table here, as far as these programs, or whatever. That's all we want to do, is just be involved in it.

Chairman: Well...

George: And have Council meetings. We never do.

Chairman: Well...

George: I think me and Ivan are the only two here every day.

Chairman: You know that's, that's commendable. But I think for the purposes you are trying to achieve by this resolution is wrong. The Economic Development Team

has never purported to act on behalf of the Tribal Council. Their actions are authorized by this body to put together a project, a proposal and to submit it.

Ivan: It's by the Executive Committee, ain't it? Not the full Council.

Chairman: It's by the Tribal Council.

Jim: It's by the Chairman, on that resolution.

Ivan: I don't think anyone wants to stop this Economic Development.

George: Economic Development is good, but we're not trying to stop that, we're just trying to know what's going on. That's all we're trying to do.

Chairman: Well, you know, as far as getting information or requesting information or wanting to find out the specific status of each project, you know, that's readily available.

George: You know, one time you said, "You're a Councilman, you can tell the Economic Development Team to appear at meetings." I was in Minneapolis, and I got called over there by the people, at Minneapolis. I went down there. I asked Jeanette to go down there with me, and she was afraid. You, know, and I think, you know, that if you're not doing anything wrong, you shouldn't be afraid of anything.

Chairman: Well, I don't believe Ms. Coffey is afraid of anything. That's why you have a staffer, that's why this Council has made that position available to you in addition to yourself, to obtain that information. If you're interested in it, ask for it, and I'll give you a copy.

George: Well, if I knew about it, I would. This is the first time I read about this.

Chairman: Well, it's just like at your community meeting. The same projects that are on that list, are what I talked about. In fact, that's the document I talked off of. And if you would've asked for my copy, I'd have given it to you.

George: Yeah, we just, all I want is a change. It can't

continue on the way it is right now.

Chairman: Well, if it's just disclosure of the status of the matter, that's no problem whatsoever.

George: And when I was elected, you know, by the people, and you know, I think the people are my bosses, you know, I do what the people say. I don't do what anybody else says. And I think this is what they would like.

Chairman: What you're saying, that's commendable. All of us are elected by the people.

George: Yeah, we forget it though, you know.

Chairman: I don't think that's true. Otherwise we wouldn't be appearing at community meetings making reports on the status of these projects. Nonetheless, I truly believe this resolution is wrong. It's saying in here that it shuts the office down, and I believe that's wrong. We've got a large number of projects that are pending.

Ivan: I don't think anybody wants to shut it down, we want to have some reports. The whole Council, that should be the, the Council should be able to see that.

Chairman: That's no problem at all. But you know, the content of this resolution, where it says, 'The economic development team are hereby frozen and prohibited,' I mean, that's very clear to me what that means.

Ivan: Well, that could be worked around, you know, if we knew what the heck was going on. Nobody wants to shut anything down. If it's going good, let us take a peek at it.

Chairman: That's no problem, that can be accomplished easy.

Austin: Chairman, there's another part in that resolution at the end which allows you to pass as you see fit, without notifying any of the Council.

Chairman: Well, let's amend that and take that out.

Austin: That's at the end of the resolution, but you know, that's another deal. You're also allowed to transfer monies in there.

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Chairman: Transfer monies?

Austin: Yeah. If you was to leave that, you could commit monies without even consulting us, in that resolution at the end, it's in the last part. And that's probably what George is getting at. We want to know.

Chairman: Well you know, in this resolution 92-079-JJR, if the concern is the adding projects to the list is the concern, or committing Tribal money to a project, and if you want that resolution amended to delete those two, you know, that's acceptable.

George: You know, another thing I just found out here, you know it's on this resolution 92-079-JJR, it's got 'And now therefore be it resolved that the Tribal Chairman of the Three Affiliated Tribes is hereby authorized to sign any and all documents negotiating whatever action is deemed necessary to achieve implementation of the Economic Development projects. You know, why does it have to be you? Why can't it be all of us?

Chairman: Because I am the chairman.

George: And we'd just like to know, that's all.

Chairman: We can give you a disclosure, and make a report every regular council meeting.

Jack: The Constitution says the chairman has the authority to direct all commitments, that's there that's the Tribe's Administration.

Austin: That's true, but the councilmembers sitting also have that right to make changes if they deem it necessary so that we are all informed, and since we are committing Tribal funds, not for a short term period either, five to ten years in some cases on these projects. We want to know. Sure, they might be good things for the whole reservation, but we want to make sure that we're doing the right thing. And, with this you eliminate the Council. You don't need us.

Roger: Why did you vote for it?

Austin: I have no idea, Roger. I must've had a good day.

Roger: You see, I voted against it, for this very reason.

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But you voted for it. And I was the only one that voted against it.

Austin: That resolution wasn't even finished!

Roger: It was finished.

Austin: I didn't read it.

Roger: LaVerne Brady sill sign an affidavit to the fact who voted against it. See I don't understand why you're...

Austin: Changing my mind? I can change my mind.

Roger: I know you can! But something as serious as committing Tribal funds, you should've thought then.

Austin: I made a mistake. Leap year.

Chairman: Okay, well, I don't want to get into personal things here. You know I agree with the Tribal Council as far as you're position on 92-079-JJR as far as if you want to delete that portion about adding projects to the list. We can have all projects come before this body. The issue over Tribal funds, if you want that deleted and brought before this Tribal Council, that's fine.

George: Are you gonna vote on this?

Chairman: That's what we're talking about now.

Austin: There's no motion on it.

Chairman: You know, you're resolution purports to shut that office down completely.

Jim: Well, the Council can allow travel. And projects.

Chairman: And that's what you've done. That's what you do.

Jim: We have never allowed the Economic Development Team to do anything. Except by that resolution, we let you take that team and do what you wanted with them.

Chairman: Yes, and the results speak for themselves. You know, we've brought in a great deal of money to the reservation.

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Jim: Well, I'm sure we would've gotten that money regardless.

Chairman: That's a matter of opinion.

Jim: Well, I know we would've probably gotten more, too.

Chairman: You've got a pencil, you've got a staffer, go for it. But that's getting off the issue here. I don't believe that the Economic Development Team has to stop their work.

Jim: No, they don't, they just have to do it through the Council.

Chairman: Yes.

Jim: That's what this resolution says.

Chairman: It says more than that.

Jack: This thing is, how Councilmen are, it's their responsibility to participate in the administration and know what's going on. How you gonna know what's going on if you just listen to rumors and inuendo? How can you make fair judgements, if you're not involved in anything?

Ivan: Well, we haven't had any Council meetings.

Jack: Nobody's locking doors or anything. You have to know what's actually going on before you make some kind of a decision. If you don't know what's going on, how can you make a decision like this that stops the Economic Development team? This is harmful to the Tribe, the Tribe is going to lose millions of money if this goes through. And then your people are gonna suffer.

George: It's not gonna lose, we can continue. We can do anything we want, but, we can change anything we want, but then, I just want you guys to know that we are here, and it's just not you guys.

Jack: That's never been an issue with me. I've been there for you.

George: Okay, I entertain an motion for action on this resolution.

Chairman: As presented. Okay, we've got a motion to approve

this resolution by George Fast Dog, do I have a second?

Ivan: I'll second.

Chairman: Seconded by Ivan Johnson. Discussion? Once again I'd like to reiterate what I've said. That I believe this resolution is harmful. The resolution as presented does in fact shut down the Economic Development office. We've got a great number of projects that are pending, that are being currently worked on. And I think it's fundamentally wrong to enact, or approve this resolution.

Ivan: Why can't we just take them projects and have a meeting tomorrow? Just continue, nobody wants to shut it down, as far as travel, that what it says

George: We can change it right here, you know. Change the wording on it right now.

Ivan: Nobody wants to shut that work down. We can have a meeting tomorrow and go with it.

Chairman: Some of us won't be here tomorrow. This thing is written very clear.

Jack: I can reiterate again, the Tribe's gonna lose something very important, if this resolution gets passed, very important.

Ivan: In a day's time? We can have a meeting tomorrow.

George: We can always continue tomorrow.

Jim: Put in a 'Whereas' all payments, travel expenses, and other expenditures be approved by the full council.

George: Okay.

Chairman: That would have to be applicable to all our programs.

Jim: It should be.

Jack: Well, I'll get together anytime you guys want to...

George: We should, that's what we're getting paid for.

Chairman: We're kind of getting off what we're, what the

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issue is. There's been a motion and a second. I strongly believe that this resolution should not be approved. I think it will have a very detrimental effect on this Tribe and the work we're trying to accomplish. But with that all in favor of the resolution as presented. Four for. Opposed? Two opposed. One not voting. Motion passed.

A G E N D A

Regular Council Meeting
February 10, 1993

01. Call to Order
02. Roll Call
03. Resolution/Relinquishment of Enrollment
04. Resolution/Relinquishment of Enrollments #93-11-JJR
05. Resolution/Dual Enrollment #93-12-JJR
06. Resolution/Education Funding Formula #93-13-JJR
07. Resolution/Fort Berthold Reservation Extension
Service Program #93-14-JJR
08. Resolution/Associate Judge Position #93-15-JJR
09. Resolution
10. Resolution/Child Protection #93-16-JJR
11. Resolution/Reappointment of Tribal Prosecutor
#93-17-JJR
12. Resolution/Special Prosecutor Position for Social
Services #93-18-JJR
13. Resolution/Attorney Contract Renewal for Hobbs,
Strauss, Dean & Wilder #93-19-JJR
14. Resolution/Gaming Commission Membership #93-20-JJR
15. Resolution/Gaming Ordinance
16. Resolution/National Indian Gaming Association
#93-21-JJR
17. Resolution/Economic Development Team #93-22-JJR
18. Resolution/FmHA Property #93-23-JJR
19. Financial Assistance Request/Sacred Hoop Club

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20. Educational Grant/Stacy Fox Knife
21. Financial Request/Donna Mae White Bear
22. Wellness Team Request
23. Educational Grant/Biron Baker
24. Educational Grant/Elaine Blake
25. Educational Grant/Yvonne Kidder
26. Financial Assistance/Mamie Sherwood
27. Financial Assistance/Charles Chase
28. Financial Assistance/Casey Brim
29. Financial Assistance/Cheryl Fox
30. Financial Assistance/Jayne and Carolyn Bird Bear
31. Financial Assistance/Tom Harwood
32. Financial Assistance/Cedric Red Feather
33. Medical Grant/Viola Lang
34. Financial Assistance/Brandon Clark
35. Financial Assistance Request/Rosalyn Baker
36. Reconsideration on Rosalyn Baker
37. Financial Assistance/Inez Ashes
38. Financial Assistance/Katherine Holding Eagle
39. Mandaree Public School Request
40. Financial Assistance/Jeffery Smith
41. Financial Assistance/Glenda Rush
42. White Shield School Request

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43. GPIRA Request
44. Financial Assistance/Justin Racine]
45. Prison Pow Wow Request
46. Twin Buttes School Board Request
47. Ken Fredericks Request
48. Lease Issue/Pete Fredericks
49. Pouch Point Bay/Ron Brugh
50. Skunk Creek Bay Recreation Area/Ron Brugh
51. Medical Records Clerk Position/Twin Buttes
52. Human Resources Department Update
53. Education Update
54. Petitions/John Danks
55. Adjournment