

THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
TRIBAL CHAMBERS

Special Council Meeting
August 2, 1993

PRESENT: Wilbur D. Wilkinson, Chairman; John J. Rabbithead, Jr., Secretary; Roger Bird Bear, Treasurer; Austin Gillette, Council Member; George Fast Dog, Council Member; and Leigh Wolf, Recording Secretary.

ABSENT: Ivan Johnson, Vice Chairman and Jim Mossett, Council Member

OTHERS: Dawn Charging, Consultant; Marcus Wells, Jr., TERO; Brett Gillette, Summer Intern; Kyle Baker, Air Quality Coordinator; Marcus Wells, Sr., Comptroller and Tom Bird Bear, Enrolled Member.

ITEM 01: CALL TO ORDER
Meeting was called to order at 2:10 PM.

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

ITEM 03: RESOLUTION/LINE OF CREDIT WITH 1st INTERNATIONAL BANK-WATFORD CITY: #93-99-JJR
Resolution read by Secretary Rabbithead.
This resolution pertains to the Three Affiliated Tribes authorization for negotiation and for the Comptroller and Frank Henry to sign documents for the \$1,000,000 short term loan and the \$500,000 revolving line of credit with the First International Bank of Watford City.

Chairman Wilkinson entertained a motion to approve.

Treasurer Bird Bear motioned to approve, seconded by Councilman Fast Dog.

Vote: 4 for, 0 opposed, 1 not voting. Motion carried.

Special Council Meeting
August 2, 1993
Page two

ITEM 04: RESOLUTION/HUMAN RESOURCES ADMINISTRATOR:
#93-100-JJR

Resolution read by Secretary Rabbithead.
This resolution pertains to the lay-off of Maxine Harrison as the Human Resources Administrator and Russell "Bud" Mason assuming the responsibility as the Human Resources Administrator effective immediately.

Secretary Rabbithead read a memo regarding the reasons for the lay off of Mrs. Harrison.

Chairman Wilkinson entertained a motion to approve.

Secretary Rabbithead motioned to approve, seconded by Councilman Fast Dog.

Chairman Wilkinson stated the charges should be included in the resolution when someone is terminated. He believes everyone is entitled to due process or an opportunity to respond to those charges. Chairman Wilkinson also stated he believes it is wrong to terminate and hire someone else in the same action.

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

ITEM 05: RESOLUTION/ALCOHOL SERVICES PROGRAM DIRECTOR:
#93-101-JJR

Resolution read by Secretary Rabbithead.
This resolution pertains to the lay-off of Theodora Star as Director of Alcohol Services, and Georgia Fox to assume the responsibilities of Director of Alcohol Services, effective July 30, 1993.

Chairman Wilkinson entertained a motion to approve.

Secretary Rabbithead motioned to approve, seconded by Councilman Fast Dog.

Secretary Rabbithead stated these two individuals, Mr. Mason and Georgia Fox, will be assuming the interim directorship of the programs until the

Special Council Meeting
August 2, 1993
Page three

ALCOHOL SERVICES (CON'T)
positions are advertised and re-hired.

Chairman Wilkinson stated his comments are the same on this resolution as on the last resolution. Chairman Wilkinson further added this is violating the civil rights of both employees.

Secretary Rabbithead stated he has spoken with both of the employees, and it is time to take steps to ensure the programs are run more efficiently. As Human Resource Committee Chairman, he feels it is imperative this action is taken now. Secretary Rabbithead stated one individual from his own segment has passed away today from alcohol related causes, and this might have been from the lack of services from programs such as the Circle of Life.

Chairman Wilkinson stated both individuals have requested to be on the agenda for the Regular Council Meeting in August.

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

ITEM 06: PURCHASE OF COMMUNITY VEHICLES

Councilman Gillette stated it has been brought to his attention that many of the workers in the communities have requested the Tribe to purchase community vehicles to be used as a shuttle. Many of the workers do not have cars, and need a ride to work. Councilman Gillette mentioned the Tribe could possibly purchase used caravans, with a set limit of \$10,000.00 per community.

Chairman Wilkinson entertained a motion to approve.

Councilman Gillette motioned for the purchase of community vehicles for Parshall, Mandaree, and Twin Buttes. Motion seconded by Secretary Rabbithead.

Vote: 5 for, 0 opposed. Motion carried.

Councilman Fast Dog mentioned there are people from

Special Council Meeting
August 2, 1993
Page four

COMMUNITY VANS (CON'T)
all the communities that don't have vehicles. New
Town should have a community vehicle also.

ITEM 07: RESOLUTION/WATER RESOURCES: #93-102-JJR
Resolution read by Secretary Rabbithead.
This resolution pertains to the modification of
\$45,000 if its water resources FY 93 unbanded
funding to cover \$20,000 in salary, \$20,000 in pay-
ments to USGS, and \$5,000 in travel.

Mr. Baker explained this is just extra money they
got. All he needs is the resolution.

Chairman Wilkinson entertained a motion to approve.

Treasurer Bird Bear motioned to approve, seconded
by Secretary Rabbithead.

Vote: 5 for, 0 opposed. Motion carried.

ITEM 08: RESOLUTION/NATURAL RESOURCES PURCHASE OF SEISMIC
DATA: #93-103-JJR
Resolution read by Secretary Rabbithead.
This resolution pertains to Natural Resources
contracting \$40,000 from the Department of Minerals
and Energy and to utilize these monies for the
purchase of seismic data.

Chairman Wilkinson recommended the council to
authorize the contract, but not to tie it to the
purchase of this data. Vice Chairman Johnson had
mentioned at a previous meeting this data is
useless, and the contract should not be tied to the
purchase of this data.

Chairman Wilkinson entertained a motion to approve.

Treasurer Bird Bear motioned to approve, seconded
by Secretary Rabbithead.

Mr. Baker explained the reason for the purchase of
this data. The oil companies are drilling along
the boundaries of the reservation, but not on the

Special Council Meeting
August 2, 1993
Page five

SEISMIC DATA (CON'T)
reservation. This is drawing the oil from within the reservation to the wells on the outside of the boundaries. This data would prove the oil they are collecting is coming from within our boundaries and put a hold on the drilling or bring the companies onto the reservation. Mr. Baker stated his plan is to buy the tips of all the lines on the reservation with grant money. Mr. Baker further stated this drilling started in the 1950's, and since then they have been drawing our oil from these wells.

Marcus Wells, Jr. also commented on this issue. One other problem that contributes to the oil companies not drilling on the reservation is due to the problem getting the necessary signatures on the leases.

Chairman Wilkinson stated he agrees with the Vice Chairman that this data being purchased is dead data. This money could be used for other purposes such as improving the process.

Councilman Gillette mentioned he would like to see something in writing that the brokers own this data and who gets to keep this data. Mr. Baker stated he would follow up on this with Dick Wilson. This money is not "in hand" now, this is an application for the money.

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

ITEM 09: RESOLUTION/LEGAL COUNSEL-NATURAL RESOURCES
Resolution read by Secretary Rabbithead.
This resolution pertains to the reimbursement of \$25,000 to the law firm Stoel Rives Boley Jones & Grey for environmental legal counsel commitments which fulfills FY '93 responsibilities.

This resolution was also presented at the last meeting.

Discussion on what was done on Geving and Carlson.
Mr. Baker explained the lawyers are waiting on the

Special Council Meeting
August 2, 1993
Page six

ENVIRONMENTAL/LEGAL RESO (CON'T)

"go ahead" from the Tribal Council before the case is pursued due to an estimated expensive and lengthy court case. Mr. Baker explained they could go for a natural resources damage case through the Resource Conservation Recovery Act. An inspection was done on Geving by the EPA and they did not find enough to go on, but there is enough to go to court on this matter if it is pursued.

Mr. Baker stated they have been holding off until the Homestead issues are taken care of such as the Duncan Oil and RTC cases.

Discussion on legal fees.

Chairman Wilkinson mentioned Mr. Baker has come before the council before stating grants would pay for the environmental legal fees. Mr. Baker replied the grants have covered the fees, but there have been some extra work done accounting for this shortfall.

Chairman Wilkinson entertained a motion to approve.

There was no motion to approve the resolution.

Chairman Wilkinson suggested Mr. Baker represent this at the next council meeting.

ITEM 10: RECONSIDERATION ON PURCHASE OF COMMUNITY VEHICLES
Councilman Gillette amended his motion to include all six communities. Secretary Rabbithead amended his second to include all six communities also.

Chairman Wilkinson acknowledged motion and second.

Vote: 5 for, 0 opposed. Motion carried.

ITEM 11: TOM BIRD BEAR REQUEST
Mr. Bird Bear introduced himself. He graduated from law school in May and has recently taken the bar and is awaiting results. Mr. Bird Bear is interested in employment with the Tribe.

Special Council Meeting
August 2, 1993
Page seven

TOM BIRD BEAR (CON'T)

Mr. Bird Bear is interested in working on separate projects, such as in finance or the Veteran's Housing project. He is interested in mortgaging and conveyancing land and also in development work.

Councilman Fast Dog stated Mr. Bird Bear has mentioned some concerns about the Veteran's Housing project that need to be worked out.

Chairman Wilkinson entertained a motion to employ Mr. Bird Bear.

Councilman Fast Dog motioned to approve, seconded by Secretary Rabbithead.

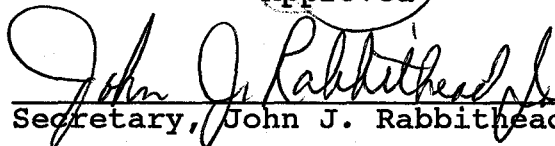
Councilman Gillette mentioned there is currently a vacancy in planning and some funds available in that department.

Mr. Bird Bear's work position will be negotiated on further at a later date.

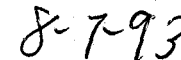
Vote: 5 for, 0 opposed. Motion carried.

ITEM 12: ADJOURNMENT
Meeting was adjourned at 2:58 PM.

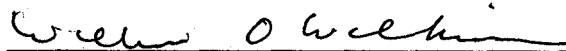
Approved

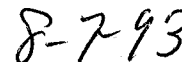

Secretary, John J. Rabbithead, Jr.

Disapproved


Date

ATTEST:


Chairman, Wilbur D. Wilkinson


Date



MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

HC3 Box 2 • New Town, North Dakota 58763-9402

TRIBAL BUSINESS COUNCIL
(701) 627-4781
Fax (701) 627-3805

SPECIAL MEETING

August 2, 1993

A G E N D A

CHAIRMAN
Wilbur D. Wilkinson

VICE CHAIRMAN
Ivan Johnson
Mandaree
(701) 759-3377

SECRETARY
John "Jack" Rabbithead, Jr.
Parshall/Lucky Mound
(701) 862-3841

TREASURER
Roger Bird Bear
Four Bears

COUNCIL MEMBER
Austin Gillette
White Shield
(701) 743-4244

COUNCIL MEMBERS
Jim Mossett
Twin Buttes
(701) 938-4403

COUNCIL MEMBER
George Fast Dog
New Town / Little Shell
(701) 627-3484

01. Call to Order
02. Roll Call
03. Resolution/Finance
04. Resolution/Human Resource Administrator
05. Resolution/Alcohol Services Director
06. Purchase of Community Vehicles
07. Resolution/Natural Resources-Water Resources
08. Resolution/Natural Resources-Purchase of Seismic Data
09. Resolution/Natural Resources-Legal Fees
10. Reconsideration on Community Vehicles
11. Tom Bird Bear Request
12. Adjournment