



# MANDAN, HIDATSA, & ARIKARA NATION

*Three Affiliated Tribes • Fort Berthold Indian Reservation*

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

TRIBAL BUSINESS COUNCIL  
Office (701) 627-4781  
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## SPECIAL COUNCIL MEETING MINUTES

**February 23, 1995**

**PRESENT:** Russell D. Mason, Sr., Chairman; Ed Hall; Vice Chairman; Mark Fox, Treasurer; Daylon Spotted Bear, Acting Secretary; Austin Gillette, White Shield Representative; George Fast Dog, New Town/Little Shell Representative; Marian Spotted Bear, Recording Secretary; C. J. Packineau, Sergeant at Arms.

**ABSENT:** Ivan Johnson, Mandaree Representative. (Prior Commitment)

**OTHERS:** Ted Lone Fight, III; Abigail Bingen, Neil Roggenbuck, Daniel Uran, Doris McGrady, Scott Eagle, Marc S. Bluestone, Jay Sandstrom, John H. Danks, Carol E. Good Bear, Henry M. Buffalo, Jr., Joseph R. Halloran, Kip Quale, Kyle Baker, Coby Little Soldier, Lester Crows Heart, D. Clancie Sorenson, Morgan Fettig, Gabriel Fettig, Sr., Manuel J. Chase, Shotae Little Soldier, Rosella Little Soldier, Howard Fettig, Dale Little Soldier, Lorry Little Swallow.

### ITEM # 1: CALL TO ORDER:

Meeting called to order at 2:32 p.m. by Chairman Mason. A moment of silent prayer was called for all the people who have had deaths and tragedies in their families, and are in mourning.

### ITEM # 2: ROLL CALL:

Roll call made by Acting Secretary Spotted Bear, who announced that six councilmen were present, and one absent. Quorum was established.

### ITEM # 3: APPROVAL OF AGENDA:

Changes: Move Item 4 to last; Item b. under Resolutions was removed from the agenda; Substitution was made with a resolution from the Ft. Berthold Housing Authority for Board Selection; Approval of Minutes moved to end of meeting; New Town School Board allowed to go first, followed by the gaming attorneys-- Mr. Buffalo and Mr. Halloran, along with Mr. Quale. Mr. Fast Dog requested that a grant resolution for Housing be passed, which he was going to get from Mr. Orville Fox.

Motion was made by Mark Fox to approve the new agenda, as amended. Seconded by Austin Gillette:

Motion: Mark Fox  
Second: Austin Gillette  
Vote: 6 for, 0 opposed, 0 abstentions, 1 absent.

Motion Carried.

**ITEM # 4: RESOLUTION FOR NEW TOWN HIGH SCHOOL APPLICATION FOR ISEP FUNDING.**

Marcus Wells, Jr., President of the New Town School Board thanked the council, and then introduced the New Town School Board Members who were present. These members were: Jay Sandstrom, Neil Roggenbuck, Daniel Uran (Business Manager), and Scott Eagle. Others present from New Town High School were Doris McGrady, Marc S. Bluestone, and Dr. Edward A. Slocum, Superintendent.

Doctor Slocum then addressed the council regarding their letter to the tribes dated February 23, 1995, and the accompanying charts and graphs regarding 874 Funding, a five-year revenue comparison for the school, and a five-year enrollment history. The school has experienced an increase in enrollment during the last five years. Total enrollment at this time is 755 students, and the school has gone from 63% Native American students in 1990 to 75% at the present time.

Doctor Slocum said, during this same time frame, the school's finances have been declining as far as the 874 Impact Aid Funding the school receives. The funding has not kept pace with the increased enrollment, and Congress has cut this impact aid funding to the point where the school is \$100,000.00 short of project funds for this school year. Due to this, the school is not accepting new enrollees who are not residents.

He said with the increased enrollment and the loss of federal impact aid, the school is now forced to seek new revenue sources, and they believe ISEP is the way to go. In order for them to submit an application for ISEP funding, they are requesting the Tribal Business Council adopt a resolution enabling them to apply for these funds.

Chairman Mason said he felt this would be the beginning of the tribes and the school working together. He then called for a motion to pass the resolution. George Fast Dog moved that the resolution be passed; seconded by Daylon Spotted Bear.

**Discussion:** Mr. Gillette inquired about the time frame, and what would happen if, at a later time, there was a "falling out" between the school and the tribes? Doctor Slocum said, as he understood it, before ISEP will undertake improvements to the present facilities, the facilities would have to be leased to the tribe. He said the time-frame issue would come up at that time.

Mr. Gillette said he would like it in the record that it is the council's understanding that this will go on for an indeterminate amount of time. He then brought up the subject of taxation of the oil wells in the NE Quadrant that the tribe does not benefit from, but the school does. He said the tribe can tax, but we haven't because it would hinder our own members and it would hinder development, if we had a double tax. He said, maybe, in the future, we can come to a common agreement that we will have a split tax, and that way we could have some available funds for some other things.

At this time, a vote was called for by Chairman Mason:

**Motion:** George Fast Dog  
**Second:** Daylon Spotted Bear  
**Vote:** 6 for, 0 opposed, 0 abstentions, 1 absent. Motion Passed.

**Resolution #95-62-DSB.**

**ITEM # 5: PRESENTATION BY GAMING ATTORNEYS.**

Mr. Mark Fox asked that this portion of the meeting be a closed presentation. Minutes will be transcribed separately.

**Note:** Ten minute break was taken at 4:00 p.m. Meeting was reconvened at 4:10 p.m., with five councilmen present. Mr. Fast Dog did not return for the second portion of the meeting.

The letter dated February 23, 1995, addressed to the Tribal Business Council from the New Town Public School was then read by Mr. Wells, along with the proposed resolution.

Those persons from the school who wished to address the council were allowed to do so. Chairman Mason said he was encouraged that this appeared to be a parent/community initiative and not an Indian/Non-Indian initiative. Mr. Fox asked if anyone among the school board and/or staff felt this action should not be taken; and, if so, if they would share their reasons with the Council. Mr. Sandstrom said there were a lot of concerns that had come up the past year regarding jurisdiction between the Indian and Non-Indian. He said, however, with the resolution that is in place, he felt it was the best that they could do to ease some of those fears. He felt that we could now start to work together, instead of pushing in the wrong direction. He said we have been pushing and shoving against each other, and, if we can work together on this, he felt that we could push in the same direction. He said as long as we could maintain equality and keep working on the relationships between the Indians and the Whites, he would be in support of the resolution. Mr. Fox said he thought the bottom line was what was in the best interest of all of the children, whether they were Indian or White, or from another tribe--and Mr. Sandstrom agreed. Mr. Sandstrom said there were a lot of "ifs, ands, or buts" when you come to that, but as long as we could keep the channel of communication open, he thought we could work it out.

Mr. Fox asked John Danks what his thoughts were on the subject, and whether or not he had any concerns. Mr. Danks said he didn't have any concerns, but commented that he truly complimented the school board for having arrived at this decision, he felt it was a good decision, and that they were taking action to prevent damage control. He stated he was 100% in support of the resolution.

Mr. Fox inquired what the school would be gaining if this resolution approved. Doctor Slocum estimated at least a 3.5 million dollar increase for the students and the school. He said this did not include facilities improvement money, which would be additional.

**ITEM # 6: RESOLUTION - FORT BERTHOLD HOUSING AUTHORITY BOARD.**

Resolution was presented by Treasurer Fox.  
Appointments are as follows:

Phyllis Howard	-	At Large
Cindy Packineau	-	Parshall
Pliga Bordeaux	-	White Shield
Daylon Spotted Bear	-	Twin Buttes
John Danks	-	Four Bears
Ivan Johnson	-	Mandaree
George Fast Dog	-	New Town/Little Shell

It was noted that the communities of Mandaree and New Town/Little Shell were to select the board member, but this has not been done yet. When and if new selection is made, it will require a new resolution. A resolution is needed right now so that the Housing Authority Board can conduct their business.

Motion was made by Mark Fox to pass this resolution, as appointed and as provided. Motion was seconded by Austin Gillette.

Motion: Mark Fox  
Second: Austin Gillette  
Vote: 5 for, 0 opposed, 0 abstentions, 2 absent.

Resolution #95-63-DSB.

**ITEM # 7: STAY ON LAWSUIT OF THREE AFFILIATED TRIBES V. TOGO D. WEST, JR., ET AL., 94-CV-1086 (JTAC).**

Letter was received from Washington attorneys advising a stay on this lawsuit, because the Corps of Engineers is going to be publishing their recommendations, in the Federal Register, on the use of taken area lands. These recommendations are purported to be favorable to the tribe. Letter from the attorneys was read aloud by Chairman Mason. Letter will be attached to the minutes. Motion was called for to go along with the recommended stay of this lawsuit.

Motion: Mark Fox  
Second: Ed Hall  
Vote: 5 for, 0 opposed, 0 abstentions, 2 absent.  
Motion Carried.

**ITEM # 8: DOCKET MONIES DISTRIBUTION FOR THE TRIBE.**

Mr. Mark Fox stated that under the docket funds that we are supposed to receive for distribution for the tribe, they have what are known as the Community Development Funds. Recently, these funds have been distributed on an equal basis per segment share, but it is our understanding that, originally, they were based upon head count. Mr. Fox said he had talked to the people in Finance and it was his understanding that there was a possibility of getting payment for the docket monies, either half or maybe even fully, based upon our revenue that came in, that we would be able to pay our development funds out to each segment.

He said they need to decide if they are going to pay under the current method of equal shares per segment, or if they are going to go by actual head count. He said he was willing to entertain the motion that if there is a resolution(s) to distribute by head count, that it be rescinded, and that distribution of community development monies be as they were in the previous year, i.e., equal distribution per segment.

**Discussion:** Mr. Gillette said he knew the Finance Department had the Judgment Plan from 1978, which states distribution is to be made per head count, per district, and this was done by referendum of the membership--it's a part of the Federal Register, it's a law. Mr. Fox stated he was not given any documents to support this, and that the Judgment Plan would have to state specifically that they had to go by head count. Mr. Gillette said the Judgment Plan, itself, is a federal law, and that it specifically states by head count. Mr. Gillette then questioned John Danks, who was present, as to whether or not the community development funds were by head count. Mr. Danks said the Judgment Plan referred to is over twenty years old, and stated that he did not recall. He said that there is a statement in the Judgment Plan that says that funds may be shifted. Mr. Gillette said this was in the original plan of 1978. Mr. Danks said there is latitude for the tribes to adjust. Mr. Fox said that is what was being indicated right now, to adjust the distribution based on equal shares, rather than head count. Mr. Danks said there was another alternative idea he was aware of, and that was that all six districts of the reservation are required by the tribal business council, by a charter and a constitution and

by-laws, to function in a certain manner. So, all six districts have a certain amount of democratic processes that they must carry out, in accordance with directions of the tribal business council. He said a third alternative for funding this was pointed out to him, and that would be 50 percent of the total amount be divided equally among the six districts; the other 50 percent would be distributed to the communities by head count.

Mr. Fox stated he was still in favor of equal shares for each segment, not because his community of Parshall would lose that much, but because other, smaller communities such as Twin Buttes, would stand to lose much more. He said the New Town area has an advantage in that most of the jobs are located here and fundraising opportunities are better here, as compared to the Twin Buttes area. He said he felt equal shares would be the fairest and most equitable distribution plan, at this time.

Mr. Gillette said the initial purpose of these monies was to provide the communities, after revenue sharing was eliminated in the federal process; and, right now, through indirect costs, the tribe pays for everything at the community centers--fuel, building managers, insurance--so there is really no cost to the districts, at this point.

Mr. Fox said the cost he is talking about is, if the community wants to do additional community-related activities, or different events, whatever they want to do in their community--with the larger populace here, where they have more people working, where they are able to conduct bingo's and make a profit--the possibilities here are much better.

Mr. Gillette stated, "We are discussing tribal funds, and we'll be discussing tribal land in a little bit, and they're holding us to this resolution, which is fine, but the other part is, I don't see a resolution or anything. It's just a motion. And, if we're going to discuss tribal funds, the constitution requires that we have a resolution to spend it."

Mr. Fox said his motion was to rescind any and all former resolutions pertaining to docket monies distribution, and that they approve of that; and, on Monday, when they have a council meeting, there will be a resolution to that effect. He said the checks would not be able to be issued this week as he had expected, anyway.

He requested that his motion be kept on the floor; he then advised that they could pass a motion to approve by equal distribution per segment, and then the resolution would be incumbent upon further review to make sure that it reflects what is approved at this time by motion. He stated that the resolution could be reviewed on Monday.

Since there was no further discussion, Chairman Mason then called for a vote.

Motion, as it now stands, is to rescind any and all former resolutions pertaining to docket monies distribution; to approve equal distribution per segment; and that the resolution to be submitted on Monday be subject to further review to make sure it reflects what is approved at this time by motion.

Motion: Mark Fox  
Second: Daylon Spotted Bear  
Vote: 3 for, 1 opposed, 1 abstention,  
2 absent.

Note: Housing Resolution asked to be put on the agenda by George Fast Dog, was not dealt with, since no one appeared from Housing with the resolution.

ITEM #09. APPROVAL OF MINUTES.

a. Special Council Meeting, December 22, 1994.

Council reviewed these minutes, and Mr. Fox said he would like to clarify on page 8, when grazing resolution was passed, where it says "motion and second, amended to \$6.50 at 40% rate, with review after two years", the review is not in regards to the 40%, the review is in regards to the \$6.50 amount. We said two years after that, we would take a look at whether to reduce or increase that \$6.50 amount.

Mr. Gillette said on that same page, we extended the deadline to the 31st (of December), then to January 6th, then we extended to the 13th (of January). He asked if the council had come to an understanding of what property security agreements are? Mr. Fox said he thought "property security agreements" is something that needs to be coordinated between the Natural Resource Department and the Legal Department. If the Natural Resource Department felt that there was an item



that was not a properly secured instrument, or even questionable, they should go to the Legal Department and get an answer. Mr. Gillette said they had referred some questionable ones to Legal, but this was added in at the request of some of the ranchers that were present at this meeting. Our initial document didn't have this part in there at all. Chairman Mason said "property security agreement" was the recommendation of the ranchers/operators.

Motion was then made for approval of the minutes, as corrected.

Motion: Mark Fox  
Second: Daylon Spotted Bear  
Vote: 5 for, 0 opposed, 0 abstentions,  
2 absent. Motion Carried.

December 22, 1994, Minutes Approved with Corrections.

b. Regular Council Meeting, January 12, 1995.

After review by the council, motion was made by Austin Gillette to approve these minutes, as presented.

Motion: Austin Gillette  
Second: Mark Fox  
Vote: 5 for, 0 opposed, 0 abstentions,  
2 absent. Motion Carried.

January 12, 1995, Minutes Approved as Presented.

c. Special Council Meeting, January 13, 1995.

Mr. Gillette stated that he had voted "no" on the land trade, item 3, on page 4. Mr. Fox wondered how the vote went from 6 for, 0 opposed and the next item showed 5 for, 0 opposed; and, yet the minutes don't reflect anyone leaving. Chairman Mason stated that he had abstained on this item. Correct vote should read 4 for, 1 opposed, 1 abstention; rather than 5 for, 0 opposed. Motion was then made by Austin Gillette to accept the minutes, with above corrections.

Motion: Austin Gillette  
Second: Mark Fox  
Vote: 4 for, 0 opposed, 1 abstention,  
2 absent.

January 13, 1995, Minutes Approved with  
Corrections.

The Special Council Meeting Minutes for January 27, 1995, and the Regular Council Meeting Minutes for February 09, 1995, were tabled. It was noted on the agenda that the minutes for December 8, 13, and 14, 1994, were still being finalized by Marcus Wells, Jr.; and that the minutes for January 26, 1995, were still being finalized by Linda Little Soldier.

**ITEM #10: NATURAL RESOURCE COMMITTEE.**

Mr. Gillette advised that Kyle Baker, Administrator for Natural Resource Department, had advised that there were still some questionable applicants for the range units. The Legal Department has been requested to research the applications in question. Mr. Baker was requesting that the council approve the range units that were without question, and that a special meeting be held on the ones that are still in question.

Mr. Baker said it would be up to the full council to add RU15, RU238, and RU405 to the questionable list. Mr. Gillette said, at the time of the Range Unit Allocations Meeting, these were not questioned; however, the Natural Resource Committee had received requests to add these to the questionable list on the basis of non-ownership of stock in RU15, and Tillie Walker had requested RU238 be added to the questionable list based on the fact that the applicant to whom this unit was awarded doesn't live in this range unit. Lorry Little Swallow requested to be recognized and stated that one of the individuals who had applied for this unit only lives approximately 160 yards from this unit.

Mr. Baker was questioned if this was the preference under the resolution. Mr. Baker said, "Yes, but the reso wasn't always followed--for all these other ones neither." Mr. Fox replied "That wasn't our fault." He said he would like to have it noted in the minutes that

he felt that Natural Resources had not done the proper screening at that time. Mr. Baker said all the ones that were voted on did not go on the questionable list. He said some were voted on, but they had no cows, no proof. Mr. Fox said they were granted, but with further verification by the 13th of February.

Mr. Gillette said the requests are for RU15, 238, and 405 to be added to the questionable list. Since these were voted on by full council, they were asking that the council reconsider these. If not, they will be left as they are.

Chairman Mason said, for one thing, we don't have a full council here; and, the other thing is that the legalities of having made an award already, and then violating the rights of that individual, regardless of how that decision was made, he would just as soon go through the legal process. He stressed that he wasn't taking any one side and that he had no vested interest in any of this. He said a decision was made based on the information that was available at that time. Any recission, after having notified the applicants that they were awarded these units, could create some legal problems.

Mr. Fox said there are some concerns where a government does an award, they create an entitlement, they give something to somebody, and then they turn around at a later time and take it back away from them, then there is a possibility that 5th Amendment rights are violated under the Indian Civil Rights Act. He said that he would prefer that Mr. Urban Bear Don't Walk render an opinion in that regard.

Chairman Mason then recommended to the council that this be tabled until we get a legal opinion from our counsel.

There was a question on RU506, in the minutes it said "Bid", and it was not listed on the bid. Daylon Spotted Bear said those minutes were only a draft, they are not official, and they haven't even been passed yet. Mr. Fettig said he had put in an appeal on RU102, and this wasn't on the list. Chairman Mason advised this could be put on. Mr. Hosie said the unit he had applied for was to be verified by the 13th of January, and at the meeting the other day, they said it was completed; and he had asked if the Legal Department had reviewed all the security documents, and he had never

been given a straight answer. He said he would like to see the Legal Department review this unit, because he questioned the expertise of the Natural Resource Department on the legal documents on a loan.

Chairman Mason said he felt the Natural Resource Committee was doing everything it can to authenticate the legitimacy of some of the documents submitted with the range unit requests. He said the Legal Department has to take a look at these. He said there are some questions that some of the deals that were made are actually for sub-leasing. He said he has confidence in the Natural Resource Committee and what they are trying to do to get everything authenticated. He said he would support the committee in what they are doing.

He agreed that we have a process that is full of holes, but assured the participants that everything is going to be looked at, and that there is going to be no more sub-leasing. He said the council was going to also take a look at land management. He asked the participants to be patient, and explained that the council is trying to do the best job that it can for everybody.

Chairman Mason said he was perturbed when the council wasn't provided with the best information that it could have used. Somebody else was in here providing the information, when it should have been the people who were assigned to do it, but there was a deadline to meet.

Chairman Mason said all of the cattle are going to be checked, and if an operator is in violation, they will lose their lease. With the resources the tribes have available to them, they are going to go out there and take a look at all of the livestock.

Mr. Baker said the Natural Resource Department is joining with the Bureau of Indian Affairs, and the tribes will have range riders and tribal rangers working with the Bureau, making everyone a little more accountable than what has been done in the past.

Mr. Fettig said he was asking to have RU102 put on the review list. Mr. Gillette asked Mr. Baker if the applicant for RU102 met the deadline of ownership? Mr. Baker said, before the 13th (of January) the applicant did have a bank loan and did purchase cattle, and did have 40% ownership.

Mr. Fox said the bottom line is that we want to get away from sub-leasing, and award the range units to people who actually have an interest in operating cattle.

Mr. Kyle Baker said, for the record, before all this took place, he was in charge of the Environmental Office, the Natural Resource Department was without leadership, the previous Administrator had hip surgery, and the people that were assigned did the best they could; however, they did not have a brand inspector go out and count the 40%, but that was too late, already, by the time the Range Units Applications were presented to the council; and the council just had to vote on what was there. He said, in the future, as Natural Resource Administrator, brand inspectors will count everything. And now, the new resolution says in three years, everyone will be at 80%, and if they are not, these range units will be lost. He said, between now and three years, if a person does not have 40% like they said they did right now, then it's up to the council to pull those units. But we can't go back to the past, we have to look to the future, and right now, we're just going in circles. He said he believed that we should just go by what the council has decided; and, in the future, try to do it right.

A question was asked by one of the participants about RU28 and asked if the person had reached the deadline of February 13. Mr. Baker replied to the participant that he had enough cows for the units he was awarded, and if he wanted another unit, he would have to get some more cattle. Mr. Baker, in reply to the participant's question, advised that there was no alternate picked for this range unit, so it will have to be bid. However, Mr. Fox stated that in the draft of the minutes, it does state that there was an alternate picked. Mr. Baker then said that Natural Resources had decided that the participant did not have enough cattle to be the alternate. He had 40% to fill the units he was awarded. In order to become alternate on RU28, the participant would need more cattle. Mr. Fox asked, "So the department made a qualification on his alternate basis and his status, and decided that he would not be able to qualify as an alternate?" Mr. Baker said this was a department decision. Mr. Fox agreed.

Mr. Fox said it was his understanding that the Natural Resources Committee was going to review the questionable allocations, and then they would carry forward with that in making determinations and recommendations to the Natural Resources Department.

Mr. Gillette said, since it was the council that awarded the units in question, a special meeting needed to be held.

Mr. Fox inquired if the full council couldn't give the Natural Resource Committee authority by motion to deal with what is going to be the questionable list and how the committee is going to proceed thereafter.

Chairman Mason said there are two issues then--one issue is that we have to get legal opinion on whether or not we can actually take these leases back, and the other is the recommendation from Mark that we put in a motion to give the authority responsibilities to the Natural Resources Committee to go over and authenticate the questionable or non-questionable range units.

Coby Little Soldier said they never got letters from Natural Resources saying they were going to come down and count. He said they counted next door and they thought they would come to their place and count, but now Natural Resources is trying to give the unit to the alternate. He said he has the ownership, and he just needs someone to come down and count and verify. Both Coby and Rosella stated that something that important should be certified.

Mr. Gillette said some of the ranchers in past years have avoided counts, and so forth, but in this year's administration of the range units, we did employ a brand inspector. He said he charges 50 cents a head to inspect brands, and that is a cost to the tribe. If these participants did not receive a letter, they should have that opportunity for a head count.

Mr. Fox stated that he felt the council was dealing with a matter that would be more appropriately taken care of by the Natural Resources Committee, which is formed for that purpose. At this time, he made a motion that those units that are to be questioned, and those that the Natural Resources Committee wanted to

either add or delete, at their discretion, and the ultimate decision on how to deal with these, that is, who will get them, would also be the responsibility of the Natural Resources Committee.

Mr. Fox added that the committees are supposed to be comprised of five people, three from the council, and two more from the populace. The selection of the other two members on the committee is up to the committee.

Mr. Hall commented that he is on the Natural Resource Committee, and he would feel more comfortable if this were handled by the full council. Mr. Baker said he would also like to see this handled by the full council.

Chairman Mason then reintroduced the motion that was on the floor, and asked if there was a second to the motion.

**Motion:** Mark Fox  
**Second:** None  
**Motion dies.**

Chairman Mason then asked the councilmembers for other recommendations. Mr. Gillette requested of the council members that were present, that when the Legal Department were finished with the opinions, that a special meeting be held to determine the final award for the units in question.

Chairman Mason asked about the units that had been requested to be reviewed, and Mr. Gillette stated he would be in agreement to have Range Units 15, 238, and 405 added for review.

Chairman Mason that he would like to ask of every committee that, in the future, the committees bring back their recommendations to the council in instances such as this, with backup documents, etcetera, so that the council would be in a better position to take immediate action.

He also stated that the Natural Resources Committee should take action to select the two members from the public to serve on the committee, as soon as possible.

Chairman Mason was asked by one of the participants if the February 13 deadline for verification was going to be held to, and he responded this was action that had been taken by the full council, and he did not see why this should be changed at this time.

Questions on unit head count were raised by those operators who had not had their animal units counted yet. Mr. Gillette stated that, to be fair to everyone who is on the questionable list because of no counts, either because the letter from Natural Resources was claimed to have not been received by them, or because of the fact that Natural Resources had quit counting after the February 13 deadline, he felt that the operators on the list should be given a chance to provide ownership. Mr. Baker stated this could be done within a week, if the operators on the list called and set up appointments. Mr. Gillette recommended that the Natural Resource Department call the operators, give them a date and time when they will be there; and, if there is no response at that time, then that will be the end of it.

Mr. Baker said in order to do this, they would have to rehire their brand inspector. Mr. Gillette then moved that those on the list that have no count be provided a final opportunity to get that count by a brand inspector by next Friday, March 3rd, 1995. Motion was seconded by Daylon Spotted Bear.

Motion: Austin Gillette  
Second: Daylon Spotted Bear  
Vote: 3 for, 0 opposed, 2 abstentions,  
2 absent. Motion Carried.

Mr. Baker then requested that this be the last count. Council agreed.

Secretary Spotted Bear then requested that the Review and Approval of the Minutes for January 27, 1995, and February 09, 1995 be tabled until the next meeting. Council agreed.

ITEM #11. Motion was then made by Austin Gillette to adjourn. Motion was seconded by Ed Hall. All in favor. Meeting adjourned at 6:30 p.m.

Attachment: Letter dated February 16, 1995, from Washington attorneys re stay of TAT lawsuit vs. Togo D. West, Jr., etal.



Minutes recorded, transcribed, and submitted to council for approval  
on March 15, 1995 by Marian Spotted Bear, <sup>*Mrs*</sup> Recording Secretary.

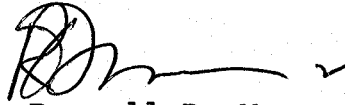
DATE MINUTES APPROVED & ACCEPTED BY TRIBAL BUSINESS COUNCIL: May 26, 1995

ACCEPTED:

ATTEST:

*Daylon Spotted Bear*

Daylon Spotted Bear  
Executive Secretary  
Tribal Business Council



Russell D. Mason, Sr.  
Chairman  
Tribal Business Council