

SPECIAL MEETING
TRIBAL BUSINESS COUNCIL
THREE AFFILIATED TRIBES

CONFERENCE ROOM
TRIBAL BUILDING
DECEMBER 17, 1980

PRESENT: AUSTIN GILLETTE, CHAIRMAN; TILLIE WALKER, SECRETARY; GERALD WHITE, TREASURER; ROY BIRD BEAR, THOMAS EAGLE, NATHAN PAUL GOODIRON, WILLARD LITTLE OWL, MATTHEW MASON, MARIE WELLS.

ABSENT : WILLARD YELLOW BIRD, AUGUST LITTLE SOLDIER.

OTHERS : HARRISON FIELDS, BIA SUPT.; ALAN SMITH & AMY MOSSETT, PERSONNEL OFFICE; CELESTE SCHEFFLER, GAME & FISH; G. RUSSELL GILLETTE, MATERIAL RESOURCE DEPT.; JOHN HOLM, TRIBAL ATTORNEY.

Chairman Gillette called the meeting to order at 1:45 p.m.
Roll call, quorum present.

TRIBAL ATTORNEY: John Holm was called on to report on the pending cases in which he is involved. He reported on the Mossett Bay case which will be heard in the 8th Circuit Court in January, 1981. Another case is the Four Bears pipeline case with Wold Engineering. This is early in the litigation process. EPA has done study and it did not pass the Safe Water Act. In U.S. versus 13.12 Acres case, Judge Van Sickle has not ruled on motion to dismiss. The Bureau was condemning land and tribe has a coal interest. He has submitted reply to motion.

Treasurer White moved to have Attorney John Holm continue work on pending court cases for the tribe and complete the Juvenile Code. Second by Councilman Eagle. Seven (7) in favor, motion carried.
Resolution #80-288

Attorney Holm said he feels that tribe should issue their own liquor license. Attorney General Olson said the State had nothing to do with it. A discussion followed on having public hearings in communities where license is to be issued.

Councilman Eagle moved to authorize a hearing for issuing license to Spotted Horn Store in Mandaree Community to be held on Thursday, January 15, 1981, at 7:00 p.m. to be conducted by August Little Soldier, Chairman of Judiciary Committee. Second by Treasurer White. Seven (7) in favor, motion carried.

Attorney Holm reported that he was nearly through with the Juvenile Code.

LEASES: Harrison Fields, BIA superintendent, presented list of allocations available. He reported the new rate of \$78 AUM was under appeal even though ranchers were paying \$57 AUM with the Rebate Program. A discussion followed on how many ranchers the Land & Livestock Association actually represented and suggestion was made to send a letter requesting list from Association. A discussion followed on developing a program in which the tribe will lease on a trial

basis. It was decided to meet next week to go over the units available on tribal land and segments with good water supply. The list presented was inaccurate and the BIA office was asked for an up-dated list of allocations available.

Councilman Mason arrived at 2:10 p.m.

HOME FIRES: A discussion was held on letter received from Roseann Johnson. A fire destroyed her home and fire trucks were not made available. Mr. Fields was asked if fire trucks were for government property only. He said they were not. He reported that there was no fire trucks for structural fires, only for range fires. He said there was a letter in process to inform people about the fire trucks available, who can use them, etc.

FT. BERTHOLD HOUSING: The next discussion was held on position vacant on Ft. Berthold Housing Authority's Board of Commissioners.

Treasurer White moved to designate Delores Wilkinson to fill vacancy on Ft. Berthold Housing Authority's Board of Commissioners. Second by Councilman Mason. Eight (8) in favor, motion carried. Resolution #80-289

Chairman Gillette reported that city of New Town had a \$100,000 FHA loan application to put in well, but they withdrew it because they are receiving IHS grant for the well. Our own members on the Housing Authority do not inform us, but apparently, this grant was worked out before. So we are saving New Town a \$100,000 loan.

CENEX: Chairman Gillette reported that Cenex has until December to make a settlement on pipeline.

BIA VACANT POSITIONS: Chairman Gillette asked if geologist position was advertised. Mr. Fields said it was, plus other vacant positions like soil conservationist, soil technician, realty specialist, etc. For the geologist, he reported Bureau had contacted an enrolled member for the position.

WEATHERIZATION: Discussion was held on weatherization for the White Shield and Mandaree schools from IMPL money. It was decided to get Councilman Eagle for White Shield school and Secretary Walker for Mandaree school to get list of what is needed to be done, the amount, etc. This is for school facilities only.

CITY LIBRARY: Secretary Walker read letter to the Council from Mr. Herbert Wilson, for support to the City Library in the purchase of books written by Indians, not about them. She said she would be happy to present her case personally. It was decided that a letter be sent.

TECHNICAL ASSISTANCE: Chairman Gillette reported on the reason why Bear Chief and Associates were here. They were here to go over building and make a list of needs which they will provide technical assistance for.

for. Priority was to up-date TERO Department and to hold a workshop, and another is to establish a Human Services department.

DEER HUNTING: A resolution was presented to have a moratorium on deer hunting declared on the reservation for 1980 season, rescinding resolution #80-257, and that the moratorium be in effect until further notice.

Councilwoman Wells moved to disapprove resolution on moratorium for deer hunting. Second by Councilman Eagle. Six (6) in favor, two (2) opposed, motion carried.

TRAPS AND SNARES: The next resolution presented to the Council was on amending Chapter 18, Section 4 of Game Regulations, to include subsection that any person using trap or snares must have identification number which the licensee must place on each device in a manner prescribed by the Game and Fish Division.

Councilman Eagle moved to disapprove said resolution on identifying traps and snares. Second by Councilman Wells.

Celeste Schettler was called into the meeting for information concerning the traps and snares. It was decided that Game and Fish meet with the Judiciary Committee about two Game and Fish resolutions presented.

INDIAN TECHNICAL ASSISTANCE: Secretary Walker read resolution presented for Indian Action Team to remain with Indian Technical Assistance Center in Denver, Colorado for FY 81.

Treasurer White moved for approval of resolution for Indian Action Team to remain with ITAC in Denver. Second by Councilman Mason. Eight (8) in favor, motion carried. Resolution #80-290

TERO DIRECTOR: Alan Smith and Amy Mossett, Personnel Office, presented applications and resumes for the Tribal Employment Rights Office's director position. Secretary Walker read job description and Chairman Gillette informed Council that the persons receiving the two highest votes will be interviewed at a later date.

Councilman Eagle moved to accept applications of Adrian Bird Bear, Ronald Smith, Evan Gillette, Jr., Alyce Spotted Bear, Robert Primeaux, and Wilbur Spotted Wolf. Second by Councilwoman Wells. Eight (8) in favor, motion carried.

Vote was secret ballot: Adrian Bird Bear, 0; Evan Gillette, Jr., 1; Robert Primeaux, 0; Ronald Smith, 0; Alyce Spotted Bear, 1; Wilbur Spotted Wolf, 6.

Chairman Gillette asked the wish of the Council, whether to interview or hire the person who got the most votes.

Councilman Eagle moved to hire Wilbur Spotted Wolf as TERO Director.

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Second by Councilman Mason. Eight (8) in favor, motion carried.

PERSONNEL OFFICE: Chairman Gillette asked Alan Smith about the 1,089.5 hours he was missing from his office in 1980. Alan Smith said he would have to go over his records. Chairman Gillette asked that he report to the Council on his absences.

GREATER NORTH DAKOTA ASSOCIATION: Secretary Walker read resolution to have Four Bears Motor Lodge become a member of the Greater North Dakota Association.

Secretary Walker moved to authorize payment of \$60.00 payable to the Greater North Dakota Association for 1981 annual dues from Aid to Tribal Government. Second by Councilman Bird Bear. Eight (8) in favor, motion carried. Resolution #80-291

ADVERTISING AND PRINTING NOTICE: Tribal Business Council has incurred an expense for the services of advertising and printing notice of the General Council Meeting held on December 12, 1980.

Councilwoman Wells moved to authorize payment of \$30.55 payable to McKenzie County Farmer for services rendered from Aid to Tribal Government. Second by Secretary Walker. Eight (8) in favor, motion carried. Resolution #80-292

INSTANT PRINTING: The Tribal Business Council has incurred an expense for the services of printing a Comprehensive Two-Year Report, beginning 1979 through September, 1980. This was distributed to the membership during the Membership Conference held on November 15, 1980.

Councilwoman Wells moved to authorize payment of \$1,996.05 payable to Instant Printing for services rendered from Aid to Tribal Government. Second by Secretary Walker. Eight (8) in favor, motion carried. Resolution #80-293

RESERVATION PROGRAMS OFFICER: The position of Reservation Programs Officer in the Bureau was discussed.

Councilman Eagle moved to designate John Danks Sr. as Reservation Programs Officer. Second by Councilwoman Wells. Roll call vote: Bird Bear, no; White, yes; Little Owl, yes; Eagle, yes; Wells, yes; Mason, abstained; Walker, abstained, Chairman, yes. Motion carried. Resolution #80-294

INDIAN ACTION TEAM: G. Russell Gillette, Material Resource Department Director, presented budget for Indian Action Team for FY 81, and explained budget, employees' salaries, rental of equipment, and other pertinent information. He presented resolution for Indian Action Team to recontract the Indian Technical Assistance Center in Denver, Colorado, for one year beginning October 1, 1980.

Councilman Eagle moved for approval of resolution for Indian Action Team to recontract the Indian Technical Assistance Center in Denver. Second by Councilwoman Wells. Eight (8) in favor, motion carried.
Resolution #80-295

PERSONNEL DIRECTOR: Alan Smith and Amy Mossett presented resumes to Council for review on Personnel Director position.

Councilman Eagle moved to accept applications of Adrian Bird Bear, John Charging, Amy Mossett, Bruce Terry Price, Robert Primeaux, and Alyce Spotted Bear for Personnel Director. Second by Treasurer White. Eight (8) in favor, motion carried.

Secretary Walker read job description for Personnel Director. Council reviewed resumes of each applicant. Vote by secret ballot: Adrian Bird Bear, 1; John Charging, 2; Amy Mossett, 2; Bruce Terry Price, 1; Robert Primeaux, 0; and Alyce Spotted Bear, 3.

Councilman Goodiron arrived at 3:55 p.m.

Councilman Eagle moved to interview the two individuals receiving the highest number of votes on December 24, 1980 at 1:00 p.m. Second by Councilwoman Wells. Eight (8) in favor, motion carried.

ADMINISTRATIVE LEAVE:

Secretary Walker moved to authorize administrative leave for Christmas to begin at 12:00 noon on the 24th. of December and to continue through 25 and 26. Second by Councilman Bird Bear. Nine (9) in favor, motion carried.

Councilman Bird Bear moved to authorize administrative leave for New Years on January 1 and 2, 1981. Second by Councilman Eagle. Nine (9) in favor, motion carried.

GAME AND FISH: A discussion followed on developing a referendum on fee patent land. Chairman Gillette reported that they had recently talked to Governor Link about support to tribe on jurisdiction over Fish & Game management. Link's concerns were that our laws were different from the State.

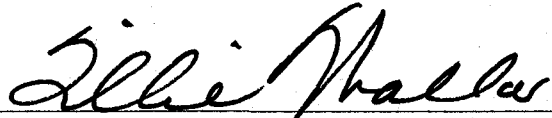
Councilman Eagle left meeting at 4:00 p.m.

PURCHASE OF BOOKS: Council is purchasing two books titled "Indian Self Determination" and "The Role of Tribal Court" from American Indian Lawyer Training Program. Secretary Walker reported the books were purchased for the Tribal Court and Judiciary Committee.

Councilwoman Wells moved to authorize payment of \$60.00 to the American Indian Lawyer Training Program for books. Second by Secretary Walker. Nine (9) in favor, motion carried. Resolution #80-296

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ADJOURNMENT: Meeting adjourned at 4:15 p.m.



Secretary, Tribal Business Council

APPROVED: February 12, 1981.