

SPECIAL MEETING

Name of Organization: Tribal Business Council  
Three Affiliated Tribes

Place of Meeting : Conference Room  
Tribal Building  
September 28, 1979.

Present : Austin Gillette, Chairman; August Little Soldier,  
Vice-Chairman; Tillie Walker, Secretary; Thomas Eagle,  
Treasurer; Eva Beaks, Roy Bird Bear, Theo Bird Bear,  
Louis Felix, Ron Little Owl, Marie Wells, Willard Yellow Bird.

Others : Harrison, Fields, Superintendent BIA; Jim Quackenbush, Land  
Operations; Larry Burr, Realty, BIA; Myra Snow, Liaison Officer.

Meeting was called to order at 10:30 am.  
Roll call; Quorum present.

MINUTES:

The Minutes of September 13 were read.

Eagle moved to approve September 13 Minutes with corrections; second  
by Wells. Vote: All in favor, motion carried.

LAND LEASE RATES:

Mr. Quackenbush, BIA, was called on to make report. He presented members with  
Grazing Land Rental Surbey done by a consultant to provide current prices being paid  
for cash rent of grazing land (attached). The samples in the report included the  
amount paid for land in the surrounding countfies, on the Reservation, and the Forest  
Service land. The Forest Service land rates are very low, and using this rate in  
the average reduces the average rate paid for leases. The report gave the average  
as \$57 or \$5.78 per anual unit (each cow with calf under 6 months). The BIA is  
recommending the rate at \$57.00.

Yellow Bird arrived at 10:50 am. Little Owl arrived at 11:00 am.

There was lengthy discussion concerning lease rates. Concerns expressed were that  
the landowner has not been adequately although the subleser gets large profit  
from theuse of the land; raising rates may put small operators out of business;  
payments for land purchased by Tribe must be paid annually to FHSA with income  
from tribal land lease; sublesers have made arrangements on paper for purchase of  
cattle although there was no actual purchase. Mr. Quackenbush said individuals  
may stipulate their rates on their land prior to the lease completion each year.  
He gave the following breakdown of cattlemen on the Fort Berthold Reservation:

6 operators	over 250 head of cattle
7 operators	200 - 250 head of cattle
6 operators	150 - 200 head of cattle
17 operators	100 - 150 head of cattle
27 operators	50 - 100 head of cattle
26 operators	25 - 50 head of cattle

TOTAL: 89 operators

LAND LEASE RATES Cont.:

Yellow Bird moved to set \$57 minimum rate for allotted lands with stipulation that individuals may set the rate they wish; second by Felix. Vote: Eleven (11) in favor; motion carried.

Beaks moved to table setting tribal land lease rates until further information is available; second by Eagle. Vote: Eleven (11) in favor; motion carried.

Mr. Quackenbush informed the Council that the decisions on the land lease rates must be completed immediately.

Recess for lunch. Meeting reconvened at 1:05 pm.

638 GRANT:

The Secretary read resolution on extending Tribal Council 638 grant to March 31, 1979 for "Strengthening Tribal Government".

Wells moved to approve the extension to March 31, 1979 and modification of 638 grant to include stipend change; second by Little Soldier. Vote: Seven (7) in favor, one (1) abstention, motion carried. Resolution #79-320.

STIPENDS:

The Secretary read resolution setting stipend rate for Council Members.

Little Soldier moved to authorize stipend payment of \$75 per day for Executive Officers and \$60 per day for Council members; second by Wells. Vote: Nine (9) in favor, motion carried. Resolution #79-321.

Roy Bird Bear arrived at 1:20 pm.

RINSE & VAC:

The Secretary read resolution authorizing purchase of rug cleaner machine.

Wells moved to authorize purchase of rinse and vac rug machine at about \$2,000; second by Eagle. Vote: Nine (9) in favor, one (1) abstention, motion carried. Resolution #79-322.

CHECKING ACCOUNT:

The Secretary read resolution on centralized checking account.

Eagle moved to authorize closing out checking account and setting up new account at Lakeside State Bank; second by Yellow Bird. Vote: Ten (10) in favor, motion carried. Resolution #79-323.

MORGAN REMOVAL:

The Secretary read resolution on removal of Don Morgan from Aberdeen Area Office, because he cannot be objective or fair in any affairs or dealings concerning the Three Affiliated Tribes.

Eagle moved to remove Don Morgan from Aberdeen Area Office and remove and prevent him from being involved in any matter that relates to the Three Affiliated Tribes; second by Wells. Vote: Ten (10) in favor, motion carried. Resolution #79-324.

CHARTER:

The Secretary read resolution on future charters issued by the Three Affiliated Tribes to organizations and enterprises.

Wells moved to approve resolution requiring future charters issued to show cause why an organization, or enterprise should not become part of tribal Finance Office and must provide an annual audit to the Tribe' second by Eagle. Vote: Ten (10) in favor, motion carried. Resolution #79-325.

ATTORNEY BILLS:

The Secretary read resolutions for payment to John Holm for April, July, August for legal services and expenses.

Eagle moved to authorize payment of \$1,021.66 to John Holm for April, 1979, for legal services and expenses; second by Wells. Vote: Ten (10) in favor, motion carried. Resolution #79-326.

Wells moved to authorize payment of \$1,224.66 to John Holm for July, 1979, for legal services and expenses; second by Eagle. Vote: Ten (10) in favor, motion carried. Resolution #79-327.

Wells moved to authorize payment of \$1,625.63 to John Holm for August, 1979, for legal services and expenses; second by Little Soldier. Vote: Ten (10) in favor, motion carried. Resolution #79-328.

350 C & D :

The Secretary read resolution on \$1.8 million investment of Land Claims funds.

Eagle moved to approve interest earned on \$1.8 million be deposited in IIM account October 1, 1979; interest earned to be prorated in 1980 budget; \$1.8 million invested at highest interest rate possible; second by Little Soldier. Vote. Ten (10) in favor, motion carried. Resolution #79-329.

NCAI:

The Secretary read resolution on voting at National Congress of American Indians Conference.

Beaks moved to designate the Chairman and Secretary as authorized to vote at the NCAI Conference on October 1-5; second by Wells.

Vote: Ten (10) in favor, motion carried. Resolution #79-330.

TRIBAL LAND:

Jim Quackenbush reported that the small operator on Fort Berthold leases about 15% of range unit. About 13-15 leased no Tribal land. The Chairman suggested a rate be set for the small rancher.

Little Soldier moved lease rates for tribal land be set at \$57; second by Roy Bird Bear. Vote: Eight (8) in favor, two (2) opposed, motion carried.

Odell Ottmar, FmHA, was called on. He said the rates set on leases will affect the rancher and possibly put some out of business. In 1975-76 cattle prices were low and operators had to borrow more to stay in business. There is high delinquency among Indian clients. This can be helped with authority to devise repayment schedules by redoing loan of present borrowers and decrease delinquency rates.

It was pointed out that the present law allows Indian client may mortgage land. This should be amended so Tribe can assume mortgage in event of default to avoid court house step sales.

JUDGES MEETING:

Wells reported on a judges conference sponsored by the American Indian Lawyers Training Program at Warm Springs, Oregon, on October 1-5.

Little Soldier moved to authorize trip to the judges conference in Oregon for Marie Wells; second by Yellow Bird. Vote: Ten (10) in favor, motion carried.

638 GRANT:

Yellow Bird moved to approve trip for Vice-Chairman and Treasurer to Aberdeen to take 638 grant modification due October 1, 1979; second by Wells. Vote: Ten (10) in favor, motion carried.

TRIBAL STAFF:

There was brief discussion about continuing Tribal Council staff through October until DINAP is refunded.

GRAZING LAND RENTAL SURVEY NARRATIVE

A Grazing Land Rental Survey of the area on and near the Fort Berthold Indian Reservation has been made for the purpose of providing some indication of the current prices being paid for cash rent of grazing land.

Approximately 40 rental comparisons are shown in this report. Many more leads were available, but due to the limited time available to complete the survey, they were not verified. The data shown is considered a good representation of the market and an indication of the rental value of grazing land at this time.

Some of the grazing land is leased on a price per acre basis, while others are leased on an animal unit basis. One animal unit is considered to be the amount of forage it takes to feed a cow with a calf by her side for the period of one month. A yearling is considered to be 3/4 of one animal unit and a horse 1 1/2 animal units. For comparative purposes, all the data contained in this survey was broken down into a price per animal unit month.

The data shown in this report is considered all arms-length transactions where the landlord and the tenant negotiated for the best rates possible with the least amount of government supervision either through the BIA or through the United States Forest Service, except for the land that is being leased by the Grazing Associations. Several of the leases deal with the Grazing Associations at Watford City and Medora and include both fee land and government grazing rights as controlled by the Grazing Associations.

It appears the grassland in the Dunn County, Dickinson and

animal unit month with some leases higher and some leases lower than these figures.

The rental rates at Fort Berthold seem to range from approximately \$3.75 per AUM to \$6.90 per AUM with some rentals running higher or lower than these prices. Some of this variation can be attributed to the remoteness of some of the tracts of land on Fort Berthold. The larger population and easier accessibility to rangeland in the Dunn County, Dickinson and the Medora area, and the increased competition for rangeland may push the price of rangeland rentals higher in these areas.

The actual range of rentals in the area of Dickinson, Dunn County, and Medora is \$1.89 per AUM to \$13.33 per AUM. The seven lowest rentals (\$1.89 per AUM - \$3.13 per AUM) dealt with fee or forest service land that was located within the boundaries of the Grazing Associations and leased by the Grazing Association. These rental rates were either set by the Bureau of Land Management or were based upon the rental charged by the State of North Dakota. Although there is some degree of negotiation involved with these leases, the landowner has a very limited potential for lessees, as most of this type of land is in a common grazing area.

There are four leases above the \$8.50 per AUM figure. These higher rental rates may be justified for several reasons. In one lease, the landowner is responsible for fence repair, furnishing salt and watching the cattle. In another lease, the lessee runs his cattle in the pasture along with the landowner's cattle. The landowner is responsible for fence repair and watching the cattle. The higher price of the other two rentals is unknown to the appraiser but may be due to a desirable location or increased competition in the bidding of these leases.

From the information gathered, it seems to indicate that the larger tracts of land above 400 acres are leasing for \$7.00 to \$8.50 per AUM, while the tracts below 400 acres are leasing for \$5.00 to \$7.00 per AUM. Based on the information gathered, the median rental rate in this area is \$5.89 per AUM and the average rental rate is \$6.14 per AUM.

In the Fort Berthold area, based on the information gathered, it seems that the long-term leases (3-5 years) are being rented for \$4.50 to \$6.90 per AUM. Land that is being rented for a shorter period of time and range units that are part of a common area are renting for between \$2.68 per AUM to \$4.50 per AUM. The average rate at Fort Berthold is \$4.59 per AUM with a median rental rate at \$4.29 per AUM. Combining the data from both areas, the average rate was \$5.78 and a median figure of \$5.62 per AUM.

Please refer to the specific data regarding each of the rental comparisons for additional detail. County locator maps, topographic surveys and soils maps are supplied for each individual comparison wherever possible. In some cases, you will note a very broad description of the land area leased is shown. In these cases the supplier of the data desired that specific identification of the lease not be publically known. In nearly all cases the appraiser has more specific identification than shown in this report.

GRASSLAND  
CASH RENT RECAP

	County Location	(fee) Grassland Acres	Price Per Acre	Price Per AUM	Cropland Acres	Cropland Price Per Acre	Hayland Acres
1.	McLean	160	1.25	2.68			
2.	McKenzie	280	1.96	3.76			
3.	Dunn	Common Area Range Unit		3.81			
4.	Dunn - McKenzie	"		4.19			
5.	McLean	160	3.00	4.29			
6.	McLean	160	2.03	4.47			
7.	McLean	80	2.00	4.60			
8.	Dunn	5,433.61	.54	6.65			
9.	McLean	160	3.00	6.90			
10.	Dunn	557.79	.28	1.89			
11.	Billings	320	.81	2.42			
12.	Billings	160	.81	2.42			
13.	Billings	160	.81	2.42			
14.	Billings	320	.79	2.42			
15.	McKenzie	160	1.21	2.42			
16.	McKenzie	158	.95	3.13			
17.	Golden Valley	856	1.73	4.98			200
18.	Dunn	640	9.00	5.23			
19.	Dunn	100		5.33			
20.	Dunn	160		5.33			
21.	Billings	280	5.12	5.62			90
22.	Mercer	250	6.00	5.68			
23.	Dunn	160	6.25	5.71			
24.	Dunn	960	5.21	6.06			
25.	Dunn			6.50			



	County Location	(fee) Grassland Acres	Price Per Acre	Price Per AUM	Cropland Acres	Cropland Price Per Acre	Hayla Acre
6.	McKenzie	160	17.19	6.67			
7.	Ward	60	6.25	6.67			
8.	Dunn	400	4.73	7.00			
9.	Dunn	500	4.80	8.00			
0.	Dunn			8.00			
1.	Dunn	400	4.50	8.00			
2.	Billings	1,343	6.62	8.31			257
3.	Slope	2,300	4.50	8.45	400	10.93	300
4.	Dunn			10.00			
5.	Dunn	1,600	2.00	10.00			
6.	Dunn	600	7.00	10.50			
7.	Dunn	300	16.00	13.33			

TRIBAL STAFF Cont.:

Little Soldier moved to authorize salary payment for 30 days from t?2 account for Sergeant-at-Arms, Liaison Officer, Mail Courier, Enrollment Clerk two (2) maintenance staff and DINAP will continue salary when program is refunded; second by Walker. Vote: Ten (10) in favor, motion carried.

AGING SERVICES:

Mary Baker and Roberta Young Bird were called into the meeting to explain staffing plans for Aging Program.

Walker moved to place Aging Program cooks on T/2 budget for one quarter with review; second by Wells. Vote: Nine (9) in favor, motion carried.

Yellow Bird requested that Secretary write Personnel Director asking for report on number of non-members employed by tribal programs.

Walker moved to authorize salary at same rate from T/2 budget for Dinah Black Hawk and Luanna LaCroix; second by Yellow Bird. Vote: Eight (8) in favor, one (1) opposed, motion carried.

Wells moved to advertise cook positions in the Aging Program budget; second by Walker. Vote: Nine (9) in favor, motion carried.

Walker and Wells rescinded all motions and seconds on the Aging Program staff.

Walker moved to hire Dinah Black Hawk and Luanna LaCroix on the Aging Program budget as cooks; and the two cook positions to be paid for one quarter by T/2 budget shall advertised; second by Wells. Vote: Nine (9) in favor, motion carried.

Roberta Young Bird was told to appoint cooks for Parshall and New Town until advertising is completed.

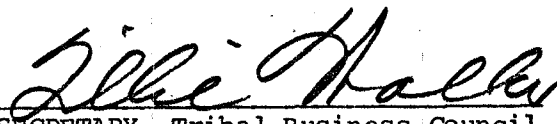
LAW & ORDER:

The Secretary read resolution authorizing an additional \$2,000 for Vance Gillette for Law and Order Code contract.

Eagle moved to authorize payment of an additional \$2,000 to the \$5,000 contract to Vance Gillette for the Law and Order Code; second by  
Vote: Seven (7) in favor, one (1) abstention, Chair not voting, motion carried.  
Resolution #79-331.

ADJOURNMENT: Meeting adjourned.

APPROVED: 10-19, 1979  
(date)

  
SECRETARY, Tribal Business Council