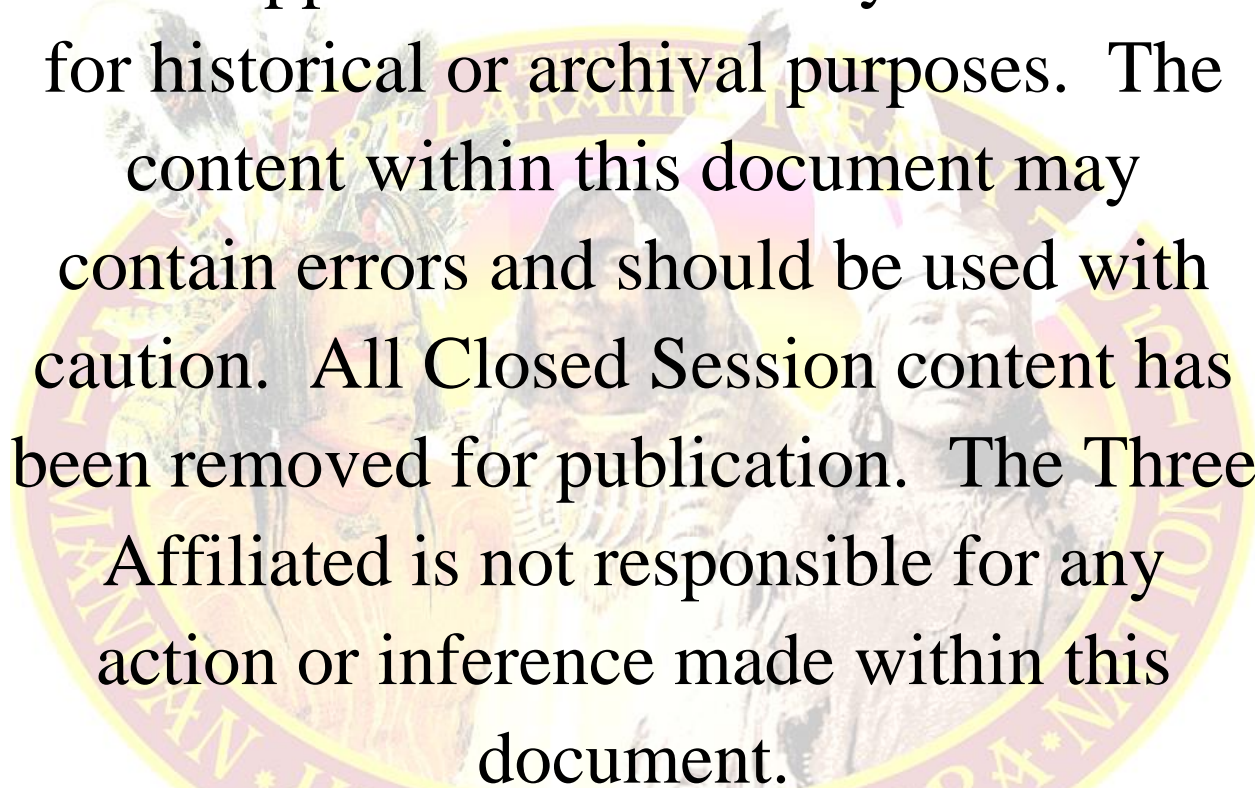


**DISCLAIMER:** The following Tribal Business Council minutes are uncertified or un-approved and are only to be used for historical or archival purposes. The content within this document may contain errors and should be used with caution. All Closed Session content has been removed for publication. The Three Affiliated is not responsible for any action or inference made within this document.

The seal of the Three Affiliated Tribes is a circular emblem. It features a central illustration of three Native American individuals, likely representing the Mandan, Hidatsa, and Arikara tribes. The illustration is set against a background of a rising sun or moon. The circular border of the seal contains the text "THREE AFFILIATED TRIBES" at the top and "MANDAN \* HIDATS \* ARIKARA" at the bottom, separated by small stars.

# TRIBAL BUSINESS COUNCIL MEETING NO. 3

## REGULAR MEETING

DATE: January 14, 2000 TIME: 1:28 PM

### 01. Call Meeting to Order and Opening Prayer

The Special Tribal Business Council Meeting of January 14, 2000 was called to order by Chairman Tex Hall at 1:28 PM in the Tribal Council Chambers. A moment of silent prayer was held.

### 02. Roll Call

Present: Chairman Tex Hall, Vice Chairman Mark Fox, Treasurer Marcus Wells, Jr., Secretary Daylon Spotted Bear, Councilman Austin Gillette, Councilman, Pete Hale, Councilman Thomas Bird Bear.  
Recording Secretary Marlien Mossett Gillette.

### 03. Announcements

Tribal Business Council members reviewed and shared their itineraries and scheduled meetings.

Chairman Hall announced that the livestock in forty-one range units has been counted and the applications for grazing privileges on those range units will be considered by the Council at today's meeting.

### 04. Approval of Agenda

Motion by

Second by

Vote: 7

Motion Carried.

### 05. Approval of Minutes

Approval of Minutes from the Special Tribal Business Council Meeting of January 4, 2000 with corrections noted:

Motion by Austin Gillette to approve the minutes of the Special Tribal Business Council meeting of January 4, 2000 with the following corrections:

Second by Mark Fox.

Discussion: The Council made the following corrections to the minutes of January 4, 2000:

1. Page 05 of 15: Item 10 = "The Council inserted the dollar amount of \$3.50 per acre.
2. Page 06 of 15: Item 14 = Revised paragraph 14 using exact resolution language.
3. Page 06 of 15: Item 15 = Revised paragraphs 15 using exact resolution language.

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Page 08 of 15: RU 207 = Inserted "TAT Buffalo Project"

5. Page 08 of 15: RU 429 = Remove Pat Fredericks, Insert Stella Berquist

**Vote:** 7 in favor.

**Motion Carried.**

**02. Approval of Resolution No. 00-02-DSB with amendments noted:**

**Motion** by Austin Gillette to pass the Tribal Grazing Resolution No. 00-02-DSB with amendments.

**Second** by Marcus Wells, Jr.

**Discussion:** The Council made final amendments to Resolution No. 00-02-DSB as follows:

1. Page 3: 2) (a) Item 4 will be added in which the Tribal Legal Department will develop language for the

Tribe to become a qualified applicant that can secure an allocation of grazing privileges...

2. Page 3 & 4: (f) Item 4 will be added in which the Tribal Legal Department will develop language for the

Tribe to provide proof of ownership of livestock if the Tribe is the Permittee.

3. Page 5: Item 4 = The allowed ratio of livestock shall be ... 1 AU for Elk (changed from  $\frac{3}{4}$  AU for Elk

to 1 AU for Elk.)

**Vote:** 5 in favor, 2 abstained (Mark Fox abstained for the record)

**Motion Carried.**

**Livestock Count: Dennis Halvorson**

Mr. Halvorson informed the Council that the livestock count is not complete on all range units. The Council decided that an extension will be granted to January 21, 2000 to have all livestock counted on range units.

**Range Units that did not make 100% count:**

RU 203	Wilbur Hunts Along	65%
RU 430	Rudolf & Randy Sanders	45%
RU 913	Edward C. Fox	10%
RU 915	Rudolf Sanders (& Randy)	46%
RU 51	James Foote	75%

**Response from Tribal Business Council:**

RU 51      James Foote

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The Council was informed by Councilman Mark Fox that Mr. Foote assumed the livestock that his daughter received through the Cattle Relending Program and Mr. Foote qualifies as a Beginning Rancher. The Council determined that Mr. Foote qualifies under Tier 2 of Resolution No. 00-02-DSB.

RU 203      Wilbur Hunts Along

The Council determined that under Resolution No. 00-02-DSB Wilbur Hunts Along qualifies under Tier 2.

RU 430      Rudolf & Randy Sanders

The Council determined that Randy qualifies as a Beginning Rancher and meets the qualification criteria.

RU 913      Edward C. Fox

The Council determined that Mr. Fox meets the 50% criteria by splitting his herd and placing some livestock in range unit 8.

RU 915      Rudolf Sanders

The Council determined that Mr. Sanders does not qualify for range unit 915 and the unit will be pulled out.

**Multiple Applicant Range Unit Allocations:**

RU 2      Three Affiliated Tribes Buffalo Project      Mandaree Area

**Motion** by Pete Hale to approve the Three Affiliated Tribes Buffalo Project for RU 2.

**Second** by Marcus Wells, Jr.

**Discussion:** The Natural Resources Department and the BIA informed the Council that the other applicant, Dion Standish, did not call for livestock count.

**Vote:** 7 in favor.

**Motion Carried.**

RU 22      Ron & Cody Brugh      Mandaree Area

**Motion** by Thomas Bird Bear to approve Ron & Cody Brugh for RU 22, subject to payment of \$273.00.

**Second** by Mark Fox.

**Vote:** 4 in favor, 3 opposed.

**Motion Carried.**

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RU 905

Three Affiliated Tribes

Mandaree Area

**Motion** by Marcus Wells, Jr. to approve the Three Affiliated Tribes for RU 905 since the compliance report reflects that the current permittee is out of compliance: 100% Non-Indian for 95-99. Appts were not made in advance for ingress or egress. LPA and HCERT are not in prior to ingress. Violation notices were sent. Two out of season notices were sent.

**Second** by Pete Hale.

**Vote:** 5 in favor, 2 abstained. (Mark Fox abstained)

**Motion Carried.**

RU 1

Todd Hall

Mandaree Area

RU 36

Kyle Baker

Mandaree Area

**Motion** by Mark Fox to approve RU 1 for Todd Hall because he relinquished his application on RU 36 for Kyle Baker and to approve RU 36 for Kyle Baker.

**Second** by Marcus Wells, Jr.

**Vote:** 7 in favor.

**Motion Carried.**

RU 35

Todd Hall

Mandaree Area

**Motion** by Austin Gillette to approve RU 35 for Todd Hall.

**Second** by Pete Hale.

**Discussion:** Todd Hall agreed to pull his application from RU 229 for consideration of Dustin Connor.

**Vote:** 7 in favor.

**Motion Carried.**

RU 32

Morgan Fetting

Mandaree Area

**Motion** by Austin Gillette to approve RU 32 for Morgan Fetting.

**Second** by Pete Hale.

**Discussion:** Dennis Halvorson informed the Council that Ken Young Wolf removed acres from range unit 32 and on about 500 acres are left in the unit.

**Vote:** 6 in favor, 1 abstained.

**Motion Carried.**

RU 102

Diane Avery & Shane Johnson

Mandaree Area

**Motion** by Mark Fox to approve RU 102 for Diane Avery & Shane Johnson, subject to compliance with the livestock count.

**Second** by Daylon Spotted Bear.



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**Vote:** 7 in favor.  
**Motion Carried.**

RU 103                      James and Melvin Jarret Johnson                      Mandaree Area

**Motion** by Austin Gillette to approve RU 103 for James and Melvin Jerret Johnson to run livestock in common as referenced in letters to the Natural Resources Department/BIA.

**Second** by Pete Hale.

**Vote:** 6 in favor, 1 abstained (Marcus Wells, Jr. abstained)

**Motion Carried.**

RU 204                      Leo Norman Baker                      Mandaree Area

**Motion** by Marcus Wells, Jr. to approve RU 204 for Leo Norman Baker.

**Second** by Pete Hale.

**Vote:** 7 in favor.

**Motion Carried.**

RU 208                      Fay Ann Moberg                      Mandaree Area

**Motion** by Austin Gillette to approve RU 203 for Fay Ann Moberg.

**Second** by Marcus Wells, Jr.

**Discussion:** Luther Grinnell has an 80-acres farm pasture lease within RU 208 that he has to  
nce out.

**Vote:** 7 in favor.

**Motion Carried.**

RU 211                      Tex Hall                      Mandaree Area

**Motion** by Pete Hale to approve RU 211 for the Tex Hall.

**Second** by Thomas Bird Bear.

**Discussion:** Dale McGrady does not meet the livestock count and has an outstanding bill and George Fast Dog has no count.

**Vote:** 7 in favor.

**Motion Carried.**

RU 229                      Dustin Connor                      Mandaree Area

**Motion** by Pete Hale to approve RU 229 for Dustin Connor as the current permittee is out of compliance.

**Second** by Marcus Wells, Jr.

**Vote:** 7 in favor.

**Motion Carried.**

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Allocations

RU 238  
Mandaree Area

Lloyd Vigen & Leonard Hale and Keith, Shasta & Forest Mandan-

**Motion** by Pete Hale to approve RU 238 for Lloyd Vigen & Leonard Hale and Keith, Shasta & Forest Mandan to run in common.

**Second** by Thomas Bird Bear.

**Vote:** 6 in favor, 1 absent.

**Motion Carried.**

RU 405

Arnie & Ramona Beaks Guimont

Mandaree Area

**Motion** by Marcus Wells, Jr. to approve RU 405 for Arnie & Ramona Beaks Guimont.

**Second** by Pete Hale.

**Vote:** 4 in favor, 3 abstained.

**Motion Carried.**

RU 429

Mandaree Area

**Motion** by Pete Hale to approve RU 429 for Darcy Fredericks subject to compliance with livestock count.

**Second** by Thomas Bird Bear.

**Discussion:** Council members suggested that Rudolf Sanders does not have an adequate count for RU 430 and he could possibly run in common with Darcy Fredericks on RU 429.

**otion Withdrawn.**

RU 915

Darcy Fredericks

Mandaree Area

**Motion** by Pete Hale to approve RU 915 for Darcy Fredericks.

**Second** by Mark Fox.

**Vote:** 7 in favor.

**Motion Carried.**

RU 909

Mandaree Area

**Motion** by Pete Hale to approve RU 909 for Joyce & Carlin Rave.

**Second** by Marcus Wells, Jr.

**Discussion:** The Council determined that Gabe and Howard Fettig are preferred applicants according to Resolution No. 00-02-DSB.

**Second Withdrawn.**

**No Second.**

**Motion Fails.**

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RU 909

Howard & Gabriel Fetting

Mandaree Area

**Motion** by Pete Hale to approve RU 909 for Howard & Gabriel Fetting.

**Second** by Thomas Bird Bear.

**Vote:** 7 in favor.

**Motion Carried.**

RU 94

Elenore Sorenson

Four Bears Area

**Motion** by Marcus Wells, Jr. to approve RU 94 for Elenore Sorenson.

**Second** by Austin Gillette.

**Vote:** 7 in favor.

**Motion Carried.**

RU 5

James Mossett

Twin Buttes Area

**Motion** by Mark Fox to approve RU 5 for James Mossett.

**Second** by Daylon Spotted Bear.

**Vote:** 6 in favor, 1 abstained.

**Motion Carried.**

RU 7

Twin Buttes Area

**Motion** by Marcus Wells, Jr. to approve RU 7 for Casey Fredericks.

**Second** by Pete Hale.

**Discussion:** The Council determined that the Jim & Ann Voight have priority as beginning ranchers on range unit 7 and Councilman Spotted Bear recommended that Casey Fredericks be considered to run in common on range unit 17.

**Motion Withdrawn.**

RU 7

Jim & Ann Voight

Twin Buttes Area

**Motion** by Marcus Wells, Jr. to approve RU 7 for Jim & Ann Voight.

**Second** by Pete Hale.

**Vote:** 7 in favor.

**Motion Carried.**

RU 15

Twin Buttes Area

**Motion** by Marcus Wells, Jr. to approve RU 15 for Lester Crows Heart based on the fact that the previous permittee is out of compliance.

**Second** by Pete Hale.



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**Discussion:** The current permittee takes exception to the compliance report and states that he has run this range unit for the past 20 years. The Council determined that the MOU will address issues regarding enforcement of permits.

**Second Withdrawn.**

**No Second.**

**Motion Fails.**

RU 15 Paul Fredericks

Twin Buttes Area

**Motion** by Daylon Spotted Bear to approve RU 15 for Paul Fredericks.

**Second** by Mark Fox.

**Vote:** 6 in favor, 1 abstained.

**Motion Carried.**

RU 17 Newton Little Soldier & Casey Fredericks

Twin Buttes Area

**Motion** by Daylon Spotted Bear to approve RU 17 for Newton Little Soldier and Casey Fredericks to run in common 50/50 of carrying capacity.

**Second** by Pete Hale.

**Vote:** 5 in favor, 2 abstained.

**Motion Carried.**

RU 19 Lester Crows Heart & Mike Huber

Twin Buttes Area

**Motion** by Marcus Wells, Jr. to approve RU 19 for Lester Crows Heart and Mike Huber to run in common.

**Second** by Daylon Spotted Bear.

**Vote:** 6 in favor, 1 abstained.

**Motion Carried.**

RU 18 Jim & Jeff Baker

Shell Creek Area

**Motion** by Mark Fox to approve RU 18 for Jim & Jeff Baker provided they come into compliance within one year and Mat Mason will be the alternate permittee.

**Second** by Pete Hale.

**Vote:** 6 in favor, 1 abstained.

**Motion Carried.**

RU 42 Spencer Elk

Shell Creek Area

**Motion** by Thomas Bird Bear to approve RU 42 for Spencer Elk.

**Second** Pete Hale.

**Vote:** 4 in favor, 1 opposed, 2 abstained.

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**Motion Carried.**

RU 911

Shell Creek Area

**Motion** by Pete Hale to approve RU 911 to Jim & Jeff Baker and Clorine & Mike Driver to run in common.

**Second** by Thomas Bird Bear.

**Discussion:** Clorine and Mike Driver withdrew their application for range unit 911.

**Motion Withdrawn.**

RU 911

Tyke Danks

Shell Creek Area

**Motion** by Thomas Bird Bear to approve RU 911 for Tyke Danks.

**Second** by Pete Hale.

**Vote:** 5 in favor, 1 opposed, 1 abstained.

**Motion Carried.**

RU 95

Tyke Danks

Shell Creek Area

**Motion** by Thomas Bird Bear to revise the allocation of RU 95 to John Danks and to approve RU 95 to Tyke Danks.

**Second** by Marcus Wells, Jr.

**Second Withdrawn.**

**Second** by Pete Hale.

**Vote:** 3 in favor, 2 opposed, 2 abstained.

**Motion Carried.**

RU 231

A

Morgan Fetting

RU 231 B

Ted Lone Fight, III

Mandaree Area

Mandaree Area

**Motion** by Pete Hale to approve RU231 A for Morgan Fetting and RU 231 B to Ted Lone Fight, III and 320 acres of fee patent land will be included in RU231 B.

**Second** by Thomas Bird Bear.

**Vote:** 7 in favor.

**Motion Carried.**

RU 100 and RU 101 compliance issues and RU 505 boundary issues will be addressed by the Natural Resources Committee.

Range Unites to be counted by January 21, 2000: RU 28, 72, 32, 17, 102.

**CERTIFICATION OF MINUTES**

I, the undersigned, as Executive Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members, of whom five (5) members constitute a quorum. \_\_\_\_\_ members were present at a \_\_\_\_\_ Meeting thereof duly called, noticed, convened, and held on the \_\_\_\_\_ day of \_\_\_\_\_, 2000 whereupon the foregoing minutes were presented for approval by the Three Affiliated Tribes Recording Secretary.

Said minutes were duly approved by the affirmative vote of \_\_\_\_\_ members, and have not been amended in any way, except as noted by council when approved.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
Daylon Spotted Bear, Executive Secretary  
Tribal Business Council, Three Affiliated Tribes

**ATTEST:**

\_\_\_\_\_  
Tex Hall, Chairman  
Tribal Business