



**THREE AFFILIATED TRIBES
NATURAL RESOURCES COMMITTEE
JANUARY 30, 2002**

01. CALL TO ORDER:

Committee Chairman Gillette called the meeting to order at 1:50 p.m.

02. ROLL CALL:

Members present: Committee Chairman Austin Gillette, Member Marcus Wells, Jr., Councilman Malcolm Wolf. **Others present:** Tex Lone Bear, Ed Fox, Everett Hall, Manny Marsette, Paul Danks, Virgil Wilkinson, Noreen Two Crow, Kyle Baker, Jack Rabbithead, and Committee Secretary Belle Chase.

03. APPROVAL OF AGENDA:

Delete Item #7 the Jim Mossett Land Exchange and the Jim Danks Land Exchange and re-schedule to the next meeting on February 5th at 1:00 p.m. Concerning Item #9 Tom Breuer-Allot. #T828, Committee Chairman Gillette requested to defer since he plans to lease the allotment due to its proximity to his current home site.

DISCUSSION: All land exchanges must meet criteria. All Natural Resources Department recommendations must be in accordance with the current land exchange policy.

04. FT. BERTHOLD WATER:

Fence Project: The security fence was paid from the interest of Bureau of Reclamation monies. The fence is intact and can be relocated, however, since no specifications were provided until January 23, 2001, six months later, the fence does not meet Bureau of Reclamation requirements.

Reimbursement request issue: There was a request for reimbursement of a supply purchase during non-working hours. The request was denied. Letter of reprimand is attached.

Water Treatment Operators: The Water Treatment Operators lay-off notices have not been processed. This issue will need to be on the agenda for the next full Tribal Business Council meeting. Committee Chairman Gillette requested Mr. Lone Bear attend that meeting.

Public Water Meeting: A meeting will be held on Friday, February 1, 2002 at 10:00 a.m. in the Bingo Hall. The most recent location of the pipeline segment projects and appropriations for any given year will be provided. Proposed layouts and possibilities to consider will be presented at the informational public meeting on the water pipeline location. Representatives from I.H.S., City of New Town, City of Parshall, all Segment Representatives and B.O.R. will be in attendance, as well as McLean, Sheridan, North Prairie and Ward County representatives.

05. GRAVEL REFUND:

Since the gravel will not meet specifications, TEK Industries is requesting a refund in the amount of \$5,892. The Committee directed Kyle Baker to draft a resolution authorizing a refund of the requested amount.

Councilman Wells moved to authorize North Segment representative, Mr. Malcolm Wolf to finalize approval, subject to his discretion, for Matthew Mason to obtain gravel for Mr. Mason's home access road. Seconded by Councilman Wolf.

DISCUSSION: Mr. Kyle Baker/Natural Resources will assist Councilman Wolf in making the final determination.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Mr. Kyle Baker informed the Committee that Fort Berthold Development Corporation is hauling gravel without authorization. The amount (eighteen loads) is not significant, however, all gravel activity must be properly monitored to ensure equal distribution.

Councilman Wells moved to direct TAT Legal to review all authorized agreements with Roger Dorval/Big Valley for a potential suit based on non-performance by failure to provide such product. Seconded by Councilman Wolf.

DISCUSSION: The Committee Chairman recommended that the Kyle Baker coordinate the research for the potential lawsuit and to proceed with the necessary documentation to reimburse TEK Industries.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

06. ALLOT. #821A-C:

Councilman Wells moved approve the purchase of Allot. #821A described as S1/2, NW1/4, Section 9, Township 151, Range 94 from Cynthia W. Star. Seconded by Councilman Wolf.

DISCUSSION: The Tribe owns property adjacent to Allot. #821A (along Clark's Creek Road)

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wells moved to approve the purchase of Allot. #821A-C described as N1/2, NW1/4, Section 9, Township 151, Range 94; 821A-D described as S1/2, NE1/4 described as Section 9, Township 151, Range 94 and 808A under the Land Consolidation Statute, for the Tribe to purchase the remaining interest, subject to review by TAT Legal. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

07. **RECREATIONAL AREA DEVELOPMENT:**

Mr. Paul Danks informed the Committee that there are funds (75%/25% match) available for boat ramp construction through The Friends of Byron Dorgan. The amounts are as follows: **Charging Eagle Bay:** \$60,000/ Tribal Match of \$15,000; **Pouch Point:** \$10,000/\$2,500 tribal match; **Skunk Creek:** \$170,000/the State of North Dakota will cost share \$12,500 of the \$43,000 match. Currently, Mr. Danks is researching any requirements by the State for cost sharing that may conflict with Tribal policy. Reunion Bay is not developed and is available for rent by the Tribe.

08. **FORT BERTHOLD COMMUNITY COLLEGE:** The FBCC can obtain federal funding grants for fisheries in partnership with the Tribe. The FBCC is requesting a letter of support from the Tribe, to partner in the fishery project with the Fort Berthold Community College, by February 12, 2002.

Councilman Wells moved to approve the partnership with the Three Affiliated Tribes Natural Resources Department and the Fort Berthold Community College for the fishery project by letter of support. Seconded by Councilman Wolf

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

09. **LAND EXCHANGES:**

Deferred to the next meeting on Tuesday, February 5, 2002

10. **LAND SALES:**

Councilman Wells moved to approve the purchase of Allot. #1394 described as Lot 2 (SWNW), SENW 07-148-89; Allot. #3104 described as NESW, Lot 3 (NWSW) 07-148-89; and Allot. #208A described as Lot 4 (SWSW), SESW, SWSE, WWSESE 07-148-89 based upon Natural Resources Department staff recommendation from Robert, Gary and Joyce Gabel for the amount of \$. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wells moved to approve the purchase of Allot. #0304A described SW 02-15-90 from Karen Lynch, Roberta Dahlen and Sandra Spotted Bear in the amount of \$..... Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

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Councilman Wells moved to approve the purchase of Lots 5, 6, Block 20 in the Couchs Addition, City of Parshall, for the amount of \$6,800 and the offer of \$6,000 for Lots 10, 11, Block 21, and the house on Lot 11. Seconded by Councilman Wolf.

DISCUSSION: For the record, to be allocated from either Tribal funds or FBHA for potential home site development.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wells moved to approve the home site lease of the Tribal lot described as Blk. 29, Lot 4, to Dorothy Rabbithead. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wells moved to approve the home site lease of the Tribal lot described as Lot 7, Blk. 3, Breslin Addition (Marliss Fox property) to Angelita Tveter for \$300 security deposit and \$150/mo. for a period of twenty-five (25) years. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wolf moved to approve the farm pasture lease, consisting of 160 acres of tribal fee allotment, for five (5) years in the amount of \$3.50/acre to Everett Hall. Seconded by Councilman Wells.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wells moved to approve the farm/pasture lease of Allot. #T3096 described as N1/2, NW1/4, SE1/4, NW1/4 Section 16, Township 152, Range 92 West consisting of 92.7 acres for five (5) year in the amount of \$5/acre, to Jack Pennington. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wolf moved to approve the farm/pasture lease of Allot.#T873, consisting of 32.5 acres, for five (5) years in the amount of \$10/acre to Tom Breuer. Seconded by Wells.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wells moved to approve the farm/pasture lease for Allot. #295A-B described as S1/2, NW1/4, SE1/4, SW1/4, SE1/4, Section 29 Township 151 Range 90; 417A described as SW1/4, Section 1 Township 150 Range 90; 1518 described as E1/2, SE1/4, Section 8 Township 150 Range 90; 1522 described as E1/2, NW1/4, Section 15 Township 150 Range 90 West to Rory Bolkan/Terry Bolkan. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wells moved to approve the farm/pasture lease of Allot. #T968 described as N1/2, SE1/4 Section 34 Township 149 Range 90 W, T353A-C/A-D described as N1/2, SE1/4 Section 31 Township 150 Range 90; 953 described as SW1/4, NW1/4 Section 5 Township 148 Range 90 West to Terry Bolkan. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wells moved to approve the farm/pasture lease of Allot. #T256B described as NE1/4, SE1/4 Section 7 Township 149 Range 90 West, consisting of 38.1 acres at a rate of \$33/acre to Rory Bolkan. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wells moved to approve the farm/pasture lease renewal of Allot. #T1438 described as Lot 2, Section 7 Township 150 Range 92 West, consisting of 29.30 acres at a rate of \$21/acre, to Gudbranson Farm. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wolf moved to approve the farm/pasture lease for Allot. #T234A-A described as NE1/4, SW1/4 Section 5 Township 148 Range 89 West, consisting of 39.6 acres at a rate of \$32/acre, to Harvey Billadeaux. Seconded by Councilman Wells.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Committee Chairman Gillette requested a rental comparison of all current rental rates for all segments for Committee review on Tuesday, February 5, 2002.

Councilman Wells moved to approve the renewal of the farm/pasture lease of Allot. #T3139 described as E1/2, NE1/4, Section 8 Township 148 Range 89; T1289 & T3103 described as W1/2, NW1/2, Section 9 Township 148 Range 89; T1288B described as NW1/4, SW1/4, Section 9 Township 148 Range 89 to Weston Schettler for five years in the amount of \$24/acre, subject to rental rate adjustments. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wolf moved to approve the farm/pasture lease of Allot. #3096 described as N1/2, NW1/4, SE1/4, NW1/4 Section 16 Township 152 Range 92 West, consisting of 27.3 acres at the rate of \$25/acre for one (1) year to Warren Lahtinen. Seconded by Councilman Wells.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

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Councilman Wells moved to approve the renewal of farm/pasture lease of Allot. #194 described as Lots 3 & 4, Section 7 Township 150 Range 91, consisting of 81 crop acres at a rate of \$21/acre for five (5) years, to Mark Lee. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wells moved to approve the renewal of the farm/pasture lease of Allot. #874-1226 described as N1/2, NE1/4 Section 23 Township 148 Range 88 at a rate of \$32/acre for five (5) years to Terry Kolden. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

Councilman Wolf moved to approve the renewal of the farm/pasture lease of Taking Area described as Lot 4, Sec. 30, Lot 1, Sec. 31-148-89, Sec. 25, 26, 27, 28, 35, 36-148-90, consisting of 400 pasture acres at a rate of \$3.50/acre for five (5) years, to Byron J. Holton. Seconded by Councilman Wells.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

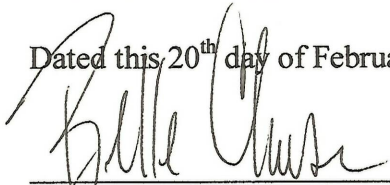
Councilman Wells moved to approve the farm/pasture lease of Allot. #881A-A described as NE1/4 Section 11 Township 148 Range 95 West, consisting of 160 acres at a rate of \$3.50/acre to Joan Young Bird. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions. Motion carried.

11. **ADJOURNMENT:**

Committee Chairman Gillette adjourned the meeting at 3:10 p.m.

Dated this 20th day of February, 2002.



Belle Chase, Committee Secretary
Natural Resources Committee
Three Affiliated Tribes

ATTEST:



Austin Gillette, Committee Chairman
Natural Resources Committee
Three Affiliated Tribes

CERTIFICATION OF MINUTES

The undersigned, as Committee Chairman of the Natural Resources Committee of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Natural Resources Committee is composed of three (3) members, of whom three (3) constitute a quorum. 3 members were present at a Natural Resource Committee meeting thereof duly called, noticed, convened and held on 9 day of March, 2004 whereupon the Three Affiliated Tribes Committee Secretary presented the foregoing minutes for approval.

Said minutes of January 30, 2002 were duly approved by the affirmative vote of 3 members approved, 0 members opposed, 0 members abstaining, 0 members not voting.

Respectfully submitted by: Connie Fox
Connie Fox/Committee Secretary

3/09/04
Date

Concurred by: Randy Phelan
Chairman Phelan, of the Natural Resources Committee

3-09-04
Date

ATTEST:

Randy Phelan
Randy Phelan, Executive Secretary
Tribal Business Council of the Three Affiliated Tribes

3-09-04
Date