



MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

404 Frontage Road • New Town, North Dakota 58763-9402

TRIBAL BUSINESS COUNCIL

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THREE AFFILIATED TRIBES NATURAL RESOURCES COMMITTEE

MARCH 19, 2002

10:00 a.m.

01. **CALL TO ORDER:**

Committee Chairman Gillette called the meeting to order at 11:15 a.m.

02. **ROLL CALL:**

Members present: Chairman Austin Gillette, Member Marcus Wells, Jr., and Member Malcolm Wolf.

Staff present: Annette Young Bird, Manny Morsette, Ed Fox, Noreen Two Crow, Jack Rabbithead, Clifton Whitman, Texx Lone Bear.

03. **APPROVAL OF MINUTES:**

Motion made by Member Wells Jr. to approve of the Minutes for February 14, 2002.
Seconded by Member Wolf.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

04. **TEXX LONE BEAR-FORT BERTHOLD RURAL WATER:**

Personnel Issue: No drivers license of 2 staff members driving is a major part of the job. Recommendation for Mr. Lone Bear: Tyra Wilkinson researched the policies and procedures under section page 17 item, 4 and 5 which states "Neglect or refusing to perform the duties of the position, including following program regulations", item 5, "Serious misconduct relating to the employee's position and/or the people under his supervision". Both employees in question were required to have their licenses for the duration of their job qualification and item's 4 or 5 merit for the employees to be suspended without pay until they get their licenses back. We need to put a revision in our Personnel Policies that address DUI. They have since lost their licenses. Suspend them until they get their licenses back. That's going to be about three weeks until they get their licenses back. Suspended until they return with a valid license.

Want to support the Director on this action. Informally support you and if it comes back to individual councilman.

BONDING AGENCY RURAL WATER SYSTEM:

Bonding Agency from the North Dakota Rural Water Supply System that want to support the Tribe in its next step in the rural water distribution. They have visited the engineering firm Barlett & West in Bismarck, N. D., impressed with the progress and willing to assist with funding in the amount of 13 Million with the first step of the program for a 3 year bond. The Council approved the negotiating team. Meet with negotiating team on April 15, 2002 12:00 Noon until 2:00 p.m. April 16, 2002.

BI-MONTHLY INFORMAL MEETING:

Meeting to be held at Four Bears Casino & Lodge with invited community chair members. Natural Resource will schedule meeting on April 16, 2002 at the casino.

05. ED DANKS-CONCRETE/AGGREGATE PROPOSAL:

Committee Chairman Gillette contacted Mr. Danks, who owns EMD Grouping Inc., to review the concrete/aggregate proposal and if he would be interested in a joint venture of sort. With all the infrastructure and development now in progress now is the time to develop a plan. When Mr. Danks built the Mandaree Streets the aggregate came from both Minot and Williston, which was expensive. The Tribe has a significant amount of aggregate, which Mr. Danks believes has tested quality aggregate. Opportunity has presented itself to capture and develop a market providing jobs and training. The construction industry is the seconded largest in the United States. Training proposed would include all aspects of the industry, estimate, accounting, testing, supervising and operators. Training programs are very expensive and the market must be secure. The 477 Program could contribute up to \$2,000.00 per trainee. OPTION 1: The proposal is for a joint venture partnership on a pro-rata basis. Requirements would include each party invest. If the Tribe is unwilling to do the investment OPTION 2 provides that EMD will do the investment. The Tribe will market the product.

The Tribe will seek out the contracts to provide the concrete and gravel while EMD will build, manage, develop and train. The bookkeeping will be presented every two weeks. Under option 2 EMD would stand all costs of acquiring all the equipment to produce a concrete product and processed gravel. The Tribe would be compensated through a mark up basis. EMD can generate the credit for the investment, forcing companies to hire enrolled members. The gravel that the Tribe produces will be paid by a base royalty price. For instance the gravel royalty rate for the Tribe is \$1.00 per cubic yard. After processing is complete the rate is \$4.00. The Tribe then regains there \$1.00, for cost EMD will get back \$3.00. Now for example the gravel will be sold to the Four Bears Bridge Project or any other project on a mark up basis. The contractor will see in the specs the Tribe will supply the concrete at a specific figure and lock in the

ED DANKS CONCRETE/AGGREGATE PROPOSAL(cont):

price. The Legal Department will have to draft proper language that will guarantee the process is included in our agreements when the bids are open.

Councilman Wells moved to direct the Legal Department to work with the EMD Grouping Inc. on a rough draft agreement and in compliance with all agencies to produce a concrete/aggregate product. Seconded by Councilman Wolf.

Discussion: For the Natural Resources Committee purposes the recording secretary is directed to send an inter-office memorandum to the Legal Department with the signature of the Committee Chairman that the committee is requesting a proposal for a concrete agreement.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

06. CLIFTON WHITMAN –SOLID WASTE/RANGE TECH RESOLUTION:

Forward to the TBC for action, to be placed on the agenda. To be placed on the agenda for March 25, 2002 there will be 6 positions available at \$10.00 per hour for summer interns.

Councilman Wells moved to declare a MR&I dozer as excess property and send to the Tribal pool. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

07. WENDELL OVERLIE-LAND EXCHANGE:

Motion made by Councilman Wolf moved to approve the land exchange of a commercial lot to a residential lot next to the Northern Lights Development. Planning to include a trailer. Would be an advantage trade value for value, lot for lot. Get the lot description and the number. Seconded by Councilman Wells Jr.

Vote: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

08. OTHER

a. Four Bears Water Treatment Plant:

Councilman Wells moved to direct Texx Lone Bear to take whatever action to correct the bacteria problem at the Four Bears Treatment Plant. Seconded by Councilman Wolf.

Discussion: Check chorine residue in the water. Take a test inside of the tank.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

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09. ED FOX/LARRY FOSTER-LANDSALE:

Allotment #0438A ESW, Lot 6(NWSW), Lot 7(SWSW) SE 6-150-90. There are a total of 313.52 Range Unit 33 acres with Larry Foster share of 1/6 at 52.22 Acres with the estimated value \$9,562.36. The Tribe doesn't own any part of his share but owns around area. This is a letter of intent. The individual is offering grassland for sale at \$183.12 per acre. With the appraisal, the sale price would go down. Councilman Wells moved to approve a ground appraisal done by the Natural Resource Committee. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

10. DENNIS HUBER:

Range Unit #91 is to be reviewed. 800 Acres of Tribal Fee Land. Since 1996 Dennis Huber has been getting pasture at no cost. The amount he owes is \$14,050.00. A Letter to Dennis Huber to be sent with the concurrence by Chairman Gillette.

Dennis Huber was getting this get this letter. Austin will review.

11. RESOLUTION TRIBAL LOAN

For review. Any enrolled member who owe are delinquent, in default or owe on any loans to the Tribe will be ineligible for range units, agricultural lease, home site, business site lease or other land renewal leases. The Tribal Business Council directs any individual company, association or other entity owing to the Tribe shall not be eligible to apply for home site, business site lease, other agriculture lease, renewals of range units or any other interest in land unless arrangement with the Tribal Business Council Treasurer Office and the Small Loans Department.

Councilman Wells moved to recommend approval of Resolution to the Tribal Business Council. Seconded by Councilman Wolf.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not voting.

12. TRAVEL TO HARLEM MONTANA:

Councilman Wells moved to approve travel for Annette Young Bird to travel to Harlem Montana to meet with Truby Stiffarm. Seconded Councilman Wolf.

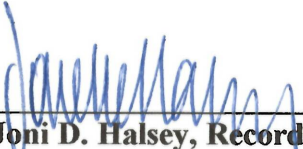
The next scheduled NRC Meeting is April 09, 2002 at 10:00 a.m.

13. ADJOURNMENT:

The meeting adjourned at 12:30 p.m.

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Mintes were approved on April 9, 2002.



**Joni D. Halsey, Recording Secretary
Natural Resources Committee
Three Affiliated Tribes**

ATTEST:



**Austin Gillette, Chairman
Natural Resources Committee
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