



MANDAN, HIDATSA, & ARIKARA NATION
Three Affiliated Tribes, Fort Berthold Indian Reservation
404 Frontage Road, New Town, North Dakota 58763-9402

NATURAL RESOURCES COMMITTEE
REGULAR MEETING
JANUARY 7, 2003

1. **CALL TO ORDER:**

Meeting called to order at 10:40 a. m.

2. **ROLL CALL:**

Members Present: Chairman Phelan, Member Wells, and Member Gillette.
Quorum established. Others Present: Annette Young Bird, Jack Rabbit Head, Kyle Baker, Mary Alice Wells, Scott Eagle, Hugh Baker, Todd Maleckar and Noreen Two Crow.

3. **APPROVAL OF MINUTES:**

Motion made by Member Gillette to approve of minutes dated October 22, 2002.
Seconded by Member Wells.

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

Motion made by Member Wells to approve of minutes December 5, 2002. Seconded by Member Gillette.

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

Motion made by Member Gillette to approve of minutes dated December 10, 2002 with corrections. Seconded by Member Wells.

Discussion: Update on Joan Yellow Wolf's water pump. Time frame is requested from Texx Lone Bear. He will update at noon today.

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

4. **TOURISM DEPARTMENT - SCOTT EAGLE:**

Scott Eagle updated the Natural Resource Committee on projects and plans to clean up the Methodist area and the 4 Bears Peninsula. Development plans for an access road and how much it will cost to clean up the Four Bears Peninsula. The Methodist Area will need a lease and a proposal for an Interpretative Center and Earth Lodge Village to be built. The National Guard will assist with building a road to the Methodist area. The National Guard would like to begin in the spring. Member Wells stated the only Committee that needs to be addressed is the Four Bears Zoning Committee on Parks, which includes Marian Spotted Bear, Ed Hall and Scott Eagle.

Motion made by Member Wells to authorize the Tourism Department to begin the process for development of the area and work with the Four Bears Zoning Committee. Seconded by Member Gillette.

Discussion: As requested by the Four Bears Committee. The motion will include an agreement with the Corp of Engineers and included with the motion is the Corp of Engineers will be sought to have appropriate agreements with the 4 Bears peninsula.

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

Motion made by Member Wells to take the land out of the year-to-year farm pasture lease of 75 acres for right of way purposes. Seconded by Member Gillette.

Discussion: Land to be in a 50-year lease. Amendment to the motion includes fencing materials.

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

5. DIAMOND RESOURCES INC. OIL & GAS LEASES:

Diamond Resources Inc. is represented by Todd Maleckar and has presented an oil and gas lease agreement on the Township 149 North, Range 94 West of the 5th P. M. Section 20: NE ¼. Kyle Baker has recommended approval of lease agreement. Diamond Resources is an entity of M3.

Motion made by Member Wells to recommend approval of lease agreement with Diamond Resources Incorporated presented with a resolution to the Full Business Council. Seconded by Member Gillette.

Discussion: Agreement will include guarantee of drilling a well. In pervious council actions the oil companies where brought in to begin the process. In the future we need to go back the 1982 Act to allow oil companies on tribal lands and not just federal lands.

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

6. HOMESITES/LANDSALES/LAND EXCHANGES:

• MARY ALICE WELLS - LAND SALE

Motion made by Member Wells to cite resolution 88-261-TL in which the track does not meet the criteria stated. Seconded by Member Gillette.

Discussion: Annette Young Bird will draft a letter of denial will be sent to the Bureau of Indian Affairs.

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

- BONNIE HUNTS ALONG - LAND SALE

Motion made by Member Gillette to approve of land sale of allotments 339 A WSW 35-150-90 of 80 acres with an estimated value of \$100.00 and allotment 1044 NESE 19-148-30 of 40 acres with an estimated value of \$27.00. Seconded by Member Wells.

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

- VERLEE WHITE CALF SAYLER - LAND EXCHANGE-defer

- GRETA WHITE CALF - LAND EXCHANGE:

Motion made by Member Gillette to approve of land exchange with the stipulations regarding development, roads and access to hunting including 1204 to do a value for value. Seconded by Member Wells.

Discussion: Natural Resources will prepare resolution for Greta White Calf's land exchange.

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

- TOM BREUER - FENCING:

Motion made by Member Gillette to approve of range unit 37 with mile increments and the standard limit. Seconded by Member Wells.

Discussion: Motion withdrawn to research the exact boundaries are unclear and defer until the next Natural Resources Committee Meeting.

- FRANCIS & RUEBEN SWIFT EAGLE:

Mandaree Trailer Park lot # 5 for 10 years at \$50.00 a month. Trailers need to be removed because there are no leases and tenants are not paying. Trailers need to be stored. This item will be deferred until Ed Fox can review for the next Natural Resources Committee Meeting.

- DENNIS HUBER:

Renewal of farm pasture lease: T1593N1/2NW1/4 Section 23 Acres at \$10.00 per acre at \$230.00 per year.

Motion made by Member Gillette to approve of renewal lease for the standard 5-year term ending in 2008. Seconded by Member Wells.

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

7. HELMUTH PFENNING - FARM/PASTURE LEASE:

Farm Pasture lease. Allot. TA#3 & 6 and Allot. T878 Section 15, 16, &17 Twp. 146 Rge. 88 at \$7.50 per acre for 28 acres for 5 years.

Motion made by Member Gillette to approve of farm pasture lease application for a period of 5 years. Seconded by Member Wells.

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

8. ABIGAL BINGEN – FARM/PASTURE LEASE:

Farm pasture lease. Allot. T690 A-B, north of B. I. A. Rt. 12 Section 16-149-93 Section 16 Twp. 149 Rge. 93 at the standard rate for Mandaree area for 17.6 acres.

Motion made by Member Gillette to approve of farm pasture lease application for a period of 5 years at the rate for the Mandaree area for 17.6 acres. Seconded by Member Wells.

Discussion: This was an improvement lease. Ms. Bingen can come back if there is a dispute in the price.

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

9. COLLECTION PROCEEDINGS FOR ALL TRAILER LOTS:

Motion made by Gillette to start collection proceeding lease and occupied in all districts. Billing Tribal Trailer lots with a follow up one month will bring February Natural Resources Meeting Feb. 18, 2002. Seconded by Member Wells.

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

10. VANCANT POSITION GAME & FISH DEPARTMENT:

Walt Dival was transferred to the Game and Fish Department from the Buffalo Project. CEO Rich Mayer is transferring employees without Committee approval.

Motion made by Member Gillette to authorize the Chairman of the Natural Resources Committee to appoint Kip Black Hawk to a 30-day appointment advertised until filled with the Game and Fish Department. Seconded by Member Wells.

Discussion: The Acting Department Director will review the situation of Walt Dival with concurrence of the Federal Programs Manager, Hugh Baker.

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

11. MEMORANDUM – NATURAL RESOURCE COMMITTEE:

Motion made by Member Gillette to direct Paul Danks to draft a memorandum to be addressed to the CEO, Rich Mayer, Federal Programs Manager, Hugh Baker and the Tribal Business Council Members any actions regarding the Natural Resources Department must be channeled through the Committee prior to any action taken regarding transfers, appointments and budgets. Seconded by Member Wells.

Discussion: Letter will include a re organizational chart.

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

12. FORT BERTHOLD RURAL WATER:

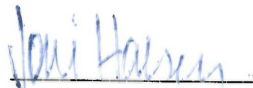
Update on class certification for water operators. The re organization is in process for the Natural Resources Department. Acting Natural Resources Director met with Texx Lone Bear and Lester Crows Heart with a positive outlook on how operations can run smoother. A motion was brought forward in June of 2002 to adopt the State water standards. No proclamation was forwarded to the Tribal Business Council. Budget constraints limit additional water operators. Texx Lone Bear will work with Hugh Baker, Lester Crows Heart and Paul Danks on budget issues and re organization. The Four Bears Water Plant has been in operations since 1998 and a target date of August 2003 the water plant will be in compliance.

13. ADJOURNMENT:

Motion made by Member Gillette to adjourn at 1:10 p. m. Seconded by Member Wells. The next Natural Resources Committee Meeting is scheduled for January 21, 2003 at 10:00 a. m.

Respectfully Submitted,

Minutes approved on January 29, 2003.



Joni Halsey, Recording Secretary
Natural Resources Committee
Three Affiliated Tribes



Randy Phelan, Chairman
Natural Resources Committee
Three Affiliated Tribes