



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

NATURAL RESOURCE COMMITTEE  
MEETING NO. 07-03  
July 1, 2003

01. **CALL TO ORDER:**

The Committee Chairman Randy Phelan called the meeting to order at 10:30 a.m.

02. **ROLL CALL:**

Committee Councilmen Present: Councilman Packineau, Councilman Wells, Councilman Gillette, and Councilman Phelan.

03. **APPROVAL OF MINUTES:**

Deferred until the next meeting.

04. **APPROVAL OF AGENDA:**

*Note: There was no approval of the agenda at this time.*

05. **MCKENZIE RURAL WATER:**

The McKenzie Rural Water Distribution System near Watford City is offering a project that will improve the water quality for the County, State and Tribal population. The State of North Dakota is willing to negotiate costs to fund the water treatment plant. The water project will lay 135 miles of pipeline that will pump 200 gallons of water per minute to the water line at the reservation borderline. The McKenzie Rural Water is in the process of advertising for bids for the water treatment plan. The Tribe and McKenzie Rural Water needs to agree on an eight to ten line size increase in the water lines and sized officially. If the size line is above the six- line size, the McKenzie Rural Water will pay. We need to agree on waterline up to ten-line size due to the water pressure being pumped. The McKenzie Rural Water presented two alternatives: Alternative One it will cost \$6,000,000 (six million) to construct three sites 1). one north of the reservation, 2). One west and 3). South of Mandaree benefiting ninety home users as well as commercial users. In Alternative Two; it will cost \$550,000.000 (five and half million) to construct a 2000-gallon reservoir that would benefits and allow water plant to pump the water without stress on the entire system. The McKenzie Rural Water will charge \$45.00 a month and will remit the cash flow accumulated from

the revenue, to the Tribes. The McKenzie County Rural Water Distribution System is requesting permission to install pump stations in the reservoir to drain water from Lake Sakakawea.

Councilman Wells moved to forward this to the full council for approval, seconded by Councilman Packineau.

Discussion: The McKenzie County Rural Water can do a presentation to the full council if they choose to do so.

Vote: 4 Ayes, 0 Nays, 0 Abstaining, 0 Not voting. Motion carried.

06. **WATER APPLICATION:**

Mr. Ethan Hall's request to the Tribe to dig a water line on his property was deferred.

07. **WIND TURBINE:**

Terry Fredericks inquiring about the land description/location for construction the Wine Turbine It will also need to include the location and survey. Councilman Gillette moves to authorize an appraisal, survey and easement of the future location of the Wind Turbine. Councilman Wells seconded the motion..

Vote: 4 Ayes, 0 Nays, 0 Abstaining, 0 Not voting. Motion carried.

08. **HOMESITES/LANDSALES/FENCING:**

**Theresa Charging Land sale:**

Councilman Gillette moved to recommend the purchase from Theresa Charging; Allotment 973A Lots 3,4 SNW, SW 04-146-90; Allotment 976 NE 08-146-90 NW 09-146-90. Councilman Wells seconded the motion.

Discussion: Ed Fox was directed to write letters to the Tribal Members that are requesting the sale of their land that don't meet the criteria.

Vote: 4 Ayes, 0 Nays, 0 Abstaining, 0 Not voting. Motion carried.

**Claude Bad Brave:**

Tribal Member is offering to the Tribe the purchase of 142 acres of land for \$70,000 Claude is including minerals rights. The appraisal price is at \$42,000. No action was taken on this.

**Hans Young Bird:**

Tribal Member is requesting from the Tribe the construction of a new road approach. Nathan Hale from Roads Department said Han Young Bird needs to put it in writing requesting the creation of an approach.

**Request for Cattle Guards:**

Paul Danks stated that the BIA does a list for individuals with range units. Currently there are four requests from Mandaree area; and there are ten (10) more available but the Bureau goes accordingly to the list. Presently, there are no requests from White Shield or Parshall. Anyone requesting for cattle guards need to get on the list but a priority list is already settled for this fiscal year..

**09. NORTH WEST FENCING & SUPPLY:**

Councilman Gillette moved to approve the request to purchase fencing material from NW Fencing & Supply, with the funds to come from the Range Improvement Budgets. Councilman Wells seconded the motion.

Vote: 3 Ayes, 0 Nays, 0 Abstaining, 0 Not voting. Motion carried.

**10. Personnel Action:**

Paul Danks stated that Todd Hall is requesting for an extension on the appointment for Kip Black Hawk until the position is filled.

Councilman Wells moves to approve the request for an extension on the appointment of Kip Black Hawk until position is filled. Councilman Gillette seconded the motion.

Vote: 3 Ayes, 0 Nays, 0 Abstaining, 0 Not voting. Motion carried.

**11. Pesticide Field Spray:**

Councilman Gillette moves to direct Pesticide Field Spray to use only only ground spray application throughout the whole reservation and not to use the helicopter to spray the pesticide field spray. Councilman Wells seconded the motion.

Vote: 4 Ayes, 0 Nays, 0 Abstaining, 0 Not voting. Motion carried.

**12. GRANT GRAZING PRIVILEGES:**

Councilman Gillette moves to include in Tom Breuer's Range Unit 37 Lease, the tribal property north of the exiting unit. (this will increase land base in the taken area.) Councilman Wells seconded the motion.

Vote: 3 Ayes, 0 Nays, 0 Abstaining, 0 Not voting. Motion carried.

**13. TRAINING REQUEST:**

Annette Young Bird submitted for training requests for the staff members: Jack Rabbithead, Lori Little Swallow and Ed Fox. The training session will be held in Denver on July 15, and 16, 2003. The training will refresh or train the staff on how to read maps, apply for easements and to read land descriptions.

Councilman Gillette moved to approve the four staff for training and seconded by Councilman Wells.

Vote: 4 Ayes, 0 Nays, 0 Abstaining, 0 Not Voting. Motion carried.

14. **OTHER BUSINESS:**

**Construction Contracts:**

Felicia Felix requested approval of construction contracts before they can start working the Contracts 37, 37 39, 40 41, 42 and 42. The committee members concurred there was not enough information on Contract 42, and directed Felicia to bring more information back to the next meeting. Councilman Gillette moved to approve for Contract Numbers 37, 38, 39, 40, 41 and 43. Councilman Wells seconded the motion..

Vote: 4 Ayes, 0 Nays, 0 Abstaining, 0 Not voting. Motion carried.

15 **Land Exchange:**

Jim Mossett requested to lease Allotment Five (5), which includes farmland and shorelines in the badlands and does meet the criteria.

Councilman Gillette moves to approve the lease Allotment Five (5) TO Jim Mossett. Councilman Packineau seconded the motion.

Vote: 4 Ayes, 0 Nays, 0 Abstaining, 0 Not voting. Motion carried.

16. **Land Lease:**

Malcolm Bruce Sr. wants to lease pastureland on a yearly annual lease west of Sanish of 3.5 acres. Councilman Gillette moves to approve and seconded by Councilman Wells.

Vote: 4 Ayes, 0 Nays, 0 Abstaining, 0 Not voting. Motion carried.

17. **Adjournment:**

No other business Councilman Gillette motions to adjourn the meeting and seconded by Councilman Wells. Meeting adjourned at 12:25 p.m.

Vote: 4 Ayes, 0 Nays, 0 Abstaining, 0 Not voting. Motion carried.

**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 Resources Committee meeting thereof duly called, noticed, convened and held on the 26 day of August, 2003 whereupon the Three Affiliated Tribes Committee Secretary presented the foregoing minutes for approval.

Said minutes of July 1, 2003 were duly approved by the affirmative vote of 3 members, 0 members opposed, 0 members abstaining, 0 members not voting.

Submitted by: Connie Fox  
Connie Fox/Committee Secretary

8/26/03  
Date

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

8-26-03  
Date

**ATTEST:**

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

8-26-03  
Date