



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

NATURAL RESOURCES COMMITTEE

Meeting 09-03-RP

September 9, 2003

I. CALL TO ORDER:

Councilman Gillette calls the meeting to order at 1:46 p.m.

II. ROLL CALL:

Council Committee Members: Present: Councilman Gillette, Councilman Wells, Councilman Packineau/Alternate quorum present.

At 1:55 p.m. Councilman Phelan arrived.

III. APPROVAL OF AGENDA:

Councilman Gillette add on -Water Line Bid-Fours Bears & White Shield
Councilman Wells added Tony Mandan to put under Land Exchange.
and to add Nathan Hale/ Roads Dept.

Councilman Wells moved to approve the agenda with amendments and seconded by Councilman Gillette.

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

IV. APPROVAL OF MINUTES:

Councilman Gillette moved to approve the minutes of August 26, 2003 with the corrections and motion seconded by Councilman Wells.

Discussion on Minutes: Councilman Gillette on item 12 that was in 1997 the last appraisal for Gainus Little Soldier. On page six item 16 should be aerial this is misspelled.

Correction on item eight to change Fru-Con to Fort Berthold Development.

Item 15: To strike out the whole paragraph and to rewrite it to: Ted Lone Fight was managing the Buffalo Project and moved to Noxious Weeds until January 1, 2004 or until presented to full council.

Councilman Gillette requested for a correction copy of the minutes.

VOTE: 4 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

V. **FRU-CON STATE-GRAVEL:**

The Natural Resources Committee members are requesting for a copy of the Agreement with the State Highway Department with Fru-Con pertaining the Gravel Pit Sale. The committee have not seen or approved the Agreement on the Gravel Pit all agreements must come before the Natural Resources Committee for approval.

Walt Peterson District Engineer with the State Highway Department out of Williston, his understanding is that the gravel pit, sewer lagoon cells, old pow-wow ground are all included in the taken area and in the agreement and they were to fenced in the taken area. The Committee members requested to see map and a copy of the resolution so that there will be a better understanding. Councilman Wells suggested that they meet next Tuesday after all the information is complied.

VI. **DIAMOND RESOURCES OIL LEASE: (Kyle Baker)**

Councilman Wells move to present this to Tribal Council Thursday meeting on the 320 acres tribal land for oil lease at \$30/barrel by Diamond Resources Oil second by Councilman Packineau.

VOTE: 3-Ayes, 1-Nays, 0 Abstention, 0 Not Voting. Motion carried.

Councilman Wells moved to return our seismic data from M3 or Diamond Resources Seconded by Councilman Gillette.

VOTE: 4-Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

VII. **LAND EXCHANGE/LANDSALES/HOMESITES: (Ed Fox)**

Jill Hall home site north of Wilkinson Lot 8 at Baker fields, Councilman Wells moved to approve for home site and seconded by Councilman Gillette.

VOTE: 4-Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

Tony Mandan-Land Trade:

Tony was asking on why the tribe did not trade his land with him. Councilman Wells stated the tribe could not trade because it did not meet the criteria of the policies. Councilman Gillette re-enforced his directive to the Natural Resource Staff that they write a letter to the tribal members on all their transactions if it is approved or not approved and on WHY it was denied. Chairman Phelan suggested that the twenty (20) areas to trade that for value for value for his allotments. Councilman Wells moved to purchase the remaining acres of Allot. 1952, 1953, 2037, and 2238-B from Tony Mandan. Seconded by Councilman Gillette..

VOTE: 4 –Ayes, 0 Nays, 0 Abstentions, 0 Not Voting, Motion carried.

Lease Renewal:

Councilman Gillette move to approve the lease renewals for Richard & Lynda Risan with: all three of Allots: Paul Driver, Sr. Ethel Sanderson, and Edward S. Elk. @ \$35 per cultivated acre. Seconded by Councilman Wells.

VOTE: 4 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

VIII. REQUEST FOR BUILDING PURCHASE:- TABLED

IX. WATER LINE BID-FOUR BEARS/WHITE SHIELD:

Steve Kelly Tribal Attorney presented a Resolution No.03-205RP passed July 14th, 2003. The letter from Dale Van Eckhout dated July 3, 2003 and the resolution was passed on July 14th, 2003, asking if this resolution will apply to this project. Texx Lone Bear was asked by CEO on this water line bid and to find out if it would conflict will be resolved through the Legal Department wit USDA projects. Texx found out that this would not interfere with the project.

Councilman Wells motion to direct Legal to draft a letter that the intent of the Council in passing the resolution was that resolution applied to projects going forward after the passing of the resolution. The letter should cover all MIR water projects and USDA funded water projects are excluded. Seconded by Councilman Gillette.

Discussion: Is this to included projects prior to July 14th will not be affected by this resolution. The only problem with the Rural Development Water Projects the commitments were entered in June so this has to be your starting point.

VOTE: 4 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

Mandaree School Extension (*Nathan Hale*) was concern about this resolution would affect the project at Mandaree. Nathan Hale will write up a Resolution for Mandaree School to be not included in this. Steve Kelly stated that this resolution does not specify anything on performance value. Councilman Wells stated that we better do an attachment on this resolution, or amended it. This should be put on the TBC agenda or to redo the resolution to draw up one. Chairman Phelan directed Nathan Hale to write up a resolution and bring it to the full council. Steve Kelly suggested to the committee to do another resolution Chairman Phelan directed Steve to do the resolution.

X. Tribal Roads Department- Nathan Hale:

Nathan is requesting for \$ 30,160.00 for additional ten (10) cattle guards the need is greater than ten. Councilman Wells moved to approve for the additional 10 cattle guard and seconded by Councilman Packineau.

Discussion: Councilman Gillette stated that didn't we already appropriated some of this money for dugouts. These cattle guards should be distributed throughout the reservation.

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

XI. Appraisal for an exchange for Ed Hall/Walking Shield Homes:

Ed Hall want to do a land exchange for Parshall City Lots he owes. Councilman Gillette moved to do a letter of intent for Ed Hall on city lots he owes for land exchange, seconded by Councilman Packineau.

Discussion: These houses are not meeting the inspection, we need to send someone over to look at these houses. Orville Fox is going over to inspect the houses to see if they meet or don't meet the standards.

VOTE: 4 Ayes, 0-Nays, 0-Abstentions, 0-Not Voting. Motion carried.

XII. Adjournment:

Councilman Gillette moves to adjourn and seconded by Councilman Wells.

VOTE: 4-Ayes, 0-Nays, 0-Abstentions, 0-Not Voting. Motion carried.

Meeting adjourned at 4:20.m.

Submitted By:



Connie Fox/Committee Secretary



Date:

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 9 day of March, 2004 whereupon the Three Affiliated Tribes Committee Secretary presented the foregoing minutes for approval.

Said minutes of Sept 9, 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

3/09/04
Date

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

3-9-04
Date

ATTEST:

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

3-9-04
Date