



**Natural Resources Committee
Meeting 11-03-RP
November 4, 2003**

- I. **Call Meeting to Order:**
Committee Chairman Phelan called the meeting to order at 3:05 p.m.
- II. **Roll Call:**
Councilman Phelan, Councilman Gillette, and Councilman Wolf attending; quorum established.
- III. **Approval of Minutes:** Deferred the minutes.
- IV. **Old Business Directives:** Deferred until the next meeting.
- V. **CEDS Leases-(Sherry Gillette):**
Not present.
- VI. **Addendum to Co-op Study -(Linda Driver):**
Not present in meeting
- VII. **Ft. Berthold Rural Water-(Texx Lone Bear):**
Texx reported on his meeting with Ken Royce and a phone call with Rod Beck with the Water Project.
- VIII. **RU 97 Modification-(Lorry Little Swallow):**
Lorry Little Swallow would like to modify Range Unit 97 along the Little Missouri River this has become a large mud line and a death hole for livestock. Lorry would like to keep the top area and let the river bottom lands go. Lorry is willing to work with Ed Fox and Marle Baker on drawing up a new boundary line. This item was deferred to the Full Council at its next Regular meeting for November 13, 2003.
- IX. **Homesites/Landsales/Land Exchanges-(Ed Fox):**
Landsales:
Donna Morgan Allot. 1853-A, WNE 17-152-93 for 80 acres is asking for \$1,000/acre. The actual value is \$9,200.00.

Councilman Gillette moved for approval to purchase at actual value, seconded by Councilman Wells.

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

Leroy Crow Flies High: Allotment 2085C, WWSW 32-151-94 for 40 acres with estimated value at \$4,000.00, needs letter of intent.

Councilman Gillette moved for approval for a letter of intent to purchase Leroy Crows Flies High at the actual value as appraised. Seconded by Councilman Wells.

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

Karen Long Elk – Allot. 608A SNWNE,SWNE,NSE,SWSE for 180 acres at estimated value of \$33,000.00 and Allot. 608-A-B 20-152-94, SWNE 20-152-94 for 40 acres with Letter of Intent.

Councilman Wells moved for approval to purchase at estimated value. Councilman Gillette seconded the motion.

Discussion: As a committee to make a provision not to trade specified property deemed only for Housing Development. We need to update our Home Site Policy to make it clearer. Directive was given to Paul Danks to update the Home Site Policy, Paul stated that hopefully he would have it completed by November 25, 2003 for the Natural Resources Committee. It should also include that it can't be traded for personal use.

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

Home Sites:

Daryl & Beverly Hall requested for a home site in Parshall described as Block 19, Lots 2 & 3 Sec. 25 Twp. 152, Rge. 90.

Councilman Gillette moved to defer this request until Councilman Packineau is available. Councilman Wells seconded the motion.

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

Anthony Halverson Request for a Home Site Allot. T185-B, described as Lot 9, Bakersfield, Four Bears Sec. 16 Twp. 152, Rge. 93. 1 Lot 113x200 ft lot.

Councilman Wells moved for approval for home site request and seconded by Councilman Gillette.

Discussion: Brother Ervin Halverson also has a application, will submit later.

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

Mary Schoppert is requesting a site at the Old Golf Course behind Bob & Judy Brugh's house. T597A-A, there is not enough acreage there for a home site. Councilman Gillette suggested that since our Lagoon is on line, may be we could have Ed Fox to go and measure those lots plot larger to make another addition for home sites, then we will consider Mary Schoppert request.

Councilman Wells moved for approval to plot out the remaining acreage West of Bakersfield of un use acreage for home sites, seconded by Councilman Gillette.

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

Della Foolish Bear needs easement to build a road from the gate to the house, Councilman Wells, moved for approval and seconded by Councilman Gillette.

Discussion: When Matt Foolish Bear was alive wasn't there a road built by Roads Department and there should have been a easement signed for this. The easement covered the first part of the road but the second part of the road is separate allotment with tribal members. For the Record this motion will move it up to 60% with beyond the requirements. Matthew owes 54% of it and the Tribe owes 1/3 of it, Martha, Texx, Rocky and his sisters owe 60% ownership, Superintendent can sign for Lester. We need 60% of the signatures for the approval of the easement.

VOTE: 2 -Ayes, 0 -Nays, 2 - Abstentions, 0 -Not Voting. Tied-Not passed.

Tanya & Delvin Driver, Jr. -- is requesting for easement East ½ of the N.E. ¼ of the N.E. ¼ Sec. 16 Twp. 151 N. Range 92 W. Tribal fee this is north west of Delores Sand.

Councilman Gillette moved for approval and seconded by Councilman Wolf.

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

X. Farm Pastures Leases-(Jack Rabbithead):

Stacey Roberts for renewal of lease for 5 years @ \$35/acre, on Allot. No T314 A-A, described as W2NW4 Section 10, Twp. 149, Rge. 90. and 40 acres for @35/acre for 5 years for Allot. No T326 A-A, described as NW4NW4, Section 22, Twp. 150, Rge. 90.

Councilman Gillette moved for approval of the renewal lease and seconded by Councilman Wolf.

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

Jim Pennington Farm Lease Application

Councilman Wells moved to reject Jim Pennington's Farm/Pasture Lease Application because the bid requirement was not met. Councilman Gillette seconded the motion.

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

Harvey Billadeau Five (5) year lease renewal @ 35/acre for the following: Allot. T234A, described as 21/2 SW4, SE1/4, SEC. 5, 148-89 @ 34/ACRE. Allot. 1399 as described NE1/4. Allot. 0076 described property as SW1/4, N/E 1/4, Sec. 30 149-89. Allot. 0077 described as NW S1/2 Sec. 30 149-89. Allot. 1050 described as NE1/4, SE1/4, Sec. 30 149-89. Allot. 1049 described as SWSE, SESE, Sec. 30 149-89. Allot, 223A-A described as SWNW, SENW Sec 2, 148-90. Allot, 0226-A described as Lot 1,2,3,4, Sec 2 148-90. Allot. 3006 described as Lot 6, NE 1/4-SW1/4, Sec 6 148-88.

Councilman Gillette moved for approval of the renewal lease for Harvey Billadeau and second by Councilman Wells.

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

Lynn Billadeau lease renewal for 5 years for Allot. 1392-A described as NW1/4, SE1/4, 15-149-89. Allot. 89A/89A-A/634/1314/1315/1511 described as N1/2nE1/4-36/S1/2SW1/4-25/S1/2NE1/4-36,NW1/3SW1/4-36/E1/2NW1/4-36/W1/2NW1/4-36. All in 148-89.

Councilman Gillette moved for approval of 5-year renewal lease for Lynn Billadeau and seconded by Councilman Wells.

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

XI. TEK/Concrete Rock Payment:

No one present at the meeting.

XII. Other Business:

Buffalo Loss: - Newlyn Little Swallow letter pertaining to three buffalo that were shot, two of the buffalo belonged to Newlyn and he wants to be reimbursed from the Buffalo Project. Newlyn stated that the two buffalo he bought from a gentleman from Ross and raised them as pets. The third buffalo was he received from the Tribe. Is asking for seven (7) calves or would like \$3,100.00 for my loss.

Councilman Wolf asked Newlyn if he had a brand or earmark on his buffalo, he stated No. Chairman Phelan asked Committee Members on what we can negotiate on with Newlyn. Councilman Wells stated that there is a Resolution that the Buffalo is fenced in with stronger fence, but this pertains to Tribal Buffalo. To amend the resolution to state that all buffalo be fenced in tribal or individual owned.

Paul Danks suggested that the Tribe pay Newlyn for his loss of his buffalo at market value.

Councilman Gillette moved to pay Newlyn Little Swallow \$1,600.00 for his loss seconded by Councilman Wells.

Discussion: Anyone that has livestock (horses, cattle, buffalo) has to fence them in. Directive was given to Paul to re-write the Resolution regarding the fencing of the buffalo this, which include all animals.

The money to pay for this will be taken out of Buffalo Project, a tribal resolution will be written on this and will go before the Full Council at its next Regular meeting scheduled for November 13th 2003.

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

Administrative Assistant-Ted Long Fight III: Paul Danks reported that Ted Lone Fight is acting as my Assistant now, his position was in Limbo after the Buffalo Project and was working in Noxious Weeds. Since Ted was working as the Assistant there is so much that has to be done. Therefore, Paul is proposing to the Natural Resources Committee that Ted will be his Administrative Assistant in Natural Resources Department.

Councilman Wells moved for approval of the position for Administrative Assistant for Paul Danks and seconded by Councilman Wolf.

Discussion: The funds for this position will come out of what budget will come out of the Leafy Spurge Management for one year. There is no job description written yet, Paul will write a job description for the Administrative Assistant position, and this will go before Full Council, this position will have to be advertised until filled.

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

Four Bears Fire:

Councilman Wells moved that Paul Danks write a Thank You Letter to all that helped with Four Bears Fire. Seconded by Councilman Wolf.

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

Figure 4-Discussion:

Chairman Phelan asked the question on when did the Full Council give Figure 4 to MHA Enterprise? Todd Hall informed Chairman Phelan that CEO/Rich Mayer gave him his walking papers. It was the Buffalo Project that was given to MHA Enterprise not Figure 4.

The Resolution states Buffalo Ranch, it does not specify Figure 4, to Chairman Phelan the Buffalo Ranch is the Buffalo Project, not Figure 4, there is no language that states Figure 4 in the Resolution. Rich understanding of the Resolution that Buffalo Ranch and Figure 4 were incorporated into one entity. But it is not stated in the resolution. Chairman Phelan directed CEO to do a complete full report on the Buffalo Project with a financial statement from on all the sales from the August Meeting and where they are at now, and to do an itemize inventory to be ready for the next Natural Resource Meeting scheduled for November 12, 2003. Richard Mayer requested help from Paul Danks since he was the supervisor for the project. They need to submit a Good Management Plan based on figures where the Natural Resources Committee can mandate a sale of buffalo if there is an abundance of them. Total number of Buffalos, total number of bales with the remaining total.

When the Tribe agreed to pay for the purchase of bales of hay, it was under the assumption that the funds would be reimbursed from the buffalo sale.

XIII. Natural Resource Committee Meeting Date:

Next Natural Resource Meeting will be November 12, Wednesday at 10:00 a.m.

XIV. Adjournment:

Councilman Wells move to adjourn the meeting at 5:06 p.m. and seconded by Councilman Wolf.

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 Nov 4, 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