

Mandan, Hidatsa, & Arikara Nation
*Three Affiliated Tribes*Fort Berthold Indian Reservation*
404 Frontage road*New Town, North Dakota 58763-9402



NATURAL RESOURCES COMMITTEE

Meeting 04-02-RP

March 9th, 2004

01. CALL TO ORDER:

Committee Chairman Randy Phelan convened the meeting to order at 2:15 p.m.

02. ROLL CALL:

Members Present: Chairman Randy Phelan, Councilman Marcus Wells, Jr.
Councilman Austin Gillette and Mervin Packineau.

03. APPROVAL OF MINUTES:

Councilman Gillette moved for approval of the following minutes for Natural Resources Committee: January 30, 2002, April 30, 2002, May 14, 2002, February 14th, 2003, September 9, 2003, November 4, 2003 and the January 16th, 2004. Councilman Packineau seconded the motion.

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

04. TRIBAL HOUSING DIVISION: (*Florence Brady*)

A list of applicant for the Walking Shield Homes was given to Committee Members some are incomplete, they don't have Social Security Numbers, Verification of Income, Release of Information, and etc... Some of the applicants paid some money down and this helps out the project. Florence will met with each Committee individual on the list of applicants for Tribal Housing.

05. TAT ROADS TRANSFER: (*Nathan Hale*)

No Present at the meeting.

06. LOT SALE: (*Claryca Mandan*)

The lots was inherited from her mother Celeste Barnes, this land is fee land, the lots to sell to the Tribe are Lots 5, 6, 7, Peace Pipe Addition at Indian Hills Resort in McLean County. The estimate value is \$12,000 per lot.

Councilman Gillette moved to get a letter of intent along with appraisal for this. Councilman Wells second the motion.

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

07. **OIL & GAS:** *(Kyle Baker)*

The sites for that targets oil on the reservation some have burial grounds on these sites. The oil companies want to come in but the taxes are holding them back. The tribe raises the taxes and the oil companies are looking at that. The taxes are 2% for production and 3% for interest tax, either way the oil companies have to pay taxes. The Oil & Gas may need a Corporation Board for this for we as a tribe need to develop policies and procedures for these oil companies coming into the reservation. The tribe has several boards and these board members do not get along and don't accomplish anything. The Oil & Gas issues still need to be under the Natural Resources Committee.

Councilman Wells moved for approval on Kyle request for Councilman Gillette to assist them in developing policies and procedures for the oil companies and to address the tax issue in setting up the RFP. Councilman Packineau second the motion.

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

As for the Burial Grounds Elgin Crow Breast will do a file search on these and check on all the data for any tipi rings, burial sites. On the burial sites we check to see if the oil companies can work around them or move before we have to move the burial grounds. At one time the oil companies paid for the Archaeologist to check the sites and this should be still in our policy already.

08. **ENVIRONMENTAL DIVISION:** *(Patti Jo Thomas)*

Patti is requesting the committee for Paul Danks to evaluate her since Hugh Baker is no longer with us. According to the job description it states that Paul Danks is Patti Jo immediate supervisor. At the November 12, 2003 council meeting the Environmental Staff received their raises except for Patti Jo on one of the stipulation that she receives a evaluation first. Patti Jo is requesting that her salary raise be retroactive back to November 12, 2003, pending her job evaluation with Paul Danks.

Councilman Wells move to approve for Paul Danks to do the evaluation on Patti Jo Thomas. Councilman Gillette seconded the motion.

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

09. **Ft. BERTHOLD RURAL WATER ISSUES:** *(Texx Lone Bear)*

The committee needs to adopt or amend the standing operational procedures for the Rural Water.

Councilman Gillette moved to adopt the standing operational procedures along with any amendment that needs to be done. Councilman Wells seconded the motion.

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

10. **HOMESITES/LANDSALES/LAND EXCHANGES:** *(Ed Fox)*

Scott Wilson – Homesite – Parshall Blk. 9 Lots 9 & 10, 612-A Couches Addition.

Discussion: The lots of 612-A was already given out will defer until next meeting.

Charles Freeman – Kenneth Freeman – Homesite Tribal Lot, described as 76” x 75” Lot 1, BLK 6 in New Town, ND Section 18, Twp. 152, Rge. 92, Fifth Principal Meridian, North Dakota, containing 1 lot acres or feet for 25 years at \$.00 per year.

Councilman Gillette moved to approve for homesite lease for Kenneth Freeman. Councilman Packineua seconded the motion.

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

Doris Duckett – Homesite for 2.5 acres this has no sewage line, in our policies it states for the Twin Buttes area we approve for lots and not in acres. Deferr this until next meeting.

Frances Swift Eagle – Homesite south of Bear Den in Mandaree, this is designated area can’t get a homesite there. Deferr this until next meeting.

Kathleen De La Rosa Smith – Homesite Allot Nol T1853-B, described as Lot 5 Bakersfield , Four Bears Area, Section 16, Twp. 152, Rge. 93, Fifth Principla Merdian, ND, containing 112 x 200 feet for 25 years for \$50.00 per month.

Councilman Gillette moved for approval for homesite with no trailer house. Councilman Packineau seconded the motion.

Business Lease: Kasey L. Hall – Allot No. T>F> described as Lot 10, Blk 28, New Town, Sec. 17, Twp. 152 N., Rge. 92 Ws. Fifth Principal Meridian, N.D. containing 78 x 90 feet Lot. Lease for 25 years at going rate.

Councilman Gillette moved for approval of business lease for Kasey Hall at going rate for commercial rate. Councilman Packineau seconded the motion.

Discussion: Annette Young Bird will work out on the rental rate has a format for this.

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

Land Lease: Malcolm Wolf is requesting that his land lease section T 1435 S ½ SW ¼, 3 150-92 be assigned to his son Denny Wolf.

Councilman Gillette moved for approval for the land lease transfer from Malcolm Wolf to Denny Wolf. Councilman Packineau seconded the motion.

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

Land Lease: Malcolm Wolf is requesting that his land lease section T 1435 S ½ SW ¼, 3 150-92 be assigned to his son Denny Wolf.

Councilman Gillette moved for approval for the land lease transfer from Malcolm Wolf to Denny Wolf. Councilman Packineau seconded the motion.

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

11. **FARM PASTURES LEASES:** (*Jack Rabbithead*)

Edward S. Danks, Jr. (Tyke) pasture lease for 5 years on Allot. No. 612 A-A/B, 531A-B & 531 A-A, Section 24, 29 Twp. 152, Rge. 94, 95 W., Fifth Principal Meridian, N.D.

containing 120.73 cares @ \$17.00 per acre with a total amount of \$2,052.41 per year.

Allot. No. 820A-C described as E2SW4, Section 8, Twp. 15', Rge. 94 W., Fifth Principal Meridian, N.D. containing: 29.0 acres @ \$11.00 per acre at \$493.00 a year.

Councilman Gillette moved for approval of the two leases for Edward S. Danks (Tyke) for pasture. Councilman Packineau seconded the motion.

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

Mobile Trailer Lot: (*Annette Young Bird*)

The papers were lost on this for it was a while back, this is for a variance for the mobile trailer lot putting a mobile home on a trailer lot.

Councilman Gillette moves for approval for the trailer lot, Councilman Packineau seconded the motion.

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

Improvement Lease:

William D. Halls is applying for improvement lease for a 5-year lease on Allot. No.

TA, described as N1/2 SW1/4 SE1/4, Section 4, Twp. 149, Rge. 90 W., Fifth Principal Meridian, N.D. containing: 9.2 cares @ \$5.00 per acre.

Councilman Gillette to approve this at the going rate for non-tribal members.

Councilman Packineau seconded the motion.

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

The next Natural Resources meeting will be next Tuesday March 16th at 10:00 a.m.

12. **ADJOURNMENT:** Councilman Gillette moved to adjourn the meeting at 3:35 p.m.
Councilman Packineau seconded the motion.

Committee approved minutes this date 10th of August, 2004.


Connie Fox/Committee Secretary

Committee Chairman-Natural Res.