



MANDAN, HIDATSA & ARIKARA NATION
Three Affiliated Tribes, Fort Berthold Indian Reservation
404 Frontage Road, New Town, North Dakota 58763-9402
Natural Resources Committee
Meeting 04-09-RP
August 5, 2004

01. **Call Meeting to Order:**
Acting Committee Chairman Wells convened at 11:35 a.m.
02. **Roll Call:** Councilman Wells, Councilman Packineau, Chairman Wolf establishes a quorum.
03. **Approval of Agenda:** Added agenda items: Four Bears Elders Contract, and mineral request.

Councilman Packineau move to approve the amended agenda and seconded by Councilman Wolf.

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

04. **Four Bears Elders Contract:**
Councilman Packineau moved to approve \$2,000 per elderly unit for a total amount of \$8,000 payable to Deneschuck Homes. Councilman Wolf seconded the motion.

Discussion: This action is in reference to Deneschuk Homes needing the \$8,000 at the time of signing the contract for the four elderly homes.

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

05. **Sundance/Sadie Mann:**
The Water troth is shot up and needs repaired Councilman Wolf offered to weld it for her. Sadie requesting for a cottonwood tree out by Bakersfield that needs to be cut down for her Sundance.

Sadie is requesting for approval to cut the cottonwood tree by Bakersfield for the use of the Sundance. Councilman Wolf seconded the motion.

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

Councilman Packineau moved to approve for a dumpster to be placed at the Sundance. Councilman Wolf seconded the motion.

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

06. **Fort Berthold Dev. Gravel Purchase/BIA Gravel Permits/Fru-Con:**
The Ryan Exploration Inc. is interested in leasing 80 acres for oil and gas exploration of said tract on property Township 150 North, Range 90 West, McLean County, Section 15: WsNE4.

Councilman Packineau moved for approval for REI to lease the 80 acres for oil & gas exploration. Councilman Wolf seconded the motion.

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

Fru Con is requesting for 10,000 yards of gravel at \$1.00, and this is usually is .75 cents, so this is a good deal. The committee is requesting \$1.25 to \$1.50 per yard to negotiate with Fru-Con.

Councilman Packineau move to give authorization to Paul Danks/Kyle Baker to negotiate with Fru-Con starting at \$1.50 per yard. Councilman Wolf seconded the motion.

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

Jim Dawson is requesting to buy 30 yards will give us \$4/yard of worked gravel for a project. Councilman Packineau move to approve and seconded by Councilman Wolf.

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

Fort Berthold Development-Gravel: received 800 yards for the Head Start project and only used 360 yards and is requesting if they can use the remaining 444 yards of gravel left to use on other projects. The committee discussed this and felt that this is another new project and therefore, Fort Berthold Development would have to come before the committee for another request.

Paul Danks-since the committee don't have regular meeting Paul is requesting the Natural Resources Committee to give him authority on approving the request for gravel at a set rate at. Councilman Wells asked Paul if he has set rates now.

Councilman Packineau move to direct Paul Danks to develop set rates for the gravel to be administered by Paul Danks and Kyle Baker. Paul to present at the next Natural Resources Meeting. Councilman Wolf seconded the motion.

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

Burial Grounds/Oil Drilling:

Kyle and Paul went to the Water Bustle Medicine Bundle carrier Roy Bird Bear for advice. Kyle felt that we should give him something for this, the committee members told him to submit a purchase order for this.

07. Homesites/Landsales/Land Exchange: (Ed Fox)

Landsale: Karl Pond - Allot. No. 1705, WNW 11-148-92, 56 RU204, of total 80 acres with actual value of \$1,249.00.

Allot No.1018A, SE 10-148-92, NE 15-148-92, RU204,26.67 acres the actual value of \$4,442.00.

Councilman Packineau move to approve purchase for actual value. Councilman Wolf seconded the motion.

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

Homesite: Iris Jackson – requesting for a lot for a trailer, she is being evicted from the Golden Age Mobil Home Trailer Court north of New Town. Iris is requesting to move into the lot that Tiny Tots Head Start vacated. Paul Danks asked about the lots in town aren't they moved over to Connie Azure program. Sara Young Bird of Head start transferred the trailer to Four Bears, but the lot is still under Head Start and we need to cancel this lease with Head Start before it is given to anyone. The committee will defer this until the next meeting.

Homesite: Polly Monogram – Homesite lease application in Mandaree, Allot. No 694A, Section 11, Twp. 149. Rge. 94.

Councilman Packineau moved to approve a Homesite lease for Polly Monogram. Councilman Wolf seconded the motion.

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

Homesite: Christina Standish – is requesting for a lot in New Town or Bakersfield where ever there is one available. One is open over by the valley in Bakersfield, but has no lot number it will be assigned

Councilman Packineau moved to approve to assign a lot for Christina Standish. Councilman Wolf seconded the motion.

Discussion: This lot will not be in Bakersfield, it will be probably out by Snow Bird.

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

Two applicants for the same area- Joe Black Hawk & Ed Flies Away – on Allot. T694A, Section 11, Twp. 149, Rge. 94. both are different lots but in the same building.

Councilman Packineau moved to approve for Joe Black Hawk Homesite lease. Councilman Wolf seconded the motion.

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

Councilman Packineau move to approve for Ed Flies Away Homesite lease. Councilman Wolf seconded the motion.

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

Judy Young Bear-Letter –is requesting a lot exchange with the Tribe in the Breslin Addition. Does Tribal Housing have a lease on this or not? Defer this until next meeting to check with Connie in tribal housing.

Land Exchange- Esley Thornton Sr.- undivided interest Tribal Allot. No.613A, described as Lt 7, 8 SE 13-152-95 Lt. 3, 4 ESW containing 43.21 acres in exchange for Tribal Allot 1445 as described as Lot 1,2 03-150-92 52.72 acres everything is in line with resolution.

Councilman Wolf moves to approve for the land exchange for Esley Thornton Sr. Councilman Packineau seconded the motion.

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

08. Farm Pasture Leases: (*Jack Rabbithead*)

Hay Cutting Permit – Morgan Fettig/James Danks both applied

Morgan Fettig submitted for it first on T685A Section 20, Twp. 149, Rge. 93. acres is unknown.

Councilman Packineau moved to approve hay cutting permit for Morgan Fettig. Councilman Wolf seconded the motion.

Discussion: Ed Fox will find out the acres and let the committee know at the next Tuesday meeting.

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

Hay Cutting Permit: Morgan Fettig: on Allot. T690A-B, described as that portion lying north of BIA route 12, Section 16, Twp. 149, Rge. 93. for 17.6 acres @ \$3.50/per acre total amount \$61.60 a year.

Councilman Packineau moved to approve. Councilman Wolf seconded the motion.

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

Improvement Lease-Arnie Guimont-

Arnie Guimont applied for this was in the minutes of April 21, 2004

\$3.50 1st two years, \$5.00 for the 3rd year and \$9.00 for the last 2 years. On the fourth and going rate and in the fifth year he wants to put Alfalfa in and it will \$10.00 for the going rate.

Councilman Packineau move to approve the lease for Arnie Guimont. Councilman Wolf seconded the motion.

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

09. Farm Pasture Leases: (*Jack Rabbithead*)

Hay-cutting Lease-Tom Breuer – Allot. No. T-936A, described as grass NW1/4, Section 28, Twp. 148, Rge. 89W. Measure when hay-cutting acres for the cash rent of \$3.50 per acre. Jack recommends approval until the research on the measurement is completed.

Councilman Packineau move to approve hay-cutting lease for Tom Breuer. Councilman Wolf seconds the motion.

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

Hay Lease-Jeb Fredericks –is requesting for hay lease permit on #T1089, described as SE4SW4, Section 26, Twp. 147, Rge. 91 W. A one-year lease; 27.0 hay-cutting acres for the case rent of \$3.50 per acre at total amount of \$94.50 a year.

Councilman Packineau move to approve Jeb Fredericks hay lease permit. Councilman Wolf seconded the motion.

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

Farm pasture lease Jeb Frederick is requesting for a 5-year lease on the T1089, he has no application on this, requesting authorization. Jack will process the farm pasture application lease for this.

Councilman Packineau move to approve farm pasture lease for Jeb Fredericks. Councilman Wolf seconded the motion.

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

10. **McKenize REC:** (*Annette Young Bird*)

McKenize REC is requesting for easement to set up electricity for Joe Black Hawk, Ed Flies Away and Valentine Finley.

Councilman Packineau move to approve for easement for McKenize REC. Councilman Wolf seconded the motion.

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

11. **Easement Dugout:**

Elmer Fredericks is leasing SE 12892 owned by the Tribe and is requesting for easement on tribal land for a dugout for a dam and it will increase the value to the land. It will be no cost to the tribe.

Councilman Packineau move to approve for the easement dugout for Elmer Fredericks. Councilman Wolf seconded the motion.

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

12. **Wind Generator Project:** – Paul Danks requested the Committee to defer until they get resolution from the Fort Berthold Development Corporation.

Councilman Packineau move to direct Wind Project be directed to the Four Bears Community Board on where they are going to place the wind development. Councilman Wolf seconded the motion.

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

12-A **Mineral Sale-Parnell Poitra/Bryon Bad Brave:**

Pernel Poitra wants to sell his minerals in White Shield and asked BIA for appraisal on this. The estimated value is \$15.00 per acre but he wants \$25.00 per acre.

Councilman Packineau move to approve to purchase Pernel Poitra mineral rights at going rate. Councilman Wolf seconded the motion.

Discussion: No tract number on this, Annette will get this to the committee at the next meeting.

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

Bryon Bad Brave wants to sell his minerals, in Shell Creek, he sold the land and now he wants to sell his minerals rights @ 17.50 per acre.

Councilman Packineau move to approve to buy mineral rights from Bryon Bad Brave. Councilman Wolf seconded the motion.

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

Land Appraisal:

Karen Long Elk and Leroy Crow Flies High need appraisals on their land, Karen Long Elk wants estimated value and Leroy wants to negotiate for \$5500 instead of the estimated value The committee recommend that we accept the estimated value and we don't have the appraisal on this committee decided to move this to next meeting scheduled for August 10th.

Councilman Packineau asked about fencing material has a tract of 200 yards long for a range unit, need to submit a request to Ed Fox, this is only for range units only.

13. **Adjournment:**

Councilman Packineau move to adjourn the meeting at 1:21 p.m. Councilman Wolf second the motion.

Minutes were approved this date _____, of _____, 2004



Connie Fox/Committee Secretary

Marcus Wells, Jr. Acting Committee Chairman
Natural Resources Committee