



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCES MEETING
OCTOBER 25, 2005**

CALL TO ORDER:

Committee Chairman, Daylon Spotted Bear called the meeting to order at 11:12 a.m.

ROLL CALL:

Members present: Committee Chairman, Councilman Daylon Spotted Bear, Member Councilman Nathan Hale, and Member, Councilman Frank Whitecalfe. A quorum was established with three members present

OTHERS PRESENT:

Kyle Baker, Doyle Bell, Ed Fox, John Jack Rabbithead, Paul Danks,

01. COUNTY LINE PROSPECT - RYAN EXPLORATION

Councilman Whitecalfe moved for approval to give Ryan Exploration a Tax Incentive of 7% first 5 years and then 2%. Councilman Hale seconded the motion.

Discussion: Where is the paper work? Resolution is to get it to full council

VOTE: 3 Ayes. Motion carried.

02. FORT BERTHOLD RURAL WATER :

Councilman Whitecalfe moved for approval of the Sub-Adventure Diver \$14,654.15 for the Intake Hydro survey price quotes. Councilman Hale seconded the motion.

VOTE: 3 Ayes. Motion carried.

03. TERRY BOLKAN-RENEWAL T483A FARM PASTURE LEASE:

Councilman Whitecalfe moved for approval of a Farm Pasture Lease, the following described tribal land for a period of 5 years beginning January 1, 2006 and ending December 31, 2010: Allot. No. T483A, described as SE1/4 NE1/4, Section 13, Twp. 150, Rge. 90, W. Fifth Principal Meridian, North Dakota for 34.0 cultivated acres for the cash rent of \$38.00 for a total amount per year of \$1,258.00. Councilman Hale seconded the motion.

VOTE: 3 Ayes. Motion carried.

TERRY BOLKAN-RENEWAL FARM PASTURE LEASE(2)

Councilman Whitecalfe moved for approval of two Farm Pasture Leases, the following described tribal land for a period of 5 years beginning January 1, 2006 and ending December 31, 2010:



Allot. No. T988, described as W1/2 SE1/4, Section 27, Twp. 149, Rge. 90, W. Fifth Principal Meridian, North Dakota for 59 cultivated acres for the cash rent of \$38.00 for a total amount per year of \$2,242.00; and

Allot. No. T275A, described as S1/2 SE1/4, SE1/4, Section 16, Twp. 150, Rge. 90, W. Fifth Principal Meridian, North Dakota for 520.0 cultivated acres for the cash rent of \$38.00 for a total amount per year of \$760.00. Councilman Hale seconded the motion.

VOTE: 3 Ayes. Motion carried.

04. **RORY BOLKAN-RENEWAL FARM PASTURE LEASES (3)**

Councilman Whitecalfe moved for approval of three (3) Farm Pasture Leases, to Rory Bolkan, the following described tribal land for a period of 5 years beginning January 1, 2006 and ending December 31, 2010:

Allot. No. T295A, described as N1/2 NW1/4, SE1/4, Section 29, Twp. 150, Rge. 90, W. Fifth Principal Meridian, North Dakota for 13.0 cultivated acres for the cash rent of \$38.00 for a total amount per year of \$494.00.

Allot. No. T259-A,-B described as N1/2 SW1/4, Section 14, Twp. 150, Rge. 90, W. Fifth Principal Meridian, North Dakota for 13.0 cultivated acres for the cash rent of \$38.00 for a total amount per year of \$1,713.80.; and

Allot. No. T300A-B, described as NW1/4 NW1/4, Section 23, Twp. 150, Rge. 90, W. Fifth Principal Meridian, North Dakota for 37.4 cultivated acres for the cash rent of \$38.00 for a total amount per year of \$1,421.00. Councilman Hale seconded the motion.

VOTE: * 3 Ayes. Motion carried.

05. **LEO BAKER FARM PASTURE LEASE:**

Councilman Whitecalfe moved for approval of a Farm Lease to Leo Baker the following described tribal land for a period of 5 years beginning January 1, 2006 and ending December 31, 2010:

Allot. No. T23129 described as cropland, W S1/2, SE1/4 Section 19, Twp. 149, Rge. 91 W. Fifth Principal Meridian, North Dakota for 54.0 cultivated acres for the cash rent of \$7.50 for a total amount per year of \$405.00. Councilman Hale seconded the motion.

VOTE: 3 Ayes. Motion carried.



06. **LARRY MYERS FARM PASTURE LEASE:**

Councilman Whitecalfe moved for approval of a Farm Lease to Larry Myers the following described tribal land for a period of 5 years beginning January 1, 2006 and ending December 31, 2010:

Allot. No. T484A described as SW 1/4 Section 13 Twp. 150 Rge. 90, W. Fifth Principal Meridian, North Dakota for 130.9 cultivated acres for the cash rent of \$38.00 for a total amount per year of \$4,974.20. Councilman Hale seconded the motion.

VOTE: 3 Ayes. Motion carried.

07. **HARVEY BILLADEAU FARM PASTURE LEASES (5):**

Councilman Whitecalfe moved for approval of five (5) Farm Leases to Harvey Billadeau the following described tribal lands for a period of 5 years beginning January 1, 2006 and ending December 31, 2010:

Allot. No. TSSA/T82A, described as SW 1/4 Section 13 Twp. 150 Rge. 90, W. Fifth Principal Meridian, North Dakota for 130.9 pasture acres for the cash rent of \$10.00 for a total amount per year of \$72.00.

Allot. No. T1298/T1300 described as _____ Section 6, Twp. 148 Rge. 88, W. Fifth Principal Meridian, North Dakota for 127 cultivated acres for the cash rent of \$38.00 for a total amount per year of \$4,826.00.

Allot. No. T176A described as _____ Section 2 Twp. 148 Rge. 89, W. Fifth Principal Meridian, North Dakota for 133.22 pasture acres for the cash rent of \$10.00 for a total amount per year of \$1322.20.

Allot. No. T81A, 1320 described as _____ Section 16 Twp. 148, Rge. 89, W. Fifth Principal Meridian, North Dakota for 68.1 cultivated acres for the cash rent of \$38.00 for a total amount per year of \$2,587.50.

Allot. No. 0084A described as Sec 12-148-89-NE, SE, NWSE/NWSE/SES, Section 6 Twp. 148 Rge. 88, W. Fifth Principal Meridian, North Dakota containing Lot 7 SWSW SESW for 206.4 cultivated acres for the cash rent of \$38.00 for a total amount per year of \$47843.20. Councilman Hale seconded the motion.

VOTE: 3 Ayes. Motion carried.

08. **WADE BILLADEAU FARM PASTURE LEASES (6):**

Councilman Whitecalfe moved for approval of six (6) Farm Leases to Wade Billadeau the following described tribal lands for a period of 5 years beginning January 1, 2006 and ending December 31, 2010:



Allot. No. T135A, described as N ½, NE 1/4 Section 29 Twp. 148 Rge. 89, W. Fifth Principal Meridian, North Dakota for 77.6 cultivated acres for the cash rent of \$38..00 for a total amount per year of \$2,950.00.

Allot. No. T1068, described as W ½, SE 1/4 Section 12 Twp. 148 Rge. 90, W. Fifth Principal Meridian, North Dakota for 73 cultivated acres for the cash rent of \$38..00 for a total amount per year of \$2,774.00.

Allot. No. 197A,T1304, described as NE ¼, N ½, SE1/4 Section 21 Twp. 148 Rge. 89, W. Fifth Principal Meridian, North Dakota for 104 cultivated acres for the cash rent of \$38..00 for a total amount per year of \$3,952.00.

Allot. No. T156A-A, described as NE 1/4 Section 24Twp. 148 Rge. 89, W. Fifth Principal Meridian, North Dakota for 160 pasture acres for the cash rent of \$10.00 for a total amount per year of \$1,600.00. (fence repair steel post)

Allot. No. T32A,-A/T1293, described as NE 1/4 Section 34 Twp. 148 Rge. 89, W. Fifth Principal Meridian, North Dakota for 142.1 cultivated acres for the cash rent of \$38..00 for a total amount per year of \$5,400.00.

Allot. No. T1284/T1290, described as SW1/4-SEC.35-148-89, Section 35 Twp. 148 Rge. 89, W. Fifth Principal Meridian, North Dakota for 131.0 cultivated acres for the cash rent of \$38.00 for a total amount per year of \$4,978.00. Councilman Hale seconded the motion.

VOTE: 3 Ayes. Motion carried.

09. **J. VICTOR WALKER-FARM PASTURE LEASES (2):**

Councilman Whitecalfe moved for approval of two (2) Farm Leases to J. Victor Walker the following described tribal lands for a period of 5 years beginning January 1, 2006 and ending December 31, 2010:

Allot. No. T846, described as Lot 1, NE1/4 West of fence, Section 18 Twp. 146 Rge. 88, W. Fifth Principal Meridian, North Dakota for 24 cultivated acres for the cash rent of \$38..00; and for 38.37 pasture acres for the cash rent of \$10.00 for a total amount per year of \$_____.

Allot. No. T159/TA #2+7, described as 511 SW1/4, Sec.12 W1/2, SW1/4, W1/2, SE1/4, SW1/4, Section 18 Twp. 146 Rge. 88, W. Fifth Principal Meridian, North Dakota for 35 cultivated acres for the cash rent of \$14..00; and for 261 pasture acres for the cash rent of \$10.00 for a total amount per year of \$ 1468.75. (fence) Councilman Hale seconded the motion.

VOTE: 3 Ayes. Motion carried.



10. **GERALD GOOD BIRD FARM PASTURE LEASE:**
Allot. No. 1665/1666, described as grassland W/W/2, SW1/4, Section 36 Twp. 148, Rge. 93, W. Fifth Principal Meridian, North Dakota containing 79.33 pasture acres for the cash rent of \$10.00 for a \$277.65 .
11. **GRETA WHITECALFE-FARM PASTURE LEASE:**
Councilman Hale moved for approval of a Farm/Pasture Lease to Greta Whitecalfe the following described tribal lands for a period of 5 years beginning January 1, 2005 and ending December 31, 2009:

Allot. No. 1476A described as NE,NW4,SW4,NW4,W2,SE4,NW4,NW4,W4,E2,SW4S Section 11 Twp. 147 Rge. 87, W. Fifth Principal Meridian, North Dakota for 190 pasture acres for the cash rent of \$10.00; for a total amount per year of \$665.00.
12. **VERLEE WHITECALFE SAYLOR-FARM PASTURE LEASE:**
Councilman Hale moved for approval of a Farm/Pasture Lease to Verlee Whitecalfe Saylor, the following described tribal lands for a period of 5 years beginning January 1, 2005 and ending December 31, 2009:

Allot. No. TA#2 described as E2 SE4, S25E4,NE4Section 08 Twp. 147 Rge. 87, W. Fifth Principal Meridian, North Dakota for 85 pasture acres for the cash rent of \$10.00; for a total amount per year of \$ _____.

Allot. No. T144A described as W2 NE4, E2, NW4 Section 6 Twp. 147 Rge. 87, W. Fifth Principal Meridian, North Dakota for 160 pasture acres for the cash rent of \$10.00; for a total amount per year of \$560.00
- 13 **BUREAU OF INDIAN AFFAIRS: NEW GRAZING RESOLUTION:**
- Spell out 100% Sub-leasing
 - 10% of waiver year round AUM Some RU people use for calving type of units never sub-leased
 - Summer pastures Cows 6 months running into sub-leasing people are saying they've got # of cattle 80% year round
 - AUMS amount of write up modification used for ownership
 - New Grazing Resolution. Need to address the lawsuit ask legal department to take care of that.
 - Defendants enjoining from issuing permits/allocations not in compliance with Resolution No. 00-02-DSB. Get a legal opinion from Steve Kelly.



14. **GRAZING RATE STUDY: New Regs for the Bureau Page 6-7**

15. **SUPPORT LAND AND LIVESTOCK ON GRAZING RATE ISSUE:**

Councilman Whitecalfe moved for approval to support the Land and Livestock Association because it involves tribal members on their issues towards BIA grazing rates. Councilman Hale seconded the motion.

VOTE: 3 Ayes. Motion carried.

16. **CURRENT GRAZING RESOLUTION**

- Spell out 100% Sub-leasing
- If a rancher uses the lease for only 6 months they have to come in and do a modification. The language in the resolution should be clear and defined so that it's understandable. Is there an allocation range of 50% - 10-0% seen when we do the allocations for people.
- The landowners are the one that's affected because they get an exact amount.
- Issues where cows are brought in and running around because of no fencing. Allottees effected.
- Resolution addressed is not set in stone.
- Supported land & Livestock Grazing Study
- Write no 100% sub-leasing moved around the 80%
- Tighten up ownership on AUM

17. **HOMESITE LAND SALES / EXCHANGES:**

Councilman Whitecalfe moved for approval of a Home Site Lease for Nathan Hale for the period of twenty five years beginning January 2005 and ending December 31, 2030, **Allot. No.** T696A, **Described as** NE1/4, SE1/4, **Section** 11, **Twp.** 149, **Range.** 94, Fifth Principal Meridian, North Dakota, for \$2.50 per. Councilman Packineau seconded the motion

VOTE: 3 Ayes, 1 Abstention. Motion carried.

18. **CHARLES SHOBE**

Councilman moved for approval of the lease between Charles Shoebe and the Three Affiliated Tribes. Councilman seconded the motion.

VOTE: 3 Ayes. Motion carried.

19. **WATER AND SEWER DEVELOPMENT:**

Councilman Packineau moved for approval of five sewer and water development applications: (2) New Town area, Caroline Chase, Judy Young Bear 1 Twin Buttes Area, (Phyllis Lincoln)Area, (1) Parshall, (Marlo Spotted Bear) Councilman Hale seconded the motion.

VOTE: 3 Ayes. Motion carried.



20. **ROADS DEPARTMENT:**

Councilman Whitecalfe moved for approval for the Roads Department to purchase a pipe and band/pipe general equipment in the amount of \$27,874.70.

Councilman Hale seconded the motion.

VOTE: 3 Ayes. Motion carried.

21. **ROADS DEPARTMENT LAY-OFFS:**

Councilman Whitecalfe moved for approval of the proposed plan from the Tribal Roads Department for the FY-06 General Fund Budget of \$300,000. Councilman Hale seconded the motion.

DISCUSSION: Councilman Packineau said that the Roads Department pays \$13.43 of Byron Young Bird's salary and the Parshall Community pays him an additional \$2.00. Councilman Hale explained when he was the Director of Roads the original negotiation was for Byron's salary to be paid from the General Fund after the first year. Councilman Whitecalfe said, "The reason why I am supporting this is because I had to do cuts on the money, and the Director has come up with this plan and that's why I'm supporting this." Councilman Packineau stated for the record that the Roads and the Parshall Community budgets will not be used to pay Byron's salary. Councilman Hale said, "Under discussion we're going to get some flack on this as he is lying off eight individuals who'll be in front of us and we've got to be able to stick to our guns a little bit -just to give you heads up on that issue."

VOTE: 3 Ayes. 1 Nay (MP) Motion carried.

22. **BUFFALO PROJECT:**

Councilman Hale moved for approval to change the signatures on the bank signature cards for the Buffalo Project to Paul Danks, and Pete Hale, with Daylon Spotted Bear as an alternate signature. Councilman Whitecalfe seconded the motion.

DISCUSSION: A few meetings ago, the Buffalo Project was moved to the Natural Resources Department. The titles of the equipment purchased by the Holding company will change over to the tribe who pays for the insurance. The four wheelers that were purchased will come back to the ownership of the Tribe.

VOTE: 4 Ayes. Motion carried.

23. **BIA - BUFFALO PROJECT:**

Councilman Whitecalfe moved for approval to accept the bids changes made with the price costs since they were first bid. Bonnie Red Fox will work with Jolene on this on the fence and water wells. Councilman Hale seconded the motion.

DISCUSSION: Question clarification \$51,000 bureau grant expand on that Jolene go ahead. Understanding that we drew all of the money down on 2002. Jolene talked to Bonnie submitted bids in and got a letter that said the money was there everything that you have in front of you approve the purchase order BIA Buffalo Project .



VOTE: 3 Ayes. Motion carried.

24. **ADJOURNMENT:**
1:42 p.m.
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