



**THREE AFFILIATED TRIBES  
NATURAL RESOURCES COMMITTEE  
No. 06-09-DSB  
AUGUST 29, 2006**

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**CALL TO ORDER:**

Committee Chairman, Councilman Spotted Bear called the meeting to order at 10:45 a.m.

**ROLL CALL:**

Members present: Councilman Daylon Spotted Bear, Councilman Frank Whitecalfe, Councilman Marcus D. Wells, Jr., Councilman Malcolm Wolf, and Councilman Nathan Hale.

**01. RANGE UNIT 904 – UNIT 26; KEN DANKS REQUEST:**

**02. FIRETAIL ENERGY SYSTEMS, INC.; TERRY FREDERICKS:**

Terry Fredericks gave a presentation

Councilman Wolf moved for approval to recommend to the Tribal Business Council to allow Mr. Fredericks to move on with the Wind Project, with no obligation from the tribe. Councilman Hale seconded the motion.

VOTE: 5 Ayes. Motion carried.

**03. TAT RANGE UNIT UPDATE:**

- Buffalo Project supervision
- One cancellation for non-payment
- All range units permits are all signed.
- Twin Buttes struggling with compliance issues.
- Second count - they paid 100%
- Issues on “taken area” Need help with Reso or letter, Daylon asked Paul to do a letter. Paul said the Corp of Engineers has to be informed. He was directed to go to a MOU. Paul is going to do that in a letter. Need a Reso shortly. Cutting down on Buffalo – Nathan – come forward with a plan. How soon can we get the permits paid? Frank said with the situation with the tribe, to tell them to sell some buffalo to pay for range unit fees. Mary will bring everything in letter format.
- Nathan: Range Unit 17- is that taken care of –Paul, Steve and Mr. Kiddo are dealing with that. Mary Baker recused herself from the case. Sounds like one guy went through with his threat and put his cattle in.

**04. FORT BERTHOLD RURAL WATER:**

- Bid out three Intakes bids higher than anticipated price almost doubled. Move with requirements
- Ask for Four Bears can apply for 1 Million grant USDA requesting NRC approve grant application, No 1 on tabs) They had everything all documents are current. Need tribal resolution. Request a Special Meeting to deal with the item.

**05. FORT BERTHOLD RURAL WATER**

Councilman Whitecalfe moved for approval of the application for the Rural Development Grant Application. Councilman Wells seconded the motion.

VOTE: 5 Ayes. Motion carried.

**06. RESOLUTION NO. 05-136-NH AMENDMENT:**

Texx Lone Bear gave a report on

**07. APPROVAL OF SPECIAL COUNCIL MEETING:**

Councilman Wells moved for approval to schedule a Special Council Meeting for Thursday, August 31, 2006. The only item for the agenda:

***“Amendment of Resolution No. 06-136-Fort Berthold Rural Water.”***

“FBDC Contract Modification.” Four Bears C-Store and White Shield Cultural Center. Councilman Whitecalfe seconded the motion.

VOTE: 5 Ayes. Motion carried.

**08. TWIN BUTTES INTAKE:**

Councilman Hale moved for approval to accept Northern Improvement as the lowest bid for the Twin Buttes Intake Area. Councilman Whitecalfe seconded the motion.

VOTE: 5 Ayes. Motion carried.

**09. WHITE SHIELD INTAKE:**

Councilman Whitecalfe moved for approval to accept Northern Improvement as the lowest bid for the White Shield Intake Area. Councilman Hale seconded the motion.

VOTE: 5 Ayes. Motion carried.

**09. FOUR BEARS INTAKE**

Councilman Wells moved for approval to accept Northern Improvement as the lowest bid for the Four Bears Intake Area. Councilman Wolf seconded the motion.

VOTE: 5 Ayes. Motion carried.

**10. TRAINING SEMINAR – NEW EQUIPMENT/TECHNOLOGY:**

Councilman Wells moved for approval of 100%reimbursible travel requests for Kermit Heart and Shane Johnson to attend training in Fargo, ND September 6-7, 2006. Councilman Whitecalfe seconded the motion.

VOTE: 5 Ayes. Motion carried.

**11. FUNDING MCKENZIE COUNTY WATER WELLS. WHITECALFE**

Councilman Wells moved for approval of funding water wells in McKenzie County. Councilman Whitecalfe seconded the motion.

**VOTE: 5 Ayes. Motion carried.**

**13. CONSTRUCTION FY-07 BUDGET  
FYI BOR BUDGET**

**12. STRATEGY FORT BERTHOLD RURAL WATER:**

Councilman Wells moved for approval to accept Rural Water strategy  
Councilman Wolf seconded the motion.

VOTE: 4 Ayes. (FWC out of room) Motion carried.

**WATER PURCHASE AGREEMENT:**

- 13.** Councilman Wolf moved for approval of bor develop some type of budget line item FY-07 treatment plants Charge people because of no appropriations combine two and work with legal water Dakota Water Resources Act  
Councilman Wells seconded the motion.

VOTE: 4 Ayes. Motion carried.

**14. THE INDUSTRY EVENT 2006 ANNUAL CONFERENCE:**

Councilman Wells moved for approval travel for Harley Texx Lone Bear to the 2006 Annual Conference September 24-27, 2006 with available funds within budget. Councilman Hale seconded the motion.

VOTE: 4 Ayes. Motion carried.

**15. SOLID WASTE DIRECT HAUL:**

Councilman Whitecalfe moved for allow Solid Waste Project to start hauling municipal waste to McKenzie County and Mercer County on September 5, 2006.  
Councilman Hale seconded the motion.

VOTE: 5 Ayes. Motion carried.

**16. RESOLUTION NO. 00-150-DSB; DISPOSAL OF SOLID WASTE:**

Councilman Hale moved for approval to direct Patti Jo Thomas and the Legal Department look at amending Resolution No. 00-150-DSB, based upon the language in the Resolution . Have Patti and Legal amend so that we can get some kind of income for Solid Waste. Councilman Whitecalfe seconded the motion.

VOTE: 5 Ayes. Motion carried.

**SKIDSTEER PURCHASE:**

Councilman Whitecalfe moved for approval the purchase of a skidsteer for the Solid Waste Program. Councilman seconded the motion.

VOTE: 5 Ayes. Motion carried.

**17. PROPOSAL TECHNICAL SERVICES FOR BASELINE ASSESSMENT OF EXISTING XPOSURE AND RISKS OF EXPOSURE AND RISKS OF**

Councilman Hale moved for approval to hire Councilman Whitecalfe seconded the motion.

VOTE: 5 Ayes. Motion carried.

**18. HAYCUTTING LEASE, RICHARD WHITETAIL:**

Councilman moved for approval of a hay cutting lease with the description of tribal land, for a period of two years beginning January 1, 2006 and ending December 31, 2008;

**19. FARM/PASTURE LEASE APPLICATION – GARRET GILBERTS:**

Councilman Whitecalfe moved for approval of a farm/pasture lease application for Garrett Gilberts, the following described tribal land, for a period of 5 years, beginning January 1, 2007 and ending December 31, 2011; Allotment No. T205AA/T1394, described as NE1/4; NW1/4, Lot 1, Sec. 7 Lot 2 (SW-NW, SE1/4, NW1/4, Section 7; Twp. 148; Rge. 89; W.,Fifth Principal, Meridian, ND is containing; 128.5 cultivated acres for the cash rent of \$38 per acre; with the total amount per year \$5,263.00. Councilman Hale seconded the motion.

VOTE: 4 Ayes. Motion carried.

**20. RENEWAL -FARM/PASTURE LEASE APPLICATION – MATT GILBERTS:**

Councilman Hale moved for approval of a renewal of a farm/pasture lease application for Matt Gilberts, the following described tribal land, for a period of 5 years, beginning January 1, 2007 and ending December 31, 2011; Allotment No. TF003, described as SE1/4; Section 20; Twp. 150; Rge. 88; W.,Fifth Principal, Meridian, ND is containing; 124.7 cultivated acres for the cash rent of \$38 per acre; with the total amount per year \$4,738.60. Councilman Whitecalfe seconded the motion.

VOTE: 4 Ayes. Motion carried.

**22. JERRY NAGEL**

forward on to the Council with Hilleran paperwork that he is supposed to deliver and see if they will appraisal Councilman

**23. LEASE PROPERTY – PARSHALL**

Councilman Paul Danks to negotiate with contacts and to bring back for final approval by the Tribal Business Council.

**23. APPROVAL OF LEASES; MERITTA MORSETTE-SANDRA BLACKHAWK:**

**24. FOUR BEARS C-STORE USDA ECONOMIC DEVELOPMENT: PREPARATION OF CONFERENCE CALL:**

Treasurer to meet with Ken Stauffer to prepare a document will have to show pay ability

**25. CONTRACT APPROVAL TO GET THE TANKS COMPLETED REMITTING PAYMENT TO: BILL TO TAKE OUT SALARY AUTHORIZATION IS IT PART OF**

Business Plan

Feasibility Study

Dollar figure to get 1 1/2 weeks work done. Put the tanks in the ground and cover it up would be

**26. RESOLUTIONS FOR DAKOTA 3:**

Councilman Hale forward to TBC after legal review. Councilman Wells seconded the motion.

VOTE: 5 Ayes. Motion carried.

**27. BELL SISTERS - MINERAL SALES:**

Councilman Wells moved for approval get the money by Friday, August 31, 2006. Councilman Whitecalfe seconded the motion.

VOTE: 5 Ayes. Motion carried.

**28. GRAVEL PROJECT - MANDAREE AREA:** Bernie Fox

Supplied a bid to Councilman Hale Mao Construction over 1 Mil what was left. Went back and asked him what you asked. Haven't received a response from him. A lot of things that happened TEK was hired and they took No gravel on the site. We since let go. Plenty of things that we cleaned up with this project. None of the employees are at a short fall and if we were able to discover these things discovered errors. The tribe has to come up with the extra money. Phase 1 was complete White Shield. Phase 2 was Mandaree. \$81,000 mobilization for both projects.

**29. ADJOURNMENT:  
**Meeting Adjourned @****

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**CERTIFICATION**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

**ATTEST:**

Britnee J. Fox/Committee Secretary

Daylon Spotted Bear-Chairman of Natural Resource Committee

