



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCE
COMMITTEE MEETING
09-05 -BLB
April 17, 2009, 11:00 A.M.**

I. CALL TO ORDER:

The meeting was called to order by Committee Chairman Barry Benson at 1:35 p.m.

II. ROLL CALL:

Present: Committee Chairman Barry Benson, Councilman Arnold Strahs, and Councilwoman V. Judy Brugh. Three members present. A quorum was established.

III. APPROVAL OF AGENDA:

No motion.

IV. APPROVAL OF MINUTES:

March 10, 2009

Councilwoman Brugh moved to approve of the March 10, 2009 minutes, second by Councilman Strahs.

Discussion: Annette is to get clarification for the next NRC meeting whether or not Item #16- Dakota 3 E & P Company L.L.C- Spencer Wilkinson Jr. / Damon Williams request is for one Tribal tract or tracts from the I.M.D.A. Agreement/ Lease to Kodiak Oil and Gas.

VOTE: 3 Ayes 0 Nays Motion carried.

V. PETE FREDERICKS- WATER APPLICATION-

Scratch.

VI. RTC- ELLEN KELLAR-

Councilman Strahs moved for approval for RTC's Permission to Make Survey in the Mandaree area, second by Councilwoman Brugh.

Discussion: RTC needs to go through the Natural Resource office to make sure the four (4) allotment descriptions are correct.

VOTE: 3 Ayes 0 Nays Motion Carried.

VII. LEO CUMMINGS- LEASE-

Healing Horse Program request tabled till the next NRC meeting.

VIII. FORT BERTHOLD RURAL WATER- FELICIA FELIX-

A. Copier Bids

Councilman Strahs moved to approve of the Lexmark XC940e color for \$7,950.00 and the Sharp MX-M350U black & white copier for \$5,990.00, second by Councilwoman Brugh.

Discussion: These items don't need to come before the Natural Resource Committee for approval; the Program Director can make this decision if there is money in the budget to purchase these items.

VOTE: 3 Ayes 0 Nays Motion Carried.

B. Cultural Resource Cost for 2009 Construction Projects-

Councilwoman Brugh moved to approve of Kadrmas Lee & Jackson, the lowest bid and recommended by Rural Water for the Cultural Resource Inventories for the 2009 Construction Projects, second by Councilman Strahs.

Discussion: No Discussion.

VOTE: 3 Ayes 0 Nays Motion Carried.

IX. T.A.T. GAME & FISH- FRED POITRA-

1. Proposal to purchase Elk Herd

Item is tabled until there is clarification with Units 904 & 905, also due to the budget restraints with Tribe.

2. Applying for land in the Taken Area for Pistol Range

Item is tabled till the next NRC meeting.

X. EPA- ELTON SPOTTED HORSE-

An update was given on the dead cattle cleanup.

XI. FARM PASTURE LEASES- LORRY LITTLE SWALLOW/ JOHN J. RABBITHEAD-

A. Allotment #2221- Matthew Gilbertson

Councilman Strahs moved for approval of Allot. No. 2221 for Matthew Gilbertson described as Cropland w/ Lot's 1 & 2 & S1/2 of NE1/4, section 6, Twp. 149, Rge. 90 w., Fifth Principal Meridian, North Dakota, containing 91 cultivated acres for the cash rent of \$46.00 per acre for a total of

\$4180.00 per year for 5 years, second by Councilwoman
Brugh.

Discussion: No Discussion.
VOTE: 3 Ayes 0 Nays Motion Carried.

B. BIA RENEWAL #286A- Richard Risan

Councilman Strahs moved for approval of BIA RENEWAL
Allot. No. 286A for Richard Risan described as Cropland w/
SW ¼, section 20, Twp. 150, Rge. 90 w., Fifth Principal
Meridian, North Dakota, containing 107.0 cultivated acres
for the cash rent of \$42.00 per acre for a total of \$4,494.00
per year for 5 years, second by Councilwoman Brugh.

Discussion: No Discussion.
VOTE: 3 Ayes 0 Nays Motion Carried.

C. RENEWAL #154A, T87A- Wade Billadeau

1. Councilman Strahs moved for approval of Allot. No.
154A for Wade Billadeau described as SE ¼, section
24, Twp. 148, Rge. 89 w., Fifth Principal Meridian,
North Dakota, containing 160 pasture acres for the
cash rent of \$10.00 per acre for a total of \$1600.00
per year for 5 years, second by Councilwoman
Brugh.

Discussion: No Discussion.
VOTE: 3 Ayes 0 Nays Motion Carried.

2. Councilman Strahs moved for approval of Allot. No.
T87A for Wade Billadeau described as SE ¼, section
18, Twp. 148, Rge. 88 w., Fifth Principal Meridian,
North Dakota, containing 133.1 cultivated acres for
the cash rent of \$40.00 per acre, and 22 pasture
acres for the cash rent of \$10.00 per acre for a total
of \$5,547.50, second by Councilwoman Brugh.

Discussion: No Discussion.
VOTE: 3 Ayes 0 Nays Motion Carried.

D. RENEWAL #T326A-A, T314A-A- Stacey Roberts

1. Councilwoman Brugh moved for approval of Allot. No.
T326A-A for Stacey Roberts described as NW ¼ NW ¼,
section 22, Twp. 150, Rge. 90 w., Fifth Principal Meridian,

North Dakota, containing 40.0 cultivated acres for the cash rent of \$46.00 per acre for a total of \$1840.00 per year for 5 years, second by Councilman Strahs.

Discussion: No Discussion.
VOTE: 3 Ayes 0 Nays Motion Carried.

2. RENEWAL #T314A-A- Stacey Roberts

Councilman Strahs moved for approval of Allot. No. T314A-A for Stacey Roberts described as Cropland w/ W $\frac{1}{2}$ NW $\frac{1}{4}$, section 10, Twp. 149, Rge. 90 w., Fifth Principal Meridian, North Dakota, containing 77.0 cultivated acres for the cash rent of \$46.00 per acre for a total of \$3,542.00 per year for 5 years, second by Councilwoman Brugh.

Discussion: No Discussion.
VOTE: 3 Ayes 0 Nays Motion Carried.

E. BIA RENEWAL #380A- Jim Pennington

Councilman Strahs moved for approval of Allot. No. 380A for BIA RENEWAL for Jim Pennington described as Cropland and Hayland w/ SW $\frac{1}{4}$, section 2, Twp. 150, Rge. 93 w., Fifth Principal Meridian, North Dakota, containing 107 cultivated acres for the cash rent of \$32.00 per acre and 47 Haycutting acres for the cash rent of \$2.50 per acre for a total of \$3,434.50 per year for 5 years, second by Councilwoman Brugh.

Discussion: What is the going rate per acre? \$32.00 per cultivated acre is what the Committee agreed on.
VOTE: 3 Ayes 0 Nays Motion Carried.

F. RENEWAL #T318A-A/ A-C- James Foote

Councilman Strahs moved for approval for Allot. No. T318A-A/ A-C for James Foote described as Grassland w/ W $\frac{1}{2}$, Taken Area w/ SW $\frac{1}{4}$ SW $\frac{1}{4}$, section 11, Twp. 149, Rge. 90 w., Fifth Principal Meridian, North Dakota, containing 200 pasture acres for the cash rent of \$7.50 per acre for a total of \$1,500 per year for 5 years, second by Councilwoman Brugh.

Discussion: Has the rate per acre ever
increased? Yes, for non-members from \$7.50 to \$10.00 per
acre.
VOTE: 3 Ayes 0 Nays Motion Carried.

G. RENEWAL #T848A-A/ T570A-A- Everett Hall

Discussion: Denied. Everett has a back
payment due on lease. Has 30 days to become current when
there is a back pay owed.

**H. RENEWAL ALLOTMENT TAKEN AREA- GRETA
WHITECALFE-**

Councilman Strahs moved for approval on Taken Area for
Greta Whitecalfe described as Grassland w/ sections 8, 9,
10, 11, 15, & 16, Twp. 147, Rge. 87 w., Fifth Principal
Meridian, North Dakota, containing 430.2 pasture acres for
the cash rent of \$7.50 per acre for a total of \$3,226.50 per
year for 5 years, second by Councilwoman Brugh.

Discussion: No Discussion.
VOTE: 3 Ayes 0 Nays Motion Carried.

I. MODIFICATIONS:

**1. New BIA Lease #06-T263-10-07-T354-11- Richard
Risan**

Councilwoman Brugh moved to approve of the new
BIA Lease #06-T263-10-07 covering Cropland w/
W2NW4, section 32, 150-190 and #07-T354-11
covering cropland only w/ SE4, section 32, 150-90
to be cancelled and not be modified for name change
to Matthew Gilbertson but for Matthew Gilbertson to
sign a new lease, second by Councilman Strahs.

Discussion: No Discussion.
VOTE: 3 Ayes 0 Nays Motion Carried.

2. Lease #06-T246-10-06-T245-10- J. Victor Walker

Councilwoman Brugh moved to approve of
modification of name change from J. Victor Walker to
Perry Walker due to death of J. Victor Walker on
Lease No. 06-T246-10 covering the Taken Area w/
section 11, SW ¼, SW ¼ NW ¼, W ½ SW ¼ SE ¼,
section 12, Twp. 146, Rge. 89 w., Fifth Principal

Meridian, North Dakota, containing 261.5 grass
acres, second by Councilman Strahs.

Discussion:

VOTE: 3 Ayes 0 Nays Motion Carried.

J. #T759A-B/ A-C- Judy Fredericks-

Councilman Strahs moved for approval Allot. No. T759A-B/
A for Judy Fredericks described as SW ¼, section 29, Twp.
147, Rge. 91 w., Fifth Principal Meridian, North Dakota,
containing 157 pasture acres for the cash rent of \$7.50 per
acre for a total of \$1,177.50 per year for 5 years, second by
Councilwoman Brugh.

Discussion:

No Discussion.

VOTE:

3 Ayes 0 Nays Motion Carried

**K. Allotment #695A Haycutting Permit/Allotment
#T1012A-A & T1120A- Colleen Baker-**

Councilman Strahs moved for approval of Allot. No.
T1012A-A & T1120A for Colleen Baker described as
NE ¼ of section 35, SE ¼ of section 35 & SW ¼ of
section 36, Twp. 148, Rge. 94 w., Fifth Principal
Meridian, North Dakota, containing 480.0 haycutting
acres for the cash rent of \$7.50 per acre for the total of
\$3,600 every other year for 5 years, second by
Councilwoman Brugh.

Discussion:

No Discussion.

VOTE:

3 Ayes 0 Nays Motion Carried.

XII. ANNETTE YOUNG BIRD- NRD ADMINSTRATOR-

1. Blanket Lease for Elder Units/ Tribal Housing

Councilwoman Brugh moved to approve of the 5 year
Blanket Lease for Elder Units/ Tribal Housing,
second by Councilman Strahs.

Discussion:

No Discussion.

VOTE:

3 Ayes 0 Nays Motion Carried.

2. Buffalo Project- Ted Lone Fight III-

Not present.

3. Steve Kelly- Water Permit-

Councilman Strahs moved for approval for a Water Permit for Steve Kelly, second by Councilwoman Brugh

Discussion: No Discussion.
VOTE: 3 Ayes 0 Nays Motion Carried.

XIII. LAND EXCHANGES/ LAND SALES/ HOMESITE- ED FOX-

1. Clancey Sorenson-

Councilwoman Brugh moved for approval for a homesite for Clancey Sorenson for Allot. No. T531A-A described as Blue Buttes Subdivision section 29, Twp. 152, Rge. 94 w., Fifth Principal Meridian, North Dakota, containing 2.50 acres or feet for 25 years @ \$25.00 per year, second by Councilman Strahs.

Discussion: No Discussion.
VOTE: 3 Ayes 0 Nays Motion Carried.

2. Annie Eagle-

Councilman Strahs moved for approval for a homesite for Annie Eagle for a period of 25 years for Allot. No. T531A-A described as section 29, Twp. 152 N, Rge. 94 w., Fifth Principal Meridian, North Dakota, with the option to lease for another 25 years, second by Councilwoman Brugh.

Discussion: No Discussion.
VOTE: 3 Ayes 0 Nays Motion Carried.

3. Herbert Danks-

Councilwoman Brugh moved for approval for a homesite for Herbert Danks for a period of 25 years on a Tribal Lot described as NW ¼, 25, Hidatsa Hills section 25, Twp. 152, Rgge. 93, Fifth Principal Meridian, North Dakota containing 2.50 acres or feet, second by Councilman Strahs.

Discussion: No Discussion.
VOTE: 3 Ayes 0 Nays Motion Carried.

4. Pauline Nez- Tabled.

**XIV. OTHER- INCENTIVE PAY FOR FT. RURAL WATER RIGHT-
OF- WAY STAFF-**

Councilwoman Brugh moved for approval of the incentive pay to recognize the Ft. Berthold Rural Water Right- of- Way staff that worked on and were granted stimulus monies, second by Councilman Strahs.

Discussion: Councilwoman Brugh recommends that this comes before the full Tribal Business Council for ratification.

VOTE: 3 Ayes 0 Nays Motion Carried.

XV. ADJOURNMENT:

Councilman Strahs moved to adjourn the meeting, second by Councilwoman Brugh.

Discussion: No discussion.

VOTE: 3 Ayes 0 Nays Motion carried.

Meeting adjourned at 5:00 P.M.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council's Natural Resource Committee is composed of three (3) members of whom three (3) constitute a quorum _____ were present at the Meeting there of duly called, notice, convened and held on the day of _____, 2009; that the foregoing Minutes were amended and duly adopted at such meeting by the affirmative vote of _____ members; _____ members opposed; _____ members abstained; _____ members not voting.

Dated this _____ day of _____, 2009.

ATTEST:

Amanda Bracklin/ Committee Secretary



Barry Benson/ Chairman of Natural Resource Committee