



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCE COMMITTEE
10- 02- BLB
FEBRUARY 10, 2010**

I. CALL TO ORDER:

Councilman Whitecalfe presided over the meeting in the absence of Committee Chairman Benson. He called the meeting to order at 1:25 p.m.

II. ROLL CALL:

Councilman Whitecalfe presided over the meeting in the absence of Councilman Benson. Councilwoman Brugh, and Councilman Packineau are present, a quorum is established.

III. APPROVAL OF AGENDA:

Councilman Packineau moved for approval of the agenda as presented, second by Councilwoman Brugh

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

IV. APPROVAL OF MINUTES:

January 12, 2010 minutes

Councilman Packineau moved for approval of the minutes as presented, second by Councilwoman Brugh.

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

V. FORT BERTHOLD RURAL WATER- MARVIN DANKS:

Discussion on the water quantification, Marvin Danks will bring in a report to the next Natural Resource Committee on the 23rd with all of the options.

VI. FORT BERTHOLD COMMUNITY COLLEGE ROPING ARENA LEASE:

Councilman Packineau moved for approval to forward a Resolution entitled "Fort Berthold Community College Roping Arena Lease," to the full Tribal Business Council meeting for action, second by Councilwoman Brugh.

Discussion: The FBCC cannot invest any more money into the project and is asking for a no cost lease during the 20-year term lease.

Councilwoman Brugh said she would like to present this to the Four Bears community before action is taken.

VOTE: 3 Ayes 0 Nays Motion Carried.

VII. MARLE BAKE- FIRE MANAGEMENT-

1. Resolution entitled, “Authorization of Three Affiliated Tribes Fire Management Program employees to receive Hazardous Duty Pay while on active wildland fires”

Councilman Brugh moved to approve of the resolution entitled, “Authorization of Three Affiliated Tribes Fire Management Program employees to receive Hazardous Duty Pay while on active wildland fires”, second by Councilman Packineau.

Discussion: No Discussion.

VOTE: 3 Ayes 0 Nays Motion Carried.

2. Resolution entitled, “To Contract, under P.L. 93-638 provisions, those functions, services and activities directly and indirectly related to the Hazardous Fuels Reduction program from the BIA-Ft. Berthold Agency”

Councilwoman Brugh moved to approve of the resolution entitled, “To Contract, under P.L. 93-638 provisions, those functions, services and activities directly and indirectly related to the Hazardous Fuels Reduction program from the BIA-Ft. Berthold Agency”, second by Councilman Packineau.

Discussion: Marle: I would like to have someone in the Fuel Reduction Specialist Position that I have managerial control over in our department, it’s to our advantage to hire a Tribal Employee, Spencer Snow was in that position but is under the BIA and wants to be moved to Reality. We can advertise for this position and if he wants he can apply. Is Spencer Snow a tribal member? No.

VOTE: 3 Ayes 0 Nays Motion Carried.

VIII. PARSHALL PURCHASE LOT- CHARLES FOOTE

Tabled until Annette Young Bird researches and brings back on February 23rd. 2010.

IX. FRED POITRA- GAME & FISH UPDATE

Not present – tabled until next meeting.

X. ANGELO WHITEBODY- FEE LOT PURCHASE:

Tabled until appraisal is done on the house, Annette Young Bird will have someone do a walk through on the home and bring back to NRC.

XI. LISA JEFFERSON LAND PURCHASE REQUEST:

Disagree with appraisal Annette Young Bird will bring a recommendation to the next Natural Resource Committee Meeting.

XII. CASINO SITE WHITE SHIELD:

Councilman Packineau moved for approval to lease Allot. No. SW ¼ SW of S ½ T1510-C for feasibility studies for a site to build a Casino in the White Shield area, second by Councilwoman Brugh

Discussion: 25 years with an option to renew, put the language in the lease if the feasibility study comes back null and void then the land would go back to. Feasibility Study - Under lease to Tom Breuer T1510 – C which is an 80 Old home site of Hans Young Bird, who would be willing to take another site in the land that is being developed.

VOTE: 3 Ayes 0 Nays Motion Carried.

XIII. FARM PASTURE LEASES: Lorry Little Swallow/JJ Rabbithead Jr.:

A. Richard Risan/Matthew Gilbertson-Modification Allot. #317A-A/C/E&2277/T3044:

Councilman Packineau moved for approval of the Farm Lease Modification for Richard Risan/Matthew Gilbertson-Modification Allot. #317A- A/C/E&2277/T3044, second by Councilwoman Brugh.

Discussion: No Discussion.

VOTE: 3 Ayes 0 Nays Motion Carried.

B. Herman Monogram- Haycutting Permit T131A

Councilman Packineau moved for approval of the hay cutting permit for Herman Monogram for Allot. No. T131A described as NE ¼, section 15, Twp. 148 N., Rge. 89 W., Fifth Principal Meridian, North Dakota, to be cut & measured, second by Councilwoman Brugh.

Discussion: No Discussion.

VOTE: 3 Ayes 0 Nays Motion Carried.

C. Tom Breuer-

1. RENEWAL Allot. #T1510A

Tabled until further information is brought forth to the Natural Resource Committee

2. RENEWAL Allot. #T68A

Councilman Packineau moved to approve of the RENEWAL for Tom Breuer for Allot. No. T68A, described as cropland within SE ¼, section 24, Twp. 148, Rge. 88 W., Fifth Principal Meridian, North Dakota, containing 154.7 cultivated acres for the cash rent of \$32.00 per acre for the total amount of \$4,950.040 per year, second by Councilwoman Brugh.

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

3. RENEWAL Allot. No. T467A-A/A-D

Councilman Packineau moved to approve of the RENEWAL for Tom Breuer for Allot. No. T467A-A/A-D, described as cropland within S ½ SW ¼, section 27, Twp. 148, Rge. 88 W., Fifth Principal Meridian, North Dakota, containing 65 cultivated acres for the cash rent of \$32.00 per acre for the total amount of \$2,080.67 per year, second by Councilwoman Brugh.

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

4. RENEWAL Allot. No. T1143-B/T1147A

Councilman Packineau moved to approve of the RENEWAL for Tom Breuer for Allot. No. T1143-B/T1147A, described as Lot's 1 & 2 SW ¼ NE ¼, section 3, Twp. 147, Rge. 88 W., Fifth Principal Meridian, North Dakota, containing 84.8 cultivated acres for the cash rent of \$32.00 per acre for the total amount of \$2,713.60 per year, second by Councilwoman Brugh.

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

5. RENEWAL Allot. No. T238A-A/A-C

Councilman Packineau moved to approve of the RENEWAL for Tom Breuer for Allot. No. T238A-A/A-C, described as cropland within Lot 3, N ½ SE ¼ NW ¼, section 6, Twp. 148, Rge. 89 W., Fifth Principal Meridian, North Dakota, containing 27 hay cutting acres for the cash rent of \$3.50/ \$7.00 per acre, second by Councilwoman Brugh.

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

D. Garrett Gilbertson- RENEWAL Allot. #208A/ T3104

Councilman Packineau moved to approve of the farm pasture lease for Garrett Gilbertson for Allot. No. T208A/ T3104, described as cropland within SE ¼ AW ¼, SW ¼ SE ¼, (Lot 4, SW ¼ SW ¼), W ½ W ½ SE ¼ SE ¼, section 7, Twp. 148, Rge. 89 W., Fifth Principal Meridian, North Dakota, containing 185.5 cultivated acres for the cash rent of \$44.00 per acre for the total amount of \$8,162.00 per year, second by Councilwoman Brugh.

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

E. Todd Zahnow- RENEWAL 237A

Councilman Packineau moved to approve of the RENEWAL for Todd Zahnow for Allot. No. 237A, described as Lots 1 & 2, S ½ NE ¼, section 5, Twp. 148, Rge. 89 W., Fifth Principal Meridian, North Dakota, containing 130 cultivated acres for the cash rent of \$39.00 per acre for the total amount of \$5,070 per year, second by Councilwoman Brugh.

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

F. Wade Billadeau- RENEWAL T32A-A/ T1293

Councilman Packineau moved to approve of the farm pasture lease RENEWAL for Wade Billadeau for Allot. No. T32A-A/T1293, described as NE ¼, section 34, Twp. 148, Rge. 89 W., Fifth Principal Meridian, North Dakota, containing 142.1 cultivated acres for the cash rent of \$50.00 per acre for the total amount of \$7,105.00 per year, second by Councilwoman Brugh.

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

Councilman Packineau moved to approve of a blanket lease on all Wade Billadeau's farm pasture lease renewals, second by Councilwoman Brugh.

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

G. Almit Breuer- RENEWAL T142A

Councilman Packineau moved to approve of the farm pasture lease RENEWAL for Almit Breuer for Allot. No. T142A, described as within

SE ¼, section 32, Twp. 148, Rge. 88 W., Fifth Principal Meridian, North Dakota, containing 52 cultivated acres for the cash rent of \$32.00 per acre for the total amount of \$1,664.00 per year, second by Councilwoman Brugh.

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

H. Weston Schettler- RENEWAL T213A-C

Councilman Packineau moved to approve of the farm pasture RENEWAL for Weston Schettler for Allot. No. T213 A-C, described as W ½ W ½ SW ¼, section 112, Twp., 148, Rge. 90 W., Fifth Principal Meridian, North Dakota, containing 36 hay cutting acres for the cash rent of \$7.50 per acre for the total amount of \$270.00 per year, second by Councilwoman Brugh.

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

I. Antoinette Brugh- T528A-C

Councilman Packineau moved to approve of the farm pasture lease for Antoinette Brugh for a period of 5 years, for Allot. No. T528 A-C described as grass within NE ¼ SW ¼, section 27, Twp. 152, Rge. 94 W., Fifth Principal Meridian, North Dakota, containing 35 hay cutting acres for the cash rent of \$7.50 per acre for the total amount of \$262.50 per year, second by Councilwoman Brugh.

Discussion: This is where her homesite is located.
VOTE: 3 Ayes 0 Nays Motion Carried.

XIV. ED FOX- HOMESITES

Gerald Irwin-

Councilman Packineau moved to approve of a homesite lease for Gerald Irwin for Allot. No. 295A-B, described as 2.5 acres within S ½ SW ¼ SE ¼, section 29, Twp. 150 N., Rge. 90 W., Fifth Principal Meridian, North Dakota, containing 2.5 acres for 25 years at \$25.00 per year, second by Councilwoman Brugh.

Discussion: This is 100% tribal land, Charles Foote used to live on that homesite until his house burned down.
VOTE: 3 Ayes 0 Nays Motion Carried.

XV. OTHER-

1. CRUELTY TO ANIMALS STARVING

There is a need for enforcement thru Game & Fish, and Law Enforcement. Who would be the assurance of reimbursement of funds to buy 20 bales of emergency feed until we get a hold of the owners to reimburse the Tribe? Who would impose the fine? There is an existing code and nobody puts any hay up but expects the Tribe to purchase hay. Last year the Tribe paid \$94,000 for hay.

RECOMMENDATION: NRD and Realty Dept to meet on an informal basis regarding subleasing and bring forward a resolution for recommendation to the full Tribal Business Council.

2. Fred Poitra, Game & Fish Director

The State Game & Fish will be present at the Tribal Business Council tomorrow February 11, 2010.

XVI. ADJOURNMENT:

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

Meeting adjourned at 4:15 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 _____, 2010; 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 11th of Oct, 2010 2011


Amanda Bracklin / Committee Secretary

ATTEST:


Barry Benson / Chairman of Natural
Resource Committee