



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
NATURAL RESOURCE COMMITTEE  
MEETING NO. 13-05-FF  
JUNE 26, 2013**

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**CALL TO ORDER:**

Chairman Fred Fox called the meeting to order at 1:39 pm.

**PRAYER:**

Randy Phelan gave the invocation.

**ROLL CALL:**

Present) Chairman Fred Fox, Councilman Randy Phelan and Councilwoman V. Judy Brugh are present. A quorum is established with three members present.

**01. APPROVAL OF AGENDA:**

**02. APPROVAL OF MINUTES:**

We will defer until the next meeting.  
VOTE: 3 Ayes 0 Nays Motion carried.

**03. TRIBAL HOME SITE LEASES: EDWARD FOX –**

**A. JAMES FOOTE-Land Exchange**

**B. ALICE HARWOOD-Parshall/Home site**

Councilman Phelan motioned to approve a Tribal Home site Lease Application Allot. No. Parshall described as Block 17:S2 L2, L3&4 N2 51/2 Twp 152 N. Rge.90, W, Fifth Principal Meridian, North Dakota containing 2.5 acres @\$50 per month.  
Councilwoman Brugh seconded the motion.

Proposed Plan: To attach a garage to house

VOTE: 3 Ayes. Motion carried.

**C. FRANCINE WHITE-**

She transferred her home site lease from Bakersfield to Clarks Creek.

**D. NEWLYN LITTLE SWALLOW - Home site Modification**

Councilman Phelan motioned to approve a modification of Newlyn Little Swallow's Tribal Home site Lease Application Allot. No. T597A-A, Section 18, Township 152 North Range 94 West Lease Contract No. 05-TH003-55 include Lorry Little Swallow's Tribal Home Site on the lease contract.  
Councilwoman Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

**E. BILLIE R. ECKISS:**

Councilman Phelan motioned to approve a Tribal Home site Lease Application Allot. No. T1510-C described as 2.5 acres SW SW, Sec.13, Twp 148 N. Rge.88, W, Fifth Principal Meridian, North Dakota containing 2.5 acres @\$50 per month. Councilwoman Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

**F. REBECCA JENSEN-WHITE SHIELD**

Councilman Phelan motioned to approve a Tribal Home site Lease Application Allot. No. T1510-C described as 2.5 acres SW SW, Sec.13, Twp 148 N.Rge.88, W, and Fifth Principal Meridian, North Dakota containing 2.5 acres @ \$50 per month. Councilwoman Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

**G. DEREK HALVORSON:**

Councilwoman Brugh to approve a Tribal Home site Lease Application Allot. No T531A-A described as Lot in N2 NW ¼ 1.25 acres Sec.29,Twp 152 N. Rge.94, W, Fifth Principal Meridian, North Dakota containing 1.25 acres @\$50 per year. Councilman Phelan seconded the motion.

VOTE: 3 Ayes. Motion carried.

**H. EDMUND BAKER: (Old Paige Baker home site)**

Councilman Phelan motioned to approve a Tribal Home site Lease Allot. No. T796-B, Sec.12, Twp 150 N. Rge.95, W, Fifth Principal Meridian, North Dakota containing 2.5 acres @\$50 per year. Councilwoman Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

**I. RICKY FINLEY**

Councilman Phelan Application moved to approve a Tribal Home site Lease, Allot No. T694A, described in 1 Lot in N1/2, Section 11, Twp 149 N. Rge 94, W. Fifth Principle Meridian North Dakota containing 1 Lot for 25 years @ \$50 per month. Councilwoman Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

**J. NATHANIEL PACKINEAU (WEST OF MERVIN PACKINEAU)**

Councilman Phelan motioned to approve a Tribal Home site Lease Application, Allot No.T298A-F, described as 2.50 acres in W1/2NW1/4SW1/4, Section 5, Twp 150 N. Rge 90, W. Fifth Principle Meridian North Dakota containing 2.5 acres for 25 years @\$50 per year. Councilwoman Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

**K. ALFRED SMITH-BAKERSFIELD**

Councilman Phelan motioned to approve a Tribal Home site Lease Application Allot No. T5255, described as Lot in WS1/2 W1/2 NW1/4, Sec. 15 Twp 152 N. Rge. 93, W. Fifth

Principle Meridian North Dakota containing 2.5 acres for 25 years @\$50 per year.  
Councilwoman Brugh seconded the motion.

NOTE: Ed Fox to research Bakersfield for future development East over the hill. (Randy White Owl's old lot 6/19/13.)

VOTE: 3 Ayes. Motion carried.

L. **MICHAELA HOWE-NEW TOWN**

Councilwoman Brugh moved to approve a Tribal Home site Lease Application Allot. No. Tribal Fee described as Lots 5, 6 New Town B#3, Section 20, Twp 152, N, Rge 92 W. Fifth Principal Meridian North Dakota containing 2 lots for 25 years. Councilman Phelan seconded the motion.

NOTE: Dreke Irwin willed granddaughter his home.

VOTE: 3 Ayes. Motion carried.

M. **ANNA FOOTE**-Lucky Mound

Councilman Phelan moved to approve the Tribal Home site Lease Application **T2277-B, described as 2.5 acres NE/SE Sec.33**, Twp 150 N. Rge.90, W, Fifth Principal Meridian, North Dakota containing 10 acres @\$50 per year.

Councilwoman Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

N. **RICHARD GRINNELL**-Mandaree

Councilman Phelan moved to approve the Tribal Home site Lease Application for Richard Grinnell Allot. No. T694A, NE1/2 Sec.11, Twp 149 N. Rge.94, W, Fifth Principal Meridian, North Dakota containing 1 Lot for 25 yrs. @\$50 per month. Councilwoman Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

O. **DELVIN REEVES:** (Old Paige Baker home site)

Councilman Phelan moved to approve the Tribal Home site Lease Application T796-B, NE1/4 Sec.12, Twp 150 N. Rge.95, W, Fifth Principal Meridian, North Dakota containing 2.5 acres @\$50 per year. Councilwoman Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

P. **TYLER WELLS**-Thunder Butte

This application was put on hold until Infrastructure is in place.

Q. **MAHLON GUNN**-Thunder Butte

This application was put on hold until Infrastructure is in place.

All applications wanting to live in Thunder Butte will be put on hold until the infrastructure is in place.

**04. FARM PASTURE LEASES:**

**A. DAN HUNTS ALONG**

Councilman Phelan moved to approve a Farm Pasture Lease Application to Gerald Hunts Along, an Allot. #1730-B-GO BACK W/N1/SE1/4 Sec. 30, TWP149, Rge. 91, W., Fifth Principal Meridian, North Dakota containing 73.0 haycutting acres. Councilwoman Brugh seconded the motion.

**VOTE: 3 Ayes. Motion carried.**

**B. LLOYD VIGEN-RENEWAL T1730-B **DISAPPROVED****

**C. BYRON HOLTAN-**

Councilwoman Brugh moved to approve a Farm Pasture Lease Renewal Allot. #1071-T1383-T465A-A for Byron Holton. Councilman Phelan seconded the motion.

**VOTE: 3 Ayes. Motion carried.**

**D. JENNIFER KRUEGER-ALLOT. #T1383/T465A-A**

Councilman Phelan moved to approve T1383/T465A-A Farm Pasture Lease Renewal for Jennifer Kruegar. Councilwoman Brugh seconded the motion.

**VOTE: 3 Ayes. Motion carried.**

**E. WADE BILLADEAU-RENEWAL T154A, T87A**

Councilwoman Brugh moved to approve the Farm Pasture Lease RENEWAL T154A, T87A to Wade Billadeau. Councilman Phelan seconded the motion.

**VOTE: 3 Ayes. Motion carried.**

**F. WILLIAM D. HALLS-RENEWAL-TA 22 Pasture Acres**

Councilwoman Brugh moved to approve the Farm Pasture Lease RENEWAL TA-22, to William D. Hall. Councilman Phelan seconded the motion.

**VOTE: 3 Ayes. Motion carried.**

**G. CODY FREDERICKS:**

Councilman Phelan moved to approve two Improvement Leases for Cody Fredericks-Improvement Lease Allot. T1100A-A, Cody Fredericks-Improvement Lease Allot. T971AD. Councilman Brugh seconded the motion.

**VOTE: 3 Ayes. Motion carried.**

**H. RICHARD WHITE BEAR-RENEWAL T95A-B & T1360A**

Councilwoman Brugh moved to approve the **RENEWAL of T95A-B & T1360A** Councilman Phelan seconded the motion.

**VOTE: 3 Ayes. Motion carried.**

**I. RICHARD WHITE BEAR-RENEWAL**

Councilman Phelan moved to approve Lease Allot. Described as \_\_\_\_\_ Sec. \_\_\_\_

TWP.\_\_\_\_ n, Rge\_\_\_\_ W. Fifth Principal Meridian, North Dakota containing 10 acres or feet for \_\_\_\_yrs @\$\_\_\_\_\_ per month. Councilwoman Brugh seconded the motion.  
VOTE: 3 Ayes. Motion carried.

**J. BEVERLY LOOCK-T.A**

Councilman Phelan moved to approve Lease Allot. Described as \_\_\_\_\_Sec.\_\_\_\_ TWP.\_\_\_\_ n, Rge\_\_\_\_ W. Fifth Principal Meridian, North Dakota containing 10 acres or feet for \_\_\_\_yrs @\$\_\_\_\_\_ per month. Councilwoman Brugh seconded the motion.  
VOTE: 3 Ayes. Motion carried.

**K. TERRY BOLKAN-RENEWAL**

Councilman Phelan moved to approve Lease Allot. Renewal described as T310A-C, T280A-E/A-F, T3041/T1018, T1021, T492A-B, T484A, T360A-B, T32. Councilwoman Brugh seconded the motion.  
VOTE: 3 Ayes. Motion carried.

**13. RORY BOLKAN-RENEWAL T256B, T267A-C**

Councilman Phelan moved to approve Lease Allot. Described as RENEWAL T256B, T267A-C. Councilwoman Brugh seconded the motion.  
VOTE: 3 Ayes. Motion carried.

**14. TRAVIS IGLEHART-RENEWAL T133A-A**

Councilman Phelan moved to approve Lease Allot. Described as RENEWAL T133A-A. Councilwoman Brugh seconded the motion.  
VOTE: 3 Ayes. Motion carried.

**15. BETTY HUESERS - Allot. T323A**

Councilman Phelan moved to approve Lease Allot. T323A. Councilwoman Brugh seconded the motion.  
VOTE: 3 Ayes. Motion carried.

**16. JERRY ZIMMERMAN-**

Councilman Phelan moved to approve Lease Allot. RENEWAL T1255. Councilwoman Brugh seconded the motion.  
VOTE: 3 Ayes. Motion carried.

**17. LYON WOLDING – Allot. T1438**

Councilman Phelan moved to approve Lease Allot. T14238 Described as \_\_\_\_\_Sec.\_\_\_\_ TWP.\_\_\_\_ n, Rge\_\_\_\_ W. Fifth Principal Meridian, North Dakota containing \_\_\_\_ acres or feet for \_\_\_\_yrs @\$\_\_\_\_\_ per month. Councilwoman Brugh seconded the motion.  
VOTE: 3 Ayes. Motion carried.

**18. Public Works/Applications/Field Systems:4:00 PM**

There are people who were approved years ago are first on the list. They have to have their homes plus electrical, before they get their septic tanks.

**19. Texx Lone Bear – Easement Program:**

***DEFER TO July 9, 2013*** Specific Authorization No. 2013-01 issued in accordance with the general agreement for Professional Services between Three Affiliated Tribes and Bartlett & West, Inc.

**20. MARATHON OIL/SALTWATER DISPOSAL WELL 4:13.22pm**

Closest occupant dwelling is BIA 6 is the main backbone and Slawson has the permit. EPA said the Tribe needs to approve the permit. Aquifer (An aquifer is an underground layer of water-bearing permeable rock or unconsolidated materials (gravel, sand, or silt) from which groundwater can be extracted using ..)Protect the hydrology (*study of earth's water: the scientific study of properties, distribution, use, and circulation of the water on Earth and in the atmosphere in all of its forms.*)

Councilman Phelan moved to forward the issue to the full council meeting to review. Councilwoman Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

**21. ENVIRONMENTAL PROGRAM:**

Big dumpsters in Mandaree and on North Segment. Ted Danks and Dakota Dumpsters get competitive bids. The Solid Waste Program will be purchasing a new dump truck and needs to come up with a solid plan. Working on different org., chart program review, on everything finishing up this afternoon. We have two covered trailers at the North Segment 4:32

**22. FRED POITRA – GAME & FISH HIRE**

The Game and Fish Program started a Pistol Range on Ed Fox' Range Unit. He would like his comments part of the record

**23. SIDRICK BAKER – LAND EXCHANGE COUNCIL : FORWARD TO FULL TBC.**

The request to get the 10 acres of land back around his home site is starting to be difficult. Mary Jane Baker sold a piece of land to Clancy Lone Fight, but the transaction did not include the 10 acres around the homestead. Clancy Lone Fight claims that it was part of the deal but there are no records of payment no transactions taking place between Mary Jane Baker and Clancy Lone Fight. Ownership of the land is questionable.

**24. NEW TOWN BYPASS APPRAISAL: FORWARD TO FULL TBC RP/VJB**

Councilman Phelan moved approval to forward the New Town Bypass Appraisal: On-going project and notifications of public meetings. James Foote should have been monitoring this major project to the State of North Dakota. Traffic Safety Issue, the Tribe will try to solve the problem with the by-pass. Game and Fish, Police Department asked for assistance in traffic control. There is a by-pass going through Sanish and its hazardous road. The road can be fixed up by the Old S&L.

**25. TRIBAL SCORIA PIT:**

Danks has the right of way but the Tribe owns the pit. The Administrator was directed to research the Scoria Pit and bring back to the next meeting on July 9, 2013.

**26. GRAVEL PIT LISA REDFORD:**<sup>5:29.28PM</sup>

Rough terrain. Have an old gravel pit.. its getting closer to her house asking to be allowed to do a reclamation so its usable. Her son wants to run cattle on there . It's an old gravel pit area borders where and fix Vivian's road. Didn't know the best way to approach. She should do an execution of a lease for 20 acres. Permission to do a reclamation sent a letter out to the mineral owners and now have the opportunity and make the land usable. **Categorical exclusion.** Do you have the land for an exchange? Trade-in wasn't ready trade 75 acres pending the land exchange—20 acre area.

**27. LUANN PHELAN HOMESITE:**

**Deferred.**

**28. FORT BERTHOLD RURAL WATER SUPPLY – POLICY AND PROCEDURES FOR WATER SERVICE.**

**1<sup>ST</sup> Reading.**

**29. ONEOK PIPELINE**

Councilman Phelan moved to forward Oneok Pipeline Presentation to the full Tribal Business Council meeting on July 11, 2013. Councilwoman Brugh seconded the motion.  
VOTE: 3 Ayes. Motion carried.

**30. LYLE DANKS**

Lyle Danks is requesting purchase two tribal lots located in New Town, North Dakota. The Natural Resources Administrator will work with Lyle to give the opportunity to have his "Severance Agreement." They will get a legal opinion on tribal members purchasing fee land from the tribe.

**31. ARROW PIPELINE:**

The Tribe needs to establish consistency on the depth of a buried pipeline and write rules and regulations and negotiate with the Bureau of Indian Affairs to come up with a standardized form. Tribe should have a standardized right of way which secure documents that protects the Tribe. Compression is going to be on the church property. It is hooked up into a pipeline. Marathon will try to obtain Consents to Survey they will be drilling next year.

**32. HIRING OF ATTORNEY NRD/RULES AND REGULATIONS**

MOTION: The Natural Resources Administrator was directed to put out an RFP to hire a NRC Attorney. Acceptable rate of \$2,000 recommendation with RP suggestion goes and meet with higher ups agreeable to have the tribe paid directly. BIA approved would you allow me to pay the Tribe accounted for interest rates bonus and rates.

If you make increase bonuses and percentages crossed off the oil pads and you have to redo all of your paperwork.

**33. GET THE RESOLUTION THAT PERTAINS TO BONUSES AND % on allotted lands.**

Councilman Phelan moved for approval of 7 at \$2,000 right of way for Arrow pipe line for \$2000 to include all pipelines to comply with the 25 years lease. Councilwoman Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

*Consents to survey* are those going to be scrutinized no problems consents to right of ways. Come to an agreement and bring back to NRD in a couple of months.

**34. ENERGY DEPARTMENT REPORT:**

- STANDARDIZE ENFORCEMENT CITATION

**35. MR.LEE POSSIBLE EMPLOYMENT:**

Frankie Lee Licensed Civil Engineer will be asked to fill out an application with NRD. She will make sure to negotiate for a Contractual proposal.

**36. FINANCIAL ASSISTANCE DELMER WILSON**

Delmer Wilson contacted Councilwoman Brugh and asked for assistance in repairing the roof on his home.

Councilwoman Brugh directed the Tribal Housing Administrator send contractor to go to Twin Buttes to do an assessment on the damage to Delmer Wilson's roof and bring back a report to the committee.

**37. ADJOURNMENT:**

Councilman Phelan moved for approval to adjourn the meeting. Councilwoman Brugh seconded the motion.

VOTE: 5 Ayes. Motion carried.



**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 Resources 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 \_\_\_\_\_, 2013; 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 \_\_\_\_\_, 2013.

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**Chairperson, Fred Fox, NATURAL RESOURCES COMMITTEE  
TRIBAL BUSINESS COUNCIL-THREE AFFILIATED TRIBES**

**ATTEST:**

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Member, NATURAL RESOURCES COMMITTEE  
TRIBAL BUSINESS COUNCIL – THREE AFFILIATED TRIBES

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Member, NATURAL RESOURCES COMMITTEE  
THREE AFFILIATED TRIBES