



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCES DEPARTMENT
14-008-FF
August 27th, 2014**

CALL TO ORDER:

The Natural Resource Committee meeting was called to order at 2:12 pm by Committee Chairman, Fred Fox.

PRAYER:

Councilman Fred Fox.

ROLL CALL:

Present: Councilman Fred Fox, Councilman Randy Phelan, Councilwoman Brugh, and Councilman Ken Hall. A quorum is established with four members present

01. Ed Hall

Ed has asked the Committee to initiate a plan for the tribe in regards to the Taken Area

Ed has a concern for the ranchers on Fort Berthold because there is a liability law that states that if an accident occurs as a result of cattle being out of a range, the rancher is responsible for damages. His suggestion is maybe instating open range laws here on Fort Berthold because with the ROW going through and around cattle ranges, the liability is much higher.

Motion made by Councilman Randy Phelan to direct NRC to draft an open range policy to be reviewed for possible adoption and to include the ROW fence policy. Motion seconded by Councilman Ken Hall.

Vote 4 Ayes. Motion Carried.

02. Department of Public Works

Septic and Drain Field Services-

Shaun Packineau	Parshall
Kogie Poplaro	Four Bears
Margaret Winanz	Four Bears
Joseph Goodall	New Town
Robert White Owl	New Town
Marle Baker	Mandaree
Noah Williams	Shell Creek
Sadie Young Bird	Parshall

Motion made by Councilman Randy Phelan to approve the Septic and Drain Field Services applications. Motion seconded by Councilman Ken Hall.

Vote 4 Ayes. Motion Carried

Discussion- Councilwoman Judy Brugh would like to review the application of Margaret Winanz.



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Failing Drain Filed Application

Veronica Serdahl
John and Noreen Mossett

Mandaree
Twin Buttes.

Motion made by Councilman Randy Phelan to approve the failing drain filed.
Motion seconded by Councilwoman Judy Brugh.
Vote 4 Ayes. Motion approved.

04. Jack Rabbithead-Farm/Pasture renewals

*Davis Monogram - Lease/Grassland
Allotment No: T131A, described as 16 acres more or less, within the
NW1/4NE1/4, Section 15. Township 148 North, Range 89 West, Fifth Principal
Meridian, McLean County, North Dakota, U.S.A.
16 pasture acres for cash rent of \$7.50 per acre. Total amount per year \$120.00
Five (5) year lease beginning on 1/1/2015 and ending on 12/31/2015.

Motion made by Councilman Randy Phelan to approve Davis Monogram
application. Motion seconded by Councilwoman Judy Brugh.
Vote; 4 Ayes. Motion carried.

*Garrett Gilbertson – Renewal Lease/Cropland
Allotment No: T208A & T3104, described as 185.5 acres more or less, cropland
only w/Lot 4, SE4SW4, W2SW4SE4, & Lot 3, NE4SW4, Section 7. Township 148
North, Range 89 West, Fifth Principal Meridian, McLean County, North Dakota,
U.S.A.
185.5 cultivated acres for cash rent of \$50.00 per acre. Total amount per year
\$9,275.00.
Five (5) year lease beginning 1/1/2015 and ending 12/31/2019.

Motion made by Councilman Randy Phelan to approve Garrett Gilbertson
application. Motion seconded by Councilwoman Judy Brugh.
Vote: 4 Ayes. Motion carried.

*Harvey Billadeau/Anchor Farms – Lease/Cropland (Bureau of Indian Affairs
Lease)
Allotment No: 223A-A & 226A-A, described as 77 acres more or less, cropland S
NW, & Lot 1, 2, 3, 4, of Section 2, Township 148 North, Range 90 West, Fifth
Principal Meridian, McLean County, North Dakota, U.S.A.
77 cultivated acres for the cash rent of \$55.00 per acre. Total amount per year
\$4,235.00.
Five (5) year lease beginning on 1/1/2015 and ending on 12/31/2019.



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Motion made by Councilman Randy Phelan to approve Harvey Billadeau's application. Motion seconded by Councilwoman Judy Brugh.
Vote: 4 Ayes. Motion carried.

Tom Bruer – Renewal Lease/Cropland
Allotment No: T1335, described as 35 acres more or less, cropland within NE1/4SE1/4, Section 30. Township 148 North, Range 89 West, Fifth Principal Meridian, McLean County, North Dakota, U.S.A.
35 cultivated acres for the cash rent of \$32.00 per acre. Total amount per year \$1,120.00.
Five (5) year lease beginning on 1/1/2015 and ending on 12/31/2019.

Motion made by Randy Phelan to approve Tom Bruer application. Motion seconded by Councilwoman Judy Brugh.
Vote: 4 Ayes. Motion carried.

*Tom Bruer – 5 Year Improvement Lease/Hay
Allotment No: T467A-A/A-D, described as 64.4 acres more or less, hay within S1/2SW1/4, Section 27, Township 148 North, Range 88 West, Fifth Principal Meridian, McLean County, North Dakota, U.S.A.

64.4 hay cutting acres for the cash rent of \$3.50 per acre for years one (1) and two (2), total amount per year(s) one and two: \$225.40.

\$7.00 per acre for year(s) three (3) & four (4). Total amount for years three (3) & four (4): \$450.80.

\$15.00 per acre for year five (5). Total amount for year five (5) \$966.00.

Five year total \$1642.20.

Five (5) year lease beginning on 1/1/2015 and ending on 12/31/2019.

Motion made by Councilman Randy Phelan to approve Tom Bruer's lease. Motion seconded by Councilman Ken Hall.
Vote: 4 Ayes. Motion carried.

Tom Bruer – Renewal Lease/Cropland
Allotment No: T238A-A/A-C, described as 27 acres more or less, cropland within Lot 3 NW1/4, Section 6, Township 148 North, Range 89 West, Fifth Principal Meridian, McLean County, North Dakota, U.S.A.
27 hay cutting acres for the cash rent of \$15.00 per acre. Total amount per year \$405.00.
Five (5) year lease beginning on 1/1/2015 and ending on 12/31/2019.



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Motion made by Councilman Randy Phelan to approve Tom Bruer's Application.
Motion seconded by Councilwoman Judy Brugh.
Vote 4 Ayes. Motion carried.

Tom Bruer – 5 Year Improvement Lease/Hay
Allotment No: T2275/T898/T1268, described as 120 acres more or less, hay within E1/2SW1/4, NW1/4SE1/4, Section 26, Township 148 North, Range 88 West, Fifth Principal Meridian, McLean County, North Dakota, U.S.A.

120 hay cutting acres for the cash rent of \$3.50 per acre for years one (1) and two (2), total amount per year(s) one and two: \$420.00.

\$7.00 per acre for year(s) three (3) & four (4). Total amount for years three (3) & four (4): \$840.00.

\$15.00 per acre for year five (5). Total amount for year five (5) \$1800.00

Five year total \$3060.00.

Five (5) year lease beginning on 1/1/2015 and ending on 12/31/2019.

Motion made by Councilman Randy Phelan to approve Tom Bruer application.
Motion seconded by Councilman Ken Hall.
Vote 4 Ayes. Motion Carried.

*Tom Bruer – 5 Year Improvement Lease/Hay
Allotment No: T68A, described as 154.7 acres more or less, hay within SE1/4, Section 24, Township 148 North, Range 88 West, Fifth Principal Meridian, McLean County, North Dakota, U.S.A.

154.7 hay cutting acres for the cash rent of \$3.50 per acre for years one (1) and two (2), total amount per year(s) one and two: \$541.45.

\$7.00 per acre for year(s) three (3) & four (4). Total amount for years three (3) & four (4): \$450.80.

\$15.00 per acre for year five (5). Total amount for year five (5) \$966.00.

Five year total \$1958.25.

Five (5) year lease beginning on 1/1/2015 and ending on 12/31/2019.

Motion made by Councilman Randy Phelan to approve Tom Bruer application.
Motion seconded by Councilwoman Judy Brugh.
Vote; 4 Ayes. Motion carried.



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05. Pete Fredericks Water Depot Application:

Waiting on legal to give answer about water depot application. Request to be tabled until confirmation from the legal department granted.

07. Ron Brugh-Scoria

Ron has presented a concern with the amount of Scoria being used by off reservation companies and the lack of enforcement on these companies that are not using Native owned companies. Ron has stated that in 2014 the Tribal ordinance for using native owned companies has been ignored and that less than 10,000 yards of Native owned material were used by companies.

Lane V -has filed a complaint with TERO due to what he feels was a violation of his bid processes with the Arrow oil Companies. He stated that he put in the low bid and should have been the company utilized for the job.

Motion made by Councilman Ken Hall to move the agenda item of the use of Scoria to the September 11th, 2014 TBC meeting as well as have the director of TERO, Charles Foote be present to give a report on the issue. Motion seconded by Councilman Randy Phelan.

Vote 4 Ayes. Motion Carried.

Motion made by Councilman Randy Phelan to have Arrow pipeline be present at the September 11th, 2014. Motion seconded by Councilman Ken Hall.

Vote 4 Ayes. Motion Carried.

Discussion- Councilwoman Judy Brugh stated that the Commission Board needs to be accountable for these types of issues. Councilman Randy Phelan stated that the scoria issue has been brought to the committee several times and needs to be answered to by TERO and the Commission Board.



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08. Recess

Motion made by Councilman Randy Phelan to recess at 4:42 p.m. Seconded by Councilman Ken Hall.
Vote 4 Ayes. Motion Carried.

09. Reconvened at 5:10 p.m.

10. Game and Fish-

Motion made by Councilman Randy Phelan to bring in the Bakken Mobile Veterinary Services to the next TBC on September 11th, 2014. Motion seconded by Councilwoman Judy Brugh.
Vote 3 Ayes. Motion Carried.

11. Ted Siers- Buffalo Request

Ted is requesting approval on the proposed Buffalo contract for the TAT Tribe. An additional 175 head of buffalo to be added to the current amount of 300 head.

Motion made by Councilman Randy Phelan to approve the Buffalo Contract. Motion seconded by Councilman Judy Brugh.
Vote 3 Ayes. Motion Carried.

12. WPX

Motion made by councilman Randy Phelan to have the WPX resolution forwarded to the next TBC meeting on September 11th, 2014. Motion seconded by councilwoman Judy Brugh.
Vote 3 Ayes. Motion Carried.

14. George Abe

1. Home site Leases- TJ Plenty Chief/Matthew Yellow Wolf

Motion made by Councilman Randy Phelan to approve the Home site Lease for Matthew Yellow Wolf. Motion seconded by Councilwoman Judy Brugh.
Vote 3 Ayes. Motion carried.

Motion made by Councilman Randy Phelan to approve the Home site Lease of TJ Plenty Chief. Motion seconded by Councilwoman Judy Brugh.
Vote 3 Ayes. Motion Carried



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2. Renunciation-

Motion made by Councilman Randy Phelan to have the Vivian Chase renunciation forwarded to the next TBC on September 11th, 2014. Motion seconded by Councilman Ken Hall.
Vote 4 Ayes. Motion carried.

3. Walter Jordan Mineral Purchase-

Motion by Councilman Randy Phelan to move the agenda item to TBC on September 11th, 2014. Motion seconded by Councilman Ken Hall.
Vote 4 Ayes. Motion carried.

**15. Valerie Hosie- Home Sites Application
Joshua Sage Jr.**

Motion made by Councilman Randy Phelan to approve Joshua Sage Jr.'s Home Site Application. Home site to be located in the Twin Buttes Segment, section 34, township 147 north, range 90 west. Motion seconded by Councilwoman Judy Brugh.
Vote; 4 ayes. Motion carried.

Mark N. Fox

Motion made by Councilman Ken Hall to approve Mark Fox's home site application. Home site to be located in the Parshall Segment. Section 1 township 151, Range 91 west. Allotment number-Packineau Lane-W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$. Motion seconded by Councilman Randy Phelan.
Vote 4 Ayes. Motion carried.

Leonard Conklin Jr.

Motion made by Councilwoman Judy Brugh to approve the Home Site Application of Leonard Conklin Jr. Home site to be located in the Four Bears Segment. Allotment number 612-A-G, NW SW NW NW, section 24, township 152 north, and range 95 west. Motion seconded by Councilman Ken Hall.
Vote 3 ayes. Motion carried.

Edward Krueger

No action

Valeri Hosie

Motion made by Councilman Randy Phelan to approve the home site application of Valeri Hosie. Home site to be located in the North Segment. Motion seconded by Councilman Ken Hall.
Vote 4 Ayes. Motion carried.

John Baker

Tabled



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Faron Krueger
Tabled

Starla Deane

Motion made by Councilman Randy Phelan to approve Starla Deane's application. Home site to be located in the North Segment. Section 29, Township 152 north, Range 91 West. Motion seconded by Councilman Ken Hall.

Vote: 4 Ayes. Motion Carried.

Rebecca Jenen

Motion made by Councilman Ken Hall to approve Rebecca Jensen's home site application. Home site to be located in the White Shield Segment. Allotment number T1510-C, section 13, Township 148 N. Range 88 W. Motion seconded by Councilman Randy Phelan.

Vote 4 Ayes. Motion Carried.

Kathleen Finley & Bert Krueger

No action taken

Bruce Benson

Motion made by Councilman Randy Phelan to approve Bruce Benson's home site application. Home site to be located in the West Segment. Motion seconded by Councilman Ken Hall.

Vote: 4 ayes. Motion carried.

Sadie Young Bird

Motion made by Councilman Randy Phelan to approve the home site application of Sadie Young Bird. Motion seconded by Councilman Ken Hall.

Vote 4 Ayes. Motion carried.

16. Mandaree school

Councilman Randy Phelan moves to have the item forwarded to the September 11th, 2014 TBC. Motion Seconded by Councilman Ken Hall.

17. Minutes

Motion made by Councilwoman Judy Brugh to approve the August 12th & 13th Bismarck NRC Minutes. Motion seconded by Randy Phelan.

Vote 4 Ayes. Motion carried.

18. ADJOURNMENT:

Councilman Ken Hall moved for approval to adjourn the meeting. Councilman Randy Phelan seconded the motion.

Vote 4 Ayes. Motion Carried.



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