



**CALL TO ORDER:**

Councilman Randy Phelan called the meeting to order at 11:52PM.

**ROLL CALL:**

*Present:* Councilman Randy Phelan, Councilwoman Monica Mayer, Councilman Frank Grady. *Quorum established.*

**I. APPROVAL OF AGENDA**

*Motion:* Councilman Frank Grady moved to approve the agenda. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

**II. APPROVAL OF MINUTES:**

*Motion:* Councilman Frank Grady moved to approve the March 21<sup>st</sup>, 2017 Natural Resource Committee Minutes subject to corrections. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

*Discussion:* Correction to item C. should reflect that Councilman Fred Fox chaired the Committee for the motion to prevent a conflict of interest on the motion.

**III. H. TEXX LONE BEAR:**

**A. Range Unit(s) – Valorie Hosie & Thomas Wells, BIA**

Discussion of rescinding the allocation resolution due to Range Unit 8. Marvin Driver is making appeal and will need to submit a letter for the Tribal Business Council to pull back allocation. Valorie Hosie stated that according to the check list, Marvin Driver meets the check list as well as Jessie Baker. Jessie Baker is agreeable to reconsider in favor of Marvin Driver due to the proximity to his land.

*Motion:* Councilwoman Monica Mayer moved to reconsider the award of Range Unit 8 subject to verbal/written request to appeal & within the guidelines the CFR. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

*Discussion:* Tom Wells will check the regulations concerning notice. Item is to return to the next NRC. Hollis Blake issue was discussed concerning two sections next to his land. Councilman Randy Phelan discussed the need to follow the appeal process. Wilber Wilkinson discussed wording it as reconsideration since the BIA already issued a permit. Councilwoman Monica Mayer amended her motion for the wording. Permits have not been issued from the BIA. RU 231 was discussed and Councilman Randy Phelan recommends awarding in common to resolve issue and court ramifications. Valorie Hosie will secure a concurrence letter from Jessie Baker. 17-013-FWF resolution will need to corrected concerning Ted Siers and that it is not issued to two individuals. Councilman Randy Phelan noted that RU 231 is in Tribal Court and he recommends awarding



to it both. Councilwoman Monica Mayer recommended a written agreement between the two and not just a verbal.

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**B. Tribal Recreation Areas - Skunk Bay/Twin Buttes – Valorie Hosie**

Development at these recreation areas is being blocked by the Corp of Engineers until the tribe meets their requirements. Ken Danks is requesting to be the Concessioner but the area has no restrooms or trash dumpsters and the Corps wants a plan in place to meet their requirement to move forward. Twin Buttes rodeo grounds is also within one of these areas. Councilwoman Monica Mayer recommends the hiring of managers for all these recreation areas to ensure they are taken care of and brought within the Corp of Engineers requirements.

**Motion:** Councilwoman Monica Mayer moved to forward to the April Tribal Business Council. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

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**C. KMHA Tower**

Discussion of opposing free ROW's for the telecoms for phone & internet service.

**Motion:** Councilwoman Monica Mayer moved to forward to the April Tribal Business Council. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

**Discussion:** Councilman Randy Phelan noted that we have a process for when they cross tribal lands.

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**D. Farm/Pasture Update - Diana Americanhorse**

Tom Bruer requested renewal of his hay cutting agreement for the area around the refinery grounds near Makoti. Discussion of shares with Councilman Mervin Packineau.

*Item tabled.*

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Farm Pasture Bid Sale update presented with a list of tracks and those to be removed. Farm Pasture applications only. May 1<sup>st</sup> posting by post cards, posters, newspapers and web site and radio for two weeks.

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**E. Home Site – Valeri Fastdog-Hosie**

Dallas Fox Hawthorne has to move his trailer out of New Town by May 1<sup>st</sup>. Site at T5097 is not going to work so she is looking for tribal land in Mandaree. Councilman Randy Phelan stated that he was ok with it as long as it wasn't around the Mandaree Pow-Wow grounds.



**F. Section 17 – Water Pipeline**

*Item deferred.*

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**G. TAT Roads Department – Stoney Williams, Acting Director**

Bid submitted to the Tribal Business Council approval for BIA Phase II. Councilman Randy Phelan noted that Flickertail was supposed to have paved Highway 22 and to BIA 14 in Phase I and they didn't finish the last 5 miles.

**Motion:** Councilwoman Monica Mayer moved to forward to the April Tribal Business Council without approval. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

**Discussion:** Councilman Frank Grady asked if they have been paid for Phase I. Councilman Randy Phelan noted that there also needs to be a truck route around Twin Buttes.

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**H. Renunciation – Vance Good Iron**

Requesting land from his aunt Rosemarie Mandan-Baker estate (less than 5% land interest of his). Probate was settled and reopened without notifying the siblings. In Feb. a change of the rule or *Single Heir Rule*. Probate has not had a final ruling. Would require a resolution from the tribe. Tom Wells noted that a probate order was issued in 2015 and a show cause was ordered with extension of time for the request for the <5% to the family. Councilman Randy Phelan noted that the land has to go to one person. Vance Goodiron stated the <5% would go to him to hold. Letter authorizing Vance Goodiron to hold the 5% according to the Probate policy.

**Motion:** Councilman Frank Grady moved to forward resolution to the April Tribal Business Council. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

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**I. Setback Resolution – Hollis Blake**

14 wells by WPX proposed. Family wants a 3/8 of mile set back

**Motion:** Councilman Frank Grady moved to forward resolution to the April Tribal Business Council Closed Session. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

**J. MHA DOT – Richard Hall**

*Item deferred.*

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**K. Board Appointment for South Segment – Anthony Folden/Marty Young Bear**



Blance Hunts Along with Marty Young Bear

**Motion:** Councilman Frank Grady moved to forward resolution to the April Tribal Business Council. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

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**L. Dog Issue – Jennifer White Bear**

Antoine Fettig informed the committee that Animal Control found the Dickens/White Bear dog at large and in violation. After securing the animal it was euthanized by Animal Control. The family is claiming the animal was a service dog. Councilwoman Monica Mayer noted that North Segment will be supporting Animal Control with a building and expressed concern over loose dogs in the segment. Also presented concerns over the program's budget need.

*Item deferred.*

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**M. Special Project Budget – Councilman Frank Grady**

**Motion:** Councilman Fred Fox moved to forward a resolution for the Johnny Bird Community Center and Four Bears Assisted Living project to the Special Projects budget to the April Tribal Business Council. Councilman Frank Grady seconded the motion. Vote: 4-0-0. Motion carried.

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**N. Solid Waste & Public Works - Pat Dubois & Justin Spotted Bear**

Presented a report of departmental income, fees and budget. Councilman Randy Phelan discussed the need to develop an online payment method. Discussion of commercial entities that have not paid since last year. The programs are working on policies to address issue.

**Motion:** Councilman Fred Fox moved to forward to the April Tribal Business Council fee schedule resolution. Councilman Frank Grady seconded the motion. Vote: 4-0-0. Motion carried.

**Motion:** Councilwoman Monica Mayer moved to forward to the April Tribal Business Council elder fee utilities resolution. Councilman Frank Grady seconded the motion. Vote: 4-0-0. Motion carried.

*Discussion:* Requested to change the elder age minimum to age 55.

**Motion:** Councilman Fred Fox moved to forward to the April Tribal Business Council a budget transfer site building for recycling. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

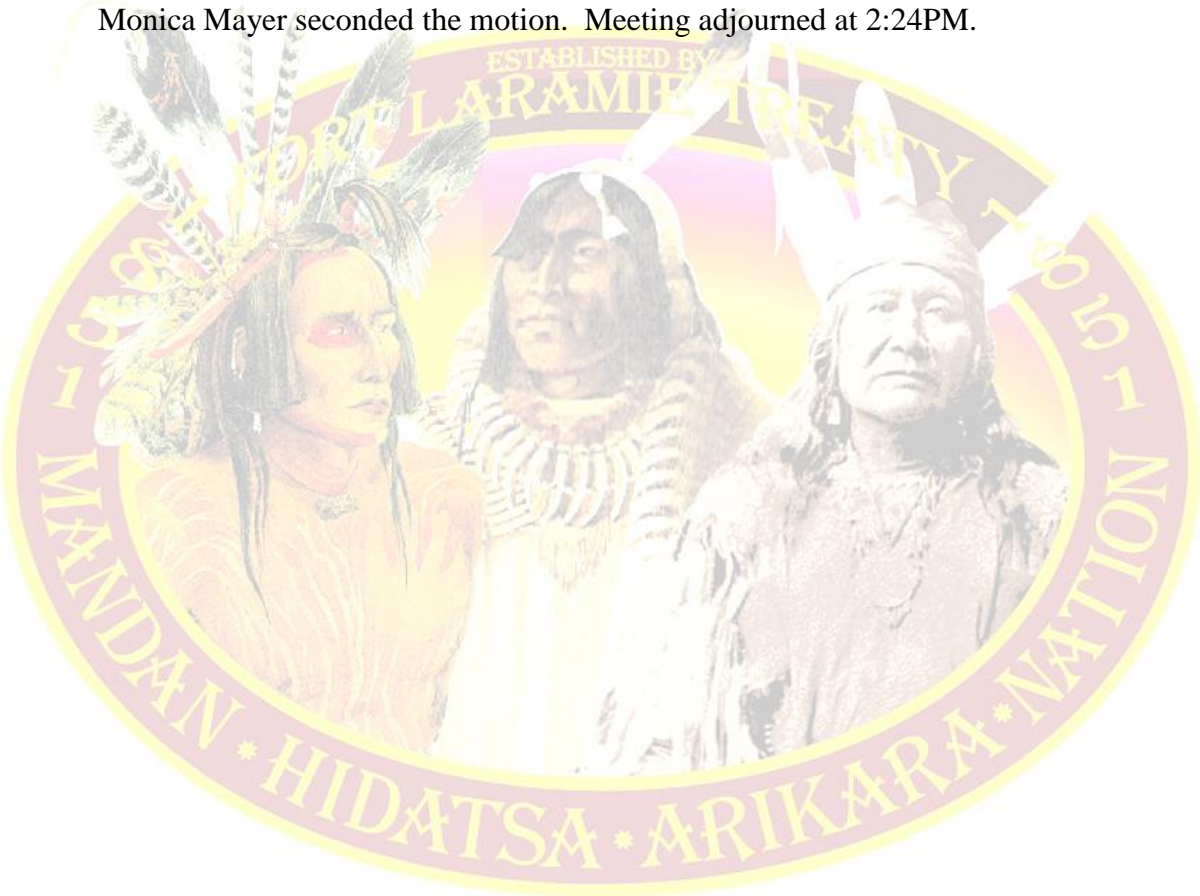


*Discussion:* Caleb Dogeagle noted that Solid Waste has reached an agreement with the company to fix through an Assurity bond. Land transfer to the tribe for an old lagoon area in Twin Buttes. To return to the May 3<sup>rd</sup> Oil & Gas Committee meeting.

**IV. CLOSED SESSION**

**V. ADJOURNMENT**

*Motion:* Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 2:24PM.





### CERTIFICATION

I, the undersigned, as Committee Chairperson of The Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Natural Resources Committee is composed of three (3) members and of whom three (3) constitutes a quorum of 3 were present at the meeting thereof duly called, notice, convened and held on the 2<sup>nd</sup> day of August, 2017 that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 3 members; 0 members opposed; 0 members abstained; 0 members not voting.

Dated this 2<sup>nd</sup> day of August, 2017.

ATTEST:

Executive Secretary, Fred W. Fox  
Tribal Business Council,  
Three Affiliated Tribes


Committee Chairman, Randy Phelan  
Tribal Business Council  
Three Affiliated Tribes




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