



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCE COMMITTEE
JANUARY 23rd, 2020 MINUTES
[NO CLOSED SESSION CONTENT]

CALL TO ORDER:

Councilman Randy Phelan called the meeting to order at 11:30 AM.

PRAYER:

Councilwoman V. Judy Brugh.

ROLL CALL:

Present: Councilwoman V. Judy Brugh, Councilman Randy Phelan, & Councilman Fred Fox. *Quorum established.*

I. APPROVAL OF AGENDA:

Motion: Councilwoman V. Judy Brugh moved to approve the agenda. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

II. APPROVAL OF MINUTES:

- August 6th, 2019 Natural Resource Committee Minutes
- December 10th, 2019 Natural Resource Committee Minutes

Item deferred.

III. ENVIRONMENTAL DIVISION –Edmund Baker, Director

Edmund Baker discussed the MOU. Would not like to let it get destabilized, there is still an ongoing investigation. Edmund Baker will draft the NOV's, Kenny Lyson felt Edmund should write it up. The team is still working together. Data Confidential of spill land site mapping and the mapping of sensitive areas around. If the MOU comes back it should be ready for the Committees review, committee should have the data. Would like the MOU to default, there are enforcement issues. There is a need for compliance officers to be there for an incident. The disconnects have to go. Would like to rescind the MOU.

Motion: Councilman Fred Fox moved to rescind the MOU and forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

Command incident, would like to review and reconstruct. Talked to Cliff Edmund will restructure this. Edmund Baker will bring back to Natural Resource committee meeting. Waste haulers permit; never have been able to get this done. The State of North Dakota have put out a helping hand, Edmund Baker will meet with Dave Black. Will put this into the budget, need the funding for this.

IV. NEW BUSINESS:



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A. Marilyn Young Bird

Starting a Safe Haven home in Parshall. Working on the land description. Texx Lone Bear already looked over the land description. The lease still might be under someone else, there is a lease out there. Make the motion subject to, there being no other lease, Texx Lone Bear will look into it.

Motion: Councilman Fred Fox move to forward to TBC subject to. Councilwoman V. Judy seconded the motion. Vote: 3-0-0. Motion carried.

B. North Dakota Highway 73 Project – KLJ

Travis W. showed a power point. Would like to make this road a 65 mile speed limit. Curve realignment. Need to have a passing lane by bear den and Serdahl place. Would like feedback on potential traffic detour. 37 miles in length. Councilman Randy Phelan would like to see a structured time frame. This is about a 15-20 million project. Field Surveys will be done. Permissions to survey will be done. Have been working with land owners with concerns. Will be working closely with Texx Lone Bear. Covered Environmental Process, throughout the process will have continuous Tribal and Agency Coordination. Right of Way Process was discussed. Covered a schedule, Councilman Randy Phelan would like their point person to keep in touch with Texx Lone Bear at least once a month.

C. 638 Weed Control Program – Jim Mossett

Item deferred.

D. Mandaree Fire Department – Mary Fredericks

Mary Fredericks updated on the building. The lease has went through to release the housing lease. Need to release and reserve. Can modify the current resolution. Mary met with Bill Jacobs, he stated they are not building anymore housing. Texx Lone Bear feels the resolution will need to be rescind.

Motion: Councilman Fred Fox moved to rescind Forth Berthold Housing Resolution, subject to modifying. Forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

E. Congregational Church White Shield

Need to connect sewer and water lines. Will need to put in a lift station or something else. Will need to put more in funding for this.

V. NATURAL RESOURCES – Texx Lone Bear, Director

A. Easements



Item deferred.

B. Land Sale

1) Dave Halstead in South Segment.

Area is by Hans Creek. Helstead wants 80 appraised around 28.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

2) Terry Mathson in North Segment.

Home and lot sale. 66X160 lot.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

3) New Town Health Support Corp.

In North Segment. Old nursing home in New Town T. Texx Lone Bear will check on it.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

C. Land Exchange

Adam Fredericks Allotment 2147. N1/2 SE1/4 NE1/4, S1/2 NE1/4 SE1/4, SE1/4 SE ¼, NE1/4 NE1/4, W1/2 E1/2, Sect. 2, T. 147N, R. 93W, FPMND.

THREE AFFILIATED TRIBES LAND REQUESTED FOR EXCHANGE:
Allotment T-751 A. Legal Description. Lot 3 (SW1/4 .NW1/4.) Lot 4 (NW1/4 SW1/4), Sec. 19, T. 150N, R. 93W, FPMND. Not ready for full tribal council yet. Motion to proceed with the transaction.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

Daniel Hall. 797A S~, Section34, T. 149 N., R. 94 W. 5th PMND McKenzie 320.00 Acres. / Section 27, T. 149 N., R. 94 W. 5th PMND McKenzie 320.00 acres. / Section 34, T. 149 N., R. 94 W. 5th PMND McKenzie 320.00 Total Acres and Value 320.00.

THREE AFFILIATED TRIBES LAND REQUESTED FOR EXCHANGE: I
T897A – Lot 2, SE1/4 NW1/4, North 209.55 ft. of the S1/2 NE1/4 Sw1/4, Section 18, T. 149 N., R. 94 W., 5th PMND. The property values of these tracts have changed in value over time. T897A. Right by his home site.



Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

D. Home Sites

1) Tedsena Lone Fight

In West Segment for a 2.5-acre home site on TFS3214992, Section 32, T. 149 N., R. 92 W., Dunn County, 5TH PM ofND, containing 100% Tribal ownership, more or less.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

2) Zelinda White Body

in Four Bears Segment for a 2.5-acre home site on Allotment 538A-A, Section 16, T. 152 N., R. 93 W., McKenzie County, 5TH PM of ND, containing an undivided 12.5% Tribal interest, more or less.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

3) Dream Catcher program

Texx Lone Bear received the property taxes. Texx Lone Bear is asking for permission to pay it.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

E. Agricultural / Farm Pasture Leasing

Blanket resolution. 26 tribal tracts. Renewing.

1) Luke/Melissa Spotted Bear

Tribal tract T310A-C described as NE1/4NE1/4, Section 11, Township 150 N., Range 90 W., Fifth Principal Meridian, North Dakota, containing 40.0 Pasture acres, rate of \$11.00 per acre, Total of \$440.00.

2) Wade Billadeau

Tribal tract T1360-A described as SE1/4SE1/4, Section 29, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, containing 40.0 Crop acres, rate of \$65.00 per acre, Total of \$2,600.00.

3) Stacey Roberts

Tribal tract T4053 described as NW1/4SE1/4, Section 34, Township 150N., Range 90 W., Fifth Principal Meridian, North Dakota, containing 40.0 Crop acres, rate of \$60.00 per acre, Total of \$2,400.00.



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- 4) **Stacey Roberts**
Tribal tract T326A-A described as NW1/4NW1/4, Section 22, Township 150 N., Range 90 W., Fifth Principal Meridian, North Dakota, containing 40.0 Crop acres, rate of \$60.00 per acre, Total of \$2,400.00.
- 5) **Stacey Roberts**
Tribal tract T314A-A described as W1/2NW1/4, Section 10, Township 149 N., Range 90 W., Fifth Principal Meridian, North Dakota, containing 74.0 Crop acres, rate of \$60.00 per acre, Total of \$4,440.00.
- 6) **Richard White Bear**
Tribal tract T170 A-D described as S1/2NE1/4, Section 22, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, containing 40.0 Pasture acres, rate of \$11.00 per acre, Total of \$440.00.
- 7) **Richard White Bear**
Tribal tract T1360-A described as SE1/4SE1/4, Section 29, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, containing 10.0 Pasture acres, rate of \$11.00 per acre, Total of \$110.00.
- 8) **Richard White Bear**
Tribal tract T95A-B described as S1/2SE1/4SW1/4, Section 28, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, containing 10.0 Pasture acres, rate of \$11.00 per acre, Total of \$110.00.
- 9) **Richard White Bear**
Tribal tract T170A-A described as SE1/4, Section 22, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, containing 160.0 Pasture acres, rate of \$11.00 per acre, Total of \$1,760.00.
- 10) **Richard White Bear**
Tribal tract T936A described as NW1/4, Section 28, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, containing 41.00 Pasture acres, rate of \$11.00 per acre, Total of \$451.00.
- 11) **Austin Gillette**
Taken Area (T.A.) described as Grass within Sections 3,4,9,10 & 11 , Township 147 N., Range 89 W., Fifth Principal Meridian, North Dakota, containing 446.0 Pasture acres, rate of \$11.00 per acre, Total of 4,906.00.
- 12) **Austin Gillette**
T828 described as SE1/4SE1/4, Section 3, Township 147 N., Range 89 W., Fifth Principal Meridian, North Dakota, containing 40.0 Pasture acres, rate of \$11.00 per acre, Total of \$440.00.
- 13) **Weston Schettler**
Tribal tract T3028 described as W1/2SE1/4, Section 10, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, containing 77.0 Crop acres, rate of \$52.00 per acre, Total of \$4,004.00.
- 14) **Noreen Massett**



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Tribal tract T704A-A described as W1/2SW1/4, Section 28, Township 147 N., Range 91 W., Fifth Principal Meridian, North Dakota, containing 80.0 Pasture acres, rate of \$11.00 per acre, Total of \$880.00.

15) Noreen Massett

Tribal tract T704A-B described as E1/2SW1/4, Section 28, Township 147 N., Range 91 W., Fifth Principal Meridian, North Dakota, containing 80.0 Pasture acres, rate of \$11.00 per acre, Total of \$880.00.

16) Noreen Massett

Tribal tract T704A-C described as W1/2SE1/4, Section 28, Township 147 N., Range 91 W., Fifth Principal Meridian, North Dakota, containing 80.0 Pasture acres, rate of \$11.00 per acre, Total of \$880.00.

17) Noreen Massett

Tribal tract T704A-D described as E1/2SE1/4, Section 28, Township 147 N., Range 91 W., Fifth Principal Meridian, North Dakota, containing 80.0 Pasture acres, rate of \$11.00 per acre, Total of \$880.00.

18) Devin Johnson

Tribal tract T285A described as NE1/4, Section 16, Township 150 N., Range 90 W., Fifth Principal Meridian, North Dakota, containing 157.40 Crop acres, rate of \$60.00 per acre, Total of \$9,444.00.

19) Chad Pennington

Tribal tract T407A-A/A-B described as SW1/4, Section 12, Township 150 N., Range 93 W., Fifth Principal Meridian, North Dakota, containing 117.70 Crop acres, rate of \$40.00 per acre, Total of \$4,708.00.

20) Chad Pennington

Tribal tract T3063 described as W1/2NE1/4, Section 22, Township 150 N., Range 92 W., Fifth Principal Meridian, North Dakota, containing 52.0 Crop acres, rate of \$40.00 per acre, Total of 2,080.00

21) Matthew Gilbertson

Tribal tract T2277/T3044 described as SE1/4, Section 33, Township 150 N., Range 90 W., Fifth Principal Meridian, North Dakota, containing 56.00 Crop acres, rate of \$60.00 per acre, Total of \$3,360.00.

22) Matthew Gilbertson

Tribal tract T317A-A/A-C/A-E described as NE1/4, Section 33, Township 149 N., Range 90 W., Fifth Principal Meridian, North Dakota, containing 52.0 Crop acres, rate of \$60.00 per acre, Total of \$3,120.00.

23) Matthew Gilbertson

Tribal tract T357 A described as SE1/4, Section 32, Township 150 N., Range 90 W., Fifth Principal Meridian, North Dakota, containing 123.0 Crop acres, rate of \$60.00 per acre, Total of \$7,380.00.

24) Matthew Gilbertson

Tribal tract T356A-A described as W1/2NW1/4, Section 32, Township 150 N., Range 90 W., Fifth Principal Meridian, North Dakota, containing 78.0 Crop acres, rate of \$60.00 per acre, Total of \$4,680.00.



25) Matthew Gilbertson

Tribal tract T252A-A described as S1/2NE1/4, Section 26, Township 150 N., Range 90 W., Fifth Principal Meridian, North Dakota, containing 73.10 Crop acres, rate of \$60.00 per acre, Total of \$4,386.00.

26) Matthew Gilbertson

Tribal Fee tract TF003 described as SE1/4, Section 20, Township 150 N., Range 88 W., Fifth Principal Meridian, North Dakota, containing 124.40 Crop acres, rate of \$60.00 Total of \$7,464.00.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

F. Game and Fish – Antoine Smith, Director

WPX Pad, Antione gave an update. There is a bald eagle nest there. Gave an update on the Big Horn Sheep, The sheep will be in on Tuesday. Texx Lone Bear would like a video on this, possibly drone. There is a resolution for spills, can we include this into that.

Motion: Councilman Fred Fox moved to have Clear Advantage video the event. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

Press on the Big Horn Sheep, we have been directing them to the Chairman's office. Is Game and fish authorized to visit with the press, Councilman Randy Phelan suggested to get a hold of the Chairman's office.

G. Tribal Utilities – Justin Spotted Bear, Director

Provided an update and handout. Seeking additional funding for 2 more lift stations.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

VI. ADJOURNMENT:

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilwoman V. Judy Brugh seconded the motion. Meeting adjourned at 12:57PM.




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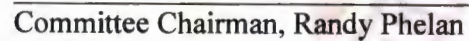
CERTIFICATION

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 26th day of 2020, 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 26th day of February, 2020.

ATTEST:


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


Committee Chairman, Randy Phelan
Tribal Business Council
Three Affiliated Tribes