



CALL TO ORDER:

Councilman Randy Phelan called the meeting to order at 11:43 AM.

PRAYER:

Bryon J. Brady Jr.

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:

- **December 10th, 2019 Natural Resource Committee Minutes**
- **January 23rd, 2020 Natural Resource Committee Minutes**

Motion: Councilman Fred Fox moved to approve the January 23rd, 2020.
Natural Resource Committee Minutes with minor edits. Councilwoman V.
Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

III. NEW BUSINESS:

A. Bureau of Indian Affairs Lease Modification Request

Lonnie Wright brought up provisions that are required by 25 CFR 162 part 3 the 300's and 313 are mandatory provisions that are required in all homesite leases/Residential leases weather they are on a lot or tribal land. What was noticed was one of the most resident leases that were on 100% tribal land where some of these mandatory provisions are there. One of the leases, the mandatory provisions were missing from the leases. The tribe can have a resolution included to say something like 2 cars on lots, or other requirements. This can be included in the provision. Need a homesite lease for allotted land, two to five owners' need 90%. If its allotted land you would need a lease. Even if owned 100% I'd still have a lease, in cases they pass the house down to more than one person. Derick from MWEC noted that sometimes there are a third party in the system. States he asks if the land owner comes in with a homesite. Lonnie Wright states if there are heirs they should have this legally in place. Councilman Randy Phelan asked Derick if there can be a tradeoff for the free ROW the tribe gives compared to MWEC charging the Tribe and homeowners for poles. Would be good to take back to coop. Derick will have a MWEC rep to join him next meeting.



Exiting homesite lease 162313. Texx Lone Bear will make the resolution and bring back to March 17th Natural Resource Committee, First draft.

First tribal lending. Lonnie Wright will make sure we are all on the same page on this. There are 14 agencies that used this lease.

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

IV. NATURAL RESOURCES – *Texx Lone Bear, Director*

A. Easements

1) **McKenzie Electric Cooperative – Four Bears Segment**

Rerouting a service line for the Interpretive Center. Will be going across an additional allotment T549A. They want to connect to Brooks Heights by the road.

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

2) **Mountrail Williams Electric Cooperative – North Segment**

Request for an easement across Tribal T1438. Located north of the Catholic Church. Putting in a three phase power going across it. It is 100% tribally owned tract. It will be an upgrade they only have a single phase in now and it's for the whole community.

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

3) **South Dakota Department of Transportation**

Property the Three Affiliated Tribes owns in South Dakota. The Department of Transportation of South Dakota would like a temporary easement to widen a road. A Hall family lives there. They are going to pay the Tribe \$405.60.

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

Have property that East Segment might want to utilize. Currently has Fort Berthold Housing Authority units on it. Texx Lone Bear would like more time to work on this. Housing Authority is will to work with me on this. Would like to do this in every segment. A lot of these leases have expired or are ready to expire.



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCE COMMITTEE
FEBRUARY 26th, 2020 MINUTES
[NO CLOSED SESSION CONTENT]

Motion: Councilman Fred Fox moved to bring back on March 17th NRC. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: FBHA will work with segments on whose is leasing. Have a home owner, he probably received a lease from the tribe 25 years ago and it is 2 1/2 acres of the parcel of 1255A 40 acre parcel in White Shield. The person is still living there. Her unit will need to get conveyed and then come to the tribe for the 2 1/2 acres. The rest of the land is where FBHA rental units are, we are working on this currently. Working on ownership ones. When it gets done the segments can work with the homeowner with remodeling. Texx will set up a meeting with FBHA for a plan, but would like representatives from each segment to be at the meeting.

B. Home Sites

Resolution, the Committee didn't know about these. Will bring these back on March 17th. Have issues with the one with the oil well.

1) Fort Berthold Housing Authority – East Segment

Item deferred.

2) TJ Plenty Chief – North Segment

Item deferred.

3) Kim Dickins – East Segment

2.5-acre home site on T2088, Section 25, T. 148N., R. 88W., McLean County, 5th PM of ND, containing 100% Tribal ownership, more or less.

4) White Elk Dickins – East Segment

2.5-acre home site on T2088, Section 25, T. 148N., R. 88W., McLean County, 5th PM of ND, containing 100% Tribal ownership, more or less.

5) Parker Gwin – West Segment

2.5-acre home site on T696A-C, Section 11, T. 149N., R. 94W., McKenzie County, 5th PM of ND, containing 100% Tribal ownership, more or less.

6) Edward Finley – West Segment



2.5-acre home site on Allotment 550A, Section 22 & 33, T. 152N., R. 94W., McKenzie County, 5th PM of ND, containing an 100% Tribal interest, more or less.

7) Reba Foote – Northeast Segment

2.5-acre home site on Allotment T210A, Section 8, T. 149N., R. 90W., McLean County, 5th PM of ND, containing an 100% Tribal interest, more or less.

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

C. Agricultural/Farm Pasture Leasing

- 1) Resolution entitled “*Agricultural Leases on Tribal Land*”. 6 Applicants. 23 Tribal Tracts. Renewing.

Motion: Councilman Fred Fox moved to forward to TBC.

- **Lyle Harris**, Tribal tract, T719 described as SE1/4NE1/4, Section 8, Township 147N., Range 88W., Fifth Principal Meridian, North Dakota, containing 30.24 Crop acres, Rate of \$63.00 per acre, total of \$1,905.12 as described in Appendix A.1
- **Lyle Harris**, Tribal tract, Taken Area (T.A.) described as N1/2NW1/4NE1/4, Section 17, Township 147N., Range 88W., Fifth Principal Meridian, North Dakota, containing 18.93 Crop acres, Rate of \$63.00 per acre, total of \$1,192.59 as described in Appendix A.2
- **Donovan Dixon**, Tribal tract, T1280 described as SW1/4, Section 34, Township 149N., Range 90W., Fifth Principal Meridian, North Dakota, containing 63.0 Crop acres, Rate of \$55.00 per acre, total of \$3,465.00 as described in Appendix A.3
- **Donovan Dixon**, Tribal tract T222A described as S1/2SW1/4, Section 2, Township 148N., Range 90W., Fifth Principal Meridian, North Dakota, containing 69.0 Crop acres, Rate of \$55.00 per acre, total of \$3,795.00 as described in Appendix A.4
- **Donovan Dixon**, Tribal tract, T968 described as W1/2SE1 /4, Section 34, Township 149N. , Range 90W., Fifth Principal Meridian, North Dakota, containing 80.0 Crop acres, Rate of \$55.00 per acre, total of \$4,400.00 as described in Appendix A.5
- **Donovan Dixon**, Tribal tract, T32A-A described as N1/2NE114, Section 34, Township 148N., Range 89W., Fifth Principal Meridian,



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCE COMMITTEE
FEBRUARY 26th, 2020 MINUTES
[NO CLOSED SESSION CONTENT]

North Dakota, containing 80.0 Crop acres, Rate of \$55.00 per acre, total of \$4,400.00 as described in Appendix A.6

- **Donovan Dixon**, Tribal tract, T1293 described as S1/2NE1/4, Section 34, Township 148N., Range 89W., Fifth Principal Meridian, North Dakota, containing 80.0 Crop acres, Rate of \$55.00 per acre, total of \$4,400.00 as described in Appendix A.7
- **Donovan Dixon**, Tribal tract, T1060 described as N1/2SE1 /4, Section 33, Township 149N., Range 90W., Fifth Principal Meridian, North Dakota, containing 80.0 Crop acres, Rate of \$55.00 per acre, total of \$4,400.00 as described in Appendix A.8
- **Blaine Fox**, Tribal tract, T1056 described as Lot 2,3 & 4, Section 6, Township 148N., Range 90W., Fifth Principal Meridian, North Dakota, containing 79.91 Crop acres, Rate of \$55.00 per acre, total of \$4395.00 as described in Appendix A.9
- **Blaine Fox**, Tribal tract, T1145 described as W1/2SE1/4, Section 3, Township 147N., Range 88W., Fifth Principal Meridian, North Dakota, containing 72.73 Crop acres, Rate of \$55.00 per acre, total of \$4000.15 as described in Appendix A.10
- **Blaine Fox**, Tribal tract, T487A described as S1/2NE1/4, Section 33, Township 149N., Range 90W., Fifth Principal Meridian, North Dakota, containing 80.00 Crop acres, Rate of \$55.00 per acre, total of \$4,400.00 as described in Appendix A.11
- **Jerry Kerzman, Jr.**, Tribal tract T968 described as W1/2SE1/4, Section 34, Township 149N., Range 90W., Fifth Principal Meridian, North Dakota, containing 68.3 Crop acres, Rate of \$52.00 per acre, total of \$3,551.60 as described in Appendix A.12
- **Jerry Kerzman, Jr.**, Tribal tract T1021 described as W1/2SE1 /4, Section 22, Township 149N., Range 90W., Fifth Principal Meridian, North Dakota, containing 79.0 Crop acres, Rate of \$52.00 per acre, total of \$4,108.00 as described in Appendix A.13
- **Jerry Kerzman, Jr.**, Tribal tracts T3041/T1018 described as NE1/4, Section 27, Township 149N., Range 90W., Fifth Principal Meridian, North Dakota, containing 145.0 Crop acres, Rate of \$52.00 per acre, total of \$7,540.00 as described in Appendix A.14
- **East Segment Ree Ranch**, Tribal tract, T1234/T68A described as S1/2NW1/4, SE1/4, Section 24, Township 148N., Range 88W., Fifth Principal Meridian, North Dakota, containing 240.0 Pasture acres, Rate of \$11.00 per acre, total of \$2,640.00 as described in Appendix A.15
- **East Segment Ree Ranch**, Tribal tract, T898/T2275 described as NE1/4SW1/4, NW1/4SE1/4, Section 26, Township 148N., Range 88W., Fifth Principal Meridian, North Dakota, containing 80.00



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCE COMMITTEE
FEBRUARY 26th, 2020 MINUTES
[NO CLOSED SESSION CONTENT]

Pasture acres, Rate of \$11.00 per acre, total of \$880.00 as described in Appendix A.16

- **East Segment Ree Ranch**, Tribal tract, T467A-A/ T467A-D described as SW1/4SW1/4, SE1/4SW1/4, Section 27, Township 148N., Range 88 W, Fifth Principal Meridian, North Dakota, containing 80.0 Pasture acres, Rate of \$11.00 per acre, total of \$880.00 as described in Appendix A.17
- **East Segment Ree Ranch**, Tribal tract, T113A-A/ T113A-B described as E1/2SW1/4NE1/4, NW1/4NE1/4, W1/2SW1/4NE1/4, Section 17, Township 148N., Range 88W., Fifth Principal Meridian, North Dakota, containing 80.0 Pasture acres, Rate of \$11.00 per acre, total of \$880.00 as described in Appendix A.18
- **East Segment Ree Ranch**, Tribal tract, T58A-A described as SW1/4NW1/4, Section 9, Township 148N., Range 88W., Fifth Principal Meridian, North Dakota, containing 40.0 Pasture acres, Rate of \$11.00 per acre, total of \$440.00 as described in Appendix A.19
- **East Segment Ree Ranch**, Tribal tract, T2088-A described as S 1/2NW1/4, Section 25, Township 148N., Range 88W., Fifth Principal Meridian, North Dakota, containing 80.0 Pasture acres, Rate of \$11.00 per acre, total of \$880.00 as described in Appendix A.20
- **East Segment Ree Ranch**, Tribal tract, T1490/T1494/T1500 described as Lots 1,2,3,4, S1/2SW1/4, E1/2SE1/4, Section 5, Township 148N., Range 88W., Fifth Principal Meridian, North Dakota, containing 261.12 Pasture acres, Rate of \$11.00 per acre, total of \$2,872.32 as described in Appendix A.21
- **Ethan & Greta White Calfe**, described as T.A. (Taken Area) as Grass within Sections 8,9,10,11,15, & 16, Township 147N., Range 87W., Fifth Principal Meridian, North Dakota, containing 430.0 Pasture acres, rate of \$11.00 per acre, total of \$4,730.00 as described in Appendix A.22
- **Ethan & Greta White Calfe**, described as T.A. (Taken Area) as Grass within Sections 13,14 & 15, Township 147N., Range 87W., Fifth Principal Meridian, North Dakota, containing 231.0 Pasture acres, Rate of \$11.00 per acre, total of \$2,541.00 as described in Appendix A.23

Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0.
Motion carried.

2) **Blanket Resolution.** 9 Applicants. 16 Tribal Tracts. Renewing.



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCE COMMITTEE
FEBRUARY 26th, 2020 MINUTES
[NO CLOSED SESSION CONTENT]

- **Richard Risan**, Tribal tract, T1526 described as W1/2NW1/4, Section 15 Township 150N., Range 90W., Fifth Principal Meridian, North Dakota, containing 79.0 Crop acres, Rate of \$60.00 per acre, total of \$4,740.00 described in Appendix A.1
- **James D. Foote, Jr.** Tribal tract, T318A-A/ T318A-C described as W1/2, Section 11, Township 149N., Range 90W., Fifth Principal Meridian North Dakota, containing 200 Pasture acres, Rate of \$11.00 per acre, total of \$2,200.00 as described in Appendix A.2
- **Lorraine Howe**, Tribal tract, T1108A-A/T1108A-B described as NE1/4, E1/2NW1/4, Section 18, Township 148N., Range 94W., Fifth Principal Meridian, North Dakota, containing 275.32 Pasture acres, Rate of \$11.00 per acre, total of \$3,028.52 as described in Appendix A.3
- **Wilbur Hunts Along**, Tribal tract, T1815 described as SW1/4NW1/4, W1/2SW1/4, Lot 4 of Section 1 & E1/2SE1/4, Lot 1 of Section 2, Township 148N., Range 92W., Fifth Principal Meridian, North Dakota, containing 300.61 Pasture acres, Rate of \$11.00 per acre, total of \$3,306.71 as described in Appendix A.4
- **Wilbur Hunts Along**, Tribal tract, T1730-B described as N1/2SE1/4, Section 30, Township 149N., Range 91W., Fifth Principal Meridian, North Dakota, containing 73.0 Pasture acres, Rate of \$11.00 per acre, total of \$803.00 as described in Appendix A.5
- **Matthew Mason**, Tribal tract, T442A-A described as S1/2NW1/4, W1/2NW1/4NW1/4 Section 23, Township 150N., Range 92W., Fifth Principal Meridian, North Dakota, containing 100.00 Pasture acres, Rate of \$11.00 per acre, total of \$1,100.00 as described in Appendix A.6
- **Matthew Mason**, Tribal tract, T442A described as N1/2SW1/4, S1/2S1/2NW1/4, W1/2SW1/4SW1/4, Section 14, Township 150N., Range 92W., Fifth Principal Meridian, North Dakota, containing 140.00 Pasture acres, Rate of \$11.00 per acre, total of \$1,540.00 as described in Appendix A.7
- **Matthew Mason**, Tribal tract, T384A-A described SW1/4, Section 27, Township 150N., Range 92W., Fifth Principal Meridian, North Dakota, containing 160.00 Pasture acres, Rate of \$11.00 per acre, total of \$1,760.00 as described in Appendix A.8
- **Matthew Mason**, Tribal tract, T1448 described as E1/2NE1/4, Section 22, Township 150N., Range 92W., Fifth Principal Meridian, North Dakota, containing 80.00 Pasture acres, Rate of \$11.00 per acre, total of \$880.00 as described in Appendix A.9
- **Matthew Mason**, Tribal Fee tract, TF394A-F described as S1/2SW1/4, Section 2, Township 150N., Range 92W., Fifth Principal



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCE COMMITTEE
FEBRUARY 26th, 2020 MINUTES
[NO CLOSED SESSION CONTENT]

- Meridian, North Dakota, containing 80.00 Pasture acres, Rate of \$11.00 per acre, total of \$880.00 as described in Appendix A.10
- **Matthew Mason**, Tribal tract, TF007 described as N1/2SE1/4, S1/2NE1/4, NE1/4NE1/4, Section 28, Township 150N., Range 92W., Fifth Principal Meridian, North Dakota, containing 106.00 Pasture acres, Rate of \$11.00 per acre, total of \$880.00 as described in Appendix A.11
 - **Jim Pennington**, Tribal tract, T439A-A described as E1/2NW1/4SW1/4, NE1/4SW1/4, Section 8, Township 150N., Range 93W., Fifth Principal Meridian, North Dakota, containing 60.00 Pasture acres, Rate of \$16.00 per acre, total of \$960.00 as described in Appendix A.12
 - **Darren Jo Myrick**, Tribal tract, A/T483A-A described as NE1/4, Sections 12 & 13, Township 150N., Range 90W., Fifth Principal Meridian, North Dakota, containing 150.00 Pasture acres, Rate of \$11.00 per acre, total of \$1,650.00 as described in Appendix A.13
 - **Todd Zahnow**, Tribal tract, T299-B described as SE1/4NW1/4, Section 35, Township 149N., Range 89W., Fifth Principal Meridian, North Dakota, containing 37.50 Crop acres, Rate of \$60.00 per acre, total of \$2,250.00 as described in Appendix A.14
 - **Hollis Blake**, Tribal tract, T531A-B described as S1/2NW1/4, Section 29, Township 152N., Range 94W., Fifth Principal Meridian, North Dakota, containing 24.0 Pasture acres, Rate of \$11.00 per acre, total of \$264.00 as described in Appendix A.15
 - **Hollis Blake**, Tribal tract, T567A-E described as Lots 3 & 4, Section 30, Township 152N., Range 94W., Fifth Principal Meridian, North Dakota, containing 24.0 Pasture acres, Rate of \$11.00 per acre, total of \$766.70 as described in Appendix A.16

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

D. Fish & Wildlife – Antoinne Fettig, Director

Item deferred.

E. Environmental Division – Edmund Baker, Director

Item deferred.

F. Fire Management – Marle Baker



Item deferred.

G. Fort Berthold Rural Water (FBRW) – Pem Hall, Director

Item deferred.

H. Tribal Utilities

Item deferred.

I. Buffalo Ranch Agreement

ROW for the Buffalo Ranch. Tony sat in Derick of MWEC. Trying to fast track and get electricity. Derick is working with QEP to defray some of the cost. Get the amount for the extension pass, Delvin will work on it. Send the agreement to Delvin. Buffalo ranch agreement. Derick will research and bring it back. The amount for the agreement for the Buffalo Ranch \$89,000. Some of it was paid, \$34,000.

Motion: Councilman Fred Fox moved forward to TBC subject to getting the exact amount left to pay and the Right of Way Consent. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: Need to bring the exact amount to TBC and the Right of Way Consent. Need to keep the GIS informed so they can track. Will do section lines rather than allotment numbers because it is so big.

V. ADJOURNMENT:

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilwoman V. Judy Brugh seconded the motion. Meeting adjourned at 12:30PM.




THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCE COMMITTEE
FEBRUARY 26th, 2020 MINUTES
[NO CLOSED SESSION CONTENT]

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 27th day of October, 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 27th day of October, 2020.

ATTEST:


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


Committee Chairman, Cory Spotted Bear
Tribal Business Council
Three Affiliated Tribes