



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCE COMMITTEE
SEPTEMBER 2nd, 2020 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

CALL TO ORDER:

Councilman Cory Spotted Bear called the meeting to order at 1:24 PM.

PRAYER:

Bryon J. Brady.

ROLL CALL:

Present: Councilwoman Monica Mayer, Councilman Cory Spotted Bear, Councilman Fred Fox, & Councilwoman V. Judy Brugh. *Quorum established.*

I. APPROVAL OF AGENDA:

Motion: Councilman Fred Fox moved to approve the agenda. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

II. APPROVAL OF MINUTES:

- **December 10th, 2019 Natural Resource Committee Minutes**
- **February 26th, 2020 Natural Resource Committee Minutes.**
- **April 29, 2020 Natural Resource Committee Minutes.**
- **July 23, 2020 Natural Resource Committee Minutes.**

Motion: Councilman Fred Fox moved to approve July 23rd, 2020 Natural Resource Committee Minutes with corrections. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

III. NEW BUSINESS:

A. Natural Resources Conservation Service

Mary Podoll a ND State Conservationist will be attending a meeting next week regarding tribal input on the farm bill will visit Fort Berthold. Could we put together activity or luncheon, maybe at the 4Bears Casino. Could take her on the yacht and tour also. Sept 10th would work. Councilman Cory Spotted Bear asked about a budget, Texx Lone Bear noted about \$1,500 max.

Motion: Councilwoman Monica Mayer moved for \$1,500 from funding 132. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

IV. NATURAL RESOURCES– Texx Lone Bear, Director

A. Easements

Edward Danks Road Easement, allotment No. T2131. Located in the west half of Section 10, Township 149 North, Range 92 West, Fifth Principle Meridian, Dunn County, ND.



Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

Discussion: Resolution is ready.

B. Home Sites

Adam Fredericks. Allotment No. T15122 T. 148 R. 92 Section 33, SE1/4, SE1/4, NW1/4, NW1/4. Councilman Randy Phelan gave Texx Lone Bear recommended approval.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

C. Agricultural / Farm Pasture Leasing

Resolution entitled, “*Agricultural Leases on Tribal Land.*” One lease. Kevin Finley application. There is about 4 acres sits right in front of my Uncle Valentines place where my cousin Darryl Finley lives. This is Tribal land. For the going rate to put horses on.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

FTR: Chairman Mark N. Fox joined the meeting.

D. Mineral Return – Marcus Levings, Marvin Danks

Have been in the works for 28 years. We would like to present the committee with our concerns. Would like to move forward with this mineral return. Marcus would like these to go back to the rightful owners. We would like to correctly present this to Council. A second law passed in 1994, and has not moved since. We have a Resolution in draft form. Mervin stated most of his family is gone; we need to look out for the children. John Fredericks spoke about the legal parameters of the big Missouri. The River Bed will always belong to the tribe and allottees. The Tribe does not have to convey only congress can do this. Asking for support for the fight for allottee mineral return. Chairman Mark N. Fox states he is an allottee too. We need to have a work session on this. Need to have a work session.

Motion: Councilwoman Monica Mayer moved to approve a full work session, and work on a resolution to support. Councilman Fred Fox seconded the motion. Vote: 5-0-0. Motion carried.

E. Range Unit 204 – Susie Fredericks

See Closed Session.



F. Emergency Response Center - Mary Fredericks

The Emergency Response Center is ready for electric service hook up from McKenzie Electric. They wanted \$57,000. There is a 20% cost increase due to having to get a Right of Way. If we do our own Right of Way, we can take \$15,000 off of that. The Right of Way is on Tribal land. If Mary can get the ROW she can give it to the electricity company. Need to have ROW done by TBC.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 5-0-0. Motion carried.

G. Range Unit 204 – Danny Hall

Kayla Danks asked if there was another resolution issued on Danny Hall. She has a resolution but it is unsigned. He wanted to exchange 120 acres for 120 acres. 79 acres of tribal land, Allotment no. 301797A for 26.67 acres of Danny's land. Allotment no. 301798A for 39.99 acres. Allotment 800A for 40 acres. Total of 186 acres, Danny Hall's land is 106 acres, 79.65 for tribal acres. Total appraisal of Danny's land comes up to 100,317.64 and the appraisal for the tribal is 111,510 for the tribal tract. Danny Hall states when he purchased the land it was 40 acres, 40 acres and 40 acres and now they have him down to 106 acres. Danny Hall states he should have 120 in Mandaree. Danny Hall wants to trade acre for acre, but should be value for value. Danny Hall bought 120 acres and BIA only shows he has 106 acres. This has been going on for thirteen years. The two issues that need to be resolved is Danny bought 120 acres and only 106 is recorded at the BIA and Danny Hall is trying to trade acre for acre but there is a law that he has to go value for value. Texx Lone Bear will help Danny Hall meet with the BIA. They need to set up a meeting. Texx Lone Bear has a resolution but does not have amounts.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 5-0-0. Motion carried.

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

Presenting a resolution for the installation of a rural water pipeline on tribal fee land in the Thunder Butte area, section 20. The resolution is under Legal review.

Motion: Councilman Fred Fox moved to forward to TBC. Chairman Mark N. Fox seconded the motion. Vote: 3-0-1. Motion carried.

I. Tribal Utilities – Justin Spotted Bear, Director



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Item deferred.

V. **CLOSED SESSION**

A. **Range Unit 201 – Susie Fredericks**

B. **ADJOURNMENT:**

Motion: Councilman Fred Fox moved to adjourn the meeting. Chairman Mark N. Fox seconded the motion. Meeting adjourned at 3:05 PM.





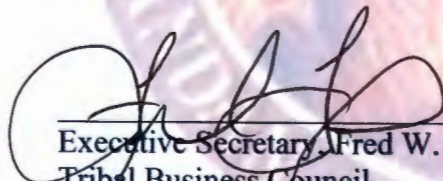
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CERTIFICATION

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 2nd 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 2nd 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