



CALL TO ORDER:

Councilman Cory Spotted Bear called the meeting to order at 12:10 PM

I. ROLL CALL:

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

II. APPROVAL OF AGENDA:

Motion: Councilwoman Monica Mayer moved to approve the agenda. Council Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

III. APPROVAL OF MINUTES:

- **June 1st, 2023 Natural Resources Committee Minutes**
- **July 12th, 2023 Natural Resources Committee Minutes**
- **August 8th, 2023 Natural Resources Committee Minutes**

Items deferred.

IV. NEW BUSINESS:

A. Karen Smith – South Segment

See Closed Session

B. James Mossett – Land Exchange Request

Increase farm appraised \$2,000 an acre and the Tribe approved it. BIA won't approve it. Here today to follow up, Tex Lone Bear said there are some changes. Jim asked the tribe \$6,100 40 acres farmland in White Shield 15 farmland Lucky Mound. Appraisal \$200,400. Asking \$6,000 will move to full council.

Motion: Councilwoman Monica Mayer moved to forward to TBC. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

V. NATURAL RESOURCE DEPARTMENT: - *Tex Lone Bear, Director*

A. Natural Resource Department Safety Awards Banquet

Requesting a budget increase to put on a Safety Awards Banquet for employees in the amount of \$30,000. The departments involved are Natural Resources, Tribal Realty, Tribal Leasing, Tribal Range, Tribal Environmental Division, Energy Division, Pipeline Safety, Tribal Game and Fish Division and Fire Management Division.



Motion: Councilwoman Monica Mayer moved to forward to TBC. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

B. Natural Resource Department – Lease Compliance Office Staffing Request
Seeking an additional \$400,000 to the budget to hire 3 more Compliance Officers.

FTR: Councilwoman Sherry Turner Lone Fight joined the meeting.

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

C. Land Exchanges:

1) Edward H. Hall – Northeast/East Segment

Item deferred.

2) City of New Town – North Segment

In this exchange, the tribe will attain the Rodeo grounds, softball field and the old Trail Theater land. The City of New Town will receive the land across from Better B's. They already own the land where the Vo-Ag building used to be. The building the city wants is the Old LCM Building. That building needs to be condemned and demolished. With these two lots, the City of New Town wants to build a movie theater and have space for parking. The price difference is \$125,000.

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

D. Land Sale

1) Dennis Pederson Estate – North Segment

Current negotiating price is at \$50,000.

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

E. Building Purchase

1) Robert Gorder Estate – North Segment

Old Legal Services building on Main Street in New Town with an asking price \$170,000. The lot is \$50,000.00 of that. After inspection it was found to have no vapor barrier and the presence of mold.



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

2) Building Inspection Report

Item deferred.

3) Vinson Olson Child Day Care – Bismarck, ND

The request is from the Chairman's Office. The asking price is \$640,000.00. The committee advised them to get an appraisal and ask about parking. Then bring it back to the committee.

F. Return to Trust (5 parcels of Tribal Fee Properties)

Seeking to move a total 1,200 acres to from fee to trust. Will notify the respective segment representatives of property in their segments.

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

G. Natural Resource Dept. Vehicle Purchase

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

H. Range Riders – Jesse Baker, Director

1) Katheryn Froelich-East Segment

Ms. Froelich presented an issue in the East Segment. She owns land along with her siblings. Cattle on the land was impounded. The cattle were on trust land. She read through a letter she prepared for the meeting. There were 150 cattle with calves impounded on trust land. This incident occurred on October 4, 2023. They have not received a response from Chairman Fox or BIA. (Rick Clifford) Ms. Froelich stated that this has affected their livelihood. She feels this occurred because of the former leaser retaliating. They got the lease and not them. They put up a new fence and somebody cut all their new fence.

Councilman Fred Fox stated that Louie Simonson stated that the cattle in there are from a brand of a non-Indian. Jesse Baker explained to the committee what he observed at the land in question. He stated Ms. Froelich and family should have been notified prior to the cattle being taken. Councilman Fred Fox and Councilman Monical Mayer stated that the process was not followed when the cattle were impounded. The cattle were on tribal members land on



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCE COMMITTEE MEETING
NOVEMBER 1st, 2023 MINUTES
[CLOSED SESSION CONTENT EXCLUDED]

the reservation. Councilman Fred Fox stated that this issue will be brought up in TBC.

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

2) Range Unit 913-North Segment

Leo Cummings and Gary Danks issue. Mr. Cummings had the lease alone prior to splitting it with Mr. Danks. Mr. Cummings went to apply, and BIA advised him to hold off a bit. During that time, Mr. Danks was awarded the unit. This RU is in North Segment. This issue is moved to TBC.

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

3) Range Units 18, 41, 140-North Segment

These were allocated to the late Mathew Mason (Screech). They will be listed under his estate. The cattle can remain there. At the end of the lease, the family will be notified. In 2026 the leases will end. No action at this time, it will be investigated further.

4) Range Unit 17B-South Segment

Gainus Little Soldier trespass issue. It was recommended that Mr. Little Soldier provide proof of ownership. Mr. Little Soldier stated he was going to speak to the Tribe but he had not yet. At one time the TBC voted to cancel his lease. It went through committee but was not acted upon in TBC. Moved to TBC closed session.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman Sherry Turner-Lone Fight seconded the motion. Vote: 3-0-0. Motion carried.

5) Range Unit 101B-West Segment

This was allocated to Randy Phalen. The landowner asked why they were not getting paid. This RU was severely over grazed. It was decided not to allocate until 2024. The committee stated that the tribe should pay the landowner when their land is not leased out. That RU should be left alone for a couple years. Approval for compensation to the landowner of RU 101B.

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman Sherry Turner-Lone Fight seconded the motion. Vote: 3-0-0. Motion carried.



6) Range Unit 1-West Segment

This one was allocated to CJ Johnsrud. His lease was canceled. Mr. Baker stated Mr. Johnsrud appealed with tribal court. Councilman Cory Spotted Bear stated that at this point, the Legal Department should take over on this and Mr. Baker would keep the committee updated.

VI. Fort Berthold Rural Water (FBRW)

A. Rural Water Director - *Joseph Silveria, Director*

1) Task Order Signatory Authorization

Resolution authorizing the FBRW Director to sign off on Task Orders for consultants.

Motion: Councilwoman Monica Mayer moved to forward to TBC. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

2) ROW East Segment for Travis Jenson Water Connection

Resolution for a ROW in the East segment for Travis Jenson

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

3) Department of Water Resources Grant Application

Approval to apply to the Department of Water Resources from the Governor's Office. The amount will be 50 million dollars. This will be for the Four Bears Segment for a new water treatment plant. This is in Legal review. They are out of capacity in the Four Bears Segment.

Motion: Councilwoman Monica Mayer moved to forward to TBC. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

4) ROW South Segment for Howling Wolf Water Connection

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

5) ROW East Segment PJ DeMarce Water Connection

Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.



6) ROW North East Segment Tyra Wilkinson Water Connection

Motion: Councilwoman Monica Mayer moved to forward to TBC.
Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

B. Tribal Utilities - Michael Bintliff

Item deferred.

VII. Public Works:

A. Solid Waste - Kanzas Johnson, Director

Item deferred.

VIII. CLOSED SESSION:

A. Range - Jesse Baker

B. Karen Smith – South Segment

IX. ADJOURNMENT:

Motion: Councilwoman Monica Mayer moved to adjourn. Councilman Fred Fox seconded the motion. Meeting adjourned at 2:28 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 4 were present at the meeting thereof duly called, notice, convened and held on the 29th day of November, 2023, that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 4 members; 0 members opposed; 0 members abstained; 0 members not voting.

Dated this 29th day of November, 2023.

ATTEST:

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

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