



**CALL TO ORDER:**

Councilman Cory Spotted Bear called the meeting to order at 12:52 PM.

**ROLL CALL:**

***Present:*** Councilwoman Monica Mayer, Councilman Fred Fox, Councilwoman Sherry Turner-lone Fight, & Councilman Cory Spotted Bear. *Quorum established.*

**I. APPROVAL OF AGENDA:**

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

**II. APPROVAL OF MINUTES:**

- **June 1<sup>st</sup>, 2023 Natural Resource Committee Minutes**
- **July 12<sup>th</sup>, 2023 Natural Resource Committee Minutes**

*Items deferred.*

- **November 1<sup>st</sup>, 2023 Natural Resource Committee Minutes.**

***Motion:*** Councilwoman Monica Mayer moved to approve the November 1<sup>st</sup>, 2023 subject to minor corrections. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

**III. NEW BUSINESS:**

**A. USDA Tribal Liaison – *Tim Cogger***

Texx Lone Bear introduced the new USDA Tribal Liaison. Previously worked for the NRCS for 7 years and in the military for 13. Originally from Minnesota.

**B. U.S. Forest Service – *Bethany Ihle, Dakota Prairie Grasslands***

Beth introduced herself to the Committee as the new Dakota Prairie Grasslands Supervisor. Has been in the Forrest Service for 35 years. In her position she is the lead for the Cheyenne, Grand River, Cedar River & Little Missouri grasslands. She has her office & staff in Bismarck. They conduct range inventory with the grazing allotments. Introduced their Early Engagement on the Transportation Planning effort for roads & trails within the grasslands to produce maps where people can drive and cannot. NEPA also must be conducted on these roads.

**C. Global Waters Proposal – *Jeff Llewellyn Mitchel Green, Willowstick Head Geologist and Jose Montoya***

Would like to gather mapping data on the reservation. Developed substantial resources & tools for mapping ground water. Gamma studies and micro seismic resonance (MSR). Provided an overview of scenarios of their process. Would like to develop a partnership with the tribe to develop their water resources and underground water issues. Joe Silveria noted that it is a good opportunity to map the reservation aquifers and recommends that they come back with a good executive summary of deliverables & costs. The product could be licensed to the tribe with GIS. Also noted there may be an opportunity for Federal funding. The committee would like a little more information on this.



**D. Parks & Reserve – Mary Fredericks, Director & Ethan White Calif**

- **Fencing Drawdown/Budget**

Ethan White Calif is requesting funding for Requesting to gain access to the budget to start the Park fencing project for \$250K. Noted that the CFO had included the funds in the budget.

**Motion:** Councilman Fred Fox moved to forward with approval access up to \$250,000 funds earmarked for the Tribal Parks to TBC. Councilwoman Sherry Turner-Lone Fight seconded the motion. Vote: 3-0-0. Motion carried.

- **Land Acquisition**

Funding for the land acquisition application. Trying to purchase State school trust land neighboring the Park. \$2,000 application fee. Up to 640 acres total. Would like to get at least  $\frac{3}{4}$  of the land available.

**Motion:** Councilman Fred Fox moved to pay the \$2,000 application fee. Councilwoman Sherry Turner-Lone Fight seconded the motion. Vote: 3-0-0. Motion carried.

**Discussion:** Also looking at Little Missouri State Park but has some political red tape issues. Mary noted when we bought the Fettig land, we also purchased trails from the State Park. Also, will need an MOU, the Director of the N.D. Parks & Recreation can sell and buy land for the State without going to the legislator, so some would need to talk with him. The Corp of Engineers has finished the 25-year plan, and we can lease up to the Buffalo Ranch Project. Request that the category be changed to high density Parks & Recreation, and we can lease it forever.

- **Grant Application Approvals**

Would like to apply for a Transportation Grant and an AINTA Grant that would help with Tourism. Mary Fredericks informed the Committee that they had applied for a grant they would help with an animal crossing at the top of the lands, and we planned to also have a sign saying “Welcome to Fort Berthold” for \$1.5 million but we didn’t get the grant. These grants could do the same types of things. The amounts are up to a million.

**Motion:** Councilman Fred Fox moved to approve the Park & Recreation to seek outside funding sources. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

**Discussion:** Councilwoman Monica Mayer will always support Mary Fredericks and feels she is doing an excellent job. Councilwoman Monica Mayer would like to see this as an FTE positions and department, Tribal dept and Tribal employees. Councilman Cory Spotted Bear recommended making this recommendation to the Chairman. Mary Fredericks noted that they have figured out a 1-day kayaking path from the campground by Lost Bridge to Mossett Bay. Parks & Recreation collaborates & does monthly planning with all the Tourism entities on the reservation.

**IV. NATURAL RESOURCE:**



**A. Abandoned Trailer – Victoria Mandan, North Segment**

Would like to tow a trailer on 6<sup>th</sup> Street that is sitting on a FBHA leased lot. There are mice, rats and drug squatters that occupy the trailer. Belongs to one of Bill Jacobs' nieces. Councilwoman Monica Mayer would like to move it but is afraid it will fall apart. Would really like to demo it.

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

**B. Easements MEC – Four Bears**

- 1) Equestrian Center
- 2) Community Center

*Motion:* Councilwoman Monica Mayer moved to forward Community Center & Equestrian Center resolutions to TBC. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

**C. Land Sales:**

- 1) Betty Hueser – South Segment

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

*Discussion:* Councilman Cory Spotted Bear asked that the Director expedite the purchase.

- 2) Truwid Tikanye – West Segment

*Motion:* Councilwoman Monica Mayer moved to authorization to pursue the transaction to subject to appraisal. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

- 3) Highway 1804 – North Segment

Appraisals came back and asking price also doubled the appraisal. Located across from the old Wolf's Trading post.

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

- 4) Orville Drosdal Lot

Located between the Gorder Lot and Sportsman's Bar in New Town on Main Street. The owner is asking for \$190K.

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

**D. Building Purchases**

- 1) Robert Gorder Estate – North Segment

Negotiated down to \$120K.



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

**2) Bismarck Day Care**

\$650,000 market price, and \$475,000 was the appraisal price. It was noted that this was one the Chairman's projects.

**Motion:** Councilman Fred Fox moved to approve negotiation closer to the appraisal price subject to Chairman's confirmation. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

**E. Property Management**

**1) Resolution – Tribal Real Estate Inventory**

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

**FTR:** Councilwoman Monica Mayer informed the Committee the old Pub Bar is for sale, they want to sell, Councilwoman Monica Mayer would like to have Texx and Marcia investigate it. Find out who is the legal owner of the pub and work with them.

**V. GIS/WATER RESOURCE DIVISION – Tanya Sand-Driver, Director**

**A. Resolutions**

638 projects with Range Assessment. Have a resolution which is under legal review to amend a previous resolution to extend to an indefinite period so that when they write for grants it doesn't expire. Councilman Cory Spotted Bear noted that resolutions should have had Legal review when brought to Committee. Councilwoman Monica Mayer noted that GIS needs to move to a better office space. The renovation of the laundromat office space has taken longer than expected and commended Duane Young Bird for getting the project done and GIS is moving into the office space. Presented a resolution entitled "*Request for PL 93-638 Contract to perform an assessment and monitoring plan for the Three Affiliated Tribe's Range Survey/Study Project commencing in and extending for an indefinite period.*"

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

**Motion:** Councilwoman Monica Mayer moved to approve drone presentation to the N.D. State Legislature Work Force Committee virtual meeting in Fargo. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

**VI. RANGE RIDERS – Jesse Baker, Director**

**A. Tribe Pay Landowners – Jesse Baker, Range Rider Program**

**Motion:** Councilman Fred Fox moved to pay the allotted landowners for letting the land rest on RU 101B. subject to verifying that the Federal Government will not compensate the allottees for



the loss of lease income. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0.  
Motion carried.

*Discussion:* Councilman Fred Fox noted that the Regional Land Director at the Federal Partners meeting has stated that the Tribe wouldn't have to pay, and they would.

**Motion:** Councilwoman Monica Mayer moved approve reaching out to the B.I.A. to find out what other avenues there are before the tribe pays. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

**B. Range Unit 913 - Jesse Baker, Range Rider Program**  
Will have a resolution ready for the next TBC.

**C. White Calfe Cattle Issue - Jesse Baker, Range Rider Program**  
Recommended strengthening our Ordinance to contain free roaming livestock.

## **VII. FIRE MANAGEMENT – Marle Baker**

### **A. Organizational Chart Amendment**

Seeking to amend our Organizational Chart by adding 3 permanent senior Tribal positions, Fire Prevention Specialist. Have an issue with recruiting fire fighters. Also submitted TAT Fire Data Summary 2004 – 2023 Report.

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

## **VIII. FORT BERTHOLD RURAL WATER:**

### **A. South Segment Water Line ROW for Dennis Howling Wolf Jr. and Ernest Stone**

**Motion:** Councilwoman Monica Mayer moved to forward resolution entitled “*Consent to Certain Rights(s) of Way across Tribal land*” [South Segment for a Rural Water line connection for Dennis Howling Wolf Jr. and Ernest Stone] to TBC. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

### **B. White Shield Renovation Project Water Line ROW**

**Motion:** Councilman Fred Fox moved to forward resolution entitled “*Consent to Certain Rights(s) of Way across Tribal land*” [White Shield Renovation Water Line Project ] to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

### **C. Engineers Joint Contract Documents Committee (EJCDC) Change Order**

Bartlett & West/Metering and Technology Solutions Change Order for the FBRW RFP AMI System – Contract 2021-01.

**Motion:** Councilwoman Monica Mayer moved to forward EJCDC C-941 Change Order #5 to TBC. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

*Discussion:* \$3,800 increase. New overall contract price = \$936,617.04



**D. Mandaree Water Treatment Plant RTC Fiber Optic Line ROW - FBRWSS**

**Motion:** Councilman Fred Fox moved to forward resolution entitled “Consent to Certain Rights(s) of Way across Tribal land” [ROW in the West Segment to the FBRWSS for RTC-Fiber Optic line connection for the new Mandaree Water Treatment Plant] to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

**E. Tribal Utilities – Micheal Bintliff**

*Item deferred.*

**F. Solid Waste - Kansas Johnson**

**1) Management Software Purchase**

Only billing at this time for dumpster run off & inert drop off. Working with GIS for software for data base. Currently using Xteri Software. Did find a nice land-fill software for about \$21K/yr. but don’t currently have it in our budget that includes everything.

**Motion:** Councilman Fred Fox moved to forward software purchase and budget increase of \$21,000 to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

**2) Garbage Truck Purchases**

Would like to purchase 2 more garbage trucks. Have 4 quotes and was told the CFO will not purchase anything for any department at this time. \$566,000 price.

**Motion:** Councilman Fred Fox moved to forward to Executive & TBC the purchase 2 new garbage trucks. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

**Discussion:** Nathaniel Mayer states the City of New Town has some trucks for sale. The city went into a working relationship with Fort Berthold. Kansas Johnson will look into it. Councilman Cory Spotted Bear recommended a regular trade in program for the trucks. [Joe Silveria speaking away from the microphone]. Solid Waste is utilizing the Roads Dept. dozer currently for the inert pit for 4 years because we thought we were getting our transfer station. Rosebud Reservation has a possible trade for trucks/compactor. Councilman Cory Spotted Bear recommended looking into it further.

**3) Solid Waste HR Issue (See Closed Session)**

**IX. CLOSED SESSION:**

**A. Solid Waste HR Issue**

**X. ADJOURNMENT:**

**Motion:** Councilwoman Monica Mayer moved to adjourn the meeting. Councilman Fred Fox seconded the motion. Motion carried. Meeting adjourned at 2:41 pm.



### 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 4<sup>th</sup> day of January, 2024, 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 4<sup>th</sup> day of January, 2024.

ATTEST:

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

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