



CALL TO ORDER:

Councilman Cory Spotted Bear called the meeting to order at 12:17 AM.

ROLL CALL:

Present: Councilwoman Monica Mayer, Councilwoman Sherry Turner-Lone Fight, Councilman Fred Fox, & 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: 4-0-0. Motion carried.

II. APPROVAL OF MINUTES:

- **March 1st, 2023 Natural Resource Committee Minutes**

Item deferred.

III. NEW BUSINESS:

A. T-Mobil Vertical Bridge– West Segment

Mike Bieniek presented a power point. Request to put a Vertical Bridge Site US-ND-5068 in Mandaree. The proposed location is Parcel T0631A-A-1785 located on BIA Route 12. The Proposed tower will be located adjacent to the existing tower on BIA 12. Vertical Bridge is proposing to erect a 250' self-support lattice tower. Looking to lease a 100' X 100' parcel of land. 30' wide access and utility easement. Vertical Bridge will improve and use existing access road. 12' new gravel road up from BIA12. The lease proposal will be: \$750.00 per month for 50 years (this is negotiable), 1% annual escalator, and \$750.00 option payments 2-24-month options. Proposed tower is being built initially for T-Mobile but will support other carriers and other forms of technology as needed in the future. The benefits, Financial benefit to the Tribe (monthly lease income), Improved wireless telecommunications services for people in the area, Space for any community emergency services to locate equipment. The site layout will be located SW of existing tower (just outside guy wires). 30' wide access and utility easement. Will improve and use existing access road. 12' new gravel road up from BIA 12. Site layout, 100' X 100' lease parcel. 6-foot-tall chain link fence with three strands of barbed wire on top for security. All equipment will be within the fenced area.

Motion: Councilwoman Sherry Turner-Lone Fight moved to forward to the May Executive/TBC. to subject to Legal review. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

B. Range Rider Program

Marcy Yellow Bird presented with Texx Lone Bear. Marcy is the Office Manager for the Range Rider Program. She stated that they are still trying to get the Range Rider's established. She is wondering if it will be their own department or be under Natural Resource. Marcia states it was approved in October Councilman. Also, she asked if they could raise the salary to attract more applicants. Cory Spotted Bear already approved, but bumped up the pay from \$25 to \$30. This should be under Natural Resources and establish a budget and within budget for training travel,



supplies, houses etc. The committee agreed that they needed structure. Councilwoman Monica Mayer states that we can't do anything today until all this is put together. Councilman Cory Spotted Bear will meet with Jesse Baker today regarding this. Councilwoman Sherry Turner-Lone Fight states that they should be under Natural Resources because they are leasers themselves. Texx Lone Bear was asked by the Committee to bring in a budget and Organizational Chart to April TBC.

C. Range Rider Program - Jesse Baker, Supervisor

Jesse stated they checked cattle and found 5 calves starved to death. Every year there is an issue with leafy spurge, they need to spray. Councilwoman Sherry Turner-Lone Fight suggests we use youth workers to identify and learn about leafy spurge. Tanya Sand put in for a Grant and was awarded it, it's to work with mapping leafy spurge and not sure what else. Need to find someone to spray. Jesse states another issue that was brought up to him was fencing. The resolution states the permittee is to fence. Councilwoman Sherry Turner-Lone Fight spoke to the BIA and they do not have any money for fencing/maintenance. A long time ago the BIA used to help with supplies. Texx Lone Bear states, when we used to do the range units there was a fee in part of it, to maintain improvements on the unit, the resolution would need to be looked at. Councilman Cory Spotted Bear states, lease agreements assigned from the BIA, Committee needs an update on it. Jesse is working with the BIA to find out who has permits and who doesn't. We need to find out and figure out those who broke their lease agreements. Eric Danks put in his own fencing and kept his receipts and was told to go to council and maybe he would get reimbursed, he put up about a mile of fence line. Texx Lone Bear suggested to check on fence lines along roads need to be maintained to keep cattle off the roads. There might be funding to assist with this. Jesse informed the Committee he received a call from Leighton Baker, Leighton's father Clemet Jr. Baker. Clemet Jr. asking to put Leighton on the Unit 605 allocation. Councilman Cory Spotted Bear asked Jesse to find out what the process is on this. Unit 605 is now under Clemet Baker Jr. would like to run these units in common. Councilman Cory Spotted Bear advised Mr. Baker that BIA needs to do this and it will be brought to the tribe for approval. Mr. Baker stated that BIA advised him to bring the issue to the tribe. Councilman Cory Spotted Bear states, we need to be mindful of adding people on if there are other applicants interested.

Motion: Councilman Fred Fox moved to forward (Unit 605) to Executive Committee and have a resolution ready. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

IV. NATURAL RESOURCE:

A. McKenzie Tribal Fee Land Return to Trust

73-00-00103, Section 17, Township 152 North Range 93 West, McKenzie County of the 5th P.M. of North Dakota. 73-00-00503, Section 20, Township 152 North Range 93 West, McKenzie County of the 5th P.M. of North Dakota.

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

B. Karen Walks Land Sale



Allotment 1343, Description W1/2NE1/4, Section 20, Township 148, Range 89, Acres 80, Appraised Value \$360,000.00, Tribal Share 0.39, Total value \$120,000.00. Mr. Lone Bear to find out who owns the land on both sides of the tracts being purchased.

Item deferred.

C. Heidi Hernandez Land Sale

- Allotment 1067A, Description S1/2N1/2, N1/2S1/2, Section 32, Township 148, Range 94, Acres 320, Appraised Value \$278,400.00, Sellers acres 6.52, Tribal acres 67.02, Total Value \$5,671.11.
- Allotment 1067A, Description SW1/4, Section 28, Township 148, Range 94, Acres 160, Appraised Value \$156,800.00. Sellers acres 7.60. Tribal acres 60.72, Total Value \$7,452.84.
- Allotment 1068A, Description NW1/4, Section 33, Township 148, Range 94, Acres 160, Appraised Value \$156,800, Sellers acres 7.60, Tribal Acres 188.47, Total Value \$7,452.84.

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

D. Juan Carlos Peinado Land Sale

- Allotment 301-1948-A, Description NE1/4SE1/4SE1/4, Section 11, Township 148, Range 92, Acres 25, Appraised value \$24,000.00. Sellers share 100%, Total value \$24,000.00

Motion: Councilwoman Sherry Turner-Lone Fight moved to forward pending access. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

E. Building Acquisitions:

1) Jonelle Abe (want is asking price and appraisal and old resolution)

Councilman Robert White asked why is Jonelle Abe not getting paid and having to do another home appraisal because Whitney Bell does not do his job. Councilwoman Monica Mayer suggested bringing the old resolution and the original appraisal. Legal was the ones who wanted another appraisal. Committee asked Texx Lone Bear to bring it back to Executive Committee with the original resolution and the original appraisal and new appraisal.

FTR: Councilwoman Sherry Turner -Lone Fight left the meeting & Councilman Robert White joined the meeting.

2) Terry Red Fox

Requesting \$400,000 for his home and lot. The home is on Fee land but owned by FBHA. Councilwoman Monica Mayer states, North Segment built the deck, ramp which was \$15,000 less than \$400,000 which Terry agreed to. He agreed to \$385,000 home sale request.

Motion: Councilwoman Monica Mayer moved to approve pending appraisal and forward to Executive. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

3) Mary Ellen Sun



She purchased it for \$158,000. In 2018, it was appraised at \$248,000 and is requesting \$400,000 due to all the upgrades to the home over the years. Councilwoman Monica Mayer suggested to get another appraisal exterior and interior of the home first.

F. Land Exchanges:

1) Matt Mason

He has land in the Parshall area that he wants to exchange for land in the Shell Creek area. Has already been appraised.

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

2) Jim Mossett

Councilman Cory Spotted Bear agrees to the trade he stated to keep the ROW on the road perpetually.

Motion: Councilman Fred Fox moved subject to the perpetual road access. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

D. 2023 Agriculture Leases:

1) Greta White Calf – Verlee White Calfe-Sayler

T144A – Description E1/2NW1/4, W1/2NE1/4, Section 6, Township 147, Rang 87, Farm pasture acres 160.00. Total \$2,080.00

T476A – Description E1/2SW1/4SW1/4, N1/2NW1/4, Nw1/4SW1/4, NW1/4SW1/4, W1/2W1/2SE1/4NW1/4, Section 11, Township 147, Range 87, Total \$2,460.12

Motion: Councilman Fred Fox moved for the renewal for Greta White Calf – Verlee White Calfe-Sayler lease. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

2) Ethan White Calfe

- T1758 – Description NE1/4SE1/4, Section 2, Township 147, Range 87, Farm acres 40.00, Total \$2,080.00.
- T5169 – Description M&B within, Section 9, 10, 15 & 16, Township 147, Range 87, Pasture acres 112.5, Total \$1,462.50.
- T15223 – Description M&B within, Section 9, Township 147, Range 87, Pasture acres 61.17, Total \$795.21
- T15224 – Description M&B within, Section 10, Township 147, Range 87, Pasture acres 56.87, Total \$739.31.
- T15225 – Description M&B within, Section 11, Township 147, Range 87, Pasture acres 14.52, Total \$188.76.
- T15226 – Description M&B within, Section 13, Township 147, Range 87, Pasture acres 55.68, Total \$723.84.
- T15227 – Description M&B within, Section 14, Township 147, Range 87, Pasture acres 8.52, Total \$110.78.



- T15228 – Description M&B within, Section 14, Township 147, Range 87, Pasture acres 62.07, Total \$806.91.
- T15229 – Description M&B within, Section 15, Township 147, Range 87, Pasture acres 69.45, Total \$902.85.
- T15230 – Description M&B within, Section 15, Township 147, Range 87, Pasture acres 66.67, Total \$866.71.
- T15231 – Description M&B within, Section 16, Township 147, Range 87, Pasture acres 14.14, Total \$183.82.
- T15232 – Description M&B within, Section 9, Township 147, Range 87, Pasture acres 64.59, Total \$839.67.

Motion: Councilman Fred Fox moved for the renewal for Ethan White Calfe lease. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

3) Mervin Packineau

- T5448 – Description N1/2, Section 19, Township 152, Range 87, Hay acres 300.00, Total \$3,900.00.
- T5448 – Description NW1/4, Section 20, Township 152, Range 87, Hay acres 150.00. Total \$1,950.
- T0484A – Description S1/2, Section 13, Township 150, Range 90, Farm acres 275.00. Total \$13,200.00
- TF 500011700 – Description E1/2SW1/4, Section 26, Township 151, Range 90, Hay acres 55.00, Total \$715.00.

Motion: Councilman Fred Fox moved for the renewal for Mervin Packineau lease. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

4) Jerry Kerzmann

- T0252A-A – Description S1/2NE1/4, Section 26, Township 150, Range 90, Farm acres 80.00, Total \$3,840.00
- T0252A-B – Description NE1/4NE1/4, Section 26, Township 150, Range 90, Farm acres 40.00, Total \$1,920.00.
- T0317A-A – Description N1/2SW1/4NE1/4, Section 4, Township 149, Range 90, Farm acres 5.00, Total \$240.00.
- T0317A-E – Description SE1/4NE1/4, Section 4, Township 149, Range 90, Farm acres 35.00, Total \$ 1,680.00.
- T0317A-F – Description S1/2SW1/4NE1/4, Section 4, Township 149, Range 90, Farm acres 15.00, Total \$720.00.
- T0356A-A – Description W1/2NW1/4, Section 32, Township 150, Range 90, Farm acres 78.00, Total \$3,744.00.
- T357A – Description SE1/4, Section 32, Township 150, Range 90, Farm acres 123.00, Total \$5,904.00
- T2277 – Description NE1/4SE1/4, Section 33, Township 150, Range 90, Farm acres 35.00, Total \$1,680.00.
- T3044 – Description within the SE1/4, Section 33, Township 150, Range 90, Farm acres 21.90, Total \$1,051.20.



- TF68002 – Description SE1/4, Section 20, Township 150, Range 88, Farm acres 145.00, Total \$6,960.00.

Motion: Councilman Fred Fox moved for the renewals for Jerry Kerzmann lease. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

5) Delvin Foote

- T0360A-B – Description NW1/4SW1/4, Section 32, Township 150, Range 90, Hay acres 40, Total \$520.00.
- T0360A-C – Description SW1/4SW1/4, Section 32, Township 150, Range 90, Hay acres 40, Total \$520.00.

Motion: Councilman Fred Fox moved for the renewals for Delvin Foote lease. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

6) Nathaniel Packineau

- T1526 – Description W1/2NW1/4, Section 15, Township 150, Range 90, Hay acres 80.00, Total \$1,040.00.
- T0285A – Description NE1/4, Section 16, Township 150, Range 90, Farm acres 157.40, Total \$7,555.20.
- T283A – Description M&B within, Section 9, Township 150, Range 90, Hay acres 150.00, Total \$1,950.00.
- T264A-A – Description N1/2SW1/4, Section 9, Township 150, Range 90, Hay acres 80.00, Total \$1,040.00.

Motion: Councilman Fred Fox moved for the renewals for Nathaniel Packineau lease. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

7) Reba Shearer

- T256-B – Description NE1/4SE1/4, Section 7, Township 149, Range 90, Hay acres 38.1, Total \$495.30.
- T0032 – Description E1/2NE1/4, Section 7, Township 149, Range 90, Hay acres 67.2, Total \$873.60.

Motion: Councilman Fred Fox moved for the renewals for Reba Shearer lease. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

8) Scott Simenson

- T0432A-A – Description Lot 3 SE1/4NW1/4, Section 3, Township 150, Range 90, Farm acres 80.00, Total \$8,000.00.
- T0432A-B – Description Lot 4 SW1/4NW1/4, Section 3, Township 150, Range 90, Farm acres 79.64, Total \$7,964.00.
- T0484A – Description SE1/4, Section 13, Township 150, Range 90, Farm acres 150.84, Total \$15,084.00.
- T0259A-B – Description N1/2SW1/4, Section 13, Township 150, Range 90, Farm acres 50.00, Total \$5,000.00.



- T0287A – Description SW1/4, Section 16, Township 150, Range 90, Farm acres 160.00, Total \$16,000.00.
- T0452A – Description E1/2NE1/4, Section 29, Township 150, Range 90, Farm acres 60.00, Total \$6,000.00.
- T0353A-C – Description NW1/4SE1/4, Section 31, Township 150, Range 90, Farm acres 32.60, Total \$3,260.00.

Motion: Councilman Fred Fox moved for the renewals for Scott Simenson lease. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

9) Anthony Vitko

- T201A – Description NW1/4SE1/4, Section 8, Township 150, Range 90, Farm acres 144.00, Total \$6,912.00.
- T267A-A – Description E1/2SE1/4, Section 9, Township 150, Range 90, Farm acres 77.30, Total \$3,710.40.
- T137A-D – Description W1/2E1/2NW1/4, Section 10, Township 150, Range 90, Farm acres 40.00, Total \$1,920.00.
- T359A – Description NE1/4, Section 33, Township 150, Range 90, Farm acres 80.00, Total \$3,840.00.

Tribal Shares:

- 267A-B – Description NW1/4SE1/4, Section 9, Township 150, Range 90, Farm acres 22.43, Total \$1,076.00.
- 137A-C – Description E1/2E1/2NW1/4, Section 10, Township 150, Range 90, Farm acres 23.33, Total \$1,120.00.

Motion: Councilman Fred Fox moved for the renewals for Anthony Vitko lease. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

10) Luke Spotted Bear

- T211A-A – Description N1/2SE1/4, Section 11, Township 150, Range 90, Farm acres 80.00, Total \$3,840.00.
- T310A-A – Description Se1/4NE1/4, Section 11, Township 150, Range 90, Farm acres 40.00, Total \$1,920.00.
- T310A-C – Description NE1/4NE1/4, Section 11, Township 150, Range 90, Farm acres 40.00, Total \$1,920.00.

Motion: Councilman Fred Fox moved for the renewals for Luke Spotted Bear lease. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

FTR: Victoria Mandan informed the Committee the location of the EOC building road relocation. Texx Lone Bear will bring to the Executive Committee meeting. Councilwoman Monica Meyer brought up a road excess issue to the committee. The area in question is where the new EOC Building is being built. Brianna Foote and Sheldon Standish have a approved home site adjacent to the EOC Building. The EOC got road access approved from NDDOT. Ms. Foote and Mr. Standish did not get approval from the NDDOT for road access. NDDOT stated there are safety issues. Meanwhile the EOC had their road access approved. Councilwoman Monica



Mayer asked for input on how to go about getting the road access approved. Committee advised Mr. Lone Bear to contact the NDDOT and see how they can get road access.

E. Fort Berthold Rural Water (FBRW) – Joseph Silveria, Director

1) East Segment Water storage capacity upgrade

Resolution entitled, “Approval and Authorization of Fort Berthold Rural Water to Proceed with East Segment Water storage capacity upgrade, Not to Exceed \$5,500,000.00 for the Immediate Needs of the East Segment and The Three Affiliated Tribes.”

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

2) Varlow Subdivision Water Line

Resolution entitled, “Authorizing Funding to Construct A New Water Pipeline to Serve the Varlow Subdivision”.

Motion: Councilwoman Monica Mayer moved to forward Resolution to Executive. Councilman Robert White seconded the motion. Vote: 4-0-0. Motion carried.

FTR: Aging infrastructure. 12 million, received 54 million. Chairman Mark N. Fox is working on something already Committee informed Joseph.

V. CLOSED SESSION:

A. Anita Howard Deane

VI. ADJOURNMENT:

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 2:21 PM.

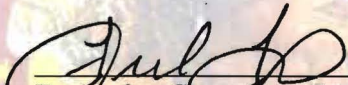


CERTIFICATION

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 25th day of April, 2023, 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 25th day of April, 2023.

ATTEST:



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



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