



CALL TO ORDER:

Councilman Cory Spotted Bear called the meeting to order at 1:37 PM.

ROLL CALL:

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

- **April 25th, 2023 Natural Resource Committee Minutes.**

Motion: Councilwoman Monica Mayer moved to approve April 25th, 2023 Natural Resource Committee Minutes subject to minor corrections. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

- **May 2nd, 2023 Special Natural Resource Committee Minutes.**

Motion: Councilwoman Monica Mayer moved to approve May 2nd, 2023 Natural Resource Committee Minutes subject to minor corrections. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

III. NEW BUSINESS:

A. Amy Hosie Request – Lonnie Charging Estate

There was a mineral sale delivered by certified mail to the Tribe. An enrolled member of the Standing Rock Sioux had the negotiated 5% Trust to Fee sale for undivided interest. The letter was delivered to the Chairman's office on March 1st, the Tribe had 60 days to respond. Texx Lone Bear states he did not see the letter until May. This is Amy's life state enrollment since he is from a different Tribe, he was married to a tribal member and late wife got life estate, she must have had children that are enrolled here because they own the property. When the late wife passes on that income goes back to the landowner. This is what Amy is trying to sell. Councilwoman Monica Mayer asked since we missed the 90 days then what? She could sell it to whomever she wants. Councilwoman Monica Mayer suggests having the lawyers look into this. Councilman Fred Fox states he doesn't like the fact when she passes away its gone. It's already approved life estate by the BIA. Texx Lone Bear states this can be brought back to next committee. Requesting the estate of Lonnie Charging, Amy is requesting to keep his estate. He was not able to make the decision on his own to make a final decision. Everything goes to the tribe since he had no children. It is over 5%. Amy is asking for her side of the family, not the Charging's. The names are listed on the handout.

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



B. Roads MOU Dunn County – Dennis Fox

Mr. Fox presented an MOU that will be needed fixing up and paving the BIA 10 road that has a lot of wells near this road near Skunk Bay. Requesting to have the MOU with Dunn County.

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

IV. NATURAL RESOURCE:

A. Easements:

1) McKenzie Electric Cooperative

Motion: Councilman Fred Fox moved to forward resolution entitled "*Consent to Approval of a Right-of-Way(s) across Tribal land (1087, T457, T777A-C, T10BB, T10BB-A, T139B, T1593, T704A-C, T704A-D, 2143, T1810, T2145) submitted by McKenzie Electric Cooperative Inc.*" to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

Motion: Councilwoman Monica Mayer moved to forward resolution entitled "*Consent to Approval of a Right-of-Way across Tribal land (T696A-C, T750A-A, T716A, and 710A) submitted by McKenzie Electric Cooperative Inc.*" to TBC. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

Motion: Councilwoman Monica Mayer moved to forward to resolution entitled "*Consent to Approval of a Right-of-Way across Tribal land (T538A-B, T549A, T5256 T1853-B, T5255, 585A, 568A, 568A, T583A-B, 607A, T567A-B, 594A B) submitted by McKenzie Electric Cooperative Inc.*" to TBC. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

2) Mountrail Williams Electric Cooperative – North Segment

Easement on T152N R92W Sec 7 & 8. ND 23B Truck Bypass running through the Spring Boy & Wall Boy Subdivisions.

Motion: Councilwoman Monica Mayer moved to forward resolution entitled "*Consent to Approval of a Right-of-Way across Tribal land for Mountrail Williams' Utility Corridor-North Segment*" to TBC. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

B. Reserve Status Resolution – Four Bears Segment

Thunder Butte Apartment Complex - Four Bears Segment: Tribal Allotment 301-T 608A, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 152 North, Range 94 West, McKenzie County, 5th PM of North Dakota, containing 180 Acres, more or less.

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

C. Home Site Applications



North Segment Sheldon Standish Home Site Application Texx Lone Bear will make it 2 ½ acres. Tribal Fee Land, 450013823, Lot 20, Block 1, Van Hook Subdivision, Section 29, T. 152N., R. 91 W., Mountrail County, 5th PM of North Dakota more or less.

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

D. Ag Lease Requests:

1) Ree Ranch

Texx Lone Bear recommended a 5-year lease. Councilman Fred Fox wants 3-year lease and to waive fees for 3 years.

- T1498, Lots 1, 2, 3 & 4, Section 5, Township 148, Range 88, Farm acres 101.12 = Farm acres \$5,258.24.
- T1298, Lots 3 & 4, Section 6, Township 148, Range 88, Farm acres 50.44 = Farm acres 4 2,622.88.
- T1300, Lot 5, SE 1/4NW1/4, Section 6, Township 148, Range 88, Farm acres 77.08 = Farm acres \$ 4,008.16.
- T1234, S1/2NW1/4, Section 24, Township 148, Range 88, Hay acres 80.00 = Hay acres \$1,040.00.
- T2088-A, S1/2NW1/4, Section 25, Township 148, Range 88, Hay acres 75.00 = \$975.00/
- T0084A, SE1/4, Section 12, Township 148, Range 89, Farm acres 150.00 = Farm acres \$7,800.00.
- T0081A, N1/2NW1/4, Section 16, Township 148, Range 89, Farm acres 80.00 = Farm acres \$4,160.00.

Total = \$25,864.28

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

2) Elton Spotted Horse

- T694A, Description: M&B, Section 11, Township 149, Range 94, Farm pasture acres 6.00 = Farm acres \$78.00.
- T852A-A, SW1/4SW1/4, Section 22, Township 149, Range 93, Farm pasture acres 40.00 = Farm acres \$52.00.

Total = \$598.00

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

3) Bobbie Big Lake

- T567A-E, Lot 4, Section 11, Township 149, Range 94, Farm pasture acres 32.43, Total \$421.59.



Motion: Councilwoman Monica Mayer moved to forward to TBC with recommendation of a one-year lease. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

E. Land Sale

Patiently & Jodi Martinez Land Sale. Appraised at 24, grass is 1,200. Just the daughter is enrolled. Legal review.

- Allotment 52A, NE1/4, SE1/4, E1/2NE1/4, Section 34, W1/2NW1/4, Lot 4 SW1/4NW1/4, Section 35, Township 148, Range 88, Acres 200.00, Estimated value \$3,000, Total Value 38,571.43, Seller acres 12.86, Tribe acres 110.00.
- Allotment 1141, Lot 4, SW1/4NW1/4, Section 1, Township 147, Range 88, Acres 80.43, Estimated value \$3,000, Total Value \$15,511.50, Seller acres 5.17, Tribe acres 44.24.
- Allotment 52A, NE1/4, SE1/4, E1/2NE1/4, Section 34, W1/2NW1/4, Lot 4 SW1/4NW1/4, Section 35, Township 148, Range 88, Acres 200.00, Estimated value \$3,000, Total Value 38,571.43, Seller acres 12.86, Tribe acres 110.00.
- Allotment 1141, Lot 4, SW1/4NW1/4, Section 1, Township 147, Range 88, Acres 80.43, Estimated value \$3,000, Total Value \$15,511.50, Seller acres 5.17, Tribe acres 44.24.

Total Value: \$108,165.86

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

F. Land Exchanges:

1) Adam Fredericks

- Allotment 2147, N1/2SE1/4NE1/4, S1/2, NE1/4SE1/4, Section 2, Township 1247, Range 93, Acres 280.00m Value per acre \$700.00, Land value \$55,125.00. His share is 79 acres. Pending STLF input.
- Tract5298, Description: Metes and Bounds, Section 34 & 35, Township 148, Range 93, Acres 80.00, Value per acre \$680.29. Land value \$701.98.

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

2) Maxine Buffalo

Maxine agreed to the land transfer.

- 301 2101-B, Description SW1/4NW1/4NW1/4, W1/2SW1/4NW1/4, W1/2E1/2W1/2NW1/4, Section 23, Township 148, Range 95, Acres 45.00, Value per acre \$760.51, Land value \$34,222.78.
- 301 711A-B, Description SE1/4NW1/4NW1/4SE1/4, NE1/4SW1/4NW1/4SE1/4, Section 2, Township 149, Range 94, Acres 5.00, Land value \$5,000.00.

Total value \$39,222.78



- 301 T711A, Description SW1/4NE1/4NW1/4SE1/4, W1/2NE1/4SW1/4SE1/4, NEW1/4SE1/4SW1/4SE1/4, Section 2, Township 149, Range 94, Acres 10.00, Value per acre \$980.00, Land Value \$9,800.00
- 302 T710A, Description E1/2NE1/4SW1/4, NE1/4SE1/4SW1/4, Section 2, Township 149, Range 94, Acres 30.00, Value per acre \$960.00, Land value \$28,800.00

Total value \$38,600.00

Motion: Councilwoman Monica Mayer moved to forward resolution entitled “*Maxine Buffalo – West Segment Land Transfer*” to TBC. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

G. Public Works/Solid Waste - Kansas Johnson, Director

1) O&M and Transfer Station Buildings Rough Cost Estimates

Ms. Johnson presented information for a new office building with a cost of \$960,000. She requested that the tribe help with \$5,040,000. There is a procurement process to follow, Councilman Cory Spotted Bear suggests doing this. Joe Silveria states this is for budgeting purposes. Councilman Cory Spotted Bear advised the Director that they could have a work session to discuss the programs future. Councilwoman Monica Mayer stated that her, the Director and the Mayor of New Town meet in regard to Sanitation and report with all the numbers for each segment and put together a wish list for the program. Councilman Cory Spotted Bear stated at some point that FBIR will have to start recycling, the Director is in favor of that. Councilman Cory Spotted Bear states they need to work with the CMO to facilitate, CFO, also work on proposals and a contractor. The Director states this is for fiscal 2024. Transfer station, the tribe put in \$2 million, Tribe put out a bid last year. The cheapest was \$8.6 million and had to be rebid. The Director states IHS wasn't here to bring up were to take it, land fill or elsewhere, Councilwoman Monica Mayer feels it should be landfill. Ms. Johnson asked that her program starting wage be at \$21/hr. Councilman Cory Spotted Bear stated that they will inform HR to get the paperwork started on that.

Motion: Councilman Fred Fox moved to approve starting pay at \$21.00/hr. forward to HR & TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

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

Mr. Silveria and Dallas Osborn will meet with the Regional Director soon to discuss the federal fund dynamics.

1) 21A-B Land Purchase

FBRWS has requested that the MHA Nation purchase a 5-acre tract of land for \$5,000.00 per acre totaling \$25,000.00 for use by the FBRWS Program to construct a new 500-thousand-gallon storage reservoir and parts and materials shop in the East Segment.

Motion: Councilman Fred Fox moved to forward resolution entitled “*Authorizing and Approving the Purchase of Land for Use by the Fort Berthold Rural Water System Program*” to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

2) Resolution

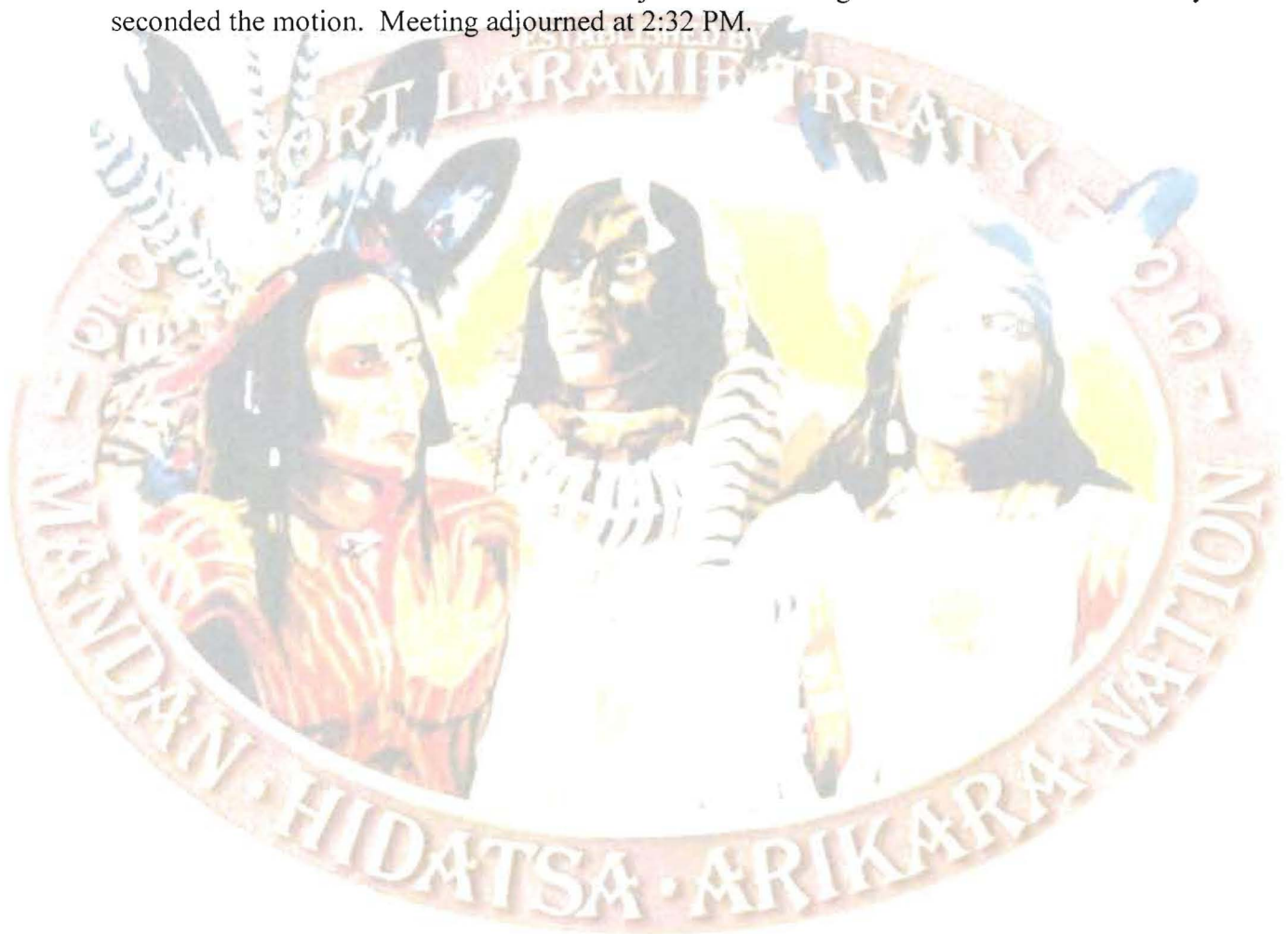


Authorize a ROW in the 4-Bears Segment for a FBRW line connection for Nathan and Clairese White Horse.

Motion: Councilwoman Monica Mayer moved to forward a resolution entitled "*Consent to Certain Right(s) of Way across Tribal land*" to TBC. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

V. **ADJOURNMENT:**

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 2:32 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 31st 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 31st 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