



**THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCE COMMITTEE
MEETING 11-05-AS
JULY 26, 2011, 1:00 P.M.**

I. CALL TO ORDER:

Chairman Strahs called the meeting to order at 2:51 P.M.

II. PRAYER:

Lyda Bearstail gave the invocation.

III. ROLL CALL:

Chairman Arnold Strahs, Councilman Scott Eagle, and Councilwoman V. Judy Brugh are present. A quorum is established.

IV. APPROVAL OF AGENDA:

V. APPROVAL OF MINUTES:

Councilman Eagle moved to approve of two sets of minutes. April 5, 2011 and .
The motion is seconded by Councilwoman Brugh.

VOTE: 3 Ayes 0 Nays Motion carried.

VI. NADC/PTAC: Shawn Ironmaker 3:00

Councilman Eagle moved to approve Shawn Ironmaker of NADC/PTAC work with Leslie Morsette and Dominick Silletti. The motion is seconded by Councilwoman Brugh.

Discussion: This is amended to have the TAT legal Department do research.

VOTE: 3 Ayes. 0 Nays Motion carried.

VII. APPROVAL OF MINUTES:

Councilwoman Brugh moved to approve of the May 10, 2011 minutes with corrections. The motion is seconded by Councilman Eagle.

VOTE: 3 Ayes 0 Nays Motion carried.

VIII. EARL SILK, BIA SUPERINTENDANT & DARRYL TURCOTTE, DEPUTY SUPERINTENDANT 3:11

Tom Wells is representing the BIA as Earl Silk and Darryl Turcotte could not be here. Discussion is held regarding McKenzie Electric not hooking up electricity on the reservation due to. Need to get info to them right away....Mandaree make clear that they are not under ground need a letter stating that. But not to home sites. Requirements – 20 to 30 minimum, but looking at additional width. CEO would like a letter stating clarification on the issue of underground to homesites and to wells. The oil companies stated they were paying 100% of the costs to their sites. TAT was under that understanding. Has the Kilowatts gone up?

Second issue-Trailer area at Thunder butte is being held hostage unless the tribe pays up. But these are individual home sites. There has to be a legal thought on it.

How wide are the rites of ways. BIA will get a letter back to the TAT.

On the homesites leases-The superintendant is asking for a resolution. Tom said the BIA had an audit and there are some findings. The tribe has never had to do a resolution on a homesite or oil lease before. This would hold up things even further.

Elbowoods Healthcare Resolution is needed by the BIA.

Can a well be protested in coming up to close to a healthcare facility? At this point it may be too late. Why weren't the TBC notified? The industrial commission will be notified by the NRC Administrator. Councilman Eagle will be assisted by Jeff Desjarlais in the matter.

BIA will address MEC but will give the NRC Chairman and administrator a copy.

IX. 3:45 TRAILER ISSUE: DARRYL HALL

This will be looked into by the NRC.

X. I.H.S. WATER AND SEWER APPLICATIONS: LAURIE ALBERTS 3:53

Councilwoman Brugh moved to approve of the fifteen applicants for I.H.S. Water and Sewer. The motion is seconded by Councilman Eagle.

Discussion: 1. **Dustin J. Youpee**-Sewer System and Well. 2. **Karen Smith**-FEMA Septic System Drain field. 3. **Joann Matthews-Drain field** Replacement. 4. **Jeffrey Roszelle-FEMA Septic System Drain field**. 5. **Leonard Osbourne Chase**-FEMA Septic. 6. **Eunice Yvette Young Bear**-FEMA Septic System Drain field. 7. **Winogene Black Smith**-Drainfield and Septic System Replacement. 8. **Dayton Mandan**-Sistern and Septic System Drainfield. 9. **Harlan Deane**-New Well and Sewer. 10. **Airees Baker**-HIP New Cistern and Sewer and Drain field. 11. **Clover Fox**-Replacement Sewer and Septic System. 12. **Karen Good Iron**-JIP New Sewer and Drain field. 13. **Emy Lone Bear**-HIP New Sewer and Drain field. 14. **Sheila Pease**-FEMA Cistern and Septic System Drain field. 15. **Jason Two Crow**-New Sewer System and Cistern if no FBRW. 16. **Carmen Eagle**-Sewer and Drain Field 17. **Scott Eagle**-Sewer and Drainfield 18. **Arnie and Cleo Charging**-Replacement Drain Field 19. **Newlyn Little Swallow**-FEMA Septic System and Drain Field.

VOTE: 2 Ayes 0 Nays 1 Abstention (SE) Motion carried.

XI. FBRW-Lester Crowsheart 4:30

Discussion: A sewer assessment of Mandaree is requested to Laurie Alberts. Councilman Strahs knows of it now and will get a hold of the I.H.S. for follow up.

XII. Water Permit Application for Lyda Bearstail and Patrick Dubois 4:35

This will be tabled until further information is obtained as far as geologists and the effects of a water depot in that area. Patrick Dubois has an application in for the same plan but his will be tabled also.

XIII. FBDC Building: Frank Silletti

Councilwoman Brugh moved to have the Legal department draft up a contract to do the clean up behind the FBDC building. The motion is seconded by Councilman Eagle.

VOTE: 3 Ayes 0 Nays Motion carried.

XIV. RECESSED:

Councilwoman Brugh moved to recess the meeting until tomorrow morning at 11:00 A.M. The motion is seconded by Councilman Eagle.

The meeting recessed at 4:55 P.M.

RESUMED MEETING: August 30, 2011

SUNDRE SAND AND GRAVEL AGREEMENT:

Sundre is not usable on roads quit using called ethan and put it on their brooms flint in flat tires gravel project and ut us private. Proposal in lieu of gravel build a lagoon and a lot more gravel than want a lagoon in community built because of soil conditions and working with Marcus in Thunder Buttes need 800 went over Mandaree and hard to find the quality Ehtan gravel is full of flint. Primarily crushing Take out gravel crush and sort put the filing back and nothing after theu take the good layer of top loan . VJB_ only source of gravel need somebody from Manadare and if we sell the gravel there is more gravel proposing is great but looking after enrilled members could be developed but no gravel underneath. Fru-con NTV end of Oct. understanding Roads is going to be moving in there tribal roads as oppoed to BIA Roads. Proposed to sell but money suggested wasn't feasible there is gravel outside of New Town on the east side of NT. There is other gravel but don't know what the intent is gravel is put aside and get a site that is usable and we van bet that out of there, Getting to be a eyesore and ddigging further into the source. Judy will get back to them gravel pit.

ED FOX home site leases:

Councilman Whitecalfe moved to approve a blanket lease of the following individuals:

Waylon Young Bird

Cletus Foote

Forest Mandan deferred

Judy Yesslith

Eldora Mossett

Leslie Crowsheart

Ethel Reeves

Garrett, Tyler, Justin Whitecalfe

Roberta Kruegar - from Thnder Butte to Van Hook

*Monica McKenzie-Johnson - from Thunder Butte to Van Hook area
with the exception Forest Mandan*

until Councilwoman has a chance to visit the site.

Richard Mayer

Thunder Butte:

11-13 septic tanks just sitting there and they have their families out there and move those old trailers or else. Livable barely livable. Some of them are leasing FEMA Trailer leased out at \$1000 MO. AND THEY ARE LIVING IN A TRAILER through the Tribal Housing FEMA Trailers were not to be leased out unless they purchased them Lawrence should be contacted. No longer let them have the lots and who is responsible for those trailers. Crushed or whatever. Touch trailer then we would be responsible take them to tribal court and have them abandoned and we can have them crushed. No place to really take those trailers and its costing the tribe money can't get fema trailers in there demo or burn site over and its getting to be more and more. Got to do something with them axle demolish them right where they are sitting. Would that follow moved under the browensville, didn't go through the court procedures and if we went through the court process and have clay pits in Four Bears if they don't have toxic materials and have older trailers.

Homesite leases:

Richard Mayer

Why is it taking so long for the paperwork to get done. Went over to the BIA and haven't received it made copies of original letters dated and received hey you got these and it didn't happen.

Some of these ladies have houses sitting on leases that haven't been done BIA people were supposed to be here and they were not available and give them a call and ask them to come over.

MOTION: FWC/VJB

Vote: 3 Ayes. Motion carried.

Issues on damages to that house: Kay Bell live in White Shield house zT131A 10 miles west of us on 1804 Sept. basement and house put on the foundation water line relocated to two stock tanks and were told we would receive no sewer drainfield, or electricity, Garrison said they would put the pole and electricity in if they received money from the tribe roof has to be fixed egress is leaking water when it storms house is sinking in the yard has singles nothing was picked up and now tall grass and was told we would get a garage. Sister is on oxygen and is now living in WS living quarters, I was told I would be next after Maggie Yellow Bird's houses. My sister and I need a place to live within 30 days.

House was built by Dynamic and once they hit the foundation and if it was an elder housig should have been done by housing. BIA/Supt hasn't signed. June Schettler and its illegal for them to be there and the road that goes to into it not supposed to be there and has to be moved over and it should come straight to Doreen house. Ed Fox said he could go down there and inspect the road and if its tribal land it should be a good road. Dennis Fox and Lawrence and Rich worked on this. Elder homes not getting their leases signed by the BIA and not being finished properly deteriorating specific houses are Kay Bell and Dorreen Yellow Bird. Dorreen had all of her paperwork and there is

no water line because that hill is higher the plan was to have the water tower from Parshall Dorreens house has and they both need cisterns Kay needs to have the electricity and whenever you do a homesite and you guys didn't pay and you only pay for 500 ft . McLeans will do it and able to make payments for it. Where do we stand? Dorren has to pay \$400 and the tribe has to pay for the poles and we don't do now because they didn't pay. Bad debt deal. Some individual member and I gave her my deposit and because I am already on McLean Electricity I don't have to pay a deposit. Gloria Lone Fight seems to be having problems and they aren't done. I keep telling fight with Whitney Bell and the favorite sarcasm I fight to get his paid and it becomes frustrating and I need another paper and its not even clear and its not put in a form that is not conducive and it holds up the process. One of the things we were waiting for was money and they passed and yet he's held me up and I've told and that's it ok to get this money after Dennis Rich and what's going on and this week we are starting to finally move forward. Landscaping and slow moving and the elders are designated that way. Doreen is not designated as an elder Kay Bell home is to be worked on next along with Roberta Bear until we get the loan working on finishing Magdalene. Purchasing handicapped assessable toilets and they are regular and we had to readjust and literally rip demo the entire bathroom. She did not have any current up date for water and emailed up to Chad and she was already approved and we found in her paperwork the Spt didn't sign. DYB had some other stuff the way they were classified, WS is moving without any money. One more in Shell Creek. Mike Driver put his as soon as possible and trying to move him in there. Trying to get to the elders home. Gloria was promised something in the council meeting Dynamic homes demoed the house. Real reason is when you put and they are not going to honor and they had a one of the first things I seen and gifts presented and when are you going to deliver this and they said they are not going to honor it. Dynamic didn't bring the house down. It wasn't going to help if Richard or Dennis could talk to them if you guys want to contact and we didn't want it to happen and we are going to have to give them a call. How long to finish a house about three weeks water damage inside. Order shingles from Dynamic not being stitched up and reconfirmed with Kenny. Roberta Bear should be done from 2 weeks and Kay bell should be done in about 4 weeks. If it got paid.

Kay Bell can stay with Doreen until and the electricity is not out there and they should get the electricity to do the floor and need some to operate tools. Generators? Resolve Kays. Gloria's a different issue. FEMA Trailers are coming in and every one that I put in is almost done and we can get another 80 FEMA Trailers that's what Ponderosa said. 30 foot campers some are a little bit bigger. Still looking into it. Talking about somebody leasing out the trailer in Thunder Butte. Handful of them before and they said they were given them homes and they had to pay the costs and go ahead. Chase wants us to fix they used to be a darker brown and its just sitting out there and it's not level and it's sitting on the hill. They need to be leveled and skirted. It's right next to Sadie Mann's. Whatever the cost is they have to pay for it nothing is free. I apologize to them I didn't what you told them about being evicted. Trying to do the elders in White Shield. Lone Fight to expedite and I don't have a problem as far as giving them something free and she was promised them. She is staying with her son. Suggestion to set her up with something if you will jar loose

wof one of those in one of those meetings. Arnie is holding on to lots in Mandaree. Why don't he jar loose of one of them If you have the lot we have the equipment and In the last council meeting. Another family displaced and waiting for pictures from Cliff. What about Evangeline Irwin and that is one of the things and she is living in a small camper and they are emergencies and if you could jar loose. There is no problem with land; old home place no problem if there is water and sewer. You could it along side and after the council disagreed and living with grand kids and she is going to be stuck and we as a council appropriate and get a house built, if we could do something temporary there is no problem and this is beyond capabilities and try to honor councils request. I will have Annette write a letter and I will sign it. Its going to be temporary for now until we can work something up when these houses and we are looking for work. Talked for Denny from Rocky Boy try to hit that as long as get in there and button it up. Thank you for coming over. Judy I need a letter for Evangeline. Ready for Myrna try to get a hold and I TAKE THEM OUT IN A FIELD AND burn them There is just no housing here. Taking them and stripped them out and can't put them in the landfill. Another chance to get another 80 and we can tag them and that's about ready to open them up. Housed over in Parshall and that's supposed to be going over to Garrison. AS-has brought to my attention instead of giving them a lump sum per pad per acre, if they can make annual payments per value. Im not sure how that will work and just idea that was brought up. Judy- I think if they bureau could meet t the allottees, and a lot of them don't own the mineral well, and if they could access and work out negotiation and at least have a nunu

If you're a mineral owner that .50% what is the scenario and need to be very cautious. Allottees negotiate higher

Can tribe do a resolution to set a maximum standards but its worth more than the whole lease is worth. Going by standards. Off reservation is \$10,000 a pad.

Lester has assess payment for water taking out of water hydrants whats he charging that pays for the labor production cost. They were going to have Lester come to the Natural Resource Office Scoria Pit did you receive payment from Foote. Construction Project is he is not giving the NRC reports. Getting easements done and hitting and coming from Parshall

Oil and Gas Meeting: Denver, CO. Synthe We're on hold for a lot of things. Its going to effect Really disappointed in EPA no bending no and wouldn't stop intervention pipeline should we continue with this minor source and because we The EPA don't want the Senators and Attorneys calling how can you drill off the reservation and amend that ruling and and we want a report and in sitting and we have substantial and if its off the reservation and statistics from the oil field. Federal lands is destroying The power plant production understand what the permit is emissions in the gathering systems hookend up within three weeks to a month 250 tons and the flares and if they are under that 250,000 it is not exactly it's the potential they're speculating average is 400 barrles 3500 barrels within two week and they're backing Slawson's Oil Wekk 250 wells on tribal wells, Marathon, Slawsons and they get fined and its within the reservation boundaries. They are under the federal Right now theres letters out there and that resolution and now this is another impact and they

are getting banged and the trucking into that we're getting dinged into that. Clair said they were going to have the Resolutions and we need a task force and we were working on this. CHARllie is saying do I enforce it everything should be brought back create a RESOLUTION CUMULIS This guy got this over night and if they are doing damage to the roads and this is our facts. That one Williams fellow brought in and how they they better come forth and I believe that cameras are not the thing. You will never catch a thief luntil after. If your numbers are off. I told Fred to bring this into today and I think iut should be put on hold. Ron Ness Spyder wells between the cities and the oil wells. He said I gave him a proposal and it was supposed to be something on the roads and lets get this thing going. We should be able to see them. Ron Brugh was approved for a scoria pit and he said they never did sign it. Scott: whats the process on the TIPS List One year ago and the Chairman should have went to the Superintendent and the if I could deliver it to ther TIP List thuander Butte, Hidatsa Flats to and I just talked to them has not been handed in and to send that down to Aberdeen everything is signed. Doyle was ready to sign and submitted almost 18 months I want to make sure that its ok with the Committee. FWC TIP List walk through system. Councilman Eagle Aberdeen Area. Find out where there at with the tips that were they supposed to do that sanitation I will finish Chad Snell they bid it out and they are supposed to start in September. Doyle and AAO
VOTE: 3 Ayes. Motion carried.

Dorreen Yellow Bird:

Venturing into a water depot. Start in Mandaree on Lone Fight land. We have water but not enough to service oil companies and serve them up to a certain amount. 5 gallons per second. Holding cell 70,000 for disbursement to trucks, underlying occurfurs Free flowing spree we approached the BIA as it pertains to water depots 25 CFR and Water Depots on a reservation. ZThey researched it and came up with nothing follow the rules for a oil wells. NEPA document is a disturbance of the land. Completed a survey and they compeleted and Jeff at the BIA tentative approval working with Howard Bemer coached by Jeff DeCharlieasis and Darryl Tourcotte. They forgot to tell you now you have to fill out a business license and they said there was none. They gave us a draft document of a housing lease and they stopped us because it had a lease for 50 years. Why didn't you say we could change the documents and we have to go back and get the docs, 39 day scoping periods hinderance is the BIA negotiated cos @ a \$1. 00 a barrel. **Business leade of 2.5 acres in the Van Hook area.** We have leased some of those out and should pin point how much we going to put on and one of the things they were going to give us 7-10% in the proceeds and trying to work out Williams. We did what needs to be done so they are following no consistencies. Want to get trucks off the road. Certain criteria and to equally distribute points tabled that anyone that wanted to get a water Bartlett and West asking for a 30 day comment period. There well went dry and whats going to happe and whats taking so long. According to BIA they never came back. Harriet is doing this on her own private land. She still has to go thru the process. She didn't have a permit there may be a 30 day scoping period. Is water a mineral? Have our Energy come up with a time line and bring back to NRC and make sure that it won't change. Annette do you have a document and they authorize get some authorization that's why they're throwing a glitch

MOTION: APPROVAL PENDING THE VAN HOOK WATER DEPOT PERMIT FWC/VJB

DISCUSSION: to proceed, concern is the number of vehicles down the roads don't know impact am for production. Would take and of the roads 22% stipulate the access road is the gravel road. Nobody thinks about the d. VOTE: Motion passed 2-0-1-0.

REQUEST: Like to request to hire another person with surveying to start Oct. 1, 2011 adjust the NRC Realty & Range Budget to include the person. FWC/VJB start something next week we never got anything done hire someone to assess the land paying through community funds. Not getting done with Jim Wolfe

ADJOURNMENT: 4:06 p.m. FWC/VJB

Next meeting:

