



CALL TO ORDER:

Councilman Randy Phelan called the meeting to order at 10:30AM.

I. ROLL CALL

Present: Councilman Fred Fox, Councilman Randy Phelan, Councilman L. Kenneth Hall. *Quorum established.*

II. PRAYER

Lyda Bearstail

FTR: Chairman Mark N. Fox joined the meeting.

III. APPROVAL OF MINUTES:

Item deferred.

IV. APPROVAL OF AGENDA

Motion: Councilman Fred Fox moved to approve the agenda. Councilman L. Kenneth Hall seconded the motion. Vote: 4-0-0. Motion carried.

V. NEW BUSINESS:

A. BIA Water Usage ROW - Kayla Danks

Discussed new regulations for ROW and handling temporary water lines tighten up any "piggy backing" Under 25-C 169 sec. 127. Temporary water line will be treated as a full ROW with complete application. Need 100% consent if appraisal is to be waived. BIA defers to the tribe for the amount. Segment water lines would be unchanged under the new changes. ROW terms are negotiable. With 143 wells ready to be fracked there will be a large demand for water lines. Turnaround for a water line ROW application is about a week.

B. Tax Update - Mary Mashunkashey

Item deferred.

C. Steve Kelly

Working on pilot project for a mobile NGO plant to market propane locally. Will cooperation from one of the companies on the reservation and a tribal letter of support. Targeting wells next to the lake from the



well head. Could be operating in 6-9 months. To bring a proposal to the June 7th, 2016 Economic Development meeting.

FTR: Committee went into recess at 11:01AM & reconvened at 11:28AM.

D. Lyda Bearstail

Delrene Robertson seeking additional well for water in Mandaree due to current well is not producing as expected.

Motion: Councilman Fred Fox moved to forward approval to the May 12th, 2016 Tribal Business Council meeting. Councilman L. Kenneth Hall seconded the motion. Vote: 4-0-0. Motion carried.

V. H. TEXX LONE BEAR

A. Fritz Birdbear Partitionment

Tribe has 50% with Fritz holding 50% 10-58A.

Motion: Councilman Fred Fox moved to forward approval to the May 12th, 2016 Tribal Business Council meeting. Councilman Frank Grady seconded the motion. Vote: 4-0-0. Motion carried.

Discussion: As long as access is guaranteed and value for value.

B. Darrick Bell land Request Resolution

Seeking to give land interest (<5%) be retained to his 2 daughters.

Motion: Councilman Frank Grady moved to forward to the May 12th, 2016 Tribal Business Council meeting. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

C. Range Unit resolution 2017 – 2021 Grazing Season

D. Tribal Program Sharing of Information on Tribal Land

Tribal database for mortgage land for property of the MHA nation be registered with realty department resolution.

E. Land Exchange Appraisal update

Date and time for appraisals to be completed under tab C of handout. (June-July 2016)

F. NRD Budget 2016

Item deferred.



G. BIA Water Usage ROW - Kayla Danks

H. Utility Corridor - Shaylane Miller/Christine Miller

Addressed through the Mike Youngbird item.

I. Home Site(s) - Valeri Hosie

Home sites deferred.

Motion: Councilman Fred Fox moved to rescind 14-146VJB. Councilman L. Kenneth Hall seconded the motion. That recognizes George Abe as contact person to forward. Vote: 3-0-0. Motion carried.

Motion: Councilman Fred Fox moved to forward the OST Land and Trust & Data Records Resolution to the May 12th, 2016 Tribal Business Council meeting. Councilman L. Kenneth Hall seconded the motion. Vote: 3-0-0. Motion carried.

J. Farm/Pasture Leases - Diana Americanhorse

Motion: Councilman Fred Fox 2017-2021 Grazing Resolution moved to forward to the May 12th, 2016 Tribal Business Council meeting. Councilman Frank Grady seconded the motion. Vote: 4-0-0. Motion carried.

Motion: Councilman Frank Grady moved to forward a resolution entitled "Mike Young Bird Fiber Optic Line" for fiber optic ROW to the May 12th, 2016 Tribal Business Council meeting. Councilman L. Kenneth Hall seconded the motion. Vote: 4-0-0. Motion carried.

1) Cody Fredericks - T815 for 30 acres at 25/acre

Motion: Councilman L. Kenneth Hall moved to forward with approval the Cody Fredericks renewal for 5 years. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

2) Cody Fredericks – T-1134A-B

Motion: Councilman L. Kenneth Hall moved to forward with approval the Cody Fredericks renewal for 5 years. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.



THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NATURAL RESOURCE COMMITTEE
MAY 5th, 2016 MINUTES
[NO CLOSED SESSION CONTENT]

3) **Cody Frederick** – T1109-B, 69.3 crop acres at

Motion: Councilman L. Kenneth Hall moved to forward with approval the Cody Fredericks renewal for 5 years. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

4) **Paul Fredericks** - T20165 969A-A, 160 acres at \$7.50

Motion: Councilman L. Kenneth Hall moved to forward with approval the Paul Fredericks renewal for 5 years at \$10/acre. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

5) **Paul Fredericks** - T969A-A, 80 pasture acres at \$7.50

Motion: Councilman Fred Fox moved to forward with approval the Paul Fredericks renewal for 5 years at \$10/acre. Councilman L. Kenneth Hall seconded the motion. Vote: 3-0-0. Motion carried.

6) **Paul Fredericks** - T, 32.8 pasture acres at \$25 - 907A-C

Motion: Councilman Fred Fox moved to forward with approval the Paul Fredericks renewal for 5 years at \$10/pasture acres \$7.50 for the other. Councilman L. Kenneth Hall seconded the motion. Vote: 3-0-0. Motion carried.

7) **Greta White Calf & Burly Sailor** T1758

Motion: Councilman Fred Fox moved to forward with approval renewal for 5 years at \$10/acre. Councilman L. Kenneth Hall seconded the motion. Vote: 3-0-0. Motion carried.

8) **Greta White Calf & Burly Sailor**

Motion: Councilman Fred Fox moved to forward with approval renewal for 5 years at \$10/acre. Councilman L. Kenneth Hall seconded the motion. Vote: 3-0-0. Motion carried.

9) **Don Bowman** T719

Motion: Councilman L. Kenneth Hall moved to forward with approval renewal for 5 years at \$/acre. Councilman Fred Fox seconded the motion. Vote: 3-0-1. (Councilman Frank Grady-Abstained) Motion carried.



10) Don Bowman 18 acres

Motion: Councilman L. Kenneth Hall moved to forward with approval renewal for 5 years at \$/acre. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

11) Stacey Roberts Tribal Consent for Resolution

136. 55% tribal interest,

Motion: Councilman Fred Fox moved for \$60/acres. Councilman L. Kenneth Hall seconded the motion. Vote 3-0-0.

12) Stacey Roberts Tribal Consent for Resolution 35.8/60/acre

Motion: Councilman Fred Fox moved for \$60/acres. Councilman L. Kenneth Hall seconded the motion. Vote 3-0-0.

13) Wade Billadeu

Motion: Councilman Fred Fox moved to approve. Councilman L. Kenneth Hall seconded the motion. Vote 3-0-0. Motion carried.

14) Wade Billadeu

Motion: Councilman Fred Fox moved to approve. Councilman L. Kenneth Hall seconded the motion. Vote 3-0-0. Motion carried.

15) Wade Billadeu 1284 65

Motion: Councilman Fred Fox moved to approve. Councilman L. Kenneth Hall seconded the motion. Vote 3-0-0. Motion carried.

16) Weston Schettler – 3028 at \$32/acre

Motion: Councilman Fred Fox moved to approve. Councilman L. Kenneth Hall seconded the motion. Vote 4-0-0. Motion carried.

17) Jim Pennington Lease Renewal.

Motion: Councilman Fred Fox moved to approve \$16/acre. Councilman L. Kenneth Hall seconded the motion. Vote 4-0-0. Motion carried.

18) Matthew Gilbertson T197A 108.6 acre



Motion: Councilman Frank Grady moved to approve. Councilman L. Kenneth Hall seconded the motion. Vote: 4-0-0.

19) Garret Gilbertson - 76 crop acres.

Motion: Councilman Fred Fox moved to approve. Councilman L. Kenneth Hall seconded the motion. Vote: 4-0-0. Motion carried.

20) Bryan Myers

Motion: Councilman Fred Fox moved to approve \$60/acre. Councilman L. Kenneth Hall seconded the motion. Vote: 4-0-0. (Chairman Mark N. Fox voting) Motion carried.

21) Harvey Billadeau

Motion: Councilman Fred Fox moved to approve \$20/acre. Councilman L. Kenneth Hall seconded the motion. Vote: 4-0-0. (Chairman Mark N. Fox voting) Motion carried.

22) Burly Whitecalf Sailor

Motion: Councilman Fred Fox moved to approve \$11/pasture acre. Councilman L. Kenneth Hall seconded the motion. Vote: 4-0-0. (Chairman Mark N. Fox voting) Motion carried.

FTR: Meeting recessed at 11:42AM. & reconvened at 1:45PM (Councilman Fred Fox, Councilman Randy Phelan, & Councilman L. Kenneth Hall Present)

J. Game and Fish update - Antoine Smith

Drawings to be at the Sept. NRC meeting. Discussion of extended deer season and change of cost of tags, promotional tags, budget needs capital expenditures, animal control kennel facility and the need for additional animal Control Officers. Adoption of a temporary ordinance

Motion: Councilman Fred Fox moved to forward the resolution "2016-2017 Tribal Hunting Seasons Proclamations" resolution to the May 12th, 2016 Tribal Business Council meeting. Councilman Frank Grady seconded the motion. Vote: 4-0-0. Motion carried.

Discussion: with the exclusion of the deer season.



Motion: Councilman Fred Fox moved to approve deer, moose, and elk gun auction tags for enrolled and non-enrolled and forward to the May 12th, 2016 Tribal Business Council meeting. Councilman Frank Grady seconded the motion. Vote: 4-0-0. Motion carried.

FTR: *Former Chairman Ed Lonefight provided insight on the taken lands, JTAC and interest income and attributes of sovereignty. Surplus lands, meets and bounds, vs. transitional easement.*

K. Emergency Operations Plan - Cliff Whitman

Presented the TAT Emergency Operations Plan with NIMS Integration.

Motion: Councilman L. Kenneth Hall moved to forward approval of a Support Letter for Grant. Councilman Fred Fox seconded the motion. Vote: 4-0-0. (Chairman Mark N. Fox voting) Motion carried.

L. Rez Rock and Water Update- Edmund Baker

Three companies operating within the reservation the Cease & Desist Order to shut down injection wells (UIC). The EPA has final permitting authority for these wells. Tribal resolution taking regulatory authority for all lands is over reaching and should be reworded to just trust lands.

Motion: Councilman Fred Fox moved Indian preference for Frank White Calf for TERO Enforcement. Councilman Frank Grady seconded the motion. Vote: 5-0-0. Motion carried.

M. Public Works

1) Contract for Sanitation Facilities - Justin Spotted Bear
Scatter sites for septic and community connections

Motion: Councilman Fred Fox moved to forward to the May 12th, 2016 Tribal Business Council meeting. Councilman L. Kenneth Hall seconded the motion. Vote: 3-0-1. (Councilman Frank Grady abstained) Motion carried.

2) Home Construction

Motion: Councilman Fred Fox moved to forward Home Construction Applicants, Joseph Chase, Samuel White Owl, Samantha Hurkes, Fred Everett Jr., Arthur Mandan, Roberta Kruegar, Shannon Fox, Marva Pretends Eagle, Shadd Fredericks, and Winona Traversie to the May 12th, 2016 Tribal Business Council meeting. Councilman L. Kenneth Hall



seconded the motion. Vote: 4-0-0. (Councilman Frank Grady voting)
Motion carried.

Motion: Councilman Fred Fox moved for 1% Prime Contractor Waste Management Permit Fee to be forwarded to the May 12th, 2016 Tribal Business Council meeting. Councilman Frank Grady seconded the motion. Vote: 4-0-0. (Councilman Frank Grady voting) Motion carried.

K. Solid Waste Department - Patrick Dubois

L. Utilities Update - Newlyn Little Swallow

Item deferred.

M. FBRW Update - Maynard Demaray

Provided an assays cost breakdown for Red Hawk Estates, Reservation wide, Four Bear Area, Mandaree Area 3 & 4, Mandaree Treatment Plant. Discussed needing 3.8 million for these water projects.

Motion: Councilman Fred Fox moved to forward to the May 12th, 2016 Tribal Business Council meeting. Councilman L. Kenneth Hall seconded the motion. Vote: 5-0-0 (Councilman Frank Grady & Chairman Mark N. Fox voting)

N. Murphy Sitting Crow

No Action

O. Hushгаа Ride – Benjamin Good Bird

Seeking financial assistance for around \$15-20,000 for the ride, plaque.

Motion: Councilman Fred Fox moved to forward approval of \$20,000 to the May 12th, 2016 Tribal Business Council meeting. Councilman L. Kenneth Hall seconded the motion. Vote: 3-0-0. Motion carried.

VI. ADJOURNMENT

Motion: Councilman Fred Fox Moved to adjourn the meeting. Councilman Frank Grady seconded the motion. Meeting adjourned at. 3:55pm.

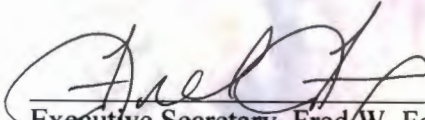


CERTIFICATION

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 6th day of June, 2019 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 6th day of June, 2019.

ATTEST:



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

Committee Chairman, Randy Phelan
Tribal Business Council
Three Affiliated Tribes