



**CALL TO ORDER:**

Councilman Cory Spotted Bear called the meeting to order at 1:42 PM.

**ROLL CALL:**

***Present:*** Councilwoman V. Judy Brugh, Councilman Cory Spotted Bear, & Councilman Fred Fox. *Quorum established.*

**I. APPROVAL OF AGENDA:**

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

**II. APPROVAL OF MINUTES:**

**A. January 27<sup>th</sup>, 2021 Natural Resource Committee Minutes.**

***FTR:*** Councilwoman Sherry Turner Lone-Fight joined the meeting at 1:43 PM.

***Motion:*** Councilman Fred Fox moved to approve the January 27<sup>th</sup>, 2021 Natural Resource Committee Minutes. Councilwoman V. Judy Brugh seconded the motion. Vote: 4-0-0. Motion carried.

**III. NEW BUSINESS:**

**A. Environmental Division – Edmund Baker, Director**

We are in agreement with Lakeview, its being handled and we are complying out of Edmund's office with observation and submitted reports for the agreement, everything is good. We are coming into a new season we will be watching for run off from the pads. There is a CAP (Compliance Assistance Plan) agreement. In regards to Lakeview, during building projects in the area some things were overlooked.

***FTR:*** Councilwoman Monica Mayer joined the meeting. 1:46PM.

We have an agreement in EPA to cut within a year. It was set in resolution on the Tribal side. Projects in the Segments, Dennis Fox is the construction manager, he is the person to contact. Dennis is sending out requests for information for all of these projects, NOI (Notice of Intent). Storm water permitting plans that are supposed to be on hand for the contractor. The whole thing is geared towards preventing run off during rain. It seems like a minor thing but it has federal teeth behind it. The effort between Edmund, one of his workers and Dennis is to compile this information, go back through the spreadsheet and make sure all of our projects are in the process or submitting the proper documents. Now we are in agreement with EPA, after one year we will know the process for ourselves. EPA wants to cover us for two years. All of this is too protect the water. Second issue is Crestwood, in 2019 had significant rainfall. Run off on 2 pads, the pandemic happened and that one was on hold. Soon will get a team together, EPA, Energy and Pipeline Authority. Will work on remediation. Will follow the same process. We can count on Crestwood will push back. Do not like to be left out of closed door meetings between companies. Air quality, we proposed to take a snap shot what is in the air in Four Bears area. Question was asked, doesn't EPA already do that. We are looking at the ambient that is released into the air.





Need to work on an Air Quality Code for this Tribe. Councilman Fred Fox, work on the air quality, look into it. We do have a grant this year for air quality called Air Quality 105, it involves reading the monitors that are here. The monitors don't have the capacity to recognize formaldehyde. Will be adding extra duties to someone's job to save money. Edmund stated he will look for someone qualified, want to fund them at about \$30, the rest will come out of the grant. Councilwoman V. Judy Brugh asked Edmund who is put in charge of this, Edmund states he was put in charge of this. He made it clear to others he works with not to meet separately with companies. Edmund is specific he is not EPA, he works for the Tribe.

**Motion:** Councilman Fred Fox moved to support the \$30/hour position for EPA forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 5-0-0. Motion carried.

**B. Land Sale – Ivan Johnson**

Presented offer for a land sale. He wants \$4 million for it. It is in trust, he can give the tribe first option. He wants to put it in fee. Councilwoman Sherry Turner Lone-Fight thinks there is a lot of potential. She feels the rate is worth it. Ted Lone Fight III states there a lot of development on there, there is not a 100% access to it. Looking at a geo thermal plant to go here. There is access to and from the land there. It is prime land that can be easily developed. Councilman Cory Spotted Bear states we could expedite this, keep it on the agenda but we need to get preliminary stuff done first. Could get an appraisal in 30 days, at the soonest. Councilman Fred Fox suggested, we can move appending appraisal. *Tabled pending appraisal.*

**C. MWEC Easement Resolution (on power point). Electrical line.**

**Motion:** Councilwoman V. Judy Brugh moved to forward to TBC pending Legal review. Councilman Fred Fox seconded the motion. Vote: 5-0-0. Motion carried.

**IV. NATURAL RESOURCE DEPT.**

**A. 2021 Agricultural Lease Rates Resolution**

Resolution entitled, "2021 Agricultural Lands Leasing Policy". Resolution has not been legally reviewed.

**Motion:** Councilman Fred Fox moved to forward to TBC pending Legal review. Councilwoman V. Judy Brugh seconded the motion. Vote: 5-0-0. Motion carried.

**B. Land Use Resolution North Segment**

Councilwoman Monica Mayer states we need an energy policy.

**Motion:** Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 5-0-0. Motion carried.

**C. Land Use Resolution Four Bears**

**Motion:** Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 5-0-0. Motion carried.

**D. My Little Mexico Utility Easement (Four Bears)**





Committee requests to have CEO work on cleaning up this area. There are a lot of items on that lot.

**Motion:** Councilman Fred Fox moved to clear and clean lot. Not forwarded to TBC.  
Councilwoman V. Judy Brugh seconded the motion. Vote: 5-0-0. Motion carried

#### **E. Home Sites - Resolution**

- 1) **Charles Moran, Jr.**, 2.5-acre home site, Lot 8, Block, Little Shell Creek Subdivision on T394A-F, Section 2, T. 150 N., R. 92 W., Mountrail County, 5<sup>th</sup> PM of ND, containing an 100% Tribal interest, more or less.
- 2) **Crystal Taylor**, 2.5-acre home site, Block 1, Van Hook Subdivision on TF, Section 29, T. 152 N., R. 91 W., Mountrail County, 5<sup>th</sup> PM of ND, containing an 100% Tribal interest, more or less.
- 3) **Sasha LaRocque, Jr.**, 2.5-acre home site, Lot 9, Block 1, Little Shell Creek Subdivision on T394A-F, Section 2, T. 150 N., R. 92 W., Mountrail County, 5<sup>th</sup> PM of ND, containing an 100% Tribal interest, more or less.
- 4) **Quinn LaRocque**, 2.5-acre home site, Lot 10, Block 10, Little Shell Subdivision on T394A-F, Section 2, T. 150 N., R. 92 W., Mountrail County, 5<sup>th</sup> PM of ND, containing an 100% Tribal interest, more or less.
- 5) **Lyle LaRocque**, 2.5-acre home site, Lot 11, Block 9, Little Shell Subdivision on T394A-F, Section 2, T. 150 N., R. 92 W., Mountrail County, 5<sup>th</sup> PM of ND, containing an 100% Tribal interest, more or less.
- 6) **Victor Stevens**, 2.5-acre home site, Lot 12, Block 1, Little Shell Subdivision on T394A-F, Section 2, T. 150 N., R. 92 W., Mountrail County, 5<sup>th</sup> PM of ND, containing an 100% Tribal interest, more or less.
- 7) **William Wells, III**, 2.5-acre home site, Lot 13, Block 1, Little Shell Subdivision on T394A-F, Section 2, T. 150 N., R. 92 W., Mountrail County, 5<sup>th</sup> PM of ND, containing an 100% Tribal interest, more or less.
- 8) **Declan Jones**, 2.5-acre home site, Lot 14, Block 1, Little Shell Subdivision on T394A-F, Section 2, T. 150 N., R. 92 W., Mountrail County, 5<sup>th</sup> PM of ND, containing an 100% Tribal interest, more or less.
- 9) **Tanya Fimbres**, 2.5-acre home site, SW1/4, SW1/4, NW1/4, NW1/4, on Allotment T5439, Section 15, T. 152 N., R. 93 W., McKenzie County, 5<sup>th</sup> PM of ND, containing an 100% Tribal interest, more or less.

**Motion:** Councilman Fred Fox moved to forward to TBC under Legal review. Councilwoman V. Judy Brugh seconded the motion. Vote: 5-0-0. Motion carried.

#### **F. Indian Preference Agricultural Lease 2021**





Texx Lone Bear is working with John Bearstail to get Indian Preference. Will motion to blanket all 17 applicants.

Blanket motion on Resolution entitled, "*Agricultural Leases on Tribal Land*".

- 1) **Anthony Vitko** – Allotment Numbers: T267A-B, T1494, T1500, T201A, T267A-A, T274A-A, T283A and T307A. Total Acres 726.97
- 2) **Nancy Vitko** – Allotment Numbers: T100A-A, T100A-B, T1022, T1529, T244A, T280A-A, T280A-B, T29A-A, T3043A, T301A-B and T323A. Total acres 829.10
- 3) **Wade Howard** – Allotment Number: Taken Area, Description E1/2NW1/4, Section 14&15, Township 148, Range 88. Total Acres 30.00
- 4) **Donovan Dixon** – Allotment Numbers: T0047, T1018, T1021, T1022, T1056, T1060, T1062, T1280, T3041, T966, T969 and T988. Total acres 834.71
- 5) **Blaine Fox** – Allotment Numbers: T32A-A, T68A, T898, T1145, T1268, T1284, T1293, T1290, T2275 and T3014. Total acres 717.50
- 6) **Weston Schettler** – Allotment Numbers: 237A, T1288-B, T1298, T199A, T213A-C, T3021, T3022, T3028, T3103 and T3139. Total acres 543.77
- 7) **Louis Simenson** – Allotment Numbers: T113A-B, T113A-A, T966, T487A, T1060, T1056, T156A-A, T87A, T182A and T1296. Total acres 801.91
- 8) **Scott Simenson** – Allotment Numbers: T175A, T176A, T55A and T82A. Total acres 853.22
- 9) **Greta W. White Calfe** – Allotment Numbers: T15223, T5169, T15231, T15232 and T476A. Total acres 395.29
- 10) **Ethan White Calfe** – Allotment Numbers: T15224, T15225, T15226, T15227, T15228, T15229 and T15230. Total acres 317.22
- 11) **Verlee K White Calfe-Sayler** – Allotment Numbers: T144A and T1758. Total acres 200.00
- 12) **Jerry Kerzman, Jr.** – Allotment Numbers: T1021, T1018, T3041 and T988. Total acres 257.74
- 13) **Tom Breuer** – Allotment Numbers: 369, 1335, 1363, 157A, 274A, T104A-D, T1268, T1490, T1848, T213A-A, T2275, T238A-A, T238A-A, T467A-A, T1467A-D, T873 and T898. Total acres 885.74
- 14) **Luke Spotted Bear** – Allotment Numbers: T310A-B, T1529, T211A-A, T310A-C and T310A-A. Total acres 306.60
- 15) **Bernard Tom Pfliger** – Allotment Numbers: 29001203649000, 29001203650000, T0679, T1298, T1300, T1320, T1494, T1500 and T58A-A. Total acres 769.16





16) **Bernard Tyler Pfliger** – Allotment Numbers: T0862, T1510-A, T1510-C, T176A and T3112A. Total acres 401.72

17) **Austin Gillette** – Allotment Number: T828. Total acres 486.00

**Motion:** Councilman Fred Fox moved to forward with recommendation of approval the presented resolution to TBC subject to Legal review. Councilwoman V. Judy Brugh seconded the motion. Vote: 5-0-0. Motion carried.

G. **TERO** – *Charles Foote, Director*

*Item deferred.*

H. **Fort Berthold Rural Water (FBRW)** – *Pem Hall, Director*

Agreement. Pending legal review. Would like to start working with this (legal representation).

**Motion:** Councilman Fred Fox moved to forward to TBC for discussion. Councilwoman V. Judy Brugh seconded the motion. Vote: 5-0-0. Motion carried.

**Discussion:** Councilwoman V. Judy Brugh asked why all the flushing of the lines. During the winter it is done to increase the water. It is a safety thing. Trying to do each month. Councilwoman V. Judy Brugh remembers they would get a monthly report on the water. Joe states the water is good to drink, it is tested all the time.

I. **Tribal Utilities**

*Item deferred.*

V. **ADJOURNMENT**

**Motion:** Councilman Fred Fox moved to adjourn the meeting. Councilwoman V. Judy Brugh seconded the motion. Meeting adjourned at 2:39 PM.

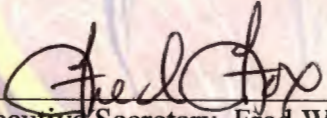


**CERTIFICATION**

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 25<sup>th</sup> day of March, 2021, 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 25<sup>th</sup> day of March, 2021.

ATTEST:

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

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