



**CALL TO ORDER:**

Councilman Cory Spotted Bear called the meeting to order at 11:37 AM.

**ROLL CALL:**

**Present:** Councilwoman Sherry Turner-Lone Fight, Councilman Cory Spotted Bear & Councilman Fred Fox.  
*Quorum established.*

**I. APPROVAL OF AGENDA**

*FTR: Councilwoman V. Judy Brugh joined the meeting. 11:40 AM.*

**Motion:** Councilman Fred Fox moved to approve the agenda. Councilwoman V. Judy Brugh seconded the motion. Vote: 4-0-0. Motion carried.

**II. APPROVAL OF MINUTES**

- **March 30<sup>th</sup>, 2022 Natural Resource Committee Minutes**

**Motion:** Councilman Fred Fox moved to approve March 30<sup>th</sup>, 2022 Natural Resource Committee Minutes. Councilwoman V. Judy Brugh seconded the motion. Vote: 4-0-0. Motion carried.

**III. NEW BUSINESS**

**A. ND DOT – Highway 8 Project**

Ray Barcheger states, intersection alignment in Twin Buttes was done. The intersection has been this way for years, it is dangerous. He states there are a lot to do yet, still looking at options. Waiting on a ROW. Would like to do an MOU, would be the easiest. There will be an input meeting before deciding which route to go. Would like to do some bore testing by the water tower, need a temporary ROW to do soil sampling.

*FTR: Councilwoman Monica Mayer joined the meeting at 11:47 AM.*

**Motion:** Councilwoman V. Judy Brugh moved in favor of a temporary ROW. Councilman Fred Fox seconded the motion. Vote: 5-0-0. Motion carried.

**Discussion:** Rural Water asked for correlation with the project. Pem Hall states they will adjust and accommodate. Councilman Cory Spotted Bear will meet with Ray before the community meeting.

**B. Karis Ann Freyer – Danny L. Jones Estate**

Texx Lone Bear states that she has less than 5% in the Daniel L. Jones estate. Karis is Daniel's niece, and he didn't have any children. There are around 16 tracts. William Jones Jr, left land to his children Carrie Lisa Jones, Leslie Jones and Danny Jones. Danny is a half sibling to Carrie and Leslie. Danny has no children. Karis's mother passed away in 2004 and her aunt went missing a year after losing her mother. Her uncle married a 19-year-old woman in Vegas a year before he died, she is listed as his inheritance. The date of death will be honored as of May 1, 2005, Karis's mother would have inherited half, which would go to Karis. Danny would have



inherited the other half. Karis would lose her mother's if she doesn't get her Uncles. Karis is concerned of Williams tracts 211-212. Her attorney would like her to get the other tracts. (14895 & 212 minerals and surface). 2011A & 2012 according to Texx. 301M, 2011A, 301-2011, 301M 2012, Corn Stock 301M 1039A and Last Child 301M 1680. Texx states, if there is no will and less than 5% the tribe owns it. Danny was starting his will but never finished it. His intention was to give half to his wife of the income, and the land to Karis's daughter. Prior to his death she signed a settlement agreement, so they were still working on her Aunt's case. His settle agreement followed those wishes. She states she is the last heir. Since May 1<sup>st</sup>, 2005. Councilman Fred Fox states John Fredericks can look at it and see what he can do. Will forward this request to TBC. Tyra Wilkinson will look this over.

**Motion:** Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 4-0-1. (MM-NV). Motion carried.

**C. Pouch Point Recreation - James Mossett**

Have 5-year lease and it expires this year, Tyra Wilkinson looked it over and made a few changes. The changes are highlighted in red on the handout.

**Motion:** Councilman Fred Fox moved to forward Executive Action to TBC and with the changes on the resolution. Councilwoman V. Judy Brugh seconded the motion. Vote: 4-0-1. (MM-NV). Motion carried.

**Discussion:** There is a May 1<sup>st</sup> deadline. James will get an extension and forward to TBC.

Dust control problem on Mossett Bay. Will work with Halliday for some asphalt. \$46,000 to haul the asphalt down to Mossett Bay. \$15,000 outstanding balance left. Needs to be paid. Cabin owners paid some of it except \$15,000. Fisher industry, the check will be made out to them.

**Motion:** Councilman Fred Fox moved to pay invoice of \$15,000 out of general fund. Councilwoman V. Judy Brugh seconded the motion. Vote: 4-0-1. MM-NV. Motion carried.

**Discussion:** James states there are 2 lots open and asked \$25,000 each for them. There hasn't been anyone to rent the lots as of yet. Councilman Cory Spotted Bear states the Council should put a price on the lots. The rent/revenue comes back to the tribe, James did not know the yearly revenue that comes in.

**Motion:** Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 4-0-1. MM-NV. Motion carried.

**Discussion:** Texx Lone Bear gave an update on the derogatory names on maps and addressing our tribe and our people. Councilman Cory Spotted Bear asked Records to add to the TBC agenda along with James's presentation.

**D. TATGIS Request – Tanya Sand-Driver, Director**

Data sharing for GIS. There are requests for land ownership and outside entities USDA out of Stanley for range unit boundaries, and one from RTC wanting land ownership. There are 6 counties with USDA, they don't share their information with the tribe. Define the range unit



boundaries by GPS. Councilman Fred Fox states there should be a form requesting the data. Texx states the ownership lapses in time and should be updated regularly. Tanya brought up air space, she asked if we have something in place. We would like to start monitoring with drones.

**Motion:** Councilwoman V. Judy Brugh moved to declare our own air space, forward to TBC. Councilman Fred Fox seconded the motion. Vote: 4-0-1. (MM-NV). Motion carried.

**Discussion:** Councilman Cory Spotted Bear met with Tanya last week and he noticed there are tracts that were purchased by the tribe, but there is no recorded documentation on these. Councilman Fred Fox noted that John Fredericks was working on something for drones already according to his notes. Tanya gave an update on an updated map of the old bottom lands with names of places. Would like to do a hydrology model map. Tanya will bring the imagery back to the Council.

**E. Game & Fish – Antoine Smith, Director**

Report submitted for the record. Cooperative Service Agreement with the USDA- Animal & Plant Inspection Service presented for review.

**FTR:** June 1<sup>st</sup>, 2022 Next Energy and NRC meeting.

Antoine Smith brought back the animal control issue with livestock within city limits. Councilman Cory Spotted Bear asked about the dog issue, Antoine Smith states they are working on the proclamation, and currently amending the ordinance. The only thing that is not included is backyard chickens. Councilman Cory Spotted Bear states, our communities should be zoned, Councilman Fred Fox agrees. Committee would like to put zones in the communities. Ranchers are having issues with coyotes, there is an agreement was put together. There are 3 main ranchers who complain every year. Antoine Smith made up an agreement for this. USDA would monitor the program, Antoine Smith asked when they fly they need to report to her to inform her of when and how many coyotes were shot. She states the state will charge around \$75,000. Antoine Smith will put in for a bigger budget for the dog issue on Fort Berthold, it is life and death here. Councilwoman Sherry Turner-Lone Fight we need a holding pen for dogs, Councilman Fred Fox asked Toni to look into contract services too.

**Motion:** Councilman Fred Fox moved for support at the committee level. Councilwoman V. Judy Brugh seconded the motion. Vote: 4-0-1. (MM-NV). Motion carried.

**F. Lindy Waters Contract**

Lindy Waters contract presented for Basketball clinics. He will be here June 10<sup>th</sup> & 11<sup>th</sup>.

**Motion:** Councilman Fred Fox moved to forward to TBC. Councilwoman V. Judy Brugh seconded the motion. Vote: 4-0-1. (MM-NV). Motion carried.

**IV. NATURAL RESOURCE**

**A. Hidatsa Hills Subdivision Proposal**

Estimates of \$151,150 and \$170,000 have come in. Councilwoman Monica Mayer states this has been in the works for many years, access was an issue before. Gary Danks asked if we could use section lines, they have to give up access to public. There is 40 acres that Mary Ann Starr owns



some land there and would like to see if she would be willing to sell. Councilwoman Monica Mayer states, Texx Lone Bear will work with Jason on the access part.

#### **B. Irrigation Project – Site Selection**

Texx Lone Bear reminded the Committee that Dennis Huber approached the Committee with an irrigation project. Want to do a pilot project with this. There are 3 - 160 acre tracts that are all 100% tribally owned. Would like this as a pilot project. White Shield has an aquifer and it is accessible to the aquifer. Would like to utilize these three tracts.

**Motion:** Councilman Fred Fox moved to work on impact study. Councilwoman V. Judy Brugh seconded the motion. Vote: 5-0-0. Motion carried.

**Discussion:** We are proposing to take from the aquifer, Councilwoman V. Judy Brugh would like to find out from a professional on this before we do anything. Councilman Fred Fox states there are ranchers that have been using the aquifers. What will the cost be to pipe the water up to the field, we need to research more into this for the cost and the pros and cons of using the aquifer. Reach out to the state and see if they already did a study.

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

**Discussion:** Brosz Engineering will provide surveying, conceptual planning and design, subdivision conceptual design documents for the proposed Hidatsa Hill Development.

#### **C. April Home Site Applications**

*Item deferred.*

#### **D. Land Sale West Segment**

Allotment No's: 301-24, 301-25, 301-209A, 301-212A, 301-216A, 301-379, 301-813A-B, 301-1014A, 301-1017A, 301-1066, 301-1067, 301-1067A, 301-1069, 301-1071, 301-1701, 301-1753. Total 106.7225 sellers share.

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

#### **E. Land Exchange West Segment**

Maxine Buffalo. Councilwoman Sherry Turner-Lone Fight worked with Maxine. Maxine's Allotment No's: 301-2101-B. In exchange for TAT, 301-T3-1030, 301-T0711A, 301-T0710A. Surface only. Will have an appraisal done.

**Motion:** Councilman Fred Fox motioned to go forward value for value. Councilwoman V. Judy Brugh seconded the motion. Vote: 5-0-0. Motion carried.

#### **F. 2022 Agricultural Lease Application – 22 applicants.**

Went through legal. Ready for TBC. Applicants: Anthony Viteko, Austin Gillette, Blaine Fox, Bruce Fox, Buffalo Rock Feed, Darrin Myrick, Donovan Dixon, Elton Spotted Horse, Jerry



Kerzmann Jr., Kansas Johnson, Louis Simonson, Nancy Viteko, Nathaniel Packineau, Noreen Mossett, Ree Ranch, Scott Simonson 1, Scott Simonson 2, Tom Breuer, Wade Howard, Weston Schettler. Texx will add Tom Fleeger.

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

#### **G. Fort Berthold Rural Water (FBRW)**

Resolution entitled, “*Amending Resolution 20-215-FWF*”. Residential.

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

**Discussion:** Councilman Cory Spotted Bear asked about having backup generators in place. FBRW is in a pickle, they ordered about a million dollars’ worth of pipe. The reason is Fort Berthold would not be able to add any users this year, there is a nationwide shortage, they made the decision to buy what they will put in this year.

#### **H. Generator Assessment by EOC**

Councilwoman Monica Mayer stated North Segment would like to purchase some generators there are some segment members that require electricity for medical equipment in their homes. Currently have two mobile generators that North Segment loaned out to the residents to use. Didn’t Cliff Whitman’s program purchase generators already? Will need to find out if they were purchased and where they are. Councilwoman Monica Mayer suggested EOC to do a generator assessment for whole reservation. There are Departments/Segments that could use them in emergency situations.

**Motion:** Councilwoman V. Judy Brugh moved to have the CEO’s office and EOC do a generator assessment for the entire reservation and forward to TBC. Councilman Fred Fox seconded the motion. Vote: 5-0-0. Motion carried.

**FTR:** Councilwoman Monica Mayer asked to add Roads Department as a standing item on the agenda.

#### **I. Roads Update – Gary Danks**

Gary Danks gave an update on the roads for snow removal on Fort Berthold. Councilwoman V. Judy Brugh states they need their own road crew in Four Bears Community. Gary was asked to add that into his budget for Roads Department.

#### **V. ADJOURNMENT**

**Motion:** Councilwoman V. Judy Brugh moved to adjourn the meeting. Councilman Fred Fox seconded the motion. Meeting adjourned at 2:21 PM.

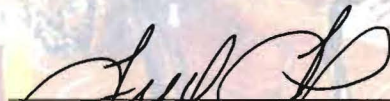


### CERTIFICATION

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 6<sup>th</sup> day of June, 2022, 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 6<sup>th</sup> day of June, 2022.

ATTEST:

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

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