



**CALL TO ORDER:**

Councilman Cory Spotted Bear called the meeting to order at 12:46 PM.

**ROLL CALL:**

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

**I. APPROVAL OF AGENDA:**

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

**II. APPROVAL OF MINUTES:**

• **March 1<sup>st</sup>, 2023 Natural Resource Committee Minutes**

***Motion:*** Councilman Fred Fox moved to approve March 1<sup>st</sup>, 2023 Natural Resource Committee Minutes subject to minor corrections. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

• **March 23<sup>rd</sup>, 2023 Natural Resource Committee Minutes**

***Motion:*** Councilman Fred Fox moved to approve March 23<sup>rd</sup>, 2023 Natural Resource Committee Minutes subject to minor corrections. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

**III. NEW BUSINESS:**

**A. New Employee.**

Corey Vitner replacing Kary will be detailed here 120 days.

**B. Fay Moberg Range Unit 208**

Involves about 220 acres. This was regarding a horse racing event being held on Range Unit 208. The race will be moved to Range Unit 206. Everything north on RU 208 will be moved to RU 206. Councilwoman Sherry Turner-Lone Fight stated to get it worked out with Ms. Moberg so she will be happy.

*Tabled*

**C. Jessica Eagle-Blue Stone – West Segment Energy Project**

Ms. Eagle-Blue Stone spoke about the development of a Sustainable Energy Department within the MHA Nation. She went over the purpose of the new department. She stated that the tribe has enough resources to develop energy and has enough to export it. The tribe has not even begun to tap into their resources. There are grants available for Indian lands to develop things like this.

**D. Saddle Butte Challenge**

The Committee is willing to endorse the event if the lessors can come to an agreement.



**Motion:** Councilwoman Monica Mayer moved for an endorsement of the horse race. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

**E. LCC Telecom Services – West Segment Cell Tower Project - Mike Beanik.**

Vertical bridge They will be needing to make the towers an additional lease of 100 ft. This has caused some building issues. Councilman Cory Spotted Bear advised Mr. Beanik to speak with Councilwoman Sherry Turner-Lone Fight regarding this. He stated that he did speak to her about the original tower plans but not the new changes that have to be made. The changes will not cost the tribe. This is Verizon tower. Councilwoman Sherry Turner-Lone Fight is in favor of the changes. This will be a spring project. Texx Lone Bear stated that they need the committee to have the Legal Department expedite the approval. The committee called in Lead Attorney Tyra Wilkinson. Ms. Wilkinson stated that CFR provisions need to be added to this lease. Councilman Cory Spotted Bear stated to have the Legal Department and Vertical Bridge work together and get the proper information on the new lease.

**FTR:** Councilwoman Sherry Turner-Lone Fight joined the meeting at 12:56PM

**Motion:** Councilwoman Monica Mayer moved to forward the LCC Telecom Services – West Segment Cell Tower Project to TBC subject to Legal review. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

**Discussion:** The vendor contract has been Legally reviewed and the code there must be in place before the contract is good.

**F. Michaela Howe Home Site Lease – North Segment**

In 2014, a lease was issued to Ms. Howe. Back then, resolutions were not issued for leases. The tribe currently owns the lot. She brought the house in and put it on a lot owned by Pauline and Drake. Dispute on who owns the lot. Michaela has had the lot since the Russell Mason administration. Councilwoman Sherry Turner-Lone Fight states West Segment moved the house for Michaela to North Segment on the lot that they were told to. This issue will be investigated further.

**Motion:** Councilwoman Monica Mayer moved to forward to TBC. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

**Discussion:** Recommendation to make a brand-new lease.

**G. T 359A – Possible Trespass**

This Range Unit was leased to Anthony Vitko and somebody farmed it. The unit is north of Delvin Driver's land. He brought it to Diana's attention. Jesse Baker took pictures and noted that they will have to wait to find out who seeded the land. The land in question is Tribal trust land. Councilman Fred Fox suggested that the Tribe fine them. Texx Lone Bear will bring this back to the August NRC meeting. The Trespass Ordinance needs to be set up for our Tribe because the BIA takes too long, and we need to set up our own. Texx Lone Bear is to develop a Trespass Ordinance. Mr. Lone Bear informed the Committee that they still have positions open for Range Riders.



#### IV. NATURAL RESOURCE:

##### A. Ag lease Requests:

###### 1) John Stone Jr.

John Stone Jr. added to agenda T77-C?

**Motion:** Councilwoman Monica Mayer moved to forward John Stone Jr. Ag Lease to TBC subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion. Vote: 3-0-0. (FF-NV). Motion carried.

**Discussion:** 13 per acre. 1- year. Councilman Cory Spotted Bear wants signed verification to show leases.

###### 2) Howard Fettig

301-972A. 73.52 acres, the West Segment Preference rate for one year lease period, at a rate of \$28.00 per acre for farm, which equals \$2,058.65. This will be for 1 year.

**Motion:** Councilwoman Monica Mayer moved to forward to Howard Fettig Ag Lease TBC subject to Legal review. Councilwoman Sherry Turner-Lone Fight seconded the motion. Vote: 3-0-0. (FF-NV). Motion carried.

###### 3) Edward H. Hall

Allotment No. 301-T15444, T5094, T15281, T5171, T15172, T5138. 130.52 acres, in the East Segment Preference rate for one year period, at a rate of \$13.00 per acre for farm pasture, which equals \$1,696.89.

**Motion:** Councilman Fred Fox moved to forward Edward H. Hall Ag Lease to TBC with recommendation of 1-year term & subject to Legal review. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

##### B. Home Sites

Shanna Fox- West Segment, Winonna Good Left- Four Bears, & Trey Brady- Four Bears

**FTR:** Councilman Fred Fox stepped out of the meeting.

**Motion:** Councilwoman Sherry Turner-Lone Fight moved to forward resolution entitled "Home Site Leases – July 2023" to TBC subject to Segment Representative approval & Legal review. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

##### C. Fee to Trust Request in Van Hook

Councilwoman Monica Mayer would like to turn everything into fee to trust, Chairman Mark N. Fox states they can't sell the land if that is done.

**Motion:** Councilwoman Monica Mayer moved to forward resolution entitled "Authorization to Complete and Submit a Fee to Trust Application for Mountrail County – Van Hook Subdivision." to TBC. Councilwoman Sherry Turner-Lone Fight seconded the motion. Vote: 3-0-0. Motion carried.



#### **D. Hidatsa Hills Fee to Trust Request**

**Motion:** Councilwoman Monica Mayer moved to forward a resolution entitled "*Authorization to Complete and Submit a Fee to Trust Application for Mountrail County – Hidatsa Hills Subdivision.*" to TBC. Councilwoman Sherry Turner-Lone Fight seconded the motion. Vote: 4-0-0. Motion carried.

#### **E. TAT -NRD Application Process for Acquisitions**

- 1) Fee Land
- 2) Trust Land

*Items deferred.*

#### **F. Land Exchanges:**

##### **1) Edward H Hall Land Exchange**

Allotment no. 5628 for 0344A, 1033, 1373, T5094. A difference of \$2.06, will be waived by Mr. Hall.

**Motion:** Councilman Fred Fox moved to forward a resolution entitled "*Edward H Hall – East Segment Land Exchange*" to TBC pending approval of lease in North East Segment representative approval. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

##### **2) Patiently & Jody Martinez Land Sale**

Allotment no. 52A & 1141. Jodi S. Matinez, Non-member - Special Interest Holder of these allotments: Allotment no. 52A, 1141.

**Motion:** Councilwoman Monica Mayer moved to forward a resolution entitled "*Patiently & Jodi Martinez – East Segment Land Exchange*" to TBC subject to Legal review. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

##### **3) Peterson Brother City Lot Sale**

\$50,000 per lot. Councilwoman Monica Mayer wants to get as much land back for the Tribe as she can. Councilwoman Monica Mayer noted that the house on the lot will be demolished.

**Motion:** Councilwoman Monica Mayer moved to forward a resolution entitled "*Peterson Brothers City Lot and House Sale – North Segment*" to TBC. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

#### **G. Tribal Utilities -**

See Closed Session

#### **H. Public Works - Marcus D. Levings, Director**

See Closed Session

#### **I. Fort Berthold Rural Water (FBRW) – Joseph Silveria, Director**

##### **1) Tapping or Taking of Water from Fort Berthold Rural Water**



**Motion:** Councilman Fred Fox moved to forward resolution entitled "*Updating Resolution 12-034-VJB - Prohibiting the Tapping or Taking of Water from Fort Berthold Rural Water Facilities without Proper Authorization*" to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

## 2) State Water Commission Funding

**Motion:** Councilman Fred Fox moved to forward a resolution entitled "*Authorizing Fort Berthold Rural Water to apply for State Water Commission funding.*" to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

## 2) Amendment of 22-212-FWF

**Motion:** Councilman Fred Fox moved to forward resolution entitled "*Amendment to Resolution No. 22-212-FWF Authorizing Funding for the FBRWS Subsequent User and System Improvement Contract.*" to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

## 3) West Segment Maxine Buffalo Land.

301-2101-B & 301-711A-B in exchange for land in 301-T0711A & 301-T0710A. The difference of the land exchange of \$622.78, will be waived by Maxine Buffalo.

**Motion:** Councilwoman Monica Mayer moved to forward to TBC subject to Legal review. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

White Shield & Four Bears will need treatment plants in these segments, Councilwoman Monica Mayer asked to think of North Segment.

## V. PUBLIC WORKS:

### A. **Solid Waste** – *Kanzas Johnson, Director*

Ms. Johnson expressed her need for a new building. Councilwoman Monica Mayer advised her to meet with James Baker and get things rolling regarding a new building. Councilman Cory Spotted Bear stated that he will help her with getting a new building. Ms. Johnson stated that in June of 2023, they collected 361 tons of garbage. There are currently 21 employees in the Solid Waste Department. Need to know about the Community clean ups a couple weeks before they happen. Councilman Fred Fox have a clean up after every pow wow in every community just an FYI.

### B. **Tribal Utilities** – *Marcus Levings, Director*

Councilman Cory Spotted Bear asked Marcus to attend the budget meeting next week. 740,000 to get trucks added to the cost, this is one proposal. 8-10 techs operating

**Motion:** Councilwoman Monica Mayer moved to forward the following resolutions to TBC:



- *"Approval Letter of Intent to Obtain Right of Way for the T-538A-B, T549-A and T5439 within the FB22 LS Generators New Town -Drags Wolf Lift Station to Install Self Powered Generators in the advent of Electrical Power Outages."*
- *"Approval Letter of Intent to Obtain Right of Way for the G3118 within the FB22 LS Generator Mandaree Lift Station to Install Self Powered Generators in the advent of Electrical Power Outages."*
- *"Approval Letter of Intent to Obtain Right of Way for the T5439 within the FB22 LS Generator Four Bears Marina Lift Station to Install Self Powered Generators in the advent of Electrical Power Outages."*
- *"Approval Letter of Intent to Obtain Right of Way for the T549A within the FB22 LS Backup Generator Sanitary Sewer Improvements to the Bakersfield Lift Station in the advent of Electrical Power Outages."*
- *"Approval Letter of Intent to Obtain Right of Way for the T538A-B within the FB22 Lift Station Backup Generator Sanitary Sewer Improvement Drags Wolf Village Lift Station in the advent of Electrical Power Outages"*
- *"Approval Letter of Intent to Obtain Right of Way for the T1089 within the FB22 LS Generator Twin Buttes Lift Station to Install Self Powered Generators in the advent of Electrical Power Outages. "*
- *"Approval Letter of Intent to Obtain Right of Way for the T971A-D within the Twin Buttes Segment for Indian Health Service Project FB22 Lift Station Generators; Sanitary Sewer back up generator installation and maintenance."*
- *"Approval Letter of Intent to Obtain Right of Way for the T687, T1259-B, G3109, T1246 and T2088 within the FB22 LS Generator White Shield Segment Lift Station to Install Self Powered Generators in the advent of Electrical Power Outages."*

Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

**VI. CLOSED SESSION:**

**A. Employee Issue**

**VII. ADJOURNMENT:**

**Motion:** Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 2:49 PM.

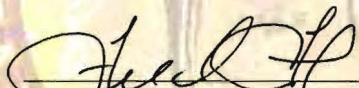


**CERTIFICATION**

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 4 were present at the meeting thereof duly called, notice, convened and held on the 31<sup>st</sup> day of January, 2024, that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 4 members; 0 members opposed; 0 members abstained; 0 members not voting.

Dated this 31<sup>st</sup> 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