

# TRIBAL LAND ENTERPRISE

A sub-chartered Corporation of the  
Rosebud Sioux Tribe  
Incorporated under Act of June 18, 1943 (49 stat 984)  
Telephone (605) 747-2371 or (605) 747-2372

## **Regular Board Meeting**

Tribal Land Enterprise

July 09 2013

The Tribal Land Enterprise Regular Board of Directors Meeting was called to order by Joe Ford, Vice-Chairman on July 09, 2013, at 10:22 am in the conference room of the Tribal Land Enterprise building in Rosebud, South Dakota.

### **Board Members Present:**

Amos Prue - Late  
Joe Ford  
Pamela Kills In Water-late  
Anthony "Tony" Metcalf  
William Bear Shield  
Cyril Scott

### **TLE Staff Present:**

Vernon Schmidt, Ex. Dir.  
Phyllis Y. E. - Cadue, Bd Sec.  
Mary Greaves, Acting CFO  
Steph Blacksmith, Fee to Trust  
Ernie Blacksmith, Leasing Mgr  
Franki Kills In Water, Leasing

### **Others Present:**

Keith Horse Looking  
Skyla Two Eagle

**Roll Call:** 6 present

**Board Member(s) Late:** 1 - Pamela Kills In Water-10:20 am, Amos Prue- 12:50 pm

**Board Member(s) absent:** 1 - LeRoy Greaves

**Called to Order:** by Joe Ford

**Invocation:** Moment of silence

**Approval of Agenda:** Motion made by Pamela Kills In Water to approve of the agenda. Seconded by Anthony "Tony" Metcalf. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion made by Pamela Kills In Water to have dates of absences to be excused due to her calling in. Seconded by William Bear Shield. Vote 3 in favor, 1 opposed, 1 not voting. MOTION CARRIED.

**Approval of Minutes:**

Motion made by Cyril Scott to approve minutes dated for June 11, 2013. Seconded by Anthony "Tony" Metcalf. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion made by Pamela Kills In Water approves minutes dated for July 01, 2013 as amended on the name Father Hatcher corrected and Upper Cut Meat Cemetery and not St Francis Cemetery. Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Staff Reports

Acting CFO-Mary Greaves.

1. AT&T Request

Motion made by Anthony "Tony" Metcalf to TABLE. Seconded by Cyril Scott. Vote 3 in favor, 0 opposed, 2 not voting. MOTION CARREID.

2. Pre Audit BID Proposal request

Motion made by Pamela Kills In Water to advertise BID proposal on Pre Audit. Seconded by Anthony "Tony" Metcalf. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

3. Financial Statement Audit Bid

Motion made by Pamela Kills In Water to approve the Financial Statement Audit Bid. Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

4. Request for upgrade/replacement on AS 400

Motion made by Cyril Scott to upgrade/replacement on the AS400 in the amount of \$3,640.00. **MOTION WITHDRAWN.**

Went on Break at 10:46 am

Reconvened at 10:58 am

5. Request for approval for backup system bids attached.

Motion made by Anthony "Tony" Metcalf to get three (3) bids for approval on the backup system bids. Seconded by William Bear Shield. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Anthony "Tony" Metcalf regarding newspaper/website

Motion made by Anthony "Tony" Metcalf for IT person Jerred Herman to proceed with the website for Tribal Land Enterprise. Seconded by William Bear Shield. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**FTR:** Executive Director is willing to do the website with IT person on his own.

6. Request for Insurance bill on Mustang Meadows

Motion made by Anthony "Tony" Metcalf to approve Mustang Meadows insurance. Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

7. Request for payment for the Rosebud Sioux Tribe Officer's reimbursement.

Motion made by Pamela Kills In Water for reimbursement of \$20,000.00 to the Rosebud Sioux Tribe Officer's payment. Seconded by Anthony "Tony" Metcalf. Vote 3 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

8. Request for payment to Rosebud Sioux Tribe Powwow payment.

Motion made by Pamela Kills In Water to authorize payment to the Rosebud Sioux Tribe Powwow in the amount of \$25,000.00. Seconded by William Bear Shield. Vote 3 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

9. Request for Retreat to go over Finance & Accounting Policy manual and other policies (Leasing, Personnel, certificate & any other policies).

Motion made by Pamela Kills In Water to go to Bear Butte Lodge for the Retreat on August 04, through August 08, 2013. Seconded Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**AMENDED** on Retreat

Motion made by Pamela Kills In Water to **AMEND** and have essential personnel and TLE Board go to Bear Butte Lodge for the Retreat on August 04, through August 08, 2013. Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

10. FYI

11. Budget May, 2013 Expenditure Report

16. Fee to Trust Attorney bill, Ron Hutchinson

Motion made Pamela Kills In Water to approve payment to Fee To Trust Attorney bill for Ron Hutchinson, June, 2013, in the amount of \$1,718.75.

Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

17. In-House Attorney, Terry Pechota invoice.

Motion made by William Bear Shield to pay for In-House Attorney, Terry Pechota bill. Seconded by Anthony "Tony" Metcalf. **WITHDREW MOTION** by William Bear Shield & Anthony "Tony" Metcalf

Discussion by TLE Board to have the Executive Director, Vernon J. Schmidt look into Terry Pechota invoice and Rosebud Sioux Tribe is supposed to pay the bill per Treasurer, Wayne Boyd.

Discussion on Calvin Waln, Sr. Executive Director is to contact In House Attorney; Ron Hutchinson to pursue in RST Court.

12. Budget Modification

Motion made by Cyril Scott to approve TLE Budget Modification. Seconded by Pamela Kills In Water. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion made by Anthony "Tony" Metcalf to accept Acting CFO, Mary Greaves report. Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion made by Pamela Kills In Water to having **NO DONATIONS** by Shareholders dated September 27, 2011 and have Executive Director, Vernon J. Schmidt do a written response or call to all who sent or delivered letters of donations. Seconded by Anthony "Tony" Metcalf. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion made by Pamela Kills In Water to have Executive Director put on his agenda at the next Shareholders Meeting dated August 16, 2013 regarding the **NO DONATION** policy and discusses it with the Shareholders. Seconded by Anthony "Tony" Metcalf. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Acquisition Department-Michelle Kramer

Motion made by Pamela Kills In Water to approve Acquisition dated for July, 2013 in the amount of \$63,872.74. Seconded by Anthony "Tony" Metcalf. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Fee To Trust-Step Blacksmith

1. Krogman Land - master loan agreement

Motion made by TLE Board member Pamela Kills In Water to concur/accepts:

"RST Motion dated June 18, 2013 that TLE pay the Tribe's share of the loan payments on the remaining balance still owed on the Krogman land purchase and that this be presented at the next TLE Shareholders meeting scheduled for July 08, 2013. Motion by Richard Lunderman, second by Calvin Waln Jr., question by Lydia Whirlwind Soldier. Motion carried with twelve (12) in favor, one (1) opposed, and one (1) not voting.

Seconded by TLE Board member Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion made by Pamela Kills In Water to have a meeting prior to the retreat if Regular Board meeting dated July 09, 2013 is not completed. Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Leasing Department - Ernie Blacksmith

1. Discussion by Ernie Blacksmith on Orin Horse Looking on farm/pasture.

Motion made by Anthony "Tony" Metcalf to fence acreage out for one (1) year and the next year for economic development with a plan for Spring Creek Community. Seconded by Pamela Kills In Water. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

2. Discussion on Skyla Two Eagle, PO Box 23, Parmelee, SD

Motion made by Anthony "Tony" Metcalf to extend Skyla Two Eagle, PO Box 23, Parmelee, SD until August 09, 2013 (thirty (30) day extension) and this will be her last extension. Seconded by Pamela Kills In Water. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Executive Director - Vernon J. Schmidt

1. Discussion by Vernon J. Schmidt on Per Group.

**FTR:** Amos Prue came into the meeting at 12:50 pm and Joe Ford will still chair the meeting.

Discussion with Dan Prue on Per Group

Executive session at 12:50 pm

Reconvene at 1:00 pm

Motion made by Anthony "Tony" Metcalf to accept the proposal by Terry Pechota in the amount of \$10,000.00 on administrative matters (internal inquires). Seconded by Pamela Kills In Water. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**FTR:** Cyril Scott left the meeting at 1:45 pm for another meeting in Rapid City, SD

Home & Business Site Applications by Franki Kills In Water

1. Discussion on Anthony Sitting Bear, Soldier Creek Community

Motion made by Pamela Kills In Water to approve Anthony Sitting Bear business site in Soldier Creek Community on S2SW4SW4NW4 of section 34, T.39N., R39W., 6<sup>th</sup> P.M. Todd County, South Dakota containing 10 acres more or less. Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

2. Discussion on Myron Beauvais, Sr. Antelope Community

Motion made by Pamela Kills In Water to approve Myron Beauvais, Sr. home site in Antelope Community on SW4SE4SW4SE4 of section 33, T.39N., R.27W., 6<sup>th</sup> P.M., Todd County, South Dakota containing 2.5 acres more or less. Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Certificate Department - Darlene Crow Eagle

1. Discussion on Resolution 2012-320 on Koskan Land by Darlene Crow Eagle, Certificate Department.

Motion made by Pamela Kills In Water to amend Resolution 2012-320 on Koskan Land for amount of certificates. Seconded by Anthony "Tony" Metcalf. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

2. Discussion on current value of Certificates by Darlene Crow Eagle

Motion made by Pamela Kills In Water to send back checks from Treaty Council Program in the amount of \$37.58 due to the current rate for Certificate valued at \$40.74 since September 28, 2011. Seconded by Anthony "Tony" Metcalf. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion made by Pamela Kills In Water to accept Certificate Department report. Seconded by Anthony "Tony" Metcalf. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by TLE Board, Pamela Kills In Water on Upper Cut Meat Cemetery and will be dealt with administratively.

Leasing Department Continued Report by Ernie Blacksmith

3. Discussion by Ernie Blacksmith on Winner/Ideal Community  
Motion made by Pamela Kills In Water to forward to Rosebud Sioux Tribal Council and take back lease income until resolved by due process. Seconded by Anthony "Tony" Metcalf. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion on Lease Compliance Tech by Ernie Blacksmith

Motion made by Anthony "Tony" Metcalf to advertise for thirty (30) days for one (1) Lease Compliance Technician full time from July 09, to August 09, 2013. Seconded by William Bear Shield. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

4. Discussion on Stormy Halligan by Ernie Blacksmith
5. Discussion by Ernie Blacksmith on extension for another three (3) years by Clay Kaiser on a Conservation Stewart Program.  
Motion made Anthony "Tony" Metcalf to have Clay Kaiser modify for the Conservation Stewart Program for three (3) years at the rate he bid and that BIA agrees for the annual base rate adjusted and extend his bond for three (3) years. Seconded by Pamela Kills In Water. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.
6. Discussion by Ernie Blacksmith on John Two Eagle  
Motion made by Pamela Kills In Water to accept bid by John Two Eagle on Ref. #2634/T1756. Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.
7. Discussion by Ernie Blacksmith on John Two Eagle  
Motion made by Pamela Kills In Water to accept bid by John Two Eagle on Ref. #1590/T3663. Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.
8. Discussion by Ernie Blacksmith on Angel Wilson  
Motion made by Pamela Kills In Water to accept bid by Angel Wilson on Ref. #2652/T912. Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.
9. Discussion by Ernie Blacksmith on Paul Guerue  
Motion made by Pamela Kills In Water to accept bid by Paul Guerue on Ref. # 368/RS-1702. Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

10. Discussion by Ernie Blacksmith on Janet Toman

Motion made by Pamela Kills In Water to approve bid by Janet Toman on Ref. #4921/RS-401.5A. Seconded by Cyril Scott. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

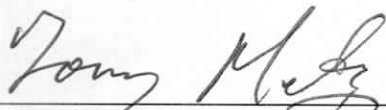
Discussion by Executive Director on Chief Financial Officer. Interviews will be at next TLE Board meeting on August 13, 2013 at 10:00 am.

Adjourn at 2:20 pm

Motion made by Anthony "Tony" Metcalf to adjourn. Seconded by Amos Prue... Vote 4 in favor, 0 opposed, 1 not voting. MOITON CARRIED.



Amos Prue, Chairman  
Tribal Land Enterprise  
Board of Director



Anthony "Tony" Metcalf, Secretary  
Tribal Land Enterprise  
Board of Directors

Date of Approval: 031014