

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

Tribal Land Enterprise Regular Board of Directors Meeting March 08, 2011

The Tribal Land Enterprise Regular Board of Directors Meeting was called to order by Chairperson Fern Bordeaux-Boltz on March 08, 2011, at 10:24 am in the conference room of the Tribal Land Enterprise building in Rosebud, South Dakota.

Board Members Present:

Fern Bordeaux-Boltz
Amos Prue
Rose Cordier
Clayton Wright Jr.
Dominic Harmon
Richard "Smokey" Whipple
Rodney Bordeaux

TLE Staff Present:

Stan Whipple-Acting Dir.
Phyllis Y.E.-Cadue-Bd Secretary
Steph Blacksmith-Fee to Trust
Michelle Kramer-Acquisitions
Ernie Blacksmith, Leasing
Robert Wood, CFO

Others: Steve Denoyer
Monica Hunger, SWA
Vernon "Ike" Schmidt

Discussion by Fern Bordeaux-Boltz. Adjourn February, 2011 meeting.

Motion made by Clayton Wright Jr. to adjourn February; 2011 meeting.
Seconded by Dominic Harmon. Vote 5 in favor, 0 opposed, 1 not voting.
MOTION CARRIED.

Roll Call: 7 present

Board Member(s) Late: 1, Rodney Bordeaux at 10:35 am

Board Member(s) Absent: 0

Called to Order: by Fern Bordeaux-Boltz

Invocation by: Fern Bordeaux-Boltz

Approval of the Agenda: Motion made by Richard "Smokey" Whipple to approve agenda as amended. Seconded by Amos Prue. Vote 6 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Fern Bordeaux-Boltz on Board minutes.

Discussion by Amos Prue. Minutes with April, 2011 meeting and audit.

Discussion by Fern Bordeaux Boltz. Interview for Executive Director with Vernon "Ike" Schmidt and also advertise the position for Bear Butte Caretaker.

Discussion by TLE Board on Research Policy Position.

Discussion by Fern Bordeaux-Boltz. Receptionist Position. All the Board is here and I think Stan should do the hiring.

Discussion by Amos Prue. Discussion on hiring the Executive Director.

Discussion by Richard "Smokey" Whipple. The TLE Board should hire the Reception position since we advertised it.

Discussion by Rose Cordier. I agree the TLE Board needs to approve of the hiring of the Receptionist position.

Discussion by Dominic Harmon. Executive Director should do the hiring of the Receptionist.

New Business:

Discussion by Steve Denoyer. Land that was sold by Rose Cordier I have come in and checked into the ten (10) acres sold by Gerald Night Pipe. Fifty six (56) acres total are allotments. Discussion by Steve Denoyer how fast the appraisal was for Rose Cordier.

Discussion by Rose Cordier. Had appraisal and had to wait three meetings.

Discussion by the TLE Board. On Steve Denoyer's grandmother's will.

10 minute break at 11:06 am.

Convened from break at 11:20 am.

Discussion by Vernon "Ike" Schmidt. Interviewed Executive Director Position and questions by TLE Board

Lunch a 12:25 pm
Convened from lunch at 1:25 pm.

Discussion by Fern Bordeaux-Bolt to Advertise Executive Director position and Caretaker position.

Motion to advertise Caretaker position for three (3) weeks in Indian Country; Lakota Times and Todd County Tribune. Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Gaylen Boltz on Ring Neck Ranch. No electrical no water and broken windows. Recommendation to have housed tested for lead paint and asbestos per Amos Prue.

FTR: Richard "Smokey" Whipple reentered the meeting at 1:15 pm

FTR: Rodney Bordeaux reentered the meeting at 1:17 pm.

Motion made by Clayton Wright Jr. to have an evaluation done by professionals on Ring Neck Ranch house. Seconded by Richard "Smokey" Whipple. Vote 6 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

CFO

Discussion by Robert Wood. On attorney bills for Ron Hutchinson and Steven Sandven For the month of January, 2011.

Motion made by Rodney Bordeaux to approve December, 2010 financial report. Seconded by Clayton Wright Jr. Vote 6 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Amos Prue. Question Rose about research to defend Vanderwalker.

Discussion by Stan Whipple Acting Executive Director. On staff and Board members in April, 2011.

Discussion by TLE Board on attorney bills for Ron Hutchinson and Steven Sandven for monies. Eight (8) hours for Ducheneaux case. Have Robert Wood, CFO look into this.

Motion made by Rose Cordier to approve Ron Hutchinson bill for December, 2010. Seconded by Dominic Harmon. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion made by Rodney Bordeaux to approve Steven Sandven attorney bill for December, 2010 with the exception on the eight (8) hours. Seconded by Dominic Harmon. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Robert Wood. On financial report for January, 2011.

Motion made by Rodney Bordeaux to approve financial report for January, 2011. Seconded by Dominic Harmon. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion made by Clayton Wright Jr. to approve Ron Hutchinson bill for the month of January, 2011. Seconded by Rodney Bordeaux. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion made by Rodney Bordeaux to approve Steven Sandven attorney bill for the month of January, 2011 with the exception of January 18, 2011 for 3.2 hours and for January 19, 2011 for 0.8 hrs. Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

Motion made by Clayton Wright Jr. to approve Budget Modification for the month of February, 2011. Seconded by Dominic Harmon. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion made by Rodney Bordeaux to approve the financial report for the month of February, 2011. Seconded by Dominic Harmon. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Robert Wood. Letter from auditors for a financial meeting on March 14, 2011 at 10:00 am.

Motion made by Rose Cordier to approve Steven Sandven attorney bill for the month of February, 2011. Seconded by Dominic Harmon. Vote 3 in favor, 1 opposed, 2 not voting. MOTION CARRIED.

Discussion by Rose Cordier. Detailed work on certificates at present requesting a more detailed work.

Letter from SWA

Discussion by Monica Hunger on Partial Residential lease Amendment, Restatement and Assignment for SWA. Requesting amendment on Sicangu Village Estates II.

Motion made by Clayton Wright Jr. to approve the modification on leasing from SWA. Seconded by Rose Cordier. Vote 4 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

Fee to Trust

Discussion by Steph Blacksmith. Fee to Trust resolution on the Shot lots located in Parmelee. Resolution 2011-003.

Motion made by Rose Cordier to approve Fee to Trust on Shot lots located in Parmelee. Resolution 2011-003. Seconded by Amos Prue. Vote 4 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

Discussion by Steph Blacksmith. Fee to Trust on Huggins.

Motion made by Clayton Wright Jr. to approve Fee to Trust on Huggins. Resolution 2011-004. Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

Discussion by Steph Blacksmith. Fee to Trust on Scull.

Motion made by Rose Cordier to approve Scull, Resolution 2011-005. Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

Discussion by Steph Blacksmith. NAHA lots 7 & 8 are being separated and lot 9 requires a quiet title action.

Motion made by Rose Cordier to approve lot 7& 8 on Fee to Trust. Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Steph Blacksmith. First Fidelity Bank wants to sell two (2) quarters of land in Todd County for an estimated \$850.00 per acre for Ralph van Epps.

Motion made by Clayton Wright Jr. to do an appraisal if available on the Ralph Van Epps land. Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Steph Blacksmith. Tobin and Janklow want to sell the railroad right of way on the Ring Neck property. No other info.

Discussion by Steph Blacksmith. Mr. Tipton wants to sell his interest to the Tribe. Fractioned interest agreement and deed.

Discussion by Steph Blacksmith. On the old Texaco lots in Mission.

Discussion by Fern Bordeaux-Boltz. Contact Syed Huq and get all the info regarding the cleanup.

Discussion by Steph Blacksmith. Hansen children decided not to sell the Tribe the 1/8 interest.

Discussion by Steph Blacksmith. County readvertised and we bid again but lost out to Scott Shelbourn.

Discussion by Steph Blacksmith. For your info.

Leasing, (typed by Leasing Manager, E. B.) March 8, 2011 Ernie Blacksmith:

1. Discussion by Ernie Blacksmith regarding Joe Ford has to pay the twelve (\$12.00) dollars or will TLE offset the difference of \$2.00 minimum by BIA.

Discussion by TLE Board.

2. Discussion by Ernie Blacksmith on Range unit 15.
Motion made by Dominic Harmon to have Ernie Blacksmith, Lease Manager advertises Range Unit 15 from March 11, 2011 to April 8, 2011 for one (1) year at the minimum rate of twenty five (\$25.00) dollars per head per month. Second by Clayton Wright Jr. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED
3. Discussion by Ernie Blacksmith on Criteria questions. Regarding Emerson Little Elk and Delbert Black Bear.
4. Discussion by Ernie Blacksmith on Range Unit 54 with well issues.

Discussion by TLE Board regarding Sammie Waln's issue with well or water pump. Should do a solar and not include the pump and tank on Ref. #2022/T6088.

5. Discussion by Ernie Blacksmith on Clairene Tucker transferring lease to Noah "Sandy" Tucker for Ref. No. 3960-00/T3711A W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 21, Ref. No. 3960-01/T3711.5 E $\frac{1}{2}$ of Section 20, Ref. No. 3960-02/T3712 S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16, Ref. No. 3960-03/T3712 S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 17, Ref. No. 3960-04/T3713 S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 17, Ref. No. 3960-05/T3713 N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 20, Ref. No. 3960-06/T3714 S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 20, and Ref. No. 3961-00/T3224 NW $\frac{1}{4}$ of Section 28, all located in T.36N, R28W for five (5) years 3/01/11 to 2/28/16 at \$10.00 per acre
Motion made by Rose Cordier to transfer Clairene Tucker Lease to Noah "Sandy" Tucker for Ref. No. 3960-00/T3711A W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 21, Ref. No. 3960-01/T3711.5 E $\frac{1}{2}$ of Section 20, Ref. No. 3960-02/T3712 S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16, Ref. No. 3960-03/T3712 S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 17, Ref. No. 3960-04/T3713 S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 17, Ref. No. 3960-05/T3713 N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 20, Ref. No. 3960-06/T3714 S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 20, and Ref. No. 3961-00/T3224 NW $\frac{1}{4}$ of Section 28, all located in T.36N, R28W for five (5) years 3/01/11 to 2/28/16 at \$10.00 per acre. Second by Dominic Harmon. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.
6. Discussion by Ernie Blacksmith on William Huber's request to modify lease on No. 1622501015 on Ref. No. 2671/T11133, Ref. No. 3928/T11134 described as S $\frac{1}{2}$ of Section 20 T.39N, R31W and Lease No. 1622451015 on Ref. No. 444/RS-1942B described as SW $\frac{1}{4}$ of Section 21 T.39N, R.31W to farm land.

Motion made by Clayton Wright Jr. to deny William Huber's request to modify Lease No. 1622501015 on Ref. No. 2671/T11133, Ref. No. 3928/T11134 described as S½ of Section 20 T.39N, R31W and Lease No. 1622451015 on Ref. No. 444/RS-1942B described as SW¼ of Section 21 T.39N, R.31W to farm land. Second by Dominic Harmon. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

7. Discussion by Ernie Blacksmith on Chad Kehn for Ref. No. 2511/RS-462 NW¼ of Section 25, Ref. No. 2521/RS-2555 E½ of Section 24 and RS-3170 all located in T.96N, R70W to Chad Kehn for five (5) years 3/01/11 to 2/28/16 at \$18.50 per acre for grazing land..

Motion made by Rodney Bordeaux to award Ref. No. 2511/RS-462 NW¼ of Section 25, Ref. No. 2521/RS-2555 E½ of Section 24 and RS-3170 all located in T.96N, R70W to Chad Kehn for five (5) years 3/01/11 to 2/28/16 at \$18.50 per acre for grazing land. Second by Clayton Wright Jr. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

8. Discussion by Ernie Blacksmith on Luci Rattling Leafs request on bond waiver.

Motion made by Dominic Harmon to approve bond waiver on Ref. No. 844/T1955 described as Lots 1, 2, E½NW¼ of Section 7, T.41N, R28W to Luci Rattling Leaf . Second by Amos Prue. Vote 4 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

Discussion by TLE Board on the Executive Director Position.

Motion made by Clayton Wright Jr. to offer the Executive Director position to Jack Conovaloff at six five thousand (\$65,000.00). Seconded by Dominic Harmon. Vote 2 yes, 2 opposed, 2 not voting, MOTION DEFEATED

Discussion by Fern Bordeaux Boltz. I need an interpretation; our By-Laws say we have an equal voice and somewhere were following Roberts Rules of Order so if I'm going to break the tie I'm not in favor of hiring Mr. Jack Conovaloff. I think we should offer this position to a Tribal member that somewhat knows about this organization and I really feel strongly that if people want to work for TLE they should take the time to learn it, to ask questions. They need to be on this Board, I think they really need to be interested in the organization come in and learn and ask question and get a feel of it. In reading his letter and knowing how TLE operates I don't think Jack Conovaloff would accomplish that in one year that he said he was going to do in his letter. My vote is to break the tie no and MOTION DIED.

Motion made by Rodney Bordeaux to hire Vernon "Ike" Schmidt. Seconded by Amos Prue. 2 voting, 2 opposed, 2 not voting. MOTION DEFEATED.

Discussion by Fern Bordeaux-Boltz. I have to oppose. I'm opposing. MOTION DEFEATED.

Motion made by Rodney Bordeaux to advertise until filled. Seconded by Amos Prue. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Acquisitions

Discussion by Michelle Kramer on March, 2011 acquisitions.

Motion made by Rodney Bordeaux to approve acquisitions for the month of March, 2011. Seconded by Rose Cordier. Vote 4 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

Discussion by Michelle Kramer on two (2) Petition Resolutions for relinquishments.

Motion made by Dominic Harmon to approve a relinquishment on Resolution #2011-53 for Peter L. Ringing Shield Jr. on SW1/4NE1/4 of Section(s) 24, T.4IN., R.26W., containing 40.00 acres more or less. Seconded by Amos Prue. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion made by Rodney Bordeaux to approve a relinquishment on Resolution #2011-54 for Eric L. Little Crow, 345U023388 on Tribal Exchange Assignment #269-C described as the SE1/4 of Section 26, T. 4IN., R.31W 6th Principal Meridian, Mellette County, containing 40.00 acres more or less. Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Assignments

Discussion by Patty Jones on partial relinquishment of TLE assignment.

Motion made by Rose Cordier to ratify the acquisition by petition to Victor Left Hand Bull on A-1125-F, Ref. #669 for relinquishment. Second by Dominic Harmon. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Patty Jones on exchange on TLE assignment #1098-B/Ref. #755/T-5184 and #1849-A/Ref. #592/T-1027 for Ref. #3269/T-3344.


Motion made by Dominic Harmon to approve a long form appraisal on Assignment #1096-B/Ref. #755/T-5184 and #1849-A/Ref. #592/T-1027 for Ref. #3269/T-3344 for Eldon Ned Metcalf. Seconded by Amos Prue. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

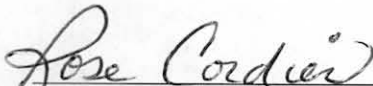
Discussion by Patty Jones on land exchange application.

Motion made by Dominic Harmon to have Patty Jones to use the new amended Land Exchange Application Pursuant to Section 19 of the By-Laws. Seconded by Rodney Bordeaux. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Recess

Motion made by Rodney Bordeaux to Recess. Seconded by Dominic Harmon.
Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Fern Bordeaux-Boltz 
Fern Bordeaux-Boltz
Chairman
Tribal Land Enterprise
Board of Directors



Rose Cordier, Secretary
Tribal Land Enterprise
Board of Directors

Date of Approval: 031014

Tribal Land Enterprise

A Sub-ordinate Organization of the
Rosebud Sioux Tribe

Incorporated Under Act of June 18, 1934, (48 Stat 984)

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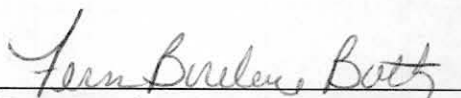
DATE: February 28, 2011

TO: Board of Directors
Richard "Smokey" Whipple, Vice-Chairman
Rose Cordier, Secretary, At-large Member
Dominic Harmon, Treasurer
Rodney M. Bordeaux, Board Member
Amos Prue, Board Member
Clayton Wright Jr., Board Member

FROM: Fern Bordeaux-Boltz
TLE Board Chairperson


RE: TLE Regular Board of Directors Meeting

Pursuant to Section (14) of the By-laws of the Tribal Land Enterprise, there will be a Regular Board of Director Meeting on Tuesday, March 08th, 2011 at 10:00 am in the Tribal Land Enterprise Conference Room, Rosebud, SD.



Fern Bordeaux-Boltz, Chairman
Board of Directors
Tribal Land Enterprise

Concur:



Superintendent-Bureau of Indian Affairs
Rosebud Agency
Rosebud SD 57570