

Tribal Land Enterprise
A sub-chartered Corporation of the
Rosebud Sioux Tribe

Incorporated under Act of June 18, 1934 (49 stat 984)
Telephone 747-2371 or 747-2372

Regular Board of Directors Meeting
October 12, 2010

The Tribal Land Enterprise Regular Board of Directors Meeting was called to order by Chairperson Fern Bordeaux-Boltz on October 12, 2010 at 10:25 am in the conference room of the Tribal Land Enterprise building in Rosebud, SD.

Board Members Present:

Fern Bordeaux-Boltz
Clayton Wright Jr.
Rose Cordier
Dominic Harmon
Amos Prue

TLE Staff Present:

Stan Whipple, Acting Executive Director
Phyllis Y.E.-Cadue, Board Secretary
Robert Wood, CFO

Other(s)

Ira Dean Wilson
Christian Tuffy Morrison
Mike Scott
Clay Colombe

Roll Call: 5 Board Members Present

Board Member(s) Late: Rose Cordier 1:45 pm

Board Member(s) Absent: 2 Absent: Rodney Bordeaux and Richard "Smokey" Whipple

Called to Order: at 10:25 am by Chairperson Fern Bordeaux-Boltz.

Invocation by: Fern Bordeaux-Boltz

New Business: Order our new re-evaluation of the TLE Shares.

Motion made by Amos Prue for Re-evaluation of Certificates by the Bureau of Indian Affairs for Fiscal Year "2011". Seconded by Dominic Harmon. Vote 4 in favor, 0 Opposed, 1 not voting. MOTION CARRIED.

Agenda: Motion by Clayton Wright Jr. to approve agenda as amended. Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Interim Directors Report

Oleta Mednansky – Buy at the fair market value or even go ten (10%) percent and TLE goes by TLE by-laws.

Tim Murray – Complaint on Don E. Murray built a cemetery on TLE land. Brother never came to TLE to take out land for a burial site. A brother family is trying to oust Tim from the land he is already has a home site.

Mike Scott – Passed out map on 12 & 13. Requesting reimbursement of money for lease or upgrade on water. Two (2) cashier checks to Calvin Waln to recede for “2008” – “2009”. No bond or contract.

FTR: Ira Dean Wilson enters meeting at 11:02 am.

Question by Clayton Wright Jr. Is there any documentation by Mike Scott on leasing or on contract by the BIA?

Discussion by Ira Dean Wilson. No bond by Mike Scott.

Lunch Break at 12:17 pm.
Convene at 1:45 pm.

Continued discussion by Mike Scott regarding fencing SWA home sites.

FTR: Rose Cordier enters the meeting at 1:45 pm.

FTR: Christian “Tuffy” Morrison enters the meeting at 1:45 pm.

Discussion by Tuffy Morrison on purchasing the old Mission Medical building. Terry Ernest and another owner own the building. There are eight (8) programs in the old Mission Medical Building and there are two building together. The Tribe leases it yearly

Discussion by Fern Bordeaux-Boltz. Board do you want an appraisal and if the Tribe is interested.

Motion by Dominic Harmon to approve a new appraisal on the old Mission Medical Building. Seconded by Amos Prue. Vote 3 in favor, 1 opposed, 1 not voting. MOTION CARRIED.

Questioned by Rose Cordier. Does that mean we are seriously considering buying it? Because I don't know about that.

Discussion by Dominic Harmon. If everybody leasing it so it will only take ten (10) years to pay it off, that's pretty good.

CFO

Discussion by Fern Bordeaux-Boltz. Robert and Steph met with Wells Fargo Bank and Clay Colombe on all our proposed fee acquisitions that are being presented to us today. I wanted to put everything out on the table with Wells Fargo and say this is the total proposed total fee

acquisitions that we have to date and come out where we're at with Wells Fargo and how much can we borrow. We really need to get these acquisitions going. This is the result of the meeting. Can we add Mule Head to the mortgage?

Discussion by Clay Colombe from Wells Fargo Bank. Other bank policies we wouldn't have a problem if you were using it under Isolated Tracts Act you would have to talk to your attorney about that.

Discussion by Ira Dean Wilson. Ira Dean Wilson said he would look into it and get back with TLE Board.

Discussion by Robert Wood. Cancel lease on White River Youth Center.

Motion by Clayton Wright Jr. to cancel lease on White River Youth Center. Seconded by Amos Prue. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Question by Fern Bordeaux-Boltz. Farm houses, is it just Bristow Ranch? What are we going to do with the house guys?

Discussion by Stan Whipple. It will cost \$24,000.00 to repair it. Its SWA's estimate.

Discussion and question by Fern Bordeaux-Boltz. Under PMO you cannot have any other programs in the same area due to them bringing in kids so my question is if we go through all this to get the house fixed what are we going to do with it? I would say tear it down and secure the water. It's a hazard.

Discussion by Stan Whipple. What are they going to do with those Walking Shield houses? Some of them were used for offices space. There was a lot of damage on the roofs. Some of the roofs are gone off there.

Discussion by TLE Board on Bristow Ranch.

Discussion by Amos Prue on administration pursuing master plan with Wells Fargo Bank.

Motion by Amos Prue to approve the administration to pursue the master note with Wells Fargo Bank. Seconded by Clayton Wright Jr. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by TLE Board to have Stan Whipple check out water before a motion is made to proceed with demolition of Bristow Ranch. Also have Robert Long take concrete out when completed.

CFO

Discussion by Robert Wood on budget justification. First page is estimated revenues and the following four (4) pages are budget justifications for all the line items. Approve it with the justifications attached.

Motion by Clayton Wright Jr to approve budget modification "2010" and take it out of payroll taxes. Seconded by Amos Prue. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Robert Wood. Need to upgrade software for two (2) laptops. Three (3) bids came in. I would recommend the bottom one because it has more space on it. It has five hundred (500) gigabyte drives. It's for two laptops. We have old computers and some of the staff was asking if they might be able to get them or if we want to sell it to them but we have five (5) computers. Joe did an inventory on them that are just sitting around.

Discussion by Fern Bordeaux-Boltz. Give the staff the option to purchase them. There ancient.

Discussion by Robert Wood. They are six or seven years old.

Discussion by Fern Bordeaux-Boltz. Sell them for fifty or sixty bucks. Make them an offer.

Motion by Dominic Harmon to surplus out old computers and laptops. Seconded by Amos Prue. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Clayton Wright Jr. to go with Computer Lighthouse with recommendation by CFO, Robert Wood. Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Robert Wood on billing for the month of September, 2010 for Ron Hutchinson and Steven Sandven.

Motion by Clayton Wright Jr. to approve September, 2010 billing for Ron Hutchinson. Seconded by Rose Cordier. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED

Motion by Dominic Harmon to approve September, 2010 billing for Steven Sandven. Seconded by Clayton Wright Jr. Vote 3 in favor, 0 opposed, 2 not voting.

Discussion by Robert Wood regarding pre audit bid services and there's four (4) of them. The closing date was this Friday, October 15, 2010.

Discussion by Fern Bordeaux-Boltz. I think you should evaluate them and bring your recommendations back next Board meeting. You and Stan can go through those.

Break for five (5) minutes 2:26 P.M.

Returned at 2:40 P.M.

Fee to Trust

Discussion by Fern Bordeaux-Boltz. Steph we already did #1 on the White River Restaurant and Youth Center. We cancelled the lease and on #7 we did the motion to go with Dave Baker to do the restricted use report for one hundred (\$100.00) dollars for each tract because there undivided interests.

Discussion by Clayton Wright Jr. Stan said he already told Dave to do the one hundred (\$100.00) dollars for each tract. We just need a motion to do that.

Discussion by Fern Bordeaux-Boltz. For #5, 6, & 7 on your list.

Question by Steph Blacksmith. So do you want to buy these then these interests on 5, 6 & 7?

Discussion by Fern Bordeaux-Boltz. Yes, any undivided fees we should pick up.

Motion made by Clayton Wright Jr. to approve to go with the restricted use report on undivided fees. Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Fern Bordeaux-Boltz. On #3, the Spotted War Bonnet lot in St Francis That will be TLE Resolution No 2011-01

Motion made by Clayton Wright Jr. to approve to put into trust on Spotted War Bonnet Lot Resolution 2011-01. Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Steph Blacksmith. On #4 regarding Whetham Agency advertising to sell four hundred eighty (480) acres and they want to retain 25% of the wind energy revenue. Hunting rights go to buyer.

Question by Fern Bordeaux-Boltz. Are we interested?

Discussion by Steph Blacksmith. I don't know how long it's been on the market.

Discussion by Clayton Wright Jr. I don't like that they retain the 25% wind energy revenue

Question by Steph Blacksmith. Do you want Ron to check into this?

Discussion by Fern Bordeaux-Boltz. I wouldn't buy it, all or nothing.

Discussion by Clayton Wright Jr. There's allotment next to it. Have Steph check on it.

Question by Fern Bordeaux-Boltz on #8?

Discussion by Steph Blacksmith. I had three quotes for a phase II ESA on tracts B and C. I sent one to Montana and I haven't got that one back.

Discussion by Stan Whipple. I got one of the quotes back, Steph

Discussion by Steph Blacksmith. Did you see the quote? Its fifteen thousand (\$15,000.00) dollars.

Discussion and question by Fern Bordeaux-Boltz. I'm glad were not paying for it. Who has the Casino over there under REDCO or the RST Council?

Discussion by Steph Blacksmith. It's Fee to Trust. I'll talk to the Tribe if the Tribe wants to pay for it. We have another quote coming in.

Discussion by Fern Bordeaux-Boltz. Let's wait till we get all the quotes in and turn them over to Budget & Finance Committee. Probably Jim Wike in Finance office.

Discussion by Steph Blacksmith. I could put it in the letter Rodney, Wayne Boyd and cc it to Jim Wike, CFO. According to TLE Board that these are Tribal tracts.

Question by Fern Bordeaux-Boltz. How many resolutions do you have over to RST Council?

Discussion by Steph Blacksmith. We have six (6) Fees to Trust, three (3) purchases, two on the waiver on ILCA, so total eleven (11).

Leasing

Discussion by Ernie Blacksmith on Scott Shelbourn, graze pivot #25.

Motion by Clayton Wright Jr. to approve. Seconded by Rose Cordier. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Fern Bordeaux-Boltz. Ernie gives us an update.

Discussion by Ernie Blacksmith on William Whiting. Sent a letter to BIA for help with Mr. Whiting delinquency. What he wanted was two (2) things on his request. Mr. Whiting is requesting a verbal transcript on the TLE Board meeting. I gave him a excerpt motion made by the Board and at the end I gave him total assessment which was 241 acres at \$50.00 a acre which give him an total assessment of \$25,546.00 plus 90 acres of hay, millet and winter wheat so the total amount would be \$12,050.00 and Mr. Whiting is getting off easy. Mr. Whiting wants to pay the assessment over five (5) years span and he doesn't want to pay for it all up front.

Discussion by Fern Bordeaux-Boltz. He cannot lease than until he pays it all up.

Discussion by Ernie Blacksmith. It's up to you guys if you want to do that and if he doesn't want to pay it then we can take some other precautions, we need our money.

Discussion and question by Fern Bordeaux-Boltz. Proceed with delinquency with Mr. William Whiting. Do you the TLE Board want to listen to him?

Discussion by TLE Board regarding Mr. Whiting.

Discussion by Ernie Blacksmith. Ideal/Winner Community reimbursement for four (4) tracts.

Discussion by Fern Bordeaux-Boltz. The Ideal/Winner Community needs to show financial records and rescind resolution on last five (5) years on all four tracts and refer to next Board meeting. Ernie you need to get the rest of those community lands and probably have Franki help

you because there's resolutions tied to each one of these uses and so you probably need to work with the secretary's office at the Tribal building and see the Resolution digest.

Discussion by Ernie Blacksmith. On #4 regarding Anna and Sammie Waln I hand delivered a statement to them back in June, 2010 and I told them it was TLE business and they chewed me out. I gave them October 01, 2010 to pay and I haven't received nothing so I sent a notification to the Bureau for a delinquent status for them so Elton called me back today and is giving them ten (10) days show cause letters and will cancel their leases.

Question by Fern Bordeaux-Boltz. How many year leases did you give them on this?

Discussion by Ernie Blacksmith. Until it goes into trust these tracts they will by the end of the year. The Bureau knows and they sent out the show cause letters to them.

Question by Fern Bordeaux-Boltz. So we wait until that's over with before we pursue further action?

Discussion by Ernie Blacksmith. Yes.

Discussion by Ernie Blacksmith on #5 on Carl Simmons to transfer leases to Rex Simmons and accept the original terms.

Motion made by Amos Prue to approve the modification and transfer Carl Simmons leases to Rex Simmons. Seconded by Clayton Wright Jr. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by Ernie Blacksmith on #6, Range Unit 15 and water tank. FYI. Discussion by TLE Board.

Discussion by Ernie Blacksmith on #7 on a report from Parmelee Community meeting. Requested the TLE Board to go to Community Meeting on October, 04, 2010. Ernie talked to Parmelee Community to start out small first and ask for more land and least one (1) tract at a time and they ask to cancel W. Huber's lease on Ref. #2677, Ref. #3128 and the T tract that we got back from Teema Nadeau. Parmelee Community recommended that the RST Council for Economic Development, Youth Program use it for horses over there. Ernie told them to develop a plan and get a plan together and what they going to do to cancel these tracts then they have to show us a plan.

Discussion by Fern Bordeaux-Boltz. Parmelee Community has to lease them.

Discussion by Ernie Blacksmith. On #8 from the Melvin Huggins Purchase Agreement and wanted to lease it back to him.

Question and discussion by Fern Bordeaux-Boltz. I thought Mr. Huggins was sick? I think we need to advertise it? Is it in the purchase agreement though? Advertise it.

Discussion by Ernie Blacksmith on William Huber's lease for economic Development on Ref. #4265/T11766.

Motion made by Clayton Wright Jr. to authorize Ernie Blacksmith, TLE Leasing Manager to remove seventy (70) acres more or less from farm pasture lease from William Huber on Ref. #4265/T11766 for economic development. Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Home sites:

Discussion by Franki Kills in Water on Carla Thompson in Parmelee Community to reinstate her home site lease contract.

Discussion by Fern Bordeaux-Boltz to have Carla Thompson redo her application and goes back to Parmelee Community to redo her application.

Discussion by Franki Kills in Water on Robert Marshall Sr. in Antelope Community to cancel his home site lease.

Motion by Clayton Wright Jr. to cancel home site lease in Antelope Community. Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Assignment.

Discussion by Patty Jones regarding Kathleen High Pipe and Lonnie Two Eagle.

Motion made by Clayton Wright Jr. to award the assignment to Kathleen High Pipe. Seconded by Amos Prue. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Acquisitions

Discussion by Robert Wood on October. 2010 Acquisitions.

Motion made by Amos Prue to approve the Acquisitions for October, 2010. Seconded by Clayton Wright Jr. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Discussion by TLE Board on re-evaluation of certificates by the BIA

Motion made by Amos Prue for Re-evaluation of Certificates by the Bureau of Indian Affairs for Fiscal Year "2011". Seconded by Dominic Harmon. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion to adjourn by Clayton Wright Jr. Seconded by Dominic Harmon. Voting 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Adjourned at 5:34 pm

Regular Board of Directors Meeting
October 12, 2010

Fern Bordeaux-Boltz/ *FB*
Fern Bordeaux-Boltz, Chairperson
Tribal Land Enterprise
Board of Directors

Rose Cordier
Rose Cordier, Secretary
Tribal Land Enterprise
Board of Directors

Date of Approval: 031014