

# **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

## **Tribal Land Enterprise Regular Board of Directors Meeting 04-13-10**

The Tribal Land Enterprise Regular Board of Directors Meeting was called to order by Chairperson Fern Bordeaux-Boltz on April 13, 2010 at 10:16 am in the conference room of the Tribal Land Enterprise building in Rosebud, SD.

### **Board Members Present:**

Fern Bordeaux-Boltz  
Rose Cordier  
John Spotted Tail  
Clayton Wright Jr.  
Richard "Smokey" Whipple  
Rodney Bordeaux Late

### **TLE Staff Present:**

Robert Wood, Interim Director  
Phyllis Y.E.-Cadue, Board Secretary  
Michelle Kramer, Acquisitions  
Ernie Blacksmith, Leasing Manager  
Franki Kills in Water, Leasing Clerk

**Roll Call:** 6 Board Members Present, 1 Board member absent

**Board Member(s) absent:** Dominic Harmon

**Called to Order:** at 10:16 am by Chairperson Fern Bordeaux-Boltz.

**Invocation by:** John Spotted Tail

**Agenda Addition:** Attorney Steven Sandven

**Approval of Agenda:** Motion by Rodney Bordeaux to approve the agenda as amended.  
Seconded Clayton Wright, Jr. Vote 4 in favor, 0 opposed, 2 not  
Voting. MOTION CARRIED.

Motion by Rose Cordier to go into Executive Session. Second by Clayton Wright Jr.  
Voting 4 in favor 0 opposed 2 not voting. MOTION CARRIED.

**The TLE Board of Directors goes into Executive Session at 10:25 a.m. and out of session at 11:20 P.M.**

### **Interim Director's Report**

Discussion on three (3) positions advertised a.) Board Secretary/Receptionist, 20 applicants  
b.) Custodian/Maintenance, 20 applicants  
c.) Bear Butte Lodge Caretaker, 8 applicants

Recommendations by Interim Director

Discussion on splitting Board Secretary/Receptionist positions. Need to advertise Receptionist position/Board Secretary, Phyllis Yellow Eagle-Cadue, ninety (90) day probation.

**FTR:** Rodney Bordeaux left the meeting at 11:03 am.

Motion by Clayton Wright Jr. to offer TLE Board Secretary Position to Phyllis Yellow Eagle-Cadue with ninety (90) day probation. Second by Rose Cordier. Voting 4 in favor 0 opposed 2 not voting. MOTION CARRIED.

Custodian/Maintenance, Joe Espinosa, ninety (90) day probation

Motion by Clayton Wright Jr. to offer Custodian/Maintenance position to Joe Espinosa with ninety (90) day probation. Second by Rose Cordier. Voting 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

**FTR:** Rodney Bordeaux returns back to the meeting at 11: 13 am.

Bear Butte Lodge Caretaker, Gordon Brill, and ninety (90) day probation.

Motion by Clayton Wright Jr. to offer Bear Butte Lodge Caretaker position to Gordon Brill ninety (90) day probation. Second by Rodney Bordeaux. Voting 5 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion on monthly reports from Bear Butte Caretaker on who stayed, how much they paid and mileage reports.

Discussion on BIA Letter, no action required, FYI.

**CFO**

1. Discussion on drawdown on Proceeds of Labor Account #7397703 in the amount of \$154,000.00.

Motion by Clayton Wright Jr. to approve a drawdown in the amount of \$154,000.00 for Proceeds of Labor Account #73997703 and refer to Tribal Council by Resolution. Second by John Spotted Tail. Vote 5 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion on drawdown on Proceeds of Labor Account #7399709 in the amount of \$327,443.63.

Motion by Clayton Wright Jr. to approve a drawdown in the amount of \$327,433.63 from Proceeds of Labor Account #7399709. Funds will be moved via Automated Clearing House (ACH) in to the TLE Administrative Account #2140580244 and refer to Tribal Council by Resolution. Second by John Spotted Tail. Vote 5 in favor 0 opposed 1 not voting. MOTION CARRIED.

2. Discussion by Robert Wood on 2010 financial update till March. Comment by John Spotted Tail to have Robert Wood check with Dave Hickey on wells.

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3. Discussion by Robert Wood to pay attorney bill for Ron Hutchinson for March, 2010 billing. Motion by Rodney Bordeaux to approve to pay attorney bill for Ron Hutchinson for March, 2010 billing. Second by Clayton Wright Jr. Vote 5 in favor, 0 opposed, and 1 not voting. MOTION CARRIED.
  
4. Discussion by Robert Wood to pay attorney bill for Steven Sandven for March, 2010 billings. Motion by Rodney Bordeaux to approve to pay attorney bill for Steven Sandven for March 2010 billing. Second by Clayton Wright Jr. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.
  
5. Discussion by Robert Wood on March 2010 Financial update. Motion by Rodney Bordeaux to approve the financial report for March 2010. Second by Clayton Wright Jr. Voting 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.
  
6. Discussion on letter from Wells Fargo Bank. FYI.

Acquisitions:

Discussion with Voe Parker on selling tracts on farm pasture land.

**Break for lunch at 12:50 P.M.**

**Re-convene at 1:18 P.M.**

**Others:**

1. Discussion by Robert Wood on Reliable Computing Systems for a one (1) year contract. TLE Board is requesting Amana Wilbur do research/review on computer systems. Motion made by Clayton Wright Jr. to approve the rate of eighty five dollars (\$85.00) for repair services and for server, network of data services fee including contracted services, benefits and mileage. The maximum time allowed under the contract is two hundred (200) hours. Second by Richard "Smokey" Whipple. Vote 4 in favor, 0 opposed, 2 not voting. MOTION CARRIED.
  
2. Land Owners Association. No show
  
3. Stella Carraso to address TLE Board of Directors. TLE Board discussed Stella Carraso to go to Land Commission. Rodney Bordeaux said he'll take care of this.
  
4. Tim Greaves to address TLE Board of Directors.

**Acquisitions**

Discussion with Voe Parker regarding the error on his appraisal. Talked with Michelle Andrews regarding the correction and Voe Parker is in agreement with the correction on RS 3060-A and RS5241. Voe Parker has also agreed to take two (2) installment payments, half this month and the other half in May, 2010. Agreed by Voe Parker.

Motion by Rose Cordier to approve the acquisition for Voe Parker April, 2010 and to pay Mr. Voe Parker ten (10) percent above the appraised value for his hundred (100) percent

interests in these two (2) tracts. Second by John Spotted Tail. Vote 4 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

Motion by Rose Cordier to approve the acquisition for Jessie M. Spotted Elk on Tract #RS-1135-A. Second by John Spotted Elk. Vote 4 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

### Leasing

1. Discussion by Ernie Blacksmith regarding Dominic Harmon request to transfer his leases to Tripp County

FSA office.

Motion by Rodney Bordeaux to table Dominic Harmon's transfer leases to Tripp County FSA office. Second by John Spotted Tail. Voting 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

2. Discussion by Ernie Blacksmith regarding Range Unit 15 bid. No bids came in and had advertised for thirty (30) days and it closed on 04-10-10.in Mellette and Todd County newspaper.

Motion by Clayton Wright Jr. to re-advertise in Mellette and Todd County newspaper until 04-30-10. Second by John Spotted Tail. Voting 4 in favor, 1 opposed, 1 not voting. MOTION CARRIED.

3. Discussion by Ernie Blacksmith on RST Veterans Cemetery & Range Unit 238 Ref. #3090/T3136, eighty (80) acres.

Motion by Rodney Bordeaux to remove the eighty (80) acres from Range Unit 238 Ref. #3090/T3136. Second by Richard "Smokey" Whipple. Vote 4 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

4. Discussion by Ernie Blacksmith for Keith Whipple a two (2) year extension on leases

Motion by Rodney Bordeaux to reconsider and amend previous motion on Keith Whipple's request for an extension for two (2) years and not one (1) year. Second by John Spotted Tail. Voting 4 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

5. Discussion by Ernie Blacksmith on Taylor ranch and requesting an extension for thirty (30) days till May 12, 2010.

Motion by John Spotted Tail to approve his extension for thirty (30) days until May 12, 2010. Second by Clayton Wright Jr. Voting 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Rodney Bordeaux to have Bureau of Indian Affairs to do an inspection on Taylor Ranch. Second by John Spotted Tail. Voting 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**FTR: Rodney Bordeaux left the TLE Board Meeting at 2:55 P.M.**

6. Discussion by Ernie Blacksmith on Audrey Cordry fencing issue on Ref. #3449/T5229. No action taken.

16. Discussion by Ernie Blacksmith on PMO. Ed Parsells and Marcida Eagle Bear came to the TLE Board to see if PMO can keep three (3) horses on Bristow Ranch.

Motion by Richard "Smokey" Whipple to utilize the corral area for the three (3) horses.

Second by Clayton Wright Jr. Voting 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

7. Lease Policy. FYI

8. Discussion by Ernie Blacksmith on Craig Lafferty's request to transfer lease to Dustin Schmidt on a

Four (4) year lease (see attached).

Motion by Clayton Wright Jr. to approve Craig Lafferty to transfer four (4) year lease to Dustin Schmidt. Second by Richard "Smokey" Whipple. Voting 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

9. Discussion by Ernie Blacksmith on Craig Lafferty on his fence. TLE Board stated to take His fence. No motion made

10. Discussion by Ernie Blacksmith on Tom Toman's lease proposal farmland at \$40.00 per acre for five (5)

Years on:	Ref. #4817/FEE	100%
	Ref. #4818/FEE	100%
	Ref. #4819/FEE	100%
	Ref. #4821/FEE	100%
	Ref. #4822/FEE	100%

Motion by Clayton Wright Jr. to table until management plan is completed. Second by John Spotted Tail. Voting 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

11. Discussion by Ernie Blacksmith on Gabriel Medicine Eagle request to lease hay land at \$20.00 per acre

For hay land on:	Ref. #4825/FEE	100%
	Ref. #4826/FEE	100%

Motion by Clayton Wright Jr. to approve as proposed to Gabriel Medicine Eagle. Second by Richard "Smokey" Whipple. Voting 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

12. Discussion by Ernie Blacksmith on A.C. Kary for grass land at \$20.00 per acre for hay land

On:	Ref. #4509/T1291	100%
	Ref. #3806/T3401	100%

Motion by Clayton Wright Jr. to approve as proposed to A.C. Kary. Second by Rose Cordier. Voting 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

13. Discussion by Ernie Blacksmith on William Huber's lease proposals for farm land at \$20.00 an acre and

\$10.00 for grazing on:	Ref. #301/T1368	100%
	Ref. #444/RS-1942B	50%
	Ref. #554/RS-1605	100%
	Ref. #3377/RS-2094A	85%
	Ref. #3828/T11090	100%
	Ref. #2462/T4184	100%
	Ref. #3928/T11134	100%
	Ref. #2671/T11133	100%

Motion by Clayton Wright Jr. to table for further clarification. Second by John Spotted Tail. Voting 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

14. Discussion by Ernie Blacksmith on John Arcoren Sr. lease proposal for grazing at \$10.00 an acre for five years

(5) Year lease on	Ref. #3912/RS-1118
	Ref. #3657/T3881
	Ref. #3619/T1006D

Motion by Richard "Smokey" Whipple to approve a five year lease to John Arcoren Sr. as proposed. Second by John Spotted Tail. Voting 3 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

15. Discussion by Ernie Blacksmith on Kathleen High Pipe's lease proposal for grazing at \$10.00 an acre on:

Ref. #1590/T3663	100%
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Motion by Clayton Wright Jr. sealed bids from Lonnie Two Eagle and Kathleen High Pipe for the next regular TLE Board meeting. Second by John Spotted Tail. Voting 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

16. Refer to beginning of leasing meeting to request lease proposals from Lonnie Two Eagle and Kathleen High Pipe.

17. Discussion by Ernie Blacksmith. Request for travel to the Rapid City, Great Plains Agriculture and Range Conference.

Motion by Clayton Wright Jr. to authorize travel for Ernie Blacksmith to attend the Great Plains Agriculture and Range Conference, Rapid City, SD. Second by John Spotted Tail. Voting 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**Home sites**

1. Katherine A. Red Horn-Home site lease application, Parmelee Community on Ref. #2981/T1262 on 2.5 acres

Motion by Clayton Wright Jr. to approve as proposed. Second by Richard "Smokey" Whipple. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

2. Alvin Bear Heels Home site lease application. Ring Thunder Community on Ref. #3243/T1588A on 2.5 acres.  
Motion by Clayton Wright Jr. to approve as proposed. Second by Richard "Smokey" Whipple. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.
3. Jennifer Crow Eagle, Home site lease application, Two Strike Community (no map available) on 2.5 acres.  
Motion by Clayton Wright Jr. to approve as proposed. Second by Richard "Smokey" Whipple. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.
4. Tatiye & Corey Jensen Home site lease application, Antelope Community on Ref. #3147/T7093 on 2.5 acres.  
Motion by Clayton Wright Jr. to approve as proposed. Second by Richard "Smokey" Whipple. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.
5. Evelyn Iyotte Home site application, Horse Creek Community on Ref. #1116/T725.5 pm 1.8 acres.  
Motion by Clayton Wright Jr. to approve as proposed. Second by Richard "Smokey" Whipple. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.
6. Donald Bear Robe, Home Site lease application, Antelope Community on Ref. #3147/T7093 on 2.5 acres  
Motion by Clayton Wright, Jr. to approve as proposed. Second by Richard "Smokey" Whipple. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**Modifications**

7. Eugene Watts, Modification of home site application in Antelope Community and would like to cancel home site Ref. #1478/T6414 and apply for the following home site on Ref. #1478/T6414 on 2.5 acres.  
Motion by Rose Cordier to approve modification of home site in Antelope Community. Second by John Spotted Tail. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.
8. Shantel Wright, Modification of home site application in Antelope Community to cancel home site Ref. #1478/T6414 for 2.5 acres and apply for the following home site on Ref. #1478/T6414 on 2.5 acres.  
Motion by Rose Cordier to approve modification of home site in Antelope Community. Second by John Spotted Tail. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.
9. S.W.A., Modification of Home site for Ralph J. Wendel Sr. in Bull Creek Community and cancel lease #56455 and apply for Ref. #3887/T4819 for 2.5 acres.

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Motion by Clayton Wright Jr. to approve modification of home site in Bull Creek Community. Second by John Spotted Tail. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED,


10. Benjamin J. Young, Modification of home site application on Ref. #678/T17395 in Grass Mountain Community for 2.5 acres and to add SWA to his lease  
Motion by Clayton Wright Jr. to approve modification of home site in Grass Mountain Community. Second by John Spotted Tail. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

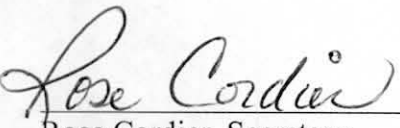
11. Norman Running Sr., Modification of home site application, Rosebud Community on lease 60872 Norman, Running Sr. would like to transfer the lease into his name as beneficiary.  
Motion by John Spotted Tail to approve modification of home site in Rosebud Community. Second by Richard "Smokey" Whipple. Vote 3 in favor, 1 opposed, 1 not voting. MOTION CARRIED.

Discussion by Fern Bordeaux-Boltz regarding the hearing held for Dorothy Reinoehl Williams (deceased) on assignments on April 06, 2010 and the TLE Board decision.

Motion made by Clayton Wright Jr. to honor Designation of Beneficiary to Donna Reinoehl Palmer on Assignments #1466 #1467 and #1468. Second by Richard "Smokey" Whipple. Vote 3 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

**RECESSED at 3:52 P.M.**

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

  
Rose Cordier, Secretary  
Tribal Land Enterprise  
Board of Directors

**031014**

Date of Approval: \_\_\_\_\_