

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 Continued Board of Directors Meeting 02-17-10

The Tribal Land Enterprise Continued Board of Directors Meeting was called to order by Chairperson Fern Bordeaux-Boltz on February 17, 2010 at 10:08 am in the conference room of the Tribal Land Enterprise building in Rosebud, SD.

Board Members Present:

Fern Bordeaux-Boltz
Dominic Harmon
John Spotted Tail
Clayton Wright Jr.
Rose Cordier
Rodney Bordeaux-Late

TLE Staff Present:

Robert Wood, Interim Director
Joe Espinosa Jr. Operations
Patty Jones, Acquisitions
Phyllis Y E-Cadue, Acting Bd Secretary
Ernie Blacksmith, Leasing

Others: Ira Dean Wilson, BIA, Late

Roll Call: 5 Board Members Present, 1 Board Member Late.

Board Member(s) Absent: 1 Board Member (on Funeral Leave) Richard "Smokey" Whipple

Called to Order: at 10:08 am by Chairperson Fern Bordeaux-Boltz.

Invocation by: John Spotted Tail

New Additions to Agenda: Joe Duling owner of Mulehead Ranch, Lewis Good Voice Eagle.

Approval of Agenda: Motion by Clayton Wright, Jr. to approve the agenda as amended.
Second Dominic Harmon. Vote 4 in favor, 0 opposed, 1 not
Voting. MOTION CARRIED.

INTERIM EXECUTIVE DIRECTORS REPORT-Robert Wood

Letter from Wells Fargo.

Discussion regarding isolated tracts. Fern Bordeaux-Boltz is recommending that TLE contact Wells Fargo Bank in Mission, S.D., for Dave Baker to do a new appraisal on isolated tracts and have Robert Wood do a follow-up with Dave Baker.

Updated Applications

**Continued Board of Directors Meeting
February 17, 2010**

Discussion on update applications for Executive Director, Deputy Director for Policy and, Research along with two (2) in-house Attorneys. Deadline for advertising the two (2) legal attorneys are March 05, 2010.

Clayton Wright Jr. will be gone on March 08, 09, and 10, 2010.

Discussion on Regular Board Meeting for March 09, 2010, on March 12, 2010 will be Special Leasing meeting and on March 15, 2010 will be for interviews for Executive Director and Deputy Director for Policy and Research.

Set up interviews for the first three (3) on the list Robert Wood has for Executive Directors and the first three (3) for Deputy Director for Policy and Research. Meeting for the interviews will be held on March 15, 2010 at 9:00 a.m. for half an hour with each applicant.

Motion by Clayton Wright Jr. to authorize Fern Bordeaux Boltz to get paid her per diem if there is no quorum for the interviews set for March 15, 2010 regarding the Executive Director and the Deputy Director for Policy and Research. Second by Rose Cordier.
Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED

Discussion on reimbursement travel for Howard Valandra dated on May 08, and May 12, 2009 for interview from Eagan, MN in the amount of \$1,102.20

Motion by Rose Cordier to approve the travel reimbursement payment to Howard Valandra in the amount of \$1,102.20 with a cover letter. Second by Clayton Wright Jr.
Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Robert Wood recommends Virginia Long for permanent hiring as Accounts Payable clerk.

Motion by Clayton Wright Jr. to approve the recommendation made by the Interim Director, Robert Wood to hire Virginia Long as Accounts Payable Clerk. Second by Rose Cordier. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion on three (3) job openings. (1) Caretaker, (2) Janitor/Maintenance and (3) Board Secretary/Receptionist.

Motion by Clayton Wright Jr. to approve to advertise three (3) positions, (1) Caretaker, (2) Janitor/Maintenance and (3) Board Secretary/Receptionist for two (2) weeks. Second by Dominic Harmon. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion by Robert Wood regarding memo line item to modify.

Motion by Clayton Wright Jr. to approve the memorandum attached to the budget modification listing the line items to be modified. Second by Dominic Harmon.
Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

**Continued Board of Directors Meeting
February 17, 2010**

Discussion on Prairie Dog Program budget. Main job was to sell pre-bait and bait.

Motion by Clayton Wright Jr. to authorize Interim Executive Director for lay-off notice to Prairie Dog employee for reduction in force due to lack of funding. Second by Dominic Harmon. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion on Flow Chart. Michelle Kramer's job description on the flow chart is Land Master Database Administrator which Michelle is willing to fill in as Acquisition Manager and Patti Jones job description is Reference file/Researcher/audit which Patti is willing to fill in as Assignment Manager as well. Both ladies state they can do the added jobs because they are already doing them.

Comment by Robert Wood to have revised flow chart at next Board Meeting.

Discussion: FYI on legal update with Calvin Waln Sr. Fern Bordeaux-Boltz suggest to Interim Executive Director Robert Wood to write a cover letter to Calvin Waln Sr. stating that due to the time constraints TLE cannot honor your request at this time because it lapsed.

Discussion on KINI proposal. KINI is requesting TLE to be a sponsor

**Break for lunch 12:00 P.M. Fern Bordeaux-Boltz will be leaving
Convene at 12:47. John Spotted Tail will be chairing the TLE Board meeting.**

FTR: Rodney Bordeaux came in late at 1:00 P.M.

Discussion on Crazy Coyoteys Campground..

Motion by Rodney Bordeaux to reconsider the action and revoke the offer bid that was held on March 13, 2009 TLE Board Meeting. Second by Dominic Harmon.
Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion by Robert Wood to pay attorney bills for S. Sandven and R. Hutchinson.

Motion by Rodney Bordeaux to approve to pay Attorney Steven Sandven bill in the amount of \$1,806.02 for the month of January, 2010. Second by Clayton Wright Jr.
Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED

Motion by Rodney Bordeaux to approve to pay Attorney Ron Hutchinson bill in the amount of \$1,376.32 for the month of January, 2010. Second by Clayton Wright Jr.
Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion on Mulehead Ranch, owner Joe Duling, did a presentation.

Discussion on Cove heating in TLE building. Purchase Cove heaters from Cherry Todd Electric in the amount of \$1,592.00 including labor, materials the total cost will be \$2,521.60.

**Continued Board of Directors Meeting
February 17, 2010**

Motion by Clayton Wright Jr. to authorize the purchase of Cove heaters from Cherry Todd Electric in the amount of \$1,692.00. Second by Dominic Harmon. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion by Robert Wood on pictures from Bear Butte on the gravel put on the road.

Discussion by CFO, Robert Wood for a drawdown in the amount \$129,000.00, from proceeds of labor account #7397703. Funds will be moved via automated clearing house (ACH) in the TLE administrative Account at Wells Fargo Bank, Mission, SD

Motion by Clayton Wright Jr. to approve a drawdown in the amount of \$129,000.00 from proceeds of the Labor Account #7397703. Second by Rose Cordier. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED

Discussion on Bristow Ranch regarding the house on the property. SWA inspector did inspect. Have Interim Executive Director, Robert Wood look into the rest of the houses that TLE has acquired and have SWA do inspections of the buildings on the property.

TLE Board of Directors went in to executive session at 1:40 P.M.

TLE Board of Directors came out of executive session on 2:04 P.M.

Certificate Department by Robert Wood, Interim Executive Director

Certificate Department is requesting to re issue the certificate #76838 for 45 interests to Tentum Thin Elk due to her losing when Certificate Department mailed her certificates to sign and Tentum Thin Elk's daughter lost her certified mail.

Motion by Clayton Wright Jr. to re issue the certificate #76838 for 45 interests to Tentum Thin Elk due to her losing her certificates. Second by Dominic Harmon. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion by Robert Wood to have the TLE Board reconsiders an Acquisition that was cancelled on December 01, 2009. Applicant, Bernard Rogers, 17 certificates at \$34.47 plus \$26.00 cash value equals \$536.00

Motion by Rodney Bordeaux to approve the purchase of 17 certificates by Bernard Rogers. Second by Clayton Wright Jr. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED

ASSIGNMENTS

Discussion by Patti Jones on re issuance of certificates of deposit on Assignment #1466, Certificate #57733 for 400 interests, Assignment #1467, Certificate #57734 for 480 interests and Assignment #1468-A, Certificate #57735 for 400 interests. Assignee is Dorothy Reinoehl Williams, deceased

**Continued Board of Directors Meeting
February 17, 2010**

Motion by Rose Cordier to re-issue Certificates of deposit on Assignment #1466, Certificate #57733 for 400 interests, Assignment #1467, Certificate #57734 for 480 interests, and Assignment #1468-A, Certificate #57735 for 400 interests. Assignee is Dorothy Reinoehl Williams, deceased. Second by Clayton Wright Jr. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED

Motion by Rodney Bordeaux to reconsider and amend by cancelling the three (3) certificates that was previously reissued by Dorothy Reinoehl Williams, deceased. Second by Clayton Wright Jr. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED

FEE TO TRUST

Discussion by Robert Wood by Rueben Duran wanted to sell all his interests. Mr. Duran has not responded to letters sent to him and the appraisal has expired. If Mr. Duran contacts TLE to sell his interests, Mr. Duran will need an updated appraisal. Need to rescind Resolution No. 2009-63, dated March 13, 2009.

Motion by Rodney Bordeaux to rescind Resolution No. 2009-63 dated March 13, 2009. Second by Rose Cordier. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion by Robert Wood on thirteen (13) past Purchase resolutions. Title companies issues a policy with requirements of a copy of Purchase resolutions on the past thirteen (13) purchases. RST Council must pass purchase resolutions on the past thirteen (13) purchases.

Motion by Clayton Wright Jr. to present Purchase Resolution on Bear Butte-Lots one (1) and (2) to RST Council. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Motion by Clayton Wright Jr. to present Purchase Resolution on St Francis Lots to RST Council. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Motion by Clayton Wright Jr. to present Purchase Resolution on O'kreek Lots to RST Council. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Motion by Clayton Wright Jr. to present Purchase Resolution on Parmelee Lots to RST Council. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Motion by Clayton Wright Jr. to present Purchase Resolution on Masterson to RST Council. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

**Continued Board of Directors Meeting
February 17, 2010**

Motion by Clayton Wright Jr. to present Purchase Resolution on Miller/Peterson land to RST Council. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Motion by Clayton Wright Jr. to present Purchase Resolution on Lots Three (3) and Four (4) in Mission to RST Council. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Motion by Clayton Wright Jr. to present Purchase Resolution on Lot Seven(7), Eight (8) and Nine (9), Mission to RST Council. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Motion by Clayton Wright Jr. to present Purchase Resolution on Lot Six (6), Mission to RST Council. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED

Motion by Clayton Wright Jr. to present Purchase Resolution on Lots fifteen (15), Sixteen (16) and Seventeen (17), Mission to RST Council. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Motion by Clayton Wright Jr. to present Purchase Resolution on Landman to RST Council. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Motion by Clayton Wright Jr. to present Purchase Resolution on Nursing Home to RST Council. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Motion by Clayton Wright Jr. to present Purchase Resolution on RST 2.5 acres to RST Council. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED

Discussion by Robert Wood on Melvin Huggins who is requesting to sell his fee interests and also relinquishing his assignments and selling his allotted interests. Melvin Huggins wants all these to go together.

Motion by Clayton Wright Jr. to Purchase Melvin Huggins land using Isolated Tracts Act and the **Resolution is 2010-01**. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Break at 2:45 P.M.

Back on record at 3:54

Discussion by Robert Wood on appraisal for Lavern Scull. Appraisal price is \$3,037,333 for 8.89 acres (3.81 acres is mineral interest) Received TSR for interest and no fee patents were issued.

**Continued Board of Directors Meeting
February 17, 2010**

Motion by Clayton Wright Jr. to Purchase Lavern Scull and the **Resolution is 2010-02** to purchase interest. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion on amended resolution on the Nursing Home. When RST Council passed the resolution in November 02, 2009. It was under an old land description. Attorney changed legal description in accordance with title commitment policy.

Motion by Rodney Bordeaux to amend **Resolution 09-331** in November 02, 2009 on Nursing Home and to rescind and reconsider. Second by Clayton Wright Jr. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion by Robert Wood regarding drafted resolution for Council approval on certification of tracts of land to be isolated per BIA. BIA reported that all "T" tracts in Tripp, Gregory and part of Lyman are considered isolated.

Motion by Rodney Bordeaux to recommend to RST Council to use the Isolated Tracts Act on:

- T-469.5B-S1/2 SW1/4, Section 3, T.95N.,R70W., 5th P.M., Gregory County
- T-634-NW1/4, Section 14, T.95N., R.70W.,5th P.M., Gregory County
- T-2820-NE1/4, Section 8, T.99N., R.72W., 5th P.M. Gregory County
- T-2858-NE1/4, Section17, T.95N., R69W., 5th P.M. Gregory County
- T2915-NE1/4, Section 35, T.95N, R.76W., 5th P.M. Tripp County
- T-4190.5 SE1/4, Section 32, T.97N., R.74W., 5th P.M., Tripp County
- T-4224D-SW1/4SW1/4, Section 35, T.97N., R.74W., 5th P.M. Tripp County
- T-4441-S1/2SW1/4, Section 1, T.99N, R.76W., 5th P.M. Tripp County
- T-441-S1/2SE1/4, Section 2, T.99N., R.76W., 5th P.M. Tripp County
- T-4476-Lots 3, 4, E1/2SW1/4, Section 30, T.100N., R.75W., 5th P.M. Tripp
- T-4892-NE1/4, Section15, T.100N., R.79W., 5th P.M. Tripp County
- T-11209-NW1/4, Section 26, T.102N., R.75W., 5th P.M. Tripp County
- T-11268-E1/2NE1/4, Section 29, T.97N., T.79W., 5th P.M. Tripp County

to RST Council. Second by Clayton Wright Jr. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion by Robert Wood on drafted resolution to expand the land consolidation area for the RST Tribe. A resolution was passed and BIA approved it.

Motion by Rodney Bordeaux to have RST Council re affirms resolution. Second by Clayton Wright Jr. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion on Lot Six (6) Block Fourteen (14) which Guy Charbonneau sold to Tribe through TLE. TLE has been paying all taxes as if TLE owned the whole lot. Guy has not paid any taxes. Talked to Attorney R, Hutchinson and Attorney R. Hutchinson met with assessor and she would start splitting taxes beginning 2010.

**Continued Board of Directors Meeting
February 17, 2010**

Motion by Rodney Bordeaux to have Attorney R. Hutchinson check with County Treasurer to have Guy Charbonneau pay back all back taxes owed to TLE. Second by Clayton Wright Jr. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion on number Nine (9) other lots in Mission. FYI

Discussion on number Ten (10). Table by TLE Board and have Attorney R. Hutchinson look into the options for the Board.

Motion by Rodney Bordeaux to proceed with the purchase of Elizondo interests. Second by Clayton Wright Jr. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion on number Eleven (11) by Robert Wood. Review her contract and bring back to TLE Board on next meeting.

Motion by Rodney Bordeaux to have Robert Wood review and discuss contract with Steph Blacksmith. Second by Clayton Wright Jr. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion on number Twelve (12). FYI

Leases

Discussion by Ernie Blacksmith Jr. to modify lease for William Whiting, farm for \$30.00 an acre and \$15.00 for hay land.

Motion by Clayton Wright Jr. to approve modifying lease for William Whiting. The lease contract from hay to farm acres with stipulation of rate of \$30.00 per acre for farm land and \$15.00 per acre for hay land. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Motion by Clayton Wright Jr. to farm his Assignment #1705, (Tract #13552) Ref. #2103-01 of 121,2 acres. Second by Dominic Harmon. Vote 3 in favor 1 opposed 1 not voting. MOTION CARRIED

Discussion by Ernie Blacksmith Jr. on Range Unit 15.

Motion by Dominic Harmon to approve advertising Range Unit 15, Lease #345 for thirty (30) days at \$25.00 at a minimum. Second by Clayton Wright Jr. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion by Ernie Blacksmith Jr. on Mustang Meadows.

**Continued Board of Directors Meeting
February 17, 2010**

Motion by Rodney Bordeaux to enter into an agreement with allottees with Mustang Meadows for a lease agreement. Second by Clayton Wright Jr. Vote 4 in favor -0 opposed 1 not voting. MOTION CARRIED

Discussion by Ernie Blacksmith Jr. on William Huber Leases. Rental paid in full for 2009.

Motion by Clayton Wright Jr. to approve and advertise all Lease proposals by William Huber. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion by Ernie Blacksmith Jr. on Stanley Verle Whipple.

Motion to stipulate the rate at \$10.00 per acre plus management plan. Second by Dominic Harmon. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion by Ernie Blacksmith Jr. on Chamberlain Land.

Motion by Clayton Wright Jr. to **table** Chamberlain Land. Second by Dominic Harmon. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion by Ernie Blacksmith Jr. on Ring Neck Ranch.

Motion by Dominic Harmon for a one (1) year lease and relinquishing improvements to TLE. Second by Clayton Wright Jr. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion by Ernie Blacksmith Jr. on Turtle Creek Crossing Store. No Lease. **RESEARCH**

Discussion by Ernie Blacksmith Jr. on J.D.C. No Lease. **RESEARCH**

No discussion on Policies, Procedures, Job Descriptions and revised Lease Policy.

Discussion by Ernie Blacksmith Jr. on Dominic Harmon Extension on two (2) leases

Motion made by Rose Cordier to Dominic Harmon for a two (2) year extension on Lease Allotment #5631, Ref. #4476. Second by Rodney Bordeaux. Vote 3 in favor 0 opposed 2 not voting. MOTION CARRIED.

Motion made by Rose Cordier to Dominic Harmon for a two (2) year extension on Tribal Tract T-11736. Second by Rodney Bordeaux. Vote 3 in favor 0 opposed 2 not voting. MOTION CARRIED.

Yakima Thin Elk-Business site

Discussion on 7.5 acres for a business site. Antelope Community. Lot 4, Section 12, T35N, R29W of 6th P.M. Todd County. Ref. 514/T3256

Continued Board of Directors Meeting
February 17, 2010

Motion by Clayton Wright Jr. to approve the 7.5 acres business site for Yakima Thin Elk.
Second by Rose Cordier. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Discussion by Ernie Blacksmith Jr. regarding John Two Eagle. Requests extension.

Motion by Clayton Wright Jr. To rescind to John Two Eagle on unitized lease:

Ref. No 368 (RS-1702)
Ref. No 368-01(RS-1702-A)
Ref. No. 3680 (RS-1704)
Ref. No. 1341 (T1052.5)
Ref. No. 1341-A (T1052.5A)
Ref. No. 3078 (T5081)
Ref. No. 3080 (T1055)
Ref. No. 3423 (T2249)

Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED


Motion by Clayton Wright Jr. to award to Merle and Mary Lee Fast Horse for Unitized Lease for Seven (7) years.

Ref. No. 368 (RS-1702)
Ref. No. 368-01 (RS1702-A)
Ref. No. 3680 (RS-1704)
Ref. No. 1341 (T1052.5)
Ref. No. 1341-A (T1052.5A)
Ref. No. 3078 (T5081)
Ref. No. 3080 (T1055)
Ref. No. 3423 (T2249)

Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED.

Motion by Clayton Wright to recess meeting at 5:15 P.M. Second by Rodney Bordeaux. Vote 4 in favor 0 opposed 1 not voting. MOTION CARRIED

Recessed at 5:15 pm.

Fern Bordeaux-Boltz/ 
Fern Bordeaux-Boltz
Chairman
Tribal Land Enterprise
Board of Director


Rose Cordier, Secretary
Tribal Land Enterprise
Board of Directors

Date of Approval: 031014