

# **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 Board of Directors Meeting 01-12-10**

The Tribal Land Enterprise Board of Directors Meeting was called to order by Chairperson Fern Bordeaux-Boltz on January 12, 2010 at 10:21 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.  
Richard "Smokey" Whipple  
Rodney Bordeaux Late  
Rose Cordier Late

### **TLE Staff Present:**

Robert Wood, Interim Director  
Ernie Blacksmith Jr. Leasing  
Darlene Crow Eagle, Certificate  
Patty Jones, Acquisition  
Joe Espinosa, Jr., Operations  
Ira Dean Wilson, BIA

**Roll Call:** 5 Board Members Present, 2 Board Members Late.

**Called to Order:** at 10:21 am by Chairperson Fern Bordeaux-Boltz.

**Invocation by:** John Spotted Tail

**Agenda:** New business Jennifer Galindo, I.R.M.P.

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

Comment by Clayton Wright Jr.: Would like to discuss the applications for Executive Director Position.

Comment by Fern Bordeaux-Boltz: Put under Interim Director Report.

### **Wells Fargo update, (Mr. Joseph).**

Discussion with Clay Colombe: Regarding isolated tracts.

Comment by Robert Wood: Requesting an amortization from Wells Fargo Bank.

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Question by Fern Bordeaux-Boltz: When was the last time an appraisal was done on the isolated tracts?

Comment by Kermit Grimshaw: Wells Fargo does not do appraisals. We order them for independent bids.

Discussion on Crazy Hole Creek Ranch, owner is Roger Joseph. Would like to sell to the Tribe. Interested in Lease back for ten (10) years. 3,280 acres of deeded land. Weber & Company Real Estate is handling the sale.

Question by Fern Bordeaux-Boltz: Real estate taxes are ten thousand dollars (\$10,000.00). Is Mr. Roger Joseph willing to pay the real estate taxes until such time the Tribe put this land into Trust?

Question by Mr. Roger Joseph: How long will it take for the land to go into trust? It is negotiable.

Comment by Rick Weber: We are presenting the contract and everything is negotiable. The main thing we are interested in is when is this going to happen?

Comment by Fern Bordeaux-Boltz: TLE needs another month for the TLE staff to research Additional tracts that TLE has purchased since the first mortgage and to identify those tracts to see if the appraisals are still good or need to be recertified by the Bureau of Indian Affairs and add to the mortgage. TLE has to prepare a resolution to authorize purchase.

Question by Mr. Roger Joseph: How much time do you need for the purchase of the land?

Comment by Fern Bordeaux-Boltz: Maybe TLE needs sixty (60) days in order for a Councilperson to take TLE resolution to RST Council to authorize purchase on isolated tracts. In the meantime TLE will have all the other data needed on other additional isolated tracts.

Comment by Rick Weber: Mr. Roger Joseph would like it on record that you are interested in the land.

Question by Fern Bordeaux-Boltz: Has Ron Hutchinson seen the contract?

Comment by Rick Weber: No Ron Hutchinson has not seen the contract. If Ron needs to change anything, than it's not a problem.

Comment by Fern Bordeaux-Boltz: If the TLE Board is willing to proceed with the purchase of the land the TLE Board needs to make a motion to direct the TLE Board to prepare a TLE resolution to the Tribal Council for the council's approval to authorize TLE purchase for the Tribe.

Motion by John Spotted Tail to prepare resolution to the Tribal Council for authorization to purchase Mr. Roger Joseph property. Second by Clayton Wright Jr. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**Land Sales**

Discussion by Robert Wood: List of land sales in your packet. First one is Emerson Little Elk, Ref #4843, RS-5309-C. Any questions, I can call in Michelle Kramer.

Motion by Clayton Wright Jr. to approve the acquisition sale of Emerson Little Elk on Ref. #4843, RS-5309-C. Second by Rodney Bordeaux. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**Bear Butte**

Discussion by Robert Wood: Needs a stand-by generator at Bear Butte for the winter months and attached are two (2) bids.

Motion by Clayton Wright Jr. to table on stand-by generator for Bear Butte Lodge until an analysis is completed by Robert Wood. Second by Dominic Harmon. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**Advertise**

Discussion to accept Emily White Hat resignation and to advertise her position as Research & Analyst

Motion by Rodney Bordeaux to accept Emily White Hat resignation on December 22, 2009. Second by Clayton Wright Jr. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**CFO**

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

Motion by Rodney Bordeaux to approve to pay Attorney Ron Hutchinson bill for December, 2009 billing. Second by Clayton Wright Jr. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Dominic Harmon to approve to pay Attorney Steven Sandven bill for December, 2009. Second by Clayton Wright Jr. Vote 6 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Dominic Harmon to approve to pay Attorney Steven Sandven for contract services. Second by Clayton Wright Jr. Vote 6 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Rodney Bordeaux to advertise for two (2) attorneys for thirty (30) days. One (1) for Fee to Trust and the second (2) for TLE Attorney. Second by Dominic Harmon. Vote 6 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Comment by Robert Wood to keep attorneys at same rate of pay.

**Gabriel Medicine Eagle**

Comment by Clayton Wright Jr.: See what Gabriel Medicine Eagle needed.

Question by Gabriel Medicine Eagle: To see what happened to his Lease bids he submitted. Gabriel will need to make some adjustments with his cattle and will he be able to use Ring Neck Ranch until the March deadline? I am wondering where we stand at this time with his proposal?

Comment by Ernie Blacksmith Jr. We had tabled his leasing bid and I haven't been able to get anything out at this time. I had accepted his proposal but Gabriel Medicine Eagle proposal was not signed and does not have a management plan with his proposal.

**Adjourn for lunch break at 12:15 pm  
Back from lunch at 1:10 pm**

**Land Sales**

Discussion by Robert Wood on appraisal for 6 tracts by Lavern Skull.

Motion by Clayton Wright Jr. to approve for a long form appraisal on Lavern Skull. Second by John Spotted Tail. Vote 6 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**Farmers National Company**

Discussion from Mr. Hickey regarding Farmers National Company. Letter on updates (see attached). Information on water usage.

Motion by John Spotted Tail to approve to purchase a Porta Storage for parts for Farmer's National Company. Second by Clayton Wright Jr. Vote 6 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Comment by Fern Bordeaux-Boltz to have Farmers National Company to attend next Board meeting on February 09, 2010 for updates.

**Assignment Department**

Discussion to pay Stanley Verle Whipple for relinquishments on six (6) TLE assignments in full.

Motion by Clayton Wright Jr. to pay in full to Stanley Verle Whipple for relinquishment on six (6) TLE assignments. Second by John Spotted Tail. Vote 5 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

**I.R.M.P.-Jennifer Galindo**

Discussion on buffer zone around little White River.

Motion by Clayton Wright Jr. for a buffer zone along the Little White River with the minimum of one hundred (100) feet on each side of the Little White River in Todd County. Second by Dominic Harmon. Vote 5 in favor, 1 opposed, 1 not voting. MOTION CARRIED.

Motion by Dominic Harmon to proceed with the Land Office a plan to implement along the Little White River with NRCS. Second by Rodney Bordeaux. Vote 5 in favor, 1 opposed, 1 not voting. MOTION CARRIED.

**Fee to Trust**

Discussion by Robert Wood regarding White River Health Care Center. Resolution.

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Motion by Clayton Wright Jr. to refer the Fee to Trust on the White River Health Care Center to RST Council. Second by Dominic Harmon. Vote 6 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**Break 2:15 pm. Returned at 2:30 pm.**

**Land office**

Discussion by Fern Bordeaux-Boltz: Regarding Stella Carrasco on employment issue. Not available at this time. Waiting to meet with the Commissioners at the Land Office.

**Electrical Wiring Bid**

Discussion by Robert Wood on bids for TLE Building to rewire and the other for White River Restaurant & Youth Center.

Motion by Clayton Wright Jr. to approve Red Pipe Electric Inc. in the amount of Twenty Thousand forty two dollars and twelve cents (\$20,042.12) for electric work on Tribal Land Enterprise building. Second by Dominic Harmon. Vote 6 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Clayton Wright Jr. to approve H&O in the amount of Three thousand six hundred seventy eight dollars and eighty eight cents (\$3,678.88) for electric work on White River Restaurant & Youth Center. Second by Dominic Harmon. Vote 6 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**Bureau of Indian Affairs, Complaint**

Discussion by Ira Dean Wilson regarding Mr. William Huber on his leases.

Motion by Clayton Wright Jr. to write a letter to Mr. William Huber and come in and meet with Ernie Blacksmith Jr. Tribal Land Enterprise regarding all delinquencies on his leases. Meeting is on January 19, 2010. Second by Rodney Bordeaux. Vote 5 in favor, 0 opposed 2. Not voting. MOTION CARRIED/

Motion by Rose Cordier to write a letter to Mr. William Whiting and have him come into compliance with the Board of Directors, Tribal Land Enterprise. Meet with Ernie Blacksmith Jr., Leasing Manager, Tribal Land Enterprise on January 22, 2010. Second by Rodney Bordeaux. Vote 6 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

**Leasing Department**

Discussion by Ernie Blacksmith Jr.: Shawn Klein, Marshall Stands and Laurie Chauncey.

Motion by John Spotted Tail to table and re-advertise on Shawn Klein. Second by Rodney Bordeaux. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.


Motion by Rose Cordier to approve Marshall Stands Ref. No. 3329/T-2630 at TLE minimum rates for Tribal members. Second by John Spotted Tail. Vote 4 in favor, 0 opposed. 1 not voting. MOTION CARRIED.

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Motion by Dominic Harmon to approve Laurie Chauncey provided she meets the TLE minimum rates for non-members. Second by Rose Cordier. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by John Spotted Tail to adjourn. Second by Rose Cordier. Vote 4 in favor 0 opposed, 1 not voting. MOTION CARRIED.

Adjourned at 4:30 pm.

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

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

Date of Approval: 031014