

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 **Special Board of Directors Meeting** September 19, 2011

The Tribal Land Enterprise Special Board of Directors Meeting was called to order by Chairman Amos Prue on September 19, 2011, at 10:21 am in the conference room of the Tribal Land Enterprise building in Rosebud, South Dakota.

Board Members Present:

Amos Prue
Joe Ford
Rose Cordier
Pam Kills In Water
Scott Herman
Steve Denoyer
Rodney Bordeaux

TLE Staff Present:

Vernon Schmidt, Exec. Dir
Phyllis YE-Cadue, Bd Secretary
Robert Wood, CFO
Steph Blacksmith, Fee to Trust
Ernie Blacksmith, Leasing Dept.
Franki Kills In Water, Leasing
Michelle Kramer, Acquisitions
Darlene Crow Eagle, Certificates

Others: Neal Kramer
Charles Colombe

Roll Call: 6 present

Board Member(s) Late: 1-Rose Cordier, 10:24 am

Board Member(s) Absent: 1- Rodney Bordeaux

Called to Order: by Amos Prue

Invocation by: Vernon Schmidt

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New Business: Deputy Director of Policy & Research position & applications
Reevaluation of Certificates for "2011"

Approval of Agenda: Motion by Steve Denoyer to approve Agenda with additions of Deputy Director of Policy & Research Position applications and The Reevaluation of Certificates for "2011. Second by Scott Herman. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Joe Ford to approve the TLE minutes dated September 09, 2011. Second by Steve Denoyer. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Staff Report:

Executive Director, Vernon Schmidt

Motion by Steve Denoyer to have Executive Director, Vernon Schmidt gather past employment history and what had been accomplished on his final report on the position of Prairie Dog Control. Second by Scott Herman. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motions by Steve Denoyer to have Executive Director, Vernon Schmidt develop a job description on IT person and to advertise for thirty (30) days. Second by Rose Cordier. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Executive Session at 11:20 am

Back in session at 11:34 am.

Motion by Rose Cordier to go into executive session. Second by Joe Ford. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Comments by Charles Colombe

Discussion on Reevaluation of Certificates for "2011".

Motion by Scott Herman to have Pergroup, 431 .S. Pierre Street, Pierre, S.D., utilize Laser fiche and scanner to the staff and have active participation from the staff to scan certificates from 2005 to current date and the amount is not to exceed

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\$4,800.00. Second by Joe Ford. Vote 4 in favor, 1 opposed, 1 not voting. MOTION CARRIED.

Motion by Steve Denoyer to bring it back on the certificate research recommendation to the TLE Board at the October 11, 2011 meeting. Second by Scott Herman. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Steve Denoyer to go back to the inception of TLE (1943) on Certificates for auditing. Second by Joe Ford. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Steve Denoyer to advertise for thirty (30) days as amended with Indian preference and time frame and have in house Attorney Steven Sandven look at final draft. Second by Scott Herman. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Steve Denoyer to do a letter on Re-evaluation of Certificates by the Bureau of Indian Affairs for Fiscal year "2011". Second by Joe Ford. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Lunch at 12:54 pm.

Reconvene at 1:46 pm

Motion by Steve Denoyer to set up interview date for Deputy Director of Research and Policy at the next Regular TLE Board Meeting on October 11, 2011. Second by Scott Herman. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

CFO-Robert Wood

Motion by Joe Ford to approve August, 2011 Finance Report. Second by Steve Denoyer. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Steve Denoyer to approve Budget Modification in the amount of \$5,000.00 (increase) for Bear Butte Expense and \$5,000.00 (decrease) for Computer Maintenance Expense. Second by Joe Ford. 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

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Motion by Steve Denoyer to approve Ron Hutchinson bill for August, 2011 in the amount of \$2,050.58. Second by Pam Kills In Water. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Steve Denoyer to approve Steven Sandven bill for August, 2011 in the amount of \$7,332.91. Second by Pam Kills In Water. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Fee to Trust-Steph Blacksmith

Motion by Steve Denoyer to approve Resolution 2011-020 for Pup lot in Parmelee. Second by Joe Ford. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Leasing-Ernie Blacksmith

Motion by Steve Denoyer to terminate our contract with Farmers National Company. Second by Pam Kills In Water. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Joe Ford as amended to advertise Mustang Meadows and sixteen (16) pivots until November 04, 2011 to include management and business plan with sealed bids. Second by Steve Denoyer. Vote 5 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

FTR: Steve Denoyer left meeting at 4:24 p.m.

Motion by Rose Cordier to approve bid for Pivots advertisement for thirty (30) days. Second by Pam Kills In Water. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Rose Cordier to approve Ernie Blacksmith, Leasing Manager, Executive Director, Vernon Schmidt and any TLE Board members to attend the 21st Annual Indian Land Consolidation Symposium Workshop in Cabazon, Calif. Second by Joe Ford. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Acquisitions-Michelle Kramer

Motion by Joe Ford to approve Acquisitions for the month of September, 2011 in the amount of \$12,497.10. Second by Pam Kills In Water. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

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Certificate Department-Darlene Crow Eagle

Comment by Darlene Crow Eagle on Charles Colombe is requesting to sell 460 certificates. Charles Colombe had talked to Darlene and is requesting to hold off on selling his 460 certificates until new value of certificate shares come in.

Motion by Joe Ford to approve monthly reports for July and August from the Certificate Department. Second by Pam Kills In Water. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Continued with Leasing-Ernie Blacksmith

Motion by Joe Ford to follow Ernie Blacksmith recommendation on P & T Farms to count and advertise the hay. Second by Pam Kills In Water. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Motion by Joe Ford to approve his leases and be fined for William Huber being out of compliance. Second by Pam Kills In Water. Vote 3 in favor, 1 opposed, 1 not voting. MOTION CARRIED.

Motion by Rose Cordier to have Ernie Blacksmith, Lease Manager write a letter to the Bureau of Indian Affairs for Mr. Huber being out of compliance. Second by Pam Kills In Water. Vote 3 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

Motion by Rose Cordier to have Executive Director, Vernon Schmidt write a letter to Bureau of Indian Affairs, Cleve Her Many Horses regarding Dean Yellow Hawk on trespassing and acreage damages. Second by Scott Herman. Vote 3 in favor, 0 opposed, 2 not voting. MOTION CARRIED.

HOME / BUSINESS SITE APPLICANTS:

Presented September 19th, 2011

1. APPLICANT: Marvin Standing Bear – Black Pipe Community

DESCRIPTION: Lot 4 of section 1, T.41N., R.33W., 6th P.M., Mellette County, South Dakota, more particularly described as follows: Commencing at the NW4 corner of section Thence S. 15*39' E. a distance of 544 feet to the point of beginning, Thence East

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a distance 330 feet, thence South a distance 330 feet, Thence West a distance 330 feet, Thence North a distance of 330 feet back to the point of beginning. Containing 2.5 acres m/l. Ref. 3692-02/T2473.5

COMMENT: TLE Board of Directors canceled Mr. Standing Bear's homesite due to Archeological findings. Mr. Standing Bear met with Tribal Historic Preservation Office and they agreed to let him stay on the homesite provided he has no construction near the archeological finding.

APPROVED: Motion to Approve by Rose Cordier, 2nd by Pam Kills In Water 4-0-1

2. **APPLICANT:** Steven A. Tamayo – Antelope Community

DESCRIPTIONS;

- **Home site description:** SW4SW4SW4SE4 of Section 33, T.39N., R.27W., 6th P.M., Todd County, SD, containing 2.5 acres m/l
- **Business site description:** NW4SW4SW4SE4 & E2SW4SW4SE4 of Section 33. T.39N., R.27W., 6th P.M., Todd County, SD, containing 7.5 acres m/l Ref.1478/T6414

WATER RESOURCES: Agrees to the site.

COMMUNITY APPROVAL: Yes, April 1st, 2011.

COMMENT: Abstracts attached & Beneficiary named.

Business plan attached.

Archeological survey complete, finding of no significant impact

APPROVED: Motion to Approve by Scott Herman, 2nd by Rose Cordier 3-0-2

3. **APPLICANT:** Tamera Sun Bear / Guerrero – Antelope Community

DESCRIPTION: A tract of land described as the West 330' feet of the South 330' of the North 495 of Lot 3, Section 2, T.38N. R.29W., Todd County, South Dakota, containing 2.5 acres m/l. Ref.3633/T5319

WATER RESOURCES: Agrees to the site.

COMMUNITY APPROVAL: Yes, July 11th, 2011.

COMMENT: Abstracts attached & Beneficiary named.

Archeological survey complete, finding of no significant impact

APPROVED: Motion to Approve by Scott Herman, 2nd by Pam Kills In Water 3-0-2

4. **APPLICANT:** Levi Waln – He Dog Community
DESCRIPTION:
- **Home site description:** SE4SE4SE4SE4 of Section 22, T.38N., R.33W., 6th P.M., Todd County, SD, containing 2.5 acres m/l Ref.1201/T1643
 - **Business site description:** SW4SW4SW4SW4 of Section 23 Ref.192/T7244 & W2NW4NW4NW4 of Section 26 Ref.3298/T5124, T.38N., R.33W., 6th P.M., Todd County, SD, containing 7.5 acres m/l
- WATER RESOURCES:** Agrees to the site.
COMMUNITY APPROVAL: Yes, August 17th, 2011.
COMMENT: Abstracts attached & Beneficiary named.
Business plan attached.
Archeological survey complete, finding of no significant impact

APPROVED: Motion to Approve by Scott Herman, 2nd by Rose Cordier 2-1-2

5. **APPLICANT:** Royal Lost His Blanket / Stone, Jr. - He Dog Community
DESCRIPTION: E330' of the W660' of the S330' of the N750' of Lot 1, Section 18, T.38N., R.32W., 6th P.M., Todd County, SD, containing 2.5 acres m/l Ref.54/T11511
- WATER RESOURCES:** Agrees to the site.
COMMUNITY APPROVAL: Yes, August 17th, 2011.
COMMENT: Abstracts attached & Beneficiary named.
Archeological survey complete, finding of no significant impact

APPROVED: Motion to Approve by Rose Cordier, 2nd Scott Herman 3-0-2

6. **APPLICANT:** S.W.A. Corporation – Parmelee Community
DESCRIPTION: A tract of land described as Block 14, Lot 3, Parmelee, in the SW¹/₄ of Section 30, T.39N. R.31., 6th P.M., Todd County, South Dakota, containing .50 acres m/l Ref.51/T11346
- WATER RESOURCES:** Agrees to the site.
COMMUNITY APPROVAL: Yes, June 25th, 2011.
COMMENT: S.W.A. Corporation would like to put a FEMA Trailer on this Lot.
Archeological survey complete, finding of no significant impact

APPROVED: Motion to Approve by Rose Cordier, 2nd by Joe Ford 4-0-1

7. **APPLICANT:** S.W.A. Corporation – Parmelee Community

DESCRIPTION: A tract of land described as Block 14, Lot 5, Parmelee, in Section 30, T.39N. R.31W., 6th P.M., Todd County, South Dakota, containing .50 acres m/l Ref.51/T11346

WATER RESOURCES: Agrees to the site.

COMMUNITY APPROVAL: Yes, June 25th, 2011.

COMMENT: S.W.A. Corporation would like to put a FEMA Trailer on this Lot.

Archeological survey complete, finding of no significant impact

APPROVED: Motion to Approve by Rose Cordier, 2nd by Pam Kills In Water 4-0-1

8. **APPLICANT:** Monica Whiting – St. Francis Community

DESCRIPTION: SW4NE4NE4NE4SNW4, SE4NW4NE4NE4NE4NW4, NW4SE4NE4NE4NW4, NE4SW4NE4NE4NW4 of Section 35, T.37N. R.31W., 6th P.M., Todd County, South Dakota, containing 2.5 acres m/l Ref.669/T1745

WATER RESOURCES: Agrees to the site.

COMMUNITY APPROVAL: Yes, March 11th, 2008.

COMMENT: Abstracts attached & Beneficiary named.

Archeological survey complete, finding of no significant impact

TABLED: Motion by Joe Ford to Table due to TLE Ownership in the Tract, 2nd by Rose Cordier 3-0-2

9. **APPLICANT:** Brittany Iron Shell – St. Francis Community

DESCRIPTION: SW4SE4NE4NE4NW4, SE4SW4NE4NE4NW4, NE4NW4SE4NE4NW4, NW4NE4SE4NE4NW4 of Section 35, T.37N. R.31W., 6th P.M., Todd County, South Dakota, containing 2.5 acres m/l. Ref.669/T1745

WATER RESOURCES: Agrees to the site.

COMMUNITY APPROVAL: Yes, March 11th, 2008.

COMMENT: Abstracts attached & Beneficiary named.

Archeological survey complete, finding of no significant impact

TABLED: Motion by Joe Ford to Table due to TLE Ownership in the Tract, 2nd by Rose Cordier 3-0-2

10. **APPLICANT:** Candy R. DuBray – Antelope Community

DESCRIPTION: East ½ of South 330 ft., of the North 530 ft., of East 660 ft., of Lot 2, Section 2, T.38N., R.29W., 6th P.M., Todd County, South Dakota, containing 2.5 acres m/l Ref.292/T71

WATER RESOURCES: Agrees to the site.

COMMUNITY APPROVAL: Yes, January 12th, 2009.

COMMENT: Abstracts attached & Beneficiary named.

Archeological survey complete, finding of no significant impact

APPROVED: Motion to Approve by Rose Cordier, 2nd by Pam Kills In Water 3-0-2

11. APPLICANT: Clifford Lafferty – He Dog Community

DESCRIPTION:

- **Business site description:** E2NW4SE4SW4, N2NW4NW4SE4SW4, S2SW4NW4SE4SW4 of Section 12, T.38N., R.33W., 6th P.M., Todd County, South Dakota, containing 7.5 acres m/l Ref.1092/T1632

WATER RESOURCES: Agrees to the site.

COMMUNITY APPROVAL: Yes, August 1st, 2011.

COMMENT: Abstracts attached & Beneficiary named.

Business plan attached.

Archeological survey complete, finding of no significant impact

APPROVED: Motion to Approve by Joe Ford, 2nd by Rose Cordier 4-0-1

12. APPLICANT: Carl D. Boneshirt, Sr. – St. Francis Community

DESCRIPTION: S2NW4SE4NW4NW4 & N2SW4SE4NW4NW4 of Section 35, T.37N. R.31W., 6th P.M., Todd County, South Dakota, containing 2.5 acres m/l. Ref.669/T1745

LESSEE: No signature. (Joe Ford)

COMMUNITY APPROVAL: Yes. July 12th, 2011.

COMMENT: Abstracts attached & Beneficiary named.

Mr. Arcorens homesite was tabled last meeting (8-31-11) due to more clarification on the Right of Way of Victor Left Hand Bulls Assignment.

Archeological survey complete, finding of no significant impact

TABLED: Motion by Joe Ford to Table due to TLE Ownership in the Tract, 2nd by Rose Cordier 3-0-2

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CANCELLATION(S):

APPLICANT: Missy Bartling – Soldier Creek Community

DESCRIPTION: NE4SE4 of Section 29, T.39N, R.30W, 6th P.M., Todd County, South Dakota, containing 2.5 acres m/l, metes/bounds Ref.2652/T2954

COMMENT: Mrs. Bartling’s home site is on an Exchange Assignment and needs to be canceled. Mrs. Bartling is aware she will need to find a new site.

APPROVED: Motion to Cancel by Joe Ford, 2nd by Rose Cordier 4-0-1

Adjourn at 5:35 pm

Motion by Joe Ford to adjourn at 5:35 pm. Second by Scott Herman. Vote 4 in favor, 0 opposed, 1 not voting. MOTION CARRIED.

Amos Prue, Chairman
Tribal Land Enterprise
Board of Directors

Rose Cordier, Secretary
Tribal Land Enterprise
Board of Directors

Date of Approval: _____