

**TRIBAL COUNCIL OF THE NORTHERN CHEYENNE TRIBE
NORTHERN CHEYENNE RESERVATION
LAME DEER, MONTANA**

SPECIAL SESSION

**MINUTES
November 1, 2022**

CALL TO ORDER: President Wetherelt called the meeting to order at 3:47 p.m.

INVOCATION: Eva Foote

ROLL CALL:

	PRESENT	ABSENT	EXCUSED
Debra Charette	X		
Norma Gourneau	X		
Eva Foote	X		
Phillip Beckman *Prior appointment			X
Serena Wetherelt, President	X		
Ernest Littlemouth, Sr., Vice President *On travel			X
Melissa Fisher	X		
Diane Spotted Elk	X		
Silver Little Eagle	X		
Gwen Talawyma	X		
Henry Speelman *Prior appointment			X
Total:	8		3

Quorum Established

BUDGETS

Debra Charette: Can we move Budgets to after #3? So, we can have the ones that we did this morning in Budget & Finance on there? She's working on them now.

Melissa Fisher: We'll go ahead and move budgets to the end. And now we'll move onto item #2.

A RESOLUTION FOR TRIBAL MEMBERSHIP VOTE WHETHER TO ENTER INTO DEPUTATION AGREEMENTS AS APPROVED IN RESOLUTION DOI-159 (2022)

Norma Gourneau: This will take care of the resolution that was disapproved by the Superintendent because the resolution referenced a referendum. Instead, we're bringing this forward so that we can continue on with the vote on the Deputation Agreement. So,

what it's saying is the Tribal Council approved Resolution DOI – 159 (2022) which authorized deputation between the Tribe, BIA—Office of Justice Services, Rosebud County, Bighorn County, and Montana Highway Patrol. And whereas, an election to fill five Tribal Council seats is scheduled for November 8, 2022. The Tribal Council has decided to include on the November 8, 2022 ballot the question whether to negotiate and enter into deputation agreements authorized by DOI-159 (2022). Therefore be it resolved that there shall be a question included on the ballot for the November 8, 2022 election whether the Tribe should negotiate and enter into deputation agreements as authorized by DOI-159 (2022). Be it finally resolved that the vote of the majority on the ballot question will be taken into consideration by the Tribal Council with respect to DOI-159 (2022). So, this is to correct this, because the Superintendent disapproved our last resolution, but we still want this question on the ballot.

Motion made by Norma Gourneau. Second by Eva Foote.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Ernest Littlemouth, Sr., Vice President				X
Melissa Fisher	X			
Diane Spotted Elk	X			
Silver Little Eagle	X			
Gwen Talawyma	X			
Henry Speelman				X

7 votes Yes	0 votes No	0 Abstentions	Motion Carried
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Debra Charette: I just have a question on Solid Waste Agreement and Lane is clarifying some things.

Diane Spotted Elk: While we're waiting, I wanted to let everyone know that I had emailed Curtis Yarlott at St. Labre and requested some buffalo for the Food Pantry. He was agreeable in giving the Tribe an entire buffalo, but we would have to pay the cost of processing. And Warrior Grocery, Clayton Small, said they can process it for the Food Pantry at the cost of however much the fees are. My question was, since the Tribe helped purchase this mobile meat processing truck, can that be done at no cost for the Food Pantry. So, I asked, Nizhoni she sits on the PPCD Board, if she could take it back to her board and see if we can get our buffalo processed from St. Labre at no cost.

President Wetherelt: I think that's appropriate that they should, because out of CARES money, that was purchased. So, to me that's the Tribe's property. So, I don't know if there was an official transfer of it.

Nizhoni Friesz: Yeah, I haven't had a chance to talk with her, but I will call her.

President Wetherelt: On Friday, I had a message to call Byron Larson and I didn't get a chance to until about 5:00 p.m. His message said something about a consultation, so I called him back and he told me the background. The epidemiologist from the national level had requested from the GAO in Washington to see if they would be able to access all the Tribe's data that we have with IHS. And we have 7 who work for Tribal Leaders Council. So, it would be like opening the doors from them for getting our data. So, what I did was, he wrote a letter for me because it was due that day, Friday. So, I stayed until 7:00 p.m. and we finished a document, requesting tribal consultation, because they did not consult any Tribes. He wrote this up. So, I can give everyone a copy of this. It's a really good letter and we put in there, "Therefore the Northern Cheyenne Tribe formally requests immediate tribal consultation on the United States Government's Accountability Office, Epidemiology Centers. HHS actions needed to enhance data access, proposed policy and rulemaking. Please contact the office of the President of the Northern Cheyenne to arrange a formal tribal consultation at your earliest convenience. Further, the Northern Cheyenne Tribe is also requesting the GAO extend a national tribal consultation time frames to allow the other 573 tribal nations to respond to this material and change to policy and rulemaking.

Debra Charette: This is the GAO?

President Wetherelt: Yeah, they didn't even go through the proper channels.

Diane Spotted Elk: Who is the GAO?

Debra Charette: The General Accounting Office. I guess we all sat in on Rocky Mountain Tribal Leaders... I think we should all keep in mind what they presented today. I think there are services we can access.

President Wetherelt: I don't think they should have any of our data.

Debra Charette: No. And that was in order to use this other stuff. We *can* use the epidemiology part because that's... if we allowed them, we'd have to allow them. But that's something to digest, is to think about if we want to go back.

Melissa Fisher: I would like to see us go back.

Debra Charette: And actually, this time, we would gain better. Because last time it was just Tacona and Bill, and we said this is our budget that we use, this is what we get paid, and this is what we do for you guys. But there was nothing out there from the programs, of what they brought this time. Instead of this is what we have. They didn't do that last time. So, we thought, this is what you get paid to figure out for us, and what do we get from it? There were no pamphlets handed out, nothing.

Diane Spotted Elk: And it was so disappointing that, at the height of the pandemic, that they bought a box of masks. That's all we got, 1,000 masks.

Debra Charette: And nobody liked those masks. They *were* medical grade, but...

Gwen Talawyma: I saw something about a drive-thru movie for Blackfeet. And would they be willing to do something like that for our reservation?

Debra Charette: And they had what else, Dialysis and Domestic Violence. But yeah, they have policies that we're thinking about.

Silver Little Eagle: Yeah, I like their resources and I think it makes a lot more sense than going with the Great Plains people.

Diane Spotted Elk: We can still go with them. They fight other issues.

President Wetherelt: Yeah, it's not all health-related.

Diane Spotted Elk: Yeah, so it could balance it. We need to use them more.

Silver Little Eagle: So, we could be a part of both of them?

Debra Charette: Yeah.

Silver Little Eagle: Oh, I thought it was one or the other.

**A RESOLUTION OF NORTHERN CHEYENNE TRIBAL COUNCIL
AUTHORIZING TRANSFER OF AMERICAN RESCUE PLAN ACT FUNDS TO
NORTHERN CHEYENNE DEVELOPMENT CORPORATION, SOLID WASTE
MANAGEMENT PROGRAM FOR VITAL INFRASTRUCTURE ENHANCEMENT**

Melissa Fisher: When we were in Billings, I presented...Solid Waste had requested some money under the CARES ACT funding and we approved it and it was added to the line item of the budget. But somewhere along the line, it was never sent over. So, when we were in Billings, we talked about the priorities because they need this funding to complete their parking garage for their trucks. You all may not know, a few years back, their truck was stolen from their yard up there, and their other vehicles were damaged. So, this building will be a warm building for their trucks and will protect their program vehicles from not being stolen or damaged again. There will be a couple more offices placed in there, a restroom, and of course, heaters to keep the building warm. A furnace. And then garage doors and exterior doors. So, with that, I make that request for \$150,000 for construction of their facility.

Motion made by Melissa Fisher. Second by Gwen Talawyma.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X

Ernest Littlemouth, Sr., Vice President				X
Melissa Fisher	X			
Diane Spotted Elk	X			
Silver Little Eagle	X			
Gwen Talawyma	X			
Henry Speelman				X

7 votes Yes	0 votes No	0 Abstentions	Motion Carried
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Debra Charette: Before we start, we got lots of calls and messages this morning that Highway Patrol is out on Highway 212 from Bighorn County. And my mom got stopped [laughter].

Melissa Fisher: Yeah, my aunt got stopped, too, for an illegal u-turn. But that's what we want to see, we want to see their presence out there.

President Wetherelt: And did you guys hear about some semi-trucks getting stopped and there was an Indian girl in one of them, so they were checking all of the semis.

Diane Spotted Elk: That's awesome.

President Wetherelt: They had some at Crow that were stopping them, too. And Ashland, too.

Eva Foote: Yesterday when I was going home, there were two highway patrols on the flats, and then over here there was a BIA. And I thought I should just stop and thank them for being here.

Gwen Talawyma: Kind of what happened with those 3 hay bales. It almost hit that car and I'm glad it didn't go forward.

Debra Charette: But I mean, they've got some activity out there and people say things and I'm hoping we can thank them for their time because those buses are out there and that's another big concern. Last week, we got 3 calls where two semis went by buses with their lights on and kids were crossing the road.

Diane Spotted Elk: Wow.

Gwen Talawyma: And then on that straight away between Lame Deer and Busby, they said a semi passed another semi and that on-coming car had to swerve off the highway.

Debra Charette: Yeah, we just want to make it safe for them.

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL
AUTHORIZING THE MODIFICATION AND OR ADOPTION OF CERTAIN BUDGETS
FOR THE EXPENDITURE OF AVAILABLE FUNDS**

Motion made by Debra Charette. Second by Eva Foote.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Ernest Littlemouth, Sr., Vice President				X
Melissa Fisher	X			
Diane Spotted Elk	X			
Silver Little Eagle	X			
Gwen Talawyma	X			
Henry Speelman				X

7 votes Yes	0 votes No	0 Abstentions	Motion Carried
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MOTION TO ADJOURN MEETING

Motion made by Melissa Fisher. Second by Debra Charette.

President Wetherelt: So, I think everybody has a copy of this. I don't know if you all have had anyone talking to you about the range rates. I thought maybe we could talk about it. I just wanted to see what everybody thought about it and discuss it a little bit.

Norma Gourneau: Okay, so there was a market study done and there was a letter sent to the President in early October and it listed out the appraisal rates for grazing, farm, pasture, irrigated cropland. So, for the BIA and for us, we have to go with the allotted rate, which is \$26.75. And we don't have the authority to override that amount for allotted lands. But, for the tribal rate, it would be \$26.75. But the Tribe has the authority to override that if they want to. So, the action that was taken, was that we would charge the operators \$21.75 for range land. And that was the action taken. And I guess there are some rumbblings out there about the rate and not being notified by the successor (BIA).

[Tribal Council continued their discussion on Grazing Rates].

Melissa Fisher withdraws her motion to adjourn.

MOTION TO KEEP TRIBAL GRAZING RATES AT \$17.50 UNTIL NEXT BIDDING YEAR

Motion made by Melissa Fisher.

Silver Little Eagle: So, are they still recovering from the past rate raise? Or is that still a barrier for them at \$17?

Debra Charette: The last rate increase? I think most of them got their budgets settled with that increase.

Melissa Fisher: I think there were like 3 or 4 of them that turned back their grass because they couldn't afford it.

Debra Charette: How many new operators, do you know?

Melissa Fisher: I don't know off the top of my head, but I can find out. I know, I think there was, with those youth FFA ones that went through PPCD, I think there were 10 of them. 10 new operators that were approved.

Debra Charette: I guess my next question would be, would it make it easier if we left it at \$17.50 for BIA? Because they would only have to change the allotted side. And then is, if I remember right, it's only one more year for this grazing period, right?

Melissa Fisher: Yeah, and then by the time, by next year, we'll be able to set up our Grazing Committee and follow the process, and then change it for the upcoming years.

Debra Charette: For the Tribal side only. The \$26.75 will have to stay in place, right?

Norma Gourneau: Yes.

Silver Little Eagle: I think it would be good to have the statistics ready for next year.

Melissa Fisher: Yeah.

Debra Charette: Since we have one more year left [on their leases], I think we need to take that into consideration.

President Wetherelt: So, these rates won't go into effect until—

Melissa Fisher: No, the \$26.75 will go to allotted, but my motion is to keep it on the Tribal side at the rate that it's been. For at least one more year, and then the next bid year...

Norma Gourneau: You have to keep in mind that the Tribe now owns more land because we were able to participate in the third round of the Land Buy Back program. So, the Tribe owns a lot more tribal land than they did. So, the income that we get from that is okay to do without that increase. So, if you lower it to \$17, or keep it at \$17 I mean, what we're saying is that we'll give you, we'll subsidize all of you operators with \$9.50. But on the tribal side, we're going to have to decrease some of our activities. Or we're not going to generate as much income as we normally would. Just so you understand, you're making those kinds of decisions.

Diane Spotted Elk: So, it's going to have an impact on the Tribe's functions one way or another. The light bill or the building costs, maintenance salaries. It's going to have an impact on those areas. Somewhere we're going to have to do away with something.

Norma Gourneau: Yeah, because we're not going to generate as much income. We may not feel it this year, but we'll feel it down the road.

Diane Spotted Elk: So, we're trying to prepare for it.

Melissa Fisher: I think we're already feeling it because of all of what's been taking place with grazing already. With the invoices not getting generated and all of that. Our General Fund has already taken a hit from it. From that program not operating the way it was supposed to be. So, the General Fund has already taken a hit there.

Norma Gourneau: Where we're at with OST, we requested a break down of those two accounts that we work with, the General Fund and the Land Acquisition Account. We asked how much grazing income did the Tribe receive last year, and she hasn't provided that yet. But she said to give her a couple of weeks. We have a meeting scheduled again in December so that she can give an orientation to all the Council so that you understand how we get our income and the decisions that we make based on our revenue. So, hopefully she'll get that to us soon because I want to know how much is generated for both accounts.

Debra Charette: If it was more or less than previous years?

Norma Gourneau: She was going to do 3 years of info.

Debra Charette: Can she get it done any sooner?

Norma Gourneau: No, because she has to physically go through every transaction that comes through.

Diane Spotted Elk: Was there a reason why this process was bypassed? The consultation and the letters to the operators? Giving them an FYI.

Norma Gourneau: I'm not sure what the BIA did. I know they did share the study with the President.

Diane Spotted Elk: So, even if we, it's up to them how they want to proceed, the BIA. Since they've taken it back.

Norma Gourneau: Well, they were waiting on the Council to make a decision on what was going to be the grazing rate for the tribal lands.

President Wetherelt: So, even though we're going to be making a decision on the tribal side, all of these other rates stay the same?

Norma Gourneau: Yeah.

Debra Charette: So, has that resolution already gone down?

President Wetherelt: No. I just wanted to know what everybody thought about that and I have until the 8th?

Nizhoni Friesz: I think it's the 10th. No, it's November 9th.

Norma Gourneau: There's a motion on the floor for \$17.50.

Debra Charette: Going once, going twice.

President Wetherelt: I think it died.

Debra Charette: Or we could do \$19, would that help?

Diane Spotted Elk: Meet in the middle. Raise it to \$20 now and then do a \$6 increase.

President Wetherelt: Okay, so there was no second, so that motion is going to be dead.

Melissa Fisher: I think we should keep it the same. That was my motion. But if it dies, it dies.

Debra Charette: So, are you going to sign it?

President Wetherelt: Yeah, but there was no second to that motion.

Diane Spotted Elk: Okay, did we make a motion for adjournment?

Eva Foote: I second.

MOTION TO ADJOURN MEETING

Motion made by Debra Charette. Second by Eva Foote.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Ernest Littlemouth, Sr., Vice President				X
Melissa Fisher	X			
Diane Spotted Elk	X			
Silver Little Eagle	X			
Gwen Talawyma	X			
Henry Speelman				X

7 votes Yes	0 votes No	0 Abstentions	Motion Carried
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MEETING ADJOURNED @ 4:45 P.M.

PASSED, ADOPTED, AND APPROVED by the Northern Cheyenne Tribal Council with 9 votes for passage and adoption, 0 votes against passage and adoption, and 0 abstentions on this 7th day of November 2022.



Nizhoni Eriesz, Secretary
Northern Cheyenne Tribe