

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

**RESCHEDULED REGULAR SESSION**

**MINUTES**

December 7, 2016

**CALL TO ORDER:** President Killsback called the meeting to order at 9:20 a.m.

**INVOCATION:** Ernest Littlemouth

**ROLL CALL:**

	PRESENT	ABSENT	EXCUSED
<b>Debra Charette</b>	X		
<b>Sheldon King</b>	X		
<b>Ernest Littlemouth, Sr.</b>	X		
<b>Joe Fox, Jr.</b>	X		
<b>Benji Headswift</b>	X		
<b>Merlin Sioux</b>	X		
<b>Waylon Rogers</b>	X		
<b>Willie Rowland</b>	X		
<b>Dana Eaglefeathers</b>	X		
<b>Conrad Fisher, Vice President</b>	X		
<b>L. Jace Killsback, President</b>	X		

Quorum Established

President Killsback-It is the authority of the President's office to appoint committees. Some of the program items are not here. Transportation Organizational chart-I met with Tracy on that. We were going to table. The last one was the issue with the Secretary and Treasurer like to take care of first so we can establish for this term. Is there a particular order the agenda committee put these in?

Benji Headswift-In the past, there wasn't an issue, unless it was requested.

President Killsback-The reason I say that, the last meeting those were items that were tabled. At the meeting that was the last thing, I ask that those be moved up ahead of the agenda before we conduct business. I'd like to entertain a motion to move those items to the top of the agenda. I have a number of experiences that I was able to appoint leadership. The last was a tally system. So we can do a ballot type of selection. I ask that we do the ballot system for secretary and treasurer. And we can do a tally, if there's more than one maybe doing a re-tally. After all is said and done, maybe we can do the top vote getters.

**MOTION MADE BY WILLIE ROWLAND TO MOVE ITEMS # 13, 21, 23 TO THE TOP OF THE AGENDA. SECOND BY WAYLON ROGERS.**

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Debra Charette</b>	X		
<b>Sheldon King</b>	X		
<b>Ernest Littlemouth, Sr.</b>	X		
<b>Joe Fox, Jr.</b>	X		
<b>Benji Headswift</b>	X		
<b>Merlin Sioux</b>	X		
<b>Waylon Rogers</b>	X		
<b>Willie Rowland</b>	X		
<b>Dana Eaglefeathers</b>	X		
<b>Vice President Fisher</b>	X		

<b>10 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
---------------------	-------------------	----------------------	-----------------------

**TRIBAL SECRETARY & TRIBAL TREASURER APPOINTMENT**

Melissa Lonebear-I think it'd be fair if it was a public vote, you talked about transparency. Rather than a secret ballot.

President Killsback-Put the name of the secretary you'd like, I gave my recommendation and there was a packet from Serena Brady, and another tribal member was Tamaria Littlebear. One name for Secretary, we'll have the Sgt. at Arms collect those since Al's not there.

Ballots collected by Benji Headswift.

Lenny Elkshoulder- As a concerned tribal member, you talked about transparency, you have to be honest with your votes right here as she sits. Secret ballot just goes back into right what you said you weren't going to do.

President Killsback-Like I said I've been on a number of boards where positions were appointed.

Lenny Elkshoulder-Each one of these Council members have a choice. I want to bring that up.

Waylon Rogers-I voted for Tamaria Littlebear.

Votes recorded by Benji Headswift & Allen Fisher

Vote count- Melissa Lonebear- 5  
 Sharlene Evans-3  
 Tamaria Littlebear- 2  
 Serena Brady-1

President Killsback-The top two are Sharlene Evans and Melissa Lonebear. We'll go through it one more time.

Dana Eaglefeathers-I think with this one we should take his advice, we should be open about it.

Benji Headswift-I think at this point, a motion on the floor would be for the appointment.

Joe Fox, Jr.-We have a process going already, let's continue what we're doing.

Votes recorded by Benji Headswift & Allen Fisher

Vote Count- Melissa Lonebear-7  
Sharlene Evans- 4

President Killsback-My nomination was Krystal Hill, and I think Tami wanted to continue being the Treasurer.

Votes recorded by Benji Headswift & Allen Fisher

Tami Ontiveros-7  
Krystal Hill-4

**RESOLUTION APPOINTING MELISSA LONEBEAR AS THE SECRETARY OF THE NORTHERN CHEYENNE TRIBE.** Motion made by Benji Headswift. Second by Willie Rowland.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Debra Charette</b>	X		
<b>Sheldon King</b>	X		
<b>Ernest Littlemouth, Sr.</b>	X		
<b>Joe Fox, Jr.</b>	X		
<b>Benji Headswift</b>	X		
<b>Merlin Sioux</b>	X		
<b>Waylon Rogers</b>	X		
<b>Willie Rowland</b>	X		
<b>Dana Eaglefeathers</b>	X		
<b>Vice President Fisher</b>	X		

**10 votes Yes      0 votes No      0 Abstentions      Motion Carried**

**\*\*Resolution retracted by President Killsback.**

**RESOLUTION APPOINTING TAMI ONTIVEROS AS THE TREASURER OF THE NORTHERN CHEYENNE TRIBE.** Motion made by Benji Headswift. Second by Merlin Sioux.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Debra Charette</b>	X		
<b>Sheldon King</b>	X		
<b>Ernest Littlemouth, Sr.</b>	X		
<b>Joe Fox, Jr.</b>	X		
<b>Benji Headswift</b>	X		

<b>Merlin Sioux</b>	<b>X</b>		
<b>Waylon Rogers</b>	<b>X</b>		
<b>Willie Rowland</b>	<b>X</b>		
<b>Dana Eaglefeathers</b>	<b>X</b>		
<b>Vice President Fisher</b>	<b>X</b>		

**10 votes Yes      0 votes No      0 Abstentions      Motion Carried**

**\*\*Resolution retracted by President Killsback.**

President Killsback-There you go, everything stays the same. Krystal will not be our Treasurer. I do respect the Councils decision. All I ask is when we get to the accountability issues. My biggest concern is that there is transparency and accountability. With that we can move on.

**CHIEF JUDGE APPOINTMENT-PRESIDENT KILLSBACK**

President Killsback-The other item we had is the Chief Judge. The separation of powers is clear that the President makes the recommendation.

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL APPOINTING A CHIEF JUDGE.** Motion made by Sheldon King. Second by Waylon Rogers.

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Debra Charette</b>	<b>X</b>		
<b>Sheldon King</b>	<b>X</b>		
<b>Ernest Littlemouth, Sr.</b>	<b>X</b>		
<b>Joe Fox, Jr.</b>	<b>X</b>		
<b>Benji Headswift</b>	<b>X</b>		
<b>Merlin Sioux</b>	<b>X</b>		
<b>Waylon Rogers</b>	<b>X</b>		
<b>Willie Rowland</b>	<b>X</b>		
<b>Dana Eaglefeathers</b>	<b>X</b>		
<b>Vice President Fisher</b>	<b>X</b>		

**10 votes Yes      0 votes No      0 Abstentions      Motion Carried**

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL CONCURRING WITH THE APPOINTMENT OF ELOISE WHITEWOLF AS THE CLERK OF COURT FOR THE NORTHERN CHEYENNE COURT.** Motion made by Joe Fox, Jr. Second by Sheldon King.

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Debra Charette</b>	<b>X</b>		
<b>Sheldon King</b>	<b>X</b>		
<b>Ernest Littlemouth, Sr.</b>	<b>X</b>		
<b>Joe Fox, Jr.</b>	<b>X</b>		
<b>Benji Headswift</b>	<b>X</b>		

<b>Merlin Sioux</b>	<b>X</b>		
<b>Waylon Rogers</b>	<b>X</b>		
<b>Willie Rowland</b>	<b>X</b>		
<b>Dana Eaglefeathers</b>	<b>X</b>		
<b>Vice President Fisher</b>	<b>X</b>		

<b>10 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
---------------------	-------------------	----------------------	-----------------------

Judge Brady-In the last four years, not one tribal Council has been down to the Court. I would appreciate if you guys would come down there. I would like you see what we have to do to make sure confidentiality stays in the court system.

Sheldon King-Two years ago, you did invite us down. We did a walk through.

Judge Brady-For a year now, I've been running the court by myself. I ran that court by myself for a whole year. We really need the Council, and Vice President to come down. I want to be able to show you where it leaks, it's a tin building that has not been changed since 84. It's tough to walk into a court, where we don't have support. The only time we're called up here is only when there's negativity. We want positive stuff to come out of that court.

Vice President Fisher-I appreciate your invitation to come down there. This idea of separation of powers, to look at it like it's autonomous, there was a lack of communication, we haven't gone down there as we should. I think those things, to say we've never been down there. A lot has to do with respect for the court. On the structure and other areas, we should maintain some kind of distance. Your invitation is welcome.

Judge Brady-We need to be able to have the Council know the issues of the court. I appreciated the support and appreciate your appointment.

President Killsback-I can commit, our resources and programs, to buildings and expansion of services. We can look at creating a plan, keep that communication open. I hope we take time to get down there.

### **ELDERLY UPDATE-NOT PRESENT**

President Killsback-We want you to know that we're not considering putting elders on the Elder Commission. Maybe some young people that can push elder issues. We want to get away from that narrow view of what the commission can do. I'm giving you a heads up on the special meeting for the boards.

### **DISTRICT UPDATE**

Lenny Elkshoulder-Congratulate newly elected Council. I'm impressed with the Council that do come in early. The banker's hours need to stop. As for the district updates. I wasn't able to gather the information that I needed. Councilman King, is Eloise Snow working at Busby School?

Sheldon King-She volunteers, she goes in to help.

Lenny Elkshoulder-If you want to a job you should apply like everyone else.

Sheldon King-She doesn't work there.

President Killsback-Keep it on the update of the district. Keep it organized.

Lenny Elkshoulder-as far as district updates, that was one of the issues that my community brought up. It's nothing personal, if they bring a concern to me, I have to bring it here. I'm the one that has to take all the fire.

President Killsback-We have a stalemate with Lame Deer District. I would look to the leadership of the Lame Deer District to help your community to resolve the issue. Getting that clear so they can spend their Permanent Fund allocation and to bring the conflict to be resolved. The stalemate in a nutshell is, Georgia. Another group had a meeting and voted to have an election to vote in a new group.

Melissa Lonebear-Kris was recognized by the Lame Deer district, as Chair. They took action recognizing her and they have minutes. The meeting that was held was opened by Kris and the election was held.

President Killsback-Everyone has different plans of operation, we don't want to interfere because we can't. They have to deal with their own, it is tying up that resource. My office is not going to choose. I do have a concern with a Muddy district person being in the district.

Joe Fox, Jr.-I think that was a good, it would alleviate some of the issues that we're facing now. Some of the district chairs, it's within our constitution are you going to be able to set up some meetings with them.

President Killsback-If they determine their leadership, I can consult with district councils. We have three seats or four, I'm really relying on them. There's definitely an impasse, the Constitution says that I do all the appointments.

Joe Fox, Jr.-A lot of the items with the district chairs if they had a personnel issues, those can be addressed at your level.

President Killsback-I want to control the meeting, keeping it concise, make sure we're giving people right information. We want to limit that style of meetings. It's very disruptive.

## **BIA SUPERINTENDENT UPDATE-NOT PRESENT**

## **IHS UPDATE-DEBBY BENDS**

Debby Bends-I want to congratulate all of the new Council members. I'm happy to meet with you today. Staffing-We've had some vacancies, our cumbersome HR process. We did interview

a physician from Billings last week. Dr. Potter, he is a general surgeon, he backed away from surgery, wanted to have more day to day interaction with his patients. He applied to IHS and is very excited about the concept of Tribal Health. On December 19<sup>th</sup> at noon, there will be a luncheon forum. Doctors are hard to come by. We are going to have another pediatrician vacancy, we will still have one. Also, recruiting for Chief Medical Officer. In terms of dental, we were down several vacancies. It was easier to recruit for some reason. We have made a selection for a chief dental officer, we will have a hygienist. I have to commend Tori Darkenwalh, she has gotten more done in the last two months, than the last year. She is the clinical applications coordinator. I'm amazed at how much she's gotten accomplished. We are changing has dental was, there was so many complaints. PRC services-we continue and closed out at a level 4. Most referrals got approved, there's been a great increase in Medicaid eligibility. A lot of people are on Medicaid not because of Medicaid expansion. Most of those referrals are nephrology. The staff are super busy.

Vice President Fisher-In layman's terms what is that?

Debby Bends-It has to do with kidney functions. I think tel medicine is really going to be a big thing here. The biggest thing is for patients so they don't have to go to Billings.

Vice President Fisher-Are you looking at the possibility of having the service here?

Debby Bends-Are you asking about dialysis? Jace worked on that, when he was the Tribal Health Director. A portion of them will end up on dialysis.

Vice President Fisher-It's important to have the service. The questions and your recommendations are very important. There should be recommendation from IHS, I don't know if you do consult with the Tribe rather than taking a neutral perspective.

Debby Bends-I have attended meetings and discussed issues. It takes three to four hours of your day when you're on dialysis.

Vice President Fisher-I think it's important to have frank discussion. It's important for the Council to know we're all in it together. All those folks need to have a partnership in addressing this. The folks on dialysis and have to go to Billings, at least take it seriously.

Sheldon King-Is there a possibility of finding funding? Shakopee did mention that they were willing to buy machines.

President Killsback-This is perfect timing for the orientation you are getting this weekend. We are proposing to take 1/3 of the function of Crow/Northern Cheyenne hospital. We're online with a lot of people had already mentions that they had said that we need to look at the prevention side of it too. We're stuck in a specialized type of care that we provide. Not only in the region, we can expand, we should expand, physical, lifestyle, and healthy food choices.

Vice President Fisher-You've been there a long time and we'd like to have your input on a very serious disease we have on the reservation.

Debby Bends-I appreciate your comments as well, I'd certainly like to be on the group to deal with the dialysis discussion. We would welcome being a partner in that.

Waylon Rogers-Me, my niece and sister, have a rare high blood pressure that's hard on our kidneys. We're at a low risk for diabetes, it will probably do the same thing to me as my sister. My sister died from pneumonia, it's something I have to deal with when I get older.

Ernest Littlemouth-I have a question on transportation. Do you have enough drivers down there?

Debby Bends-All of our positions are filled.

Ernest Littlemouth-One time all the ambulances were out, they had no drivers.

Debby Bends-My door is open, you can come to my office to have further discussion on this.

Willie Rowland-You take dialysis patients to billings, it's like herding cattle through there. My sister goes to Sheridan, it's a top notch deal there.

Debby Bends-They're very small, they don't have the capacity. Your sister is very fortunate to get in there. They get very upset when they're late. Ultimately people get shorted on the van. The concept of dialysis is so important

Sheldon King-My dad goes to the Billings Clinic one, it is better than the one at Rocky.

President Killsback-We need to put some language in there, discrimination is still alive. I want to encourage Council to tell constituents to include follow up and feedback. There's some strict guidelines as far as HIPPA. These are good topics on the orientation we're having this week.

Debby Bends-If the patient doesn't voice their issues, the more we know, the more we can address. The only other thing, there' will be a 638 contracting training next week 12/13 & 14. It's up in Billings. Also, we put up a big Christmas Tree, we're putting the angels on the tree, that primarily come from the foster care program. It would be great for the tribal leadership to participate in.

Merlin Sioux-There's three things I need to start a foundation.

President Killsback-The Board of Health has that information. We wanted to do exactly that. We have to remember, when transportation retroceded, it took our ability to do the lodging, meals, and gas. If the Tribe takes it, we're more flexible. It's something we have to see if it's best for us to take.

Debby Bends-I'm totally open to meet periodically. When is the orientation to the Board of Health?



President Killsback-I signed the agreement for the PRC, we're moving forward with Board of Health to sign people up for tribal members. That's something we look forward to in the New Year.

Debby Bends-I'd like to attend that if I may.

President Killsback-We'll get back to you on that.

Debby Bends-The budget formulation was held, we did go with the same medical priorities, our Tribe went with same. Mental, Substance Abuse, Dental, and PRC. They went with the top 9, I don't have those with me. They look at how the dollars are applied. All & all it went very well, the tribes got to provide. They usually elect a tribal representative to take the lead.

**MINUTES**

President Killsback-These minutes are not approving the action, they're approving the record of the action. Too often we think that. It doesn't change the action that was already voted on. I don't know how the Council wants to proceed.

Ernest Littlemouth-I've been here since May and haven't gone through them yet.

William Rowland-Now that we're caught up, I'd like to have the minutes for the next meeting as they're supposed to be.

Vice President Fisher-I just want to emphasize what Willie was saying. I know that you've been an asset to the Tribe, and do a lot of wonderful things. They are critically important as far as staying focused. I think we've mentioned this with the old Council last year. I look forward to working with you Melissa. I think we can agree, we need to have these minutes every Council Meeting. I think we can make it work, we're willing to work with everybody. I think it's important for everybody here, we're all in agreement, and we're all in agreement and we need the minutes before the meeting.

President Killsback-We're starting this administration with a clean slate.

**APPROVAL OF COUNCIL MEETING MINUTES: April 18, 2016, May 2, 2016, May 16, 2016, May 23, 2016, May 26, 2016, June 6, 2016, June 20, 2016, June 28, 2016, July 5, 2016, July 18, 2016, August 1, 2016, August 16, 2016, September 6, 2016, September 12, 2016, September 19, 2016, September 29, 2016 (1), September 29, 2016 (2), October 3, 2016, October 18, 2016, October 28, 2016, November 7, 2016. Motion made by Benji Headswift. Second by Joe Fox, Jr.**

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Debra Charette</b>	<b>X</b>		
<b>Sheldon King</b>	<b>X</b>		
<b>Ernest Littlemouth, Sr.</b>			<b>X</b>
<b>Joe Fox, Jr.</b>	<b>X</b>		

<b>Benji Headswift</b>	<b>X</b>		
<b>Merlin Sioux</b>	<b>X</b>		
<b>Waylon Rogers</b>	<b>X</b>		
<b>Willie Rowland</b>	<b>X</b>		
<b>Dana Eaglefeathers</b>			<b>X</b>
<b>Vice President Fisher</b>	<b>X</b>		

**8 votes Yes      0 votes No      2 Abstentions      Motion Carried**

Dana Eaglefeathers-I wasn't present at the meetings.

**CLEAN AIR ACT ORDINANCE-JAY LITTLEWOLF**

Jay Littlewolf-We started working on this last year. First of all, we're trying to get this passed, because we're trying to look at the air quality. This is what we're doing here. This past June, we met with the Regional BIA Director Darryl LeCounte. This is the 3<sup>rd</sup> of 4<sup>th</sup> draft, there was been no response. When we get a resolution passed, it has to go through DOI. We're doing it at the tribal level now, the tribal implementation plan. When it comes to the federal level, maybe two years down the line. The biggest pollution source we have is due to dust and burning issues. These were all emailed to you.

Debbie Charette-This is the one where there would be joint forms signed by BIA and NCT.

**ORDINANCE ADOPTING NORTHERN CHEYENNE CLEAN AIR ACT.** Motion made by Sheldon King. Second by Waylon Rogers.

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Debra Charette</b>	<b>X</b>		
<b>Sheldon King</b>	<b>X</b>		
<b>Ernest Littlemouth, Sr.</b>	<b>X</b>		
<b>Joe Fox, Jr.</b>	<b>X</b>		
<b>Benji Headswift</b>	<b>X</b>		
<b>Merlin Sioux</b>			<b>ABSENT</b>
<b>Waylon Rogers</b>	<b>X</b>		
<b>Willie Rowland</b>	<b>X</b>		
<b>Dana Eaglefeathers</b>	<b>X</b>		
<b>Vice President Fisher</b>	<b>X</b>		

**9 votes Yes      0 votes No      0 Abstentions      Motion Carried**

**WATER RIGHTS ATTORNEY FEES-BIA FUNDING-CHARLENE ALDEN**

Charlene Alden-This is a contract with Jeanne Whiteing, she takes care of the adjudication for the water rights for the State of Montana. I would like to do her contract for two years rather than 2 years.

President Killsback-I did follow up on that. We have to jump through hoops, every year they're requiring to justify the use of federal funds, submitting narrative very year. Justifying why this program needs another lawyer. We need to make sure we have a lawyer on without gaps in service.

Charlene Alden-A suggestion is to include this in the re-contracting resolution.

**RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL APPROVING A REQUEST TO THE BUREAU OF INDIAN AFFAIRS FOR ATTORNEY LITIGATION SUPPORT FOR WATER RIGHTS MATTERS.** Motion made by Benji Headswift. Second by Joe Fox, Jr.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Debra Charette</b>	X		
<b>Sheldon King</b>	X		
<b>Ernest Littlemouth, Sr.</b>	X		
<b>Joe Fox, Jr.</b>	X		
<b>Benji Headswift</b>	X		
<b>Merlin Sioux</b>			<b>ABSENT</b>
<b>Waylon Rogers</b>	X		
<b>Willie Rowland</b>	X		
<b>Dana Eaglefeathers</b>	X		
<b>Vice President Fisher</b>	X		

**9 votes Yes      0 votes No      0 Abstentions      Motion Carried**

**BLUE SOURCE CARBON ASSESSMENT AGREEMENT-PRESIDENT KILLSBACK**

President Killsback-This is looking at our timber, trees air quality, to look at capturing this carbon for revenue. I'm asking the Council to allow me to sign the agreement.

**APPROVAL OF CARBON ASSESSMENT AGREEMENT WITH BLUE SOURCE LLC.**

Motion made by Benji Headswift. Second by Waylon Rogers

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Debra Charette</b>	X		
<b>Sheldon King</b>	X		
<b>Ernest Littlemouth, Sr.</b>	X		
<b>Joe Fox, Jr.</b>	X		
<b>Benji Headswift</b>	X		
<b>Merlin Sioux</b>	X		
<b>Waylon Rogers</b>	X		
<b>Willie Rowland</b>	X		
<b>Dana Eaglefeathers</b>	X		
<b>Vice President Fisher</b>	X		

**NCUC BOARD APPOINTMENTS-SHERI BIGBACK BEMENT**

President Killsback-I am demanding that you allow my office to make appointments. We have gone through potential appointments for those boards. I would ask that this body table this appointment. I extended your appointments, because you are check signers. The Constitution says the President has the power to appoint. In future reference, I'd like a stronger communication. I asked the Directors that I be in that line of communication. We do have a directors meeting.

Sheri Bement-I've been in this position for 3 months. This was put in place so we couldn't have rate increases with our utilities bills. Doris spearheaded this, we would like this moratorium lifted so we can raise our rates.

Doris Limberhand-I've been working with NCUC since 2006 on different projects. In 2009 we've not had a rate increase, we have a proposal to raise the rates by \$2.00. In order to act on a proposal. We have met with the council on two occasions, once in September and once in November. We understand and respect and understand the elderly, we will continue that reduced rate. We know the economic situation here. We have a documented valid request for our sewer services. What we propose is that we have a \$2.00 rate increase for the next four years, for all five reservation committees. We recently revised our billing and collection policy.

Ernest Littlemouth-Who put it in, it won't affect the commercial customers.

Doris Limberhand-The commercial rates are from per cap basis.

President Killsback-Ideally in the future, I'd like them to be set up in separate meetings. We already know what we're discussing. I'm looking at it now. We want to proceed, it's up to the Council?

Merlin Sioux-I recommend a working session first, we do have new Council members.

President Killsback-We know on the lagoon issue, that we need to have an increase here. They want commercial to feel the brunt, not the low income people. You were handed a system that was already failing. I think we can connect with program directors that can move that forward. When we were discussing that, the rate issue did come up. May

Vice President Fisher-I hope there is a timeline, and I know you want to move forward on this.

**MOTION MADE BY BENJI HEADSWIFT TO TABLE THE NCUC BOARD APPOINTMENTS UNTIL A WORKING SESSION CAN BE HELD. SECOND BY MERLIN SIOUX.**

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Debra Charette	X		

<b>Sheldon King</b>	<b>X</b>		
<b>Ernest Littlemouth, Sr.</b>	<b>X</b>		
<b>Joe Fox, Jr.</b>	<b>X</b>		
<b>Benji Headswift</b>	<b>X</b>		
<b>Merlin Sioux</b>	<b>X</b>		
<b>Waylon Rogers</b>	<b>X</b>		
<b>Willie Rowland</b>	<b>X</b>		
<b>Dana Eaglefeathers</b>	<b>X</b>		
<b>Vice President Fisher</b>	<b>X</b>		

**10 votes Yes      0 votes No      0 Abstentions      Motion Carried**

**NCUC WATER & SEWER MORATORIUM-SHERI BEMENT**

**NCUC WATER RATE INCREASE-SHERI BEMENT**

**MOTION MADE BY BENJI HEADSWIFT TO TABLE THE TWO NCUC AGENDA ITEMS UNTIL A WORKING SESSION CAN BE HELD WITH NCUC. SECOND BY ERNEST LITTLEMOUTH.**

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Debra Charette</b>	<b>X</b>		
<b>Sheldon King</b>	<b>X</b>		
<b>Ernest Littlemouth, Sr.</b>	<b>X</b>		
<b>Joe Fox, Jr.</b>	<b>X</b>		
<b>Benji Headswift</b>	<b>X</b>		
<b>Merlin Sioux</b>	<b>X</b>		
<b>Waylon Rogers</b>	<b>X</b>		
<b>Willie Rowland</b>	<b>X</b>		
<b>Dana Eaglefeathers</b>	<b>X</b>		
<b>Vice President Fisher</b>	<b>X</b>		

**10 votes Yes      0 votes No      0 Abstentions      Motion Carried**

**NCTBOH ROSETTE LAW FIRM-KATERI FOOTE**

Eugene Littlecoyote-It was advertised, went through RFP process, a little before my time. The proposals were reviewed by the outgoing commissioners. In the packet is the motion sheet to select Rosette. Also in this is the actual proposal by Rosette. The funding is coming from AFA Carryover Funding. In the packet, the last page, it's under professional legal services, 5<sup>th</sup> from the bottom. We have \$50,000 budgeted.

Joe Fox, Jr.-Some of the contracts have a little window of time.

Eugene Littlecoyote-This is a two year contract.

Dana Eaglefeathers-Rosette, their TERO Certification is expired.

Kateri Foote-Renessa does have the current one.

Joe Fox, Jr.-For clarification on some of the narrative, the Bureau asks for, make sure it's clarified.

President Killsback-Nothing has changed with the process, this is the standard we have. Every year, we went through the whole process.

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL AFFIRMS LEGAL SERVICES TO BE PROVIDED TO THE NORTHERN CHEYENNE TRIBAL BOARD OF HEALTH BY THE ROSETTE LAW FIRM, ATTORNEYS AND COUNSELORS AT LAW AND APPROVING THE ATTORNEY CONTRACT SUBMITTED.** Motion made by Joe Fox, Jr. Second by Benji Headswift.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Debra Charette</b>	X		
<b>Sheldon King</b>			ABSENT
<b>Ernest Littlemouth, Sr.</b>	X		
<b>Joe Fox, Jr.</b>	X		
<b>Benji Headswift</b>	X		
<b>Merlin Sioux</b>	X		
<b>Waylon Rogers</b>	X		
<b>Willie Rowland</b>	X		
<b>Dana Eaglefeathers</b>	X		
<b>Vice President Fisher</b>	X		

<b>9 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
--------------------	-------------------	----------------------	-----------------------

**5 (97) AMENDMENT-SECRETARY & TREASURER MANAGEMENT-PRESIDENT KILLSBACK**

President Killsback-The working session we had in regards to 5 (97), we asked for guidance and clarification. The Treasurer & Secretary overseeing personnel. If a grievance is filed, it would go to the Council. The Council is separate from all personnel issues. The accountability piece, there has to be a way for all of us to be accountable. Things like timesheets trip reports and travel. You will be a designated signer for timesheets, and leave for the treasurer and secretary. Look at the authority over the tribal treasurer and secretary. The 2<sup>nd</sup> Whereas, 3<sup>rd</sup> Whereas, the provisions of the personnel manual to the President or Council member. They're retaining all the other supervisory authority to discipline or replace. The last sentence will retain all the authority. That was key in our discussion, it included that language. It is signatory authority, in order to implement the personnel manual functions that apply. It gives you specific items in 5 (97). The bottom of the page, therefore be it ordained. It rescinds, we should be afforded that right for grievances for personnel. Activity, tracking and reporting for all officials. The Tribal Council revises the System of Operations for reporting for officials. It gives a policy. There is some implementation that needs to occur with this. Brian and I looked at this. We're talking who signs whose timesheets, who signs whose leave. I know we're all salaried, not necessarily

to provide evidence and reporting, those activities need to have lists to identify some administrative record for our work. How do we quantify these salaried positions?

Melissa Lonebear-It's backwards, you're explaining it backwards. Employees still have an appeals process.

Ernest Littlemouth-I think all of us need to be here, all the time. We need to be here for our people. We need to start doing our timesheets our leave slips. Cowboy made me do mine. I need people to see I'm doing the right thing on the Council.

President Killsback-We were all in that meeting, I want to know if we're able to move forward. I need to utilize the staff so it doesn't lead to the Tribal Council.

Joe Fox, Jr.-On your supervisory part of it, the secretary & treasurer work for the Tribal Council.

President Killsback-There's instances for the employee to have due process, we can't have Council oversee personnel matters. It creates continuity.

Sheldon King-I wasn't here to go over it.

Vice President Fisher-I think we have to look at the employee, they have a right to an appeal. That's the bottom line, we want to look at consistency. They should have an appeals process.

**TRIBAL COUNCIL DELEGATION OF CERTAIN AUTHORITY OVER THE TRIBAL SECRETARY AND TREASURER AND AMENDMENT OF ORDINANCE (97) TO CHANGE MANAGEMENT OF STAFF OF TRIBAL SECRETARY AND TRIBAL TREASURER TO TRIBAL PRESIDENT. Motion made by Ernest Littlemouth. Second by Waylon Rogers.**

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Debra Charette</b>	X		
<b>Sheldon King</b>		X	<b>ABSENT</b>
<b>Ernest Littlemouth, Sr.</b>	X		
<b>Joe Fox, Jr.</b>		X	
<b>Benji Headswift</b>		X	
<b>Merlin Sioux</b>	X		
<b>Waylon Rogers</b>	X		
<b>Willie Rowland</b>		X	
<b>Dana Eaglefeathers</b>	X		
<b>Vice President Fisher</b>	X		

<b>6 votes Yes</b>	<b>5 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
--------------------	-------------------	----------------------	-----------------------

**\*\*Returned from BIA with no action taken.**

**LAME DEER DISTRICT ELECTION SCHEDULE-TRIBAL SECRETARY**

President Killsback-I want to put a provision to allow same day voting. They could come to the office here and vote, the mailing, notarizing, and the conversation we had was to do all or none. To have in the Election Ordinance to have conflict of interest instead of right of voluntary recusal. The perception in our election is about fairness that may occur. I want to look at amending this.

Melissa Lonebear-You're taking people's voting rights away, it should go out to the people. We have people that have filed a lawsuit in court for voting for the County and State. And the County just set up a satellite office here so people can vote absentee.

Benji Headswift-We should proceed with the election schedule, passing it. Maybe for the next election, we can entertain that.

Lenny Elkshouder-My residency came up when I ran, I lived in Busby. I went through the hoops. I pissed me off, because they questioned my residency. I'm in agreeance that the election board needs to be changed. How about the judges go to the other districts? The election judges that were there, were all related to the outgoing Council. You have most of your family appointed by one person.

President Killsback-I think it's the perception, we can do little things like this. I still present the absentee issue in the next meeting. The Voter's Committee, if you have names, let's put it in there.

Lenny Elkshouder-I think it's a good idea to do away with absentee ballots. I agree with what you're doing.

**RESOLUTION ESTABLISHING SCHEDULE FOR SPECIAL ELECTION TO FILL VACANCY IN THE LAME DEER DISTRICT COUNCIL SEAT ARISING FROM CONRAD FISHER'S ELECTION TO POSITION OF TRIBAL VICE PRESIDENT.**

Motion made by Waylon Rogers. Second by Benji Headswift.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Debra Charette</b>	X		
<b>Sheldon King</b>			ABSENT
<b>Ernest Littlemouth, Sr.</b>	X		
<b>Joe Fox, Jr.</b>	X		
<b>Benji Headswift</b>	X		
<b>Merlin Sioux</b>	X		
<b>Waylon Rogers</b>	X		
<b>Willie Rowland</b>	X		
<b>Dana Eaglefeathers</b>	X		
<b>Vice President Fisher</b>	X		

<b>9 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
--------------------	-------------------	----------------------	-----------------------

**BIA FUNDING-PROBATION-MEREDITH MCCONNELL**



**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL APPROVING THE SUBMISSION OF A REQUEST TO THE (B.I.A.) BUREAU OF INDIAN AFFAIRS FOR FUNDING FOR THE PROBATION DEPARTMENT IN ORDER TO SUSTAIN AND ENHANCE THE PROGRAM AS WELL AS CONTINUE PROBATION SERVICES TO THE NORTHERN CHEYENNE RESERVATION. Motion made by Joe Fox, Jr. Second by Benji Headswift.**

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Debra Charette</b>	X		
<b>Sheldon King</b>	X		
<b>Ernest Littlemouth, Sr.</b>	X		
<b>Joe Fox, Jr.</b>	X		
<b>Benji Headswift</b>	X		
<b>Merlin Sioux</b>	X		
<b>Waylon Rogers</b>	X		
<b>Willie Rowland</b>	X		
<b>Dana Eaglefeathers</b>	X		
<b>Vice President Fisher</b>			<b>ABSENT</b>

**9 votes Yes      0 votes No      0 Abstentions      Motion Carried**

**TRIBAL COUNCIL COMMITTEES-BENJI HEADSWIFT**

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL APPOINTING THE TRIBAL COUNCIL COMMITTEES. Motion made by Joe Fox, Jr. Second by Benji Headswift.**

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Debra Charette</b>	X		
<b>Sheldon King</b>	X		
<b>Ernest Littlemouth, Sr.</b>	X		
<b>Joe Fox, Jr.</b>	X		
<b>Benji Headswift</b>	X		
<b>Merlin Sioux</b>	X		
<b>Waylon Rogers</b>	X		
<b>Willie Rowland</b>			<b>ABSENT</b>
<b>Dana Eaglefeathers</b>	X		
<b>Vice President Fisher</b>			<b>ABSENT</b>

**8 votes Yes      0 votes No      0 Abstentions      Motion Carried**

**JOHN DEERE LEASE-TERRY BEARTUSK**

Terry Beartusk-We're wanting to acquire a backhoe for our program. They're willing to do a lease agreement with John Deere, they are asking for a waiver of sovereign immunity specific to that piece of equipment. I visited with Jace and he visited with Brian Chestut. This is the coming way for Tribal programs to acquire equipment.

Joe Fox, Jr.-In the past we've limited our sovereignty. They're in dire need of equipment there.

Sheldon King-Are we going to get a guarantee that your employees will take care of the equipment?

Benji Headswift-Have you revised your budget to fulfill the need for this equipment?

Terry Beartusk-The equipment maintenance is included in the agreement. It was included in the budget.

**APPROVAL OF LEASE-PURCHASE AGREEMENT WITH JOHN DEERE.** Motion made by Joe Fox, Jr. Second by Dana Eaglefeathers.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Debra Charette	X		
Sheldon King	X		
Ernest Littlemouth, Sr.	X		
Joe Fox, Jr.	X		
Benji Headswift	X		
Merlin Sioux	X		
Waylon Rogers	X		
Willie Rowland	X		
Dana Eaglefeathers	X		
Vice President Fisher	X		

**10 votes Yes      0 votes No      0 Abstentions      Motion Carried**

**TRANSPORTATION ORGANIZATIONAL CHART-JANIS SPEAR**

**MOTION MADE BY BENJI HEADSWIFT TO TABLE THE ORGANIZATIONAL CHART. SECOND BY JOE FOX, JR.**

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Debra Charette	X		
Sheldon King	X		
Ernest Littlemouth, Sr.	X		
Joe Fox, Jr.	X		
Benji Headswift	X		
Merlin Sioux			ABSENT
Waylon Rogers	X		
Willie Rowland	X		
Dana Eaglefeathers	X		
Vice President Fisher	X		

**9 votes Yes      0 votes No      0 Abstentions      Motion Carried**

## **BACKPAY REQUEST-LEONARD ELKSHOULDER, JR.**

President Killsback-I'm requesting an executive session

**Executive Session @ 12:23 p.m.**

**Exit Executive Session @ 1:16 p.m.**

## **AD HOC APPOINTMENTS-PRESIDENT KILLSBACK**

President Killsback-The key piece included on there this section authorizes the President to appoint delegates. We're concurring the appointment that I made with a letter. The last BE IT FINALLY ORDAINED, in all aspects of supervision. There's no felony requirement for Council, we're appointing a temporary Ad Hoc Board, policy means April 1<sup>st</sup>. The main thing is, I want this board to bring some stability. The current Superintendent resigned. Identify whether or not you want to appoint or have elections. Some of the Council want the election to coincide with the election schedule we passed today. That's a lot of busy work.

Sheldon King-When you appointed us to the Ad Hoc, it says that the Tribal President solicited, rules are rules and we would have to have policy passed. I'm agreeance, once you made your appointment, you're supposed to check and certify each candidate. For the safety of the kids, we follow those policies put forth.

President Killsback-In different board trainings, they'll identify something key items that addresses the felony issue, if they're not around or managing children. The other piece that was key was to ensure a clause in the ordinance that says this supersedes the policy.

Sheldon King-Speaking with Brian today, no matter what, we're still following the policy. We make decisions as a council, we follow policy.

President Killsback-This is changing the policy, to allow for Ernest and Dana to sit on the Ad Hoc Board.

Dana Eaglefeathers-It's a temporary change.

President Killsback-Just for appointment purposes. Another Ordinance will come into play to become the new law. This law is establishing the Ad Hoc School Board. This amends the, no felons on the board. These appointments, are still my appointments. I think it's important to have two Busby representatives.

Joe Fox, Jr.-Part of our rules, if the elected board takes over, we have to come in and change it back.

President Killsback-Generally, we don't know all the laws that are out there. Sometimes someone will pull out a resolution saying you can't do this.

Joe Fox, Jr.-A suggestion was why can't we appoint two others?

Sheldon King-I make a motion to find two others to appoint to their board. We follow the rules of the policy at hand there.

President Killsback-Is the Council okay with my recommendation?

Joe Fox, Jr.-I recommend Willie Rowland to sit on there temporarily.

Dana Eaglefeathers-I recommend Merlin Sioux.

Both declined. Joe Fox, Jr. and Benji Headswift volunteered to sit on the Ad Hoc board temporarily.

President Killsback-I look at you guys to run that school.

**MOTION MADE BY DANA EAGLEFEATHERS TO APPROVE THE ADHOC BOARD APPOINTMENTS RECOMMENDED BY PRESIDENT KILLSBACK. SECOND BY WAYLON ROGERS.**

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Debra Charette		X	
Sheldon King		X	
Ernest Littlemouth, Sr.	X		
Joe Fox, Jr.		X	
Benji Headswift		X	
Merlin Sioux		X	
Waylon Rogers	X		
Willie Rowland		X	
Dana Eaglefeathers	X		
Vice President Fisher	X		

**4 votes Yes      6 votes No      0 Abstentions      Motion Failed**

**MOTION MADE BY SHELDON KING TO RECOMMEND APPROVAL OF AD HOC BOARD APPOINTEES TO INCLUDE JOE FOX, JR. AND BENJI HEADSWIFT. SECOND BY BENJI HEADSWIFT**

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Debra Charette	X		
Sheldon King	X		
Ernest Littlemouth, Sr.	X		
Joe Fox, Jr.	X		
Benji Headswift	X		
Merlin Sioux	X		
Waylon Rogers	X		
Willie Rowland	X		
Dana Eaglefeathers	X		

Vice President Fisher	X		
-----------------------	---	--	--

**10 votes Yes      0 votes No      0 Abstentions      Motion Carried**

**\*\*Disapproved by President Killsback**

**2017 HOLIDAY SCHEDULE-TRIBAL SECRETARY**

President Killsback-We had a Director’s meeting on Monday. Overwhelmingly, if not unanimously. The directors say there’s too many holidays. It takes away from our workloads. Our employees don’t celebrate. This is coming with the actual people that work. They all love their jobs. They want to commemorate the holidays instead of having a day off. Like Ft. Robinson, maybe we take a couple hours for the runners. Some of the holidays we don’t know why we’re celebrating.

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL APPROVING THE HOLIDAY LIST FOR THE PERIOD OF JANUARY 1, 2017 THROUGH DECEMBER 31, 2017. Motion made by Sheldon King. Second by Benji Headswift.**

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Debra Charette	X		
Sheldon King	X		
Ernest Littlemouth, Sr.	X		
Joe Fox, Jr.	X		
Benji Headswift	X		
Merlin Sioux	X		
Waylon Rogers	X		
Willie Rowland	X		
Dana Eaglefeathers	X		
Vice President Fisher	X		

**10 votes Yes      0 votes No      0 Abstentions      Motion Carried**

**AGENDA ADDITION-SOLAR CITY. Motion made by Joe Fox, Jr. Second by Waylon Rogers.**

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Debra Charette	X		
Sheldon King	X		
Ernest Littlemouth, Sr.	X		
Joe Fox, Jr.	X		
Benji Headswift	X		
Merlin Sioux	X		
Waylon Rogers	X		
Willie Rowland	X		
Dana Eaglefeathers	X		
Vice President Fisher	X		

<b>10 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
---------------------	-------------------	----------------------	-----------------------

Vice President Fisher-There needed to be a permit for all the workers here. After consideration and with the donations and volunteer and expertise, it didn't make sense if they were volunteering. The idea is to ahead and have a permit. It's to waive the TERO permit fee in the completion of the installation of those panels.

**A RESOLUTION OF THE TRIBAL COUNCIL WAIVING THE TERO PERMIT FEE FOR SOLAR CITY TO VOLUNTARILY COMPLETE SOLAR PANEL INSTALLATION OF THE LITTLEWOLF CAPITAL BUILDING.** Motion made by Joe Fox, Jr. Second by Waylon Rogers.

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Debra Charette</b>	<b>X</b>		
<b>Sheldon King</b>	<b>X</b>		
<b>Ernest Littlemouth, Sr.</b>	<b>X</b>		
<b>Joe Fox, Jr.</b>	<b>X</b>		
<b>Benji Headswift</b>	<b>X</b>		
<b>Merlin Sioux</b>	<b>X</b>		
<b>Waylon Rogers</b>	<b>X</b>		
<b>Willie Rowland</b>	<b>X</b>		
<b>Dana Eaglefeathers</b>	<b>X</b>		
<b>Vice President Fisher</b>	<b>X</b>		

<b>10 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
---------------------	-------------------	----------------------	-----------------------

Jackie Tang-Do the people have a right to say something before it's set in stone? On the Ad Hoc, when they weren't accepting to get the seats. Why weren't community members appointed?

President Killsback-The policy is already written, there's some ongoing topics and want to keep some consistency. The last board only has Sheldon, but now Benji and Joe. We're going to have an appointment process.

**DISCUSSION ON FT. ROBINSON**

Mabel Killsnight-A couple years ago, we worked with Cowboy. A lot of kids ran from the other side of Ashland to Muddy and to Busby. It was a two day thing. That would be something the Council can look into to commemorate that day. He donated a beef.

Sheldon King-I remember being a part of that run there.

President Killsback-Maybe the buses can be used there.

Vice President Fisher-I want to make a comment, on that January 9<sup>th</sup>, there's nothing going on here. The Ft Robinson Committee meets over there, and the run is also over there. We need to

learn our history, to have something like that on January 9<sup>th</sup> here. To actually have something here for a larger number of kids is just as important. Really, not just the kids but for us to support a local January 9<sup>th</sup> celebration here.

Sheldon King-It would be a good thing, especially for Council. You really need to take that in.

President Killsback-Administration needs to get with Tribal Ed to make sure they know. Busby School did an actual curriculum for that week. They should be using that, to make sure the kids are doing the lesson plans.

President Killsback-The way we voted today, I ask that we keep that camaraderie of the Council.

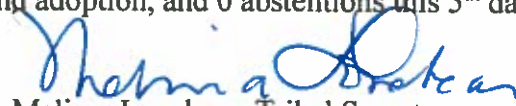
**ADJOURNMENT OF MEETING.** Motion made by Joe Fox, Jr. Second by Willie Rowland.  
**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Debra Charette	X		
Sheldon King	X		
Ernest Littlemouth, Sr.	X		
Joe Fox, Jr.	X		
Benji Headswift	X		
Merlin Sioux	X		
Waylon Rogers	X		
Willie Rowland	X		
Dana Eaglefeathers	X		
Vice President Fisher	X		

10 votes Yes	0 votes No	0 Abstentions	Motion Carried
--------------	------------	---------------	----------------

Adjourned at 1:55 p.m.

**PASSED, ADOPTED, AND APPROVED** by the Northern Cheyenne Tribal Council by 8 votes for passage and adoption, 0 votes against passage and adoption, and 0 abstentions this 5<sup>th</sup> day of January 2017.

  
Melissa Lonebear, Tribal Secretary  
Northern Cheyenne Tribe