

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

**REGULAR SESSION COUNCIL MEETING**

**MINUTES**

May 2, 2016

**CALL TO ORDER:** President Fisher called the meeting to order at 9:43 a.m.

**INVOCATION:** Allen Clubfoot

**ROLL CALL:**

	PRESENT	ABSENT	EXCUSED
Sheldon King	X		
Eloise Snow	X		
Joe Fox, Jr.		X	Personal Leave
Tracy Robinson		X	Travel-Niagra Falls, NY
Merlin Sioux	X		
Benji Headswift	X		
Willie Rowland	X		
Oly McMakin	X		
Conrad Fisher	X		
Vice President Russell	X		
President Fisher	X		

Quorum Established

**MOTION MADE BY OLY MCMAKIN TO APPOINT BENJI HEADSWIFT AS THE TEMPORARY SERGEANT AT ARMS. SECOND BY ELOISE SNOW.**

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Sheldon King	X		
Eloise Snow	X		
Joe Fox, Jr.			
Tracy Robinson			
Merlin Sioux	X		
Benji Headswift	X		
Willie Rowland	X		
Oly McMakin	X		
Conrad Fisher	X		
Vice President Russell	X		

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

Vice President Russell-Thursday, I was at MT State Prison-Met with the Department of Corrections-Deer Lodge, they're working on a project that will involve all the Tribes in the State of Montana. When the prisoners get out of prison, they're going to try and work with them as far as finding a place to stay and job. I suggested to the people in prison, they're involved in this. There are three people that are supervisors, I'd like to have them come to the Council Meeting in June.

St. Labre Senior Class in attendance. Introductions of students and Council Members.

## **ELDERLY UPDATE-NOT PRESENT**

### **DISTRICT UPDATE**

Dana Eaglefeathers-We have a resolution to ask the council to pass today. It's asking that the Council be required to come and give us updates at least quarterly. According to the Constitution, they're required to give updates at least by newsletter. Councilman King gives us updates as much as he can. I understand that Council is not required to go to District Meetings. We didn't step outside the Constitution.

Benji Headswift-Since this is a resolution, it's my recommendation to put it on the next Council Meeting agenda.

President Fisher-We'll have to refer that to the Agenda Committee.

Benji Headswift-Stick with the agenda and the way the process goes.

Dana Eaglefeathers-I have a question for the Chairman, it was raised at the general meeting. Who is appointed, who is elected as our general chair. Who do you recognize?

President Fisher-As far as I know, Tim Lamewoman was elected about 20 years ago.

Dana Eaglefeathers-Tim ran that meeting, and as far as you know, you guys are going to recognize the meeting. Due to a conflict, Ernest Littlemouth was there, the Secretary. We were hoping to get those minutes today. One of the items was to rescind the state of emergency, and send it out to the people. If we can add that to the agenda for the next meeting.

Sheldon King-I raised that question about Tim Lamewoman, I believe there should be an election for the all district chair. We all did our part, I didn't see a plan of operations.

Dana Eaglefeathers-I would like to request, to get that added to the next agenda. Get that added to the next meeting, fill out an agenda request.

Conrad Fisher-Based on the information that is being addressed here. There's a couple of issues that come to mind. Whether or not there's an official all district meeting or whether or not this is more informative. If there isn't anything in writing, official, then that's what we need to look at. Whether or not they have Bylaws. Do they have Bylaws, or is it just an informational gathering?

Or is that something that the communities want? The question is, are those legitimate, are they governed by a set of rules? If the last meeting was six years ago, why aren't there meetings every year.

Melissa Lonebear-The district committees were organized because of the Permanent Fund. They were appointed to take care of district allocations.

Conrad Fisher-I would recommend to review administrative history so we all know what we're working with. There seems to be questions about the legality. It's not a criticism. We need to know what kind of policies there are.

President Fisher-I'll see if I can get some of the minutes from Tim Lamewoman.

Vice President Russell-I think it would be more appropriate if all the District Chairs would meet and have a special council meeting to discuss what we have here. Each District is supposed to have their own Bylaws.

Benji Headswift-If we're working to set up a working session, that would be good.

Conrad Fisher-The same issue is going to occur, we need to find all the documents that govern the All District meeting. There should be something in legislative history, if we don't have it, do we need to create one? If they just want to recognize those minutes. It's for clarification purposes.

President Fisher-Tim just walked in and I recognize him as District Chair. Can you explain to the Council how this was set up?

Tim Lamewoman-District Councils are part of the Constitution. In fact, the Constitution under duties of the President, is supposed to confer with the general district. We put everything under one roof and call it the general district, we have invocation, district roll call, Donlin McManus was the general chair at one time, then Herman Bearcomesout. One time I went to Muddy Hall, Pearl Brady brought in a note from Herman saying he wanted to step down. There was about four of us that were nominated. I came in with 111 votes. We formed it out of the second part of the Constitution, it says that all Tribal members can participate in any economic endeavor, or any activity of the Tribe. I've been a judge here two times, when the Council used to vote for judges. The Council would select the judges.

Benji Headswift-What part of the Constitution?

Tim Lamewoman-We established it as the Bill of Rights.

Benji Headswift-Where it does it say in the Constitution, that clarifies the General District Chair?

Tim Lamewoman-It's basically from the five district Councils, that are mentioned in the Constitution.

Sheldon King-So does that mean, all the concerns will be passed at the district level first?

Tim Lamewoman-Whatever the districts passed. It's all districts coming together.

Benji Headswift-It sounds like we're having a lot of discussion, I'd like to go with a directive that administration review.

Tim Lamewoman-You're coming up with obstacles and road blocks. We still have the Bill of Rights. You're passing a bunch of crap here, you're in violation of your oath of office by not taking stuff out to the people. There's gross negligence, you have a responsibility to touch base. It's an easy job to go to your district meetings, run it by the community. You might have opposition, the participation part of your people is important. When you do, there's no rumors out there. You guys pass laws here, this is what you wanted, to put your tribal members in jail. They have to send people to Colorado, our jails are full. There's two prosecutors down there, there's no defenders. That's equal protection of the law. I would reconsider what you guys did down here. Some Council do participate at District Meetings. The people voted, majority rules, to rescind the law that you passed there. If you don't follow, what we passed in that district meeting, that's rights to form a formal complaint for removal. There was one Director and four Councilman, Lafe Haugen, Merlin Sioux, Sheldon King, Conrad Fisher, Benji Headswift.

President Fisher-I want to sit down with you and you can draft up a Plan of Operations, we had one in Ashland years ago. During that meeting, there's was motions made, and Tim was able to bring that information forward.

Conrad Fisher-Thank you for your presentation, it was a good meeting we had the other night. For the most part, things got resolved, I think all the District Chairs should be involved with that meeting. Again, maybe that's what it should be an informal all district meeting. We're trying to clarify what Bylaws govern, we want to have Administration come up with a document that will give direction on how his occurs. At the same time, we're giving some delegation of authority to be leaders, and we do that. We're leaders and we have a right to be able to make decisions. We're moving forward.

Dana Eaglefeathers-I think the President recognizes Tim as General Chair, and all the Districts Chairs recognize him as District Chair, there has already been precedent set. You guys said that there was There's been a district meeting, where things were passed, and Tim presented those issues to the Council. A resolution passed for a sole source contract, you agreed to have procurement take care of it. Let's get a contract done, I'd like to have you guys put some pressure on to get it done.

President Fisher-The Council did sole source, we required him to produce a budget and work schedule. They were waiting for Mike to present it.

Sheldon King-She's waiting for Mike Speelman to come in.

President Fisher-We wanted a budget and scope of work, and he hasn't presented it. If you see Mike, have him deliver it to procurement.

Conrad Fisher-Cowboy will follow up on the status. Dana, have you talked to Mike about this?

Dana Eaglefeathers-There's a lot of phone tag going on, we both sat down with her. I talked with her and she said she could build a contract, she was going on travel and she told me she'd have it done by Friday.

Conrad Fisher-Was it something you couldn't work out? Cowboy would like to get this taken care of.

Dana Eaglefeathers-It's an internal change order is what they said? Board of Health ordered some appliances, the wording needs to be changed.

President Fisher-If we have issues, we need to know.

Conrad Fisher-If you can remind us on progress, not just in a Council Meeting, let's try to get it done.

President Fisher-We need to get a contract in place before we can get a change order done.

Sheldon King-At the end of this meeting, let's sit down with Renessa, so we can get it done right away. Let's get this cleared up and get it done as quick as possible.

Dana Eaglefeathers-The biggest thing from the Busby District is the Ad Hoc. There's a lot of issues that need to be addressed at Busby School. There's a lot of bullying going on, from staff to student. It's like retaliation. I got banned from Busby School, I still to this day, have not received any supporting documents. There's still no update. Kids are deprived of a hot meal. There are things that need to be resolved immediately for our kids. Up at that school, there's no concern for our kids.

President Fisher-I campaigned on that we'll have a school board election, after I got the Chair, there's recommendations who to appoint on the committee, Brian Chestnut is drafting up a plan of operations. I was told that after the plan of operations was drafted, we would have a district meeting.

Dana Eaglefeathers-What we would like to see is dis banning the Ad Hoc, and have the President appoint a Board, again there's a lot of little issues that pertain to our kids. We're teaching our kids today, to be bullies, how to be angry, how to hold grudges.

President Fisher-I think one of the things we need to do is establish a budget, right now the Council is getting compensated from their council pay, and the Directors are compensated from the program pay.

Benji Headswift-I think the Ad Hoc is aware of your concerns, and so is the rest of the Council. Thank you for being persistent.

Conrad Fisher-This issue has been going on since 1992, we need to come up with a solution once and for all. To me, they're doing the job. It's a tough job that they're in.

Eloise Snow-At our last meeting, Tracy mentioned that Ben has given you what's been done.

Dana Eaglefeathers-That's no excuse, you should still be there to present.

Eloise Snow-I was there, I did go.

Justin Fourhorn-I have a question, you said that every district has \$5,000 for a pow-wow, where is that?

Oly McMakin-The money is there, you just have to come up with something to use that for.

Justin Fourhorn-We want to use half of that for a feed and pow-wow. And another issue we wanted to bring up was that whenever we submit something we have a hard time getting things processed.

Oly McMakin-We can get together with Tami on that.

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

#### **IHS UPDATE-DEBBY BENDS**

Debby Bends- We've been getting out a lot of referrals. People are getting more healthcare.

#### **CHILD WELFARE INITIATIVE AGREEMENT**

Sheldon Spottedelk-Casey Family Programs has two goals, to reduce foster care and increase communities of hope. When I heard that, I always thought about Lame Deer, MT. During the summers we always came up here. Ensuring the next generation has opportunities to set goals. The three principles I want to address, data collection, relationships, being proximate to the issues, knowing what it looks like at the grass roots level. This agreement is not grant money, Casey is a non-profit, we're a direct profit organization. I will work arm and arm with this community. We're doing a good thing and moving forward. ICWA is the highest federal Indian Law, I have amazing colleagues, we're over half native. You not only get me, you get way cooler people. How are we going to look to effectuate our goals? This is not a contract, it's an agreement. It does signify that there will be a bridge built.

Conrad Fisher-Is there any fiscal responsibility by the tribe?

Sheldon Spottedelk-No, either things are paid by reimbursement, or paid by Casey Family Programs.

Conrad Fisher-Has this gone to legal? Should this go to our attorney for clarification, or is this something we can pass today? I think it's a wonderful thing, I have full faith and confidence in our IV-E Staff.

Thomasine Woodenlegs-At one time, we had a very important question for our attorney, and we were told that our attorney is not knowledgeable about ICWA.

William Walksalong-Sheldon, Troy and I are the ones who worked on this. The things I've learned to look for is a waiver of sovereign immunity. The other thing that I've seen, is we can terminate this agreement with 30 days' notice. I thought this is a very well written agreement. We're sharing the best practices in the social work field. Social work theories have people that engage in social work, they keep an ongoing network. It will build the capacity of our social work and ICWA program. I've worked with the Tribal Government since the 1990's. I don't think there's any deal killers in this agreement. If you want legal analysis of this agreement, that's at your discretion.

Thomasine Woodenlegs-The Human Services and ICWA staff are in support of this resolution. As part of this plan, we look forward to updating some of our CPS workers, in our mission statement, we have culture included. I'm in full support of the resolution.

Conrad Fisher-This intergovernmental relationship, especially ICWA, in the state of MT. I like that we're doing this. William is going to work with Brian Chestnut.

**A RESOLUTION TO ENTER INTO A CHILD WELFARE INITIATIVE AGREEMENT WITH CASEY FAMILY PROGRAMS.** Motion made by Conrad Fisher. Second by Winfield Russell.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Sheldon King</b>	<b>X</b>		
<b>Eloise Snow</b>	<b>X</b>		
<b>Joe Fox, Jr.</b>			
<b>Tracy Robinson</b>			
<b>Merlin Sioux</b>	<b>X</b>		
<b>Benji Headswift</b>	<b>X</b>		
<b>Willie Rowland</b>	<b>X</b>		
<b>Oly McMakin</b>	<b>X</b>		
<b>Conrad Fisher</b>	<b>X</b>		
<b>Vice President Russell</b>	<b>X</b>		

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

**CHEYENNE LANGUAGE COALITION-VICE PRESIDENT RUSSELL**

Vice President Russell-Cheyenne Speaking

Allen Clubfoot-We presented this at the last meeting, there was a lot of questions, we sent it to Brian Chestnut to review it. The only thing that was missing was the Whereas.

Conrad Fisher-My understanding about this was there was some question about the Coalition being an oversight committee and the only oversight committee. You have an oversight committee that is in charge of the language, but are they the only oversight committee recognized?

Allen Clubfoot-That's why we call it a coalition, everybody is involved.

Sheldon King-How do you get appointed to this board? There's nothing about how you get on there?

Allen Clubfoot-We're trying to build up and generate a list of Class VII instructors.

Adeline Fox-We are promoting everybody, whoever is interested, it's open to everybody. We know who speaks Cheyenne, we did that survey among the Cheyenne speakers, because we know our people.

Conrad Fisher-We all are well meaning, we all want to preserve our Cheyenne language. I think maybe, we can insert language in our draft.

Vice President Russell-Last week Brian Chestnut had a conference call regarding this here.

Mina Seminole-He said he would write this up the next day, we never got it till Friday. Allen talked to him and I was involved with that.

Vice President Russell- I didn't see anyone speaking here about this language, not one of them has come up. Cheyenne speaking people brought it up.

Sheldon King-We are all in support of it, all we're trying to do is get it done for them right. We want to make sure it's done right, let's fix it. We're not against it. Let's get it right.

Conrad Fisher-We need to work on this with you guys. We all need to be in agreement, what we're looking at. Brian and Winfield need to be involved in this.

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL AMENDING ORDINANCE 10 (97) TO RECOGNIZE THE NORTHERN CHEYENNE COALITION OF NORTHERN CHEYENNE SPEAKERS FOR PRESERVATION AND REVITALIZATION OF CHEYENNE LANGUAGE.** Motion made by Benji Headswift. Second by Conrad Fisher.  
**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Sheldon King</b>	X		
<b>Eloise Snow</b>	X		
<b>Joe Fox, Jr.</b>			



<b>Tracy Robinson</b>			
<b>Merlin Sioux</b>	<b>X</b>		
<b>Benji Headswift</b>	<b>X</b>		
<b>Willie Rowland</b>	<b>X</b>		
<b>Oly McMakin</b>	<b>X</b>		
<b>Conrad Fisher</b>	<b>X</b>		
<b>Vice President Russell</b>		<b>X</b>	

**7 votes Yes      1 vote No      0 Abstentions      Motion Carried**

(Resolution to include language that does not diminish other groups.)

Benji Headswift-There was only one vote against forming the coalition, when the ordinance comes back, you'll have the full support of the Council.

Conrad Fisher-We want to make sure that Winfield is involved in this, we don't want to get Winfield mad.

**Break @ 12:44 p.m.**

**Reconvene @ 12:57 p.m.**

**PROGRAMMATIC AGREEMENT CHPO-TEANNA LIMPY**

Teanna Limpy-This is a 10 year agreement that can be amended at any request.

Conrad Fisher-Explain the history of agreement.

Teanna Limpy-It's for the Denver water, they've gone through the 106 process, and they work closely with Tribes.

Conrad Fisher-This is our ancestral lands, there's a density of sites. We have an agreement with Rueter Hess, it's a renewal. They want to continue monitoring that are to make sure they follow federal mandates. Now that things have settled down, they've established the reservoir. We want to make sure they don't do anything wrong down the road.

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL SUPPORTING THE PROGRAMMATIC AGREEMENT AMONG THE U.S. ARMY CORP OF ENGINEERS, OMAHA DISTRICT; COLORADO STATE HISTORIC PRESERVATION OFFICER; U.S. FOREST SERVICE; AND DENVER WATER REGARDING COMPLIANCE WITH THE NATIONAL HISTORIC PRESERVATION ACT FOR CONSTRUCTION AND OPERATION OF THE PROPOSED ENLARGEMENT OF GROSS RESERVOIR, BOULDER COUNTY, COLORADO.**

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Sheldon King</b>	<b>X</b>		
<b>Eloise Snow</b>	<b>X</b>		
<b>Joe Fox, Jr.</b>			

<b>Tracy Robinson</b>			
<b>Merlin Sioux</b>	X		
<b>Benji Headswift</b>	X		
<b>Willie Rowland</b>	X		
<b>Oly McMakin</b>	X		
<b>Conrad Fisher</b>	X		
<b>Vice President Russell</b>	X		

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

**TRIBAL COURT JUDGE PAYMENT**

President Fisher-This wasn't presented to me.

Benji Headswift-This has to happen, we can't pay her out of federal dollars. The only remedy is to have her payment out of fines and fees.

President Fisher-She was suspended, they didn't say, with or without pay. What did the judges really decide to do. There was never any decision made whether it was with or without pay.

Benji Headswift-I don't know how the Council feels about it.

Willie Rowland-Brian recommended that she get paid because she's an elected official.

Oly McMakin-Has this been brought to Budget & Finance?

Eloise Snow-It was recommended that it be paid out of Courts, Fines, & Fees. And I think that's what they did with Maria.

**A RESOLUTION OF THE TRIBAL COUNCIL AUTHORIZING PAYMENT OF SUSPENDED TRIBAL COURT JUDGE FROM FINES AND FEES ACCOUNT UNTIL SHE IS NO LONGER A JUDGE. Motion made by Benji Headswift. Second by Merlin Sioux.**

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Sheldon King</b>	X		
<b>Eloise Snow</b>	X		
<b>Joe Fox, Jr.</b>			
<b>Tracy Robinson</b>			
<b>Merlin Sioux</b>	X		
<b>Benji Headswift</b>	X		
<b>Willie Rowland</b>	X		
<b>Oly McMakin</b>	X		
<b>Conrad Fisher</b>	X		
<b>Vice President Russell</b>	X		

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

**LAW & ORDER CODE AMENDMENT-WILLIE ROWLAND**

Willie Rowland-This is amending the BAC level to match the State of Montana.

**AMENDING ORDINANCE NO. DOI-011 (2016) AND TITLE VII, SECTION 7-11-11-8 OF THE LAW AND ORDER CODE.** Motion made by Willie Rowland. Second by Benji Headswift.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Sheldon King</b>	X		
<b>Eloise Snow</b>	X		
<b>Joe Fox, Jr.</b>			
<b>Tracy Robinson</b>			
<b>Merlin Sioux</b>	X		
<b>Benji Headswift</b>	X		
<b>Willie Rowland</b>	X		
<b>Oly McMakin</b>	X		
<b>Conrad Fisher</b>	X		
<b>Vice President Russell</b>			<b>ABSENT</b>

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

**NCTHA ORDINANCE AMENDMENT-LAFE HAUGEN**

Lafe-The only thing that's changed is the Board that you approve is on staggered terms. This was revised three times. It's totally up to the Council.

**AN ORDINANCE RESCINDING AND REPLACING NORTHERN CHEYENNE TRIBAL (NCT) ORDINANCE NO. DOI-006 (2008), NCT ORDINANCE NO. DOI-006 (2013) AND NCT ORDINANCE NO. 006 (2015) IN THEIR ENTIRETY AND ESTABLISHING A CONSOLIDATED NORTHERN CHEYENNE TRIBAL HOUSING AUTHORITY ORDINANCE.** Motion made by Benji Headswift. Second by Willie Rowland.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Sheldon King</b>	X		
<b>Eloise Snow</b>	X		
<b>Joe Fox, Jr.</b>			
<b>Tracy Robinson</b>			
<b>Merlin Sioux</b>	X		
<b>Benji Headswift</b>	X		
<b>Willie Rowland</b>	X		
<b>Oly McMakin</b>	X		
<b>Conrad Fisher</b>	X		
<b>Vice President Russell</b>			<b>ABSENT</b>

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

**ADJOURNMENT OF MEETING.** Motion made by Benji Headswift. Second by Willie Rowland.


**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Sheldon King</b>	X		
<b>Eloise Snow</b>	X		
<b>Joe Fox, Jr.</b>			
<b>Tracy Robinson</b>			
<b>Merlin Sioux</b>	X		
<b>Benji Headswift</b>	X		
<b>Willie Rowland</b>	X		
<b>Oly McMakin</b>	X		
<b>Conrad Fisher</b>	X		
<b>Vice President Russell</b>	X		

<b>8 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstentions</b>	<b>Motion Carried</b>
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**Adjourned at 1:13 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 2 abstentions this 7<sup>th</sup> day of December 2016.

  
 Melissa Lonebear, Tribal Secretary  
 Northern Cheyenne Tribe

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

**REGULAR SESSION COUNCIL MEETING**

**MINUTES**

May 16, 2016

**CALL TO ORDER:** President Fisher called the meeting to order at 10:23 a.m.

**INVOCATION:** Allen Clubfoot

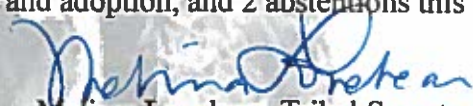
**ROLL CALL:**

	PRESENT	ABSENT	EXCUSED
<b>Sheldon King</b>	X		
<b>Eloise Snow</b>	X		
<b>Joe Fox, Jr.</b>		X	
<b>Tracy Robinson</b>	X		
<b>Merlin Sioux</b>	X		
<b>Benji Headswift</b>	X		
<b>Willie Rowland</b>	X		
<b>Oly McMakin</b>	X		
<b>Conrad Fisher</b>		X	
<b>Vice President Russell</b>	X		
<b>President Fisher</b>	X		

Quorum Established

President Fisher-There is a funeral today, we'll reschedule until May 23, 2016. Dion Killsback would like a meeting on the 24<sup>th</sup> of May, in Billings, MT all day to go over the Law & Order Code.

**PASSED, ADOPTED, AND APPROVED** by the Northern Cheyenne Tribal Council by 8 votes for passage and adoption, 0 votes against passage and adoption, and 2 abstentions this 7<sup>th</sup> day of December 2016.

  
 Melissa Lonebear, Tribal Secretary  
 Northern Cheyenne Tribe