

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

SPECIAL SESSION

MINUTES

December 10, 2024

CALL TO ORDER: President Small called the meeting to order at 9:14 a.m.

INVOCATION: Councilwoman Nizhoni Friesz

ROLL CALL:

	PRESENT	ABSENT	EXCUSED
Melissa Lonebear		X	
Howard Ontiveros	X		
Stefan Rainingbird	X		
Eva Foote <i>*by telephone</i>	X		
Torrey Davie	X		
Gene Small, President <i>*by telephone</i>	X		
Ernest Littlemouth, Sr., Vice President	X		
Theresa Small <i>*by telephone</i>			
Nizhoni Friesz	X	X	
Donavin Limberhand <i>*by telephone</i>	X		
Gwen Spottedhorse		X	
Melissa Fisher	X		
Total:	9	3	

Quorum Established

ITEM #1 – AD HOC THE NCTS BOARD OF TRUSTEES – TORREY DAVIE

COUNCILMAN DAVIE: Since we have members of the Northern Cheyenne Tribal School administration here with us this morning. I am going to ask you guys how we should probably go about this. I know that to discuss the confidential memorandum, as well as the incident reports, we would have to go into executive session. I do know that I sent everyone emails. I don't know if we should just go ahead and take a vote if you guys have read the complaint or if you would like to hear from the administrators.

COUNCILWOMAN FISHER: I think for the people on the phone and the people present, I would like to hear from Dr. Brown.

DISCUSSION WITH DR. BROWN

COUNCILMAN DAVIE: President Small, Vice-President Littlemouth, colleagues after hearing Dr. Brown's statement, I brought my Northern Cheyenne Tribal School policy manual with me today. There were several concerns that have struck me after his statement. In the Northern Cheyenne Tribal School policy manual, Board of Trustee section 1511, Code of Ethics for school board members, it states: recognize and respect the responsibilities that properly are delegated to the superintendent. Communicate to the superintendent expression of public reaction to board policies, school programs or staff. Avoid being placed in a position of conflict of interest and refrain from using my board position for personal or partisan gain. Section 1513 management rights: The board retains the right to operate and manage its affairs in such areas as but not limited to: 1. Direct employees through the superintendent and only through the superintendent. I could understand that maybe you could deviate from policy if it said direct employees to the superintendent and that is all it said. But it actually reiterates it in the section it says direct employees through the superintendent and only through the superintendent. I am not going to bring up any old stuff. This is a situation that we've been dealing with with this school board for 4 months now. It was brought to the attention of the council 4 months ago, maybe 3 months ago, and we decided that we were going to allow the board to do their jobs and take action where they hired someone without a background check. I ask you guys today to make the right decision in the best interest of the kids. Obviously, there is something wrong. We've had a situation with the school for the past 3 ½ months. We gave them the benefit of the doubt. We allowed them to deal with the situation on their own as their own entity and things just continue to happen. Members of council, I humbly request for your support on this initiative.

PRESIDENT SMALL: I am for the kids and it should be the best interest here but in return, I think that if this is to be Ad Hocked, there should be a specific plan on what's going to happen. I guess what I'm getting at is I don't want the council to take it then we continue with the same problems. You know what I mean. We drop the ball a little bit here and there then the same thing continues to happen. I would like the council to have a plan with it on what they are planning to do. Whether it's 30 days, 60 days or however long they plan on Ad Hocking it. I think it eventually needs to go back if that's what they want. At least, eventually, go back to the people. I guess that's where I'm at with it. That's my concern.

COUNCILWOMAN FISHER: I think that if voted on today and Ad Hocked today, we should continue to be the Ad Hoc board for the rest of the school year or until the next election. The next election would be in 2 years.

PRESIDENT SMALL: That's your guys' decision. I just don't want to Ad Hoc this and then not have a plan with it. My other question to is, I have to look at both sides of the issue.

DISCUSSION ON THE INCIDENT

COUNCILMAN DAVIE: I think what's happening here, that we're trying to avoid, is that the school is being micromanaged by the board. The administrators, like I said, have a responsibility and it's to be respected. The responsibility that is bestowed upon them, is to be respected. They have full responsibility for our children. They were undermined as administrators by members

of the board of trustees. What we are doing today is taking action on the policy violations that were committed against the superintendent of the school. We are not taking action on the employee. That is not our responsibility. As an Ad Hoc board, I would push for that not to be our responsibility and for us not to micromanage the school and to let the HR and the superintendent and the principal and the administrators do their jobs. Ultimately, the responsibility is bestowed upon them in every day school days with our children. They are not bestowed upon the board of trustee members. The board of trustee members are not responsible for our children when they are at school. These administrators are and policy was violated and there's no need to hear a second side because the policy was violated.

PRESIDENT SMALL: This is where I am at. I am not turning this into a hearing but this all plays into the decision of what we're trying to do here. I'm not trying to have a hearing here. I'm just trying to gain facts, is all. That's all I ask for. This is your guys' ultimate decision. I just wanted to know myself if there was a positive test done. That's all. It is in the complaint and mentioned numerous times.

COUNCILMAN DAVIE: What is claimed is that there was an unofficial test done by a member of the board of trustees under his title as the director of Northern Cheyenne Investigative Services. An unofficial test, out of jurisdiction. The reason for the administration at NCTS request to have a test done by an outside law enforcement office is because they didn't want it to be done by anybody that was affiliated with Northern Cheyenne Tribal School because there was a chance there could be falsifying of those test results. They wanted it to be official to avoid that scenario to even happen. An official test was never done. In the complaint it states the employee, in fact, left the scene when the employee was given the opportunity to take the test. They decided that they wanted to avoid the situation all together. I know in law enforcement when you decline a breathalyzer or a field sobriety test, that is an automatic admission of guilt. It's concerning to me that that's what happen. I'm not making any assumptions but I know one thing that should have happened is instead of going there and performing their own test, they should have requested that Big Horn County Sheriff's Department or Hardin City Police came over there and did the test so that it was official and so that it wasn't done by an entity that wasn't affiliated Northern Cheyenne Tribal Schools to avoid a conflict of interest. That is the only reason. So, tribal council, President Small, Vice-President Littlemouth, you have before you a resolution of the Northern Cheyenne Tribal Council dissolving the current Northern Cheyenne Tribal School Board and appointing an Ad Hoc Committee to govern the Tribal School.

WHEREAS, under Article IV, Section 1(r) of the Constitution, the Tribal Council is empowered to delegate to subordinate boards or officers any of the council's enumerated powers, reserving the right to review any action taken virtue of such delegated powers;

WHEREAS, the Northern Cheyenne Tribal School is a Tribally Controlled School under 25 U.S.C. §2504 and is operated according to the federal and Tribal laws and administrative rules pertaining to tribally-controlled schools located within the Northern Cheyenne Reservation;

WHEREAS, the Northern Cheyenne Tribal School ("NCTS") Board is the governmental entity established by the Northern Cheyenne Tribal Council and charged with the supervision and control of all aspects of the Tribal School's operations;

WHEREAS, the Tribal Council has become aware of improprieties and misuse of board authority by certain board members;

WHEREAS, due to the Board’s dysfunction, the Tribal School is at risk of being mismanaged or re-assumed;

WHEREAS, in the past, the Tribal Council has acted to dissolve the elected NCTS Board and replaced it with an Ad Hoc committee appointed by the Tribal Council to address and prevent financial improprieties and mismanagement of the Tribal School;

THEREFORE, BE IT RESOLVED that the current NCTS Board is hereby DISSOLVED and the current Board Members are all relieved of their office and duties as Board members and trustees;

BE IT FURTHER RESOLVED, that the Tribal School Board is hereby REPLACED by an Ad Hoc Committee that will perform all official acts and duties of the NCTS Board as set forth in the Tribal School Policy Manual, Tribal Law and BIE Regulation;

BE IT FURTHER RESOLVED, that the following persons are hereby APPOINTED to serve as the Ad Hoc committee

1. Stefan Rainingbird – Busby Representative
2. Howard Ontiveros – Muddy Representative
3. Donavin Limberhand – Lane Deer Representative
4. Eva Foote – Ashland Representative
5. Gwen Spotted Horse – Birney Representative

BE IT FURTHER RESOLVED, that the Tribal Council rescinds and repeals, in whole or in part, any resolutions or ordinances that may conflict with this resolution.

BE IT FURTHER RESOLVED, that the NCTS Policy Manual is amended to conform to this resolution;

BE IT FINALLY RESOLVED, that the Ad Hoc Committee shall serve as the governing entity of the Northern Cheyenne Tribal School until such time as deemed appropriate by the Tribal Council.

MOTION TO AD HOC THE NORTHERN CHEYENNE TRIBAL SCHOOL BOARD OF TRUSTEES.

Motion made by Torrey Davie. Second by Melissa Fisher.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Melissa Lonebear				X

Howard Ontiveros	X			
Stefan Rainingbird	X			
Eva Foote	X			
Nizhoni Friesz	X			
Ernest Littlemouth, Sr., Vice President	X			
Torrey Davie	X			
Donavin Limberhand	X			
Theresa Small				X
Gwen Spottedhorse				X
Melissa Fisher	X			

8 vote(s) Yes	0 votes No	0 Abstention(s)	Motion Carried
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MOTION TO ADJOURN MEETING

Motion made by Melissa Fisher. Second by Melissa Lonebear.


ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Melissa Lonebear				X
Howard Ontiveros	X			
Stefan Rainingbird	X			
Eva Foote	X			
Nizhoni Friesz	X			
Ernest Littlemouth, Sr., Vice President	X			
Torrey Davie	X			
Donavin Limberhand	X			
Theresa Small				X
Gwen Spottedhorse				X
Melissa Fisher	X			

8 vote(s) Yes	0 votes No	0 Abstention(s)	Motion Carried
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MEETING ADJOURNED @ 9:48 A.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 2 abstention on this 20th day of March 2025.


Edina Redstar, Secretary
Northern Cheyenne Tribe