

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

REGULAR SESSION

**MINUTES
August 1, 2022**

CALL TO ORDER: President Wetherelt called the meeting to order at 10:00 a.m.

INVOCATION: Gwen Talawyma

ROLL CALL:

	PRESENT	ABSENT	EXCUSED
Lane Spotted Elk	X		
Debra Charette	X		
Norma Gourneau	X		
Eva Foote	X		
Phillip Beckman *Personal emergency			X
Serena Wetherelt, President	X		
Melissa Fisher	X		
Diane Spotted Elk	X		
Gwen Talawyma	X		
Silver Little Eagle	X		
Henry Speelman	X		
Total:	10		1

Quorum Established

ANNOUNCEMENTS

Serena Wetherelt: Do we have any add-ons or deletions?

Diane Spotted Elk: I think on mine, I haven't heard back, so I'll go ahead and remove mine until I hear back from Nichole or Vincent, or one of them. [Agenda Item] #12.

Serena Wetherelt: So, do you want to table it?

Diane Spotted Elk: Yes, table it.

ELDERLY

Silver Little Eagle gave brief update.

BUDGETS

**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 Lane Spotted Elk. Second by Henry Speelman.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Lane Spotted Elk	X			
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

9 votes Yes	0 votes No	0 Abstentions	Motion Carried
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MINUTES

**MOTION TO PASS MINUTES FROM THE JULY 18, 2022 REGULAR SESSION
COUNCIL MEETING**

Motion made by Melissa Fisher. Second by Henry Speelman.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Lane Spotted Elk	X			
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

9 votes Yes	0 votes No	0 Abstentions	Motion Carried
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A RESOLUTION OF THE TRIBAL COUNCIL AUTHORIZING CONTRACT WITH FOREST CARBON DEVELOPER

Norma Gourneau: Madame President, members of the Tribal Council, you have before you a resolution of the Tribal Council authorizing a contract with a Forest Carbon Developer, and that is the Climate Trust. We've been talking about this for almost two years, and I think we've finally come to a point where we need to take action on this. So, I'd like to read the resolution. [Reads resolution]. I would like to remind the Council that harvest can still occur on our forests in accordance with the Tribe's forest management plan, and that will be up in a few years and will need to redo it, however that's the Bureau's responsibility. But we have an active part in that. This does not prevent us from being in the forest, because we have projects that are ongoing. We can still plant seedlings. We can still gather pinecones, we can still do cleaning up there, we can still do slash piling, and prescribe burns, and we are able to harvest up to 6 million board feet in accordance with the Tribal forest management plan. So, those things are still ongoing. It's those stands that will not be harvested, is what we are doing the sequestration on. The other part that we need to mention is that the Tribe receives the total paid for carbon offsets, less the amount paid to the Climate Trust. It's estimated that the Tribe will generate \$4 [million] to \$10 million net of all third party costs, with a 20-year term. Approximately \$200,000 to \$900,000 per year over the first 20 years, with the larger amounts in the first 5 years.

Lane Spotted Elk: I guess I just have a quick point of order for discussion. Is there a way we can add a "Whereas" that the contract is subject to TERO fees, with this company? That was my only comment I had.

Norma Gourneau: I think that's something that the President should be advocating anyway before she signs the contract.

Serena Wetherelt: I have a question, too. You have an approximately forty-year commitment, could it be less than forty years?

Debra Charette: It started out at 100.

Norma Gourneau: Yeah, it started out at 100 years, and we got it down to 40, so...

Lane Spotted Elk: And I think the reason is for that, is that, you know, the carbon credit market, you have to have that commitment for a good number of years to capture those offsets. For the revenue part of it. So, I think that's how we ended up at the forty-year mark. The forest management plan, all of those activities would continue, but this would specifically be for those carbon credits on the market, so. And these folks have explained all of that to us. But yeah, initially it was 100 years.

Debra Charette: Yeah, we tried to get it down for just a couple, but you wouldn't get your return, or your revenue on it.

Serena Wetherelt: Okay, thank you.

Debra Charette: And I would just like to reiterate the TERO clause, too, that Lane brought up.

Diane Spotted Elk: I choose to abstain. I just don't know enough about this and forty years seems like a very long time. I mean, I'll be dead and gone and I'm trying to read through this and I wasn't a part of the discussion that happened, so I'll abstain.

Motion made by Norma Gourneau. Second by Eva Foote.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Lane Spotted Elk	X			
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Melissa Fisher	X			
Diane Spotted Elk			X	
Gwen Talawyma		X		
Silver Little Eagle		X		
Henry Speelman		X		

5 votes Yes	3 votes No	1 Abstention	Motion Carried
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APPROVAL CONTRACT FOR SERVICES WITH ZIONTZ CHESTNUT LAW FIRM

Norma Gourneau: That is my motion to approve this. We're going into a long legal suit and we need to maintain that continuity.

Motion made by Norma Gourneau. Second by Melissa Fisher.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Lane Spotted Elk	X			
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman		X		

8 votes Yes	1 vote No	0 Abstentions	Motion Carried
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AN ORDINANCE OF THE NORTHERN CHEYENNE TRIBAL COUNCIL AMENDING ORDINANCE NO. DOI-020 (2014), ADOPTING A PLAN OF OPERATIONS FOR AN AD HOC NORTHERN CHEYENNE TRIBAL HEALTH BOARD OF COMMISSIONERS COMPOSED OF THE ENTIRE TRIBAL COUNCIL MEMBERSHIP

Serena Wetherelt: Okay, in your packet you have the plan of operations. I guess this plan will need to go on the floor to be...you might need to read it.

Norma Gourneau: We already read it.

Lane Spotted Elk: Madame President, would this be an ordinance, or a resolution?

Serena Wetherelt: I think this would probably be an ordinance.

Lane Spotted Elk: Okay.

Serena Wetherelt: Do we have any questions or any discussion that we need to have?

Norma Gourneau: I have a comment, Madame President. I appreciate you bringing this forward to us for review, and we did put it on the agenda, and I think it does need to be done so it clarifies the role that the Tribal Council is now taking. I think we have to understand that this isn't a forever thing. Until we come up with a plan, whether it remains with the Council, or we give it back to community representation, that will be a decision in the recommendation. In the interim, I would like to make a motion to approve the plan of operations for the Ad Hoc Board of Health Commissioners.

Motion made by Norma Gourneau. Second by Henry Speelman.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Lane Spotted Elk	X			
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

9 votes Yes	0 votes No	0 Abstentions	Motion Carried
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Melissa Fisher: With that, shouldn't we set officers?

Debra Charette: At the meeting.

Melissa Fisher: Oh, at the next meeting? Okay.

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL
AUTHORIZING PROGRAMMING OF ARPA FUNDS TO CONSTRUCT NEW FOOD
PANTRY AND FOOD DISTRIBUTION BUILDING AND HIRING JGA ARCHITECTS
TO DESIGN THE BUILDING AND BEARSTAR ENTERPRISES INC. TO CONSTRUCT**

Serena Wetherelt: I hope everyone got a chance to read the attachment on the A&E.

Lane Spotted Elk: Madame President, I have a quick comment. I think for legal copyright reasons, things like that, I think we have to start using the term "Food Pantry." I think that would be my comment if we could change wherever it references "Food Bank," if we can call it the "Northern Cheyenne Food Pantry" and I guess if this passes, we were also looking at doing the Commodity Program to have space in there, too. So, if we can maybe use the wording "Northern Cheyenne Food Pantry and Northern Cheyenne Commodity Program." If we could change all of that language to represent that. That way, it's a dual purpose. That would be my comment.

Diane Spotted Elk: So, is this last resolution that needs to be rescinded, right?

Melissa Fisher: It's in there, it's on the back, right here.

Diane Spotted Elk: And this would take another, what, possibly 6-8 months to redo?

Serena Wetherelt: Redo...?

Diane Spotted Elk: The architectures and everything, they would have to start all over?

Serena Wetherelt: Well, we already have that one attached to this. So, once this passes we could do a contract for JGA.

Diane Spotted Elk: Which one is it?

Norma Gourneau: Madame President, could I ask what is the total cost of this now?

Serena Wetherelt: I think there's a cost page on here.

Norma Gourneau: It has a list on there of what they charge per...

Diane Spotted Elk: I see a lot of past things.

Norma Gourneau: And I have another question, too. Has this company, JGA, have they already been paid some money for some of the work?

Serena Wetherelt: Not yet.

Diane Spotted Elk: So, right here it says we will prepare a set of construction plans. But they're not in here. That still has to be done.

Melissa Fisher: Well, they did talk a little bit about it in that discussion we had in here, but I think they did come and did the soil samples. I can ask Colton.

Serena Wetherelt: Here's the cost.

Debra Charette: There's a Request for Proposal, but it gives us none of what they've done and their hourly rate.

Melissa Fisher: They said they couldn't give us a cost until they...

Debra Charette: But still, if this is what we're going to go with, wouldn't you want to have the numbers in front of you guys?

COLTON SMALL ENTERED SESSION @ 10:30 A.M.

Serena Wetherelt: I think the wrong resolution got put on there, because this one's for the JGA, but that one that should've been the right one, also puts on there that Beartstar is going to do the construction.

Melissa Fisher: They're going to do the planning and then Beartstar is going to do the build.

Debra Charette: Maybe bring it back when it's all complete?

Serena Wetherelt: Well, she's going to make copies of the cost.

Diane Spotted Elk: My concern is that we're going to be sitting probably a year out now. And we need a pantry, urgently.

Serena Wetherelt: Well, I don't know if it's going to be any different with Bearstar. There are no costs or anything attached to his.

Colton Small: There's no plans, or no architectural ...all it is is a floor plan and a conceptual layout and estimated cost budget.

Diane Spotted Elk: I know the cost of everything has probably went up across the board.

Colton Small: And JGA is the design only, so you're not guaranteeing, you can say "no, we only want to budget \$5 million designing it to this space." That floor plan they submitted is just their initial something to start off with after hearing the needs and they came and toured the food pantry and commodity, so that's just their...this is what we can start with. They submitted a floor plan, so...

Melissa Fisher: So, we can actually tell them how much we have and they can actually work with what we have.

Colton Small: And they can work with that contract.

Diane Spotted Elk: And that's what happened with the Wellness building. The Board of Health told them they had this much, but it wasn't really there. And that's why a lot of shortcuts and Abdullah had to put so much money, so much of his own money into it, and then he got blamed.

Colton Small: See, doing it this way and having a contractor on with the contractor builder to say, well don't use that material for design. They'll be able to work together to fast track to know what's going to work and what's not going to. They'll have that communication with us also, if they're both on board right away.

Norma Gourneau: Madame President, the meetings that I have been in, and where this has been discussed, it had the Food Bank—at that point in time, it was called the Food Bank. And the Food Distribution. Now, both programs need a new building, so if we can combine them, I think that would make a bigger difference than just building a Food Pantry.

Colton Small: I think that's what they had on their plan.

Norma Gourneau: I guess I'm kind of at a loss because I thought that we were talking about a Food Bank and a Food Distribution to be combined in one.

Serena Wetherelt: Yeah, we are. And he just corrected to include, put it as the "Northern Cheyenne Food Pantry/Northern Cheyenne Commodity Program." Or do you want to call it "Food Distribution"?

Melissa Fisher: I think it's called "Food Distribution."

Norma Gourneau: It's "Food Distribution," that's what the contract is with the state.

Lane Spotted Elk: And then, Madame President, where in the resolution does it talk about the construction contract?

Serena Wetherelt: It's a new one. This one's only on the design, but we had another one that included the construction. Also, Colton, there was a question asked, has JGA already been paid for any of the work that they did?

Colton Small: Not that I'm aware of, I haven't seen a copy of a check or anything. Just the first invoice they sent us for plan and preliminary.

Serena Wetherelt: Was that \$16,000?

Colton Small: Yeah, and that's when they gave us the floor plan and the estimate.

Melissa Fisher: When we had that meeting in here, he told us that he wouldn't give us a final number until he knew when we finalized the design and until we told them.

Colton Small: Did you have the floor plan, too, that I gave?

Serena Wetherelt: Yeah it was part of this, here.

Diane Spotted Elk: Where is all this money going?

Colton Small: So, that estimate that you guys are seeing on there is based off of this floor plan that they did. I think it's a lot bigger than the other one that was initially drawn up. That's just their estimate, probably cost, based off of that floor plan, initial. So, if we wanted to shorten it up or give them a budget to work off of, that's still possible. But that's kind of their first, base floor plan cost estimate for us to review, based off their site visit and the programs.

Norma Gourneau: So, Madame President, I have another question. When the RFP went out for the actual A&E services, was the Food Distribution part of that RFP?

Colton Small: Yes, it was, yeah.

Norma Gourneau: I just wanted to make sure.

Colton Small: Yeah, it was Food Distribution, the Health Complex, and the Justice Center, were the three that were included.

Melissa Fisher: I'll make the motion to approve it, with the changes that Lane mentioned about the "Food Bank" being changed to "Food Pantry," and then making sure that the "Food Distribution" is in the resolution as well.

Debra Charette: I guess my question is, do we have enough in the line item to support this? If we do this and go to construction.

Lane Spotted Elk: I think, um, based off our last ARPA budget meeting, I would feel comfortable if we can amend this resolution to put a whereas that this project shall not exceed \$5 million, which includes A&E and construction. That way, we have some parameters to work with, and that way, as far as the budget goes, specifically, we could allocate that funding.

Melissa Fisher: And I think, too, putting Food Distribution in here, they can go after funding or grants to help with the infrastructure. There's so much money out there right now, that we could get. I know there could be other opportunities that are out there for the build as well.

Serena Wetherelt: I think for your information, the Food Distribution program, they do have some money. I'm sure they can probably allocate, as long as they get approval from their funding agency.

Melissa Fisher: Well, there's USDA Funds.

Colton Small: I think they had about a quarter of a million dollars that they needed to have spent by the end of this year. I remember when we were looking at their site, so that could go towards design right away.

Serena Wetherelt: They're still operating on their carryover and they still need to spend this past year's money.

Melissa Fisher: So, I think that having another program in there, that could offset the cost.

Lane Spotted Elk: Madame President, the language I would propose to add as a "Whereas" would be, "total design and construction shall not exceed \$5 million. This funding is to be allocated from the 830" ...we don't know yet. But I guess I want to put that in there that it's not to exceed that amount.

Norma Gourneau: But the limit of \$5 million would only be on our part, Tribal. We can get other monies.

Lane Spotted Elk: I also would like to add language that says that this is the desire of the Tribal leadership, just because of the need of the community. And that we request and direct the President to expedite this process to get it done, for the benefit of the Tribe.

Norma Gourneau: So, Melissa, just for clarification, your motion is to authorize the construction of a Food Pantry and a Food Distribution.

Melissa Fisher: Yes, that's what I told her, I wanted the Food Distribution to be added in. And then the amendment of added "Whereas" with the funding.

Debra Charette: And then the last, the desire of the Tribal leadership, directing the President.

Melissa Fisher: Oh yeah, those other two amendments.

Lane Spotted Elk: I also think that, Madame President.

Nizhoni Friesz: Just for my clarification, we're amending "Food Bank" to "Food Pantry and Food Distribution"? Okay.

Melissa Fisher: And then the cost, and the expedition.

Nizhoni Friesz: Yeah.

Diane Spotted Elk: I really want to see this project done in a timely manner, not 8 months from now, not 6 months from now. We're...it's needed and it's been needed 2 years ago. So, I just really don't want this delayed in any way, Colton. We really, really need it. If we need to sit and wait for plans from this new company, when there's already...I mean, you have a floor plan and so does he. But, I just don't want to see any delays, none whatsoever.

Melissa Fisher: Well, they've been waiting on us.

Diane Spotted Elk: Well, we already had a resolution. It was already going forth, and we could've probably already had a building. Okay, yes. We need this.

Henry Speelman: I vote "no." Reason is, we already had a resolution, but we just rescinded the first resolution. But it is a need, so.

Motion made by Melissa Fisher. Second by Lane Spotted Elk.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Lane Spotted Elk	X			
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman		X		

8 votes Yes	1 vote No	0 Abstentions	Motion Carried
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Lane Spotted Elk: I guess that last item, I would request that all the parties, if we can have a meeting to expedite this. Madame President, if that's something that can be scheduled this week, I would appreciate that.

Serena Wetherelt: Do you have a day that's open? Or a time?

Lane Spotted Elk: If you could just let us know when you're available. We'll make ourselves available.

Melissa Fisher: We'll prioritize it.

Lane Spotted Elk: Thank you.

A RESOLUTION AUTHORIZING THE SUBMISSION OF THE PARTNERSHIP PLANNING GRANT PROPOSAL TO THE U.S DEPARTMENT OF COMMERCE'S ECONOMIC DEVELOPMENT ADMINISTRATION

Colton Small: Alright, this resolution I'm going to read is a three-year grant cycle and it's what funds the EDA position.

Motion made by Norma Gourneau. Second by Melissa Fisher.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Lane Spotted Elk	X			
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

9 votes Yes	0 votes No	0 Abstentions	Motion Carried
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Henry Speelman: On that last grant, that tourism grant, when would we get the monies on that?

Colton Small: Um, it's reimbursable and I have the paperwork to set up our account, we just need to approve a budget, which do a request with TJ in ARPA. Would that be the best?

Henry Speelman: Is that the one with Birney's shade in it?

Colton Small: Yep, Birney's shade, Crazy Heads, Muddy and Busby Powwow ground improvements, and the memorial statutes; \$203,000 I believe.

Lane Spotted Elk: I think the Tribe, we received the highest award, right?

Colton Small: Yep, out of all the Tribes.

Melissa Fisher: Could the budget be approved out of the Governmental Service?

Lane Spotted Elk: Yeah.

Melissa Fisher: And then it would be reimbursed by the State.

Norma Gourneau: Yeah, we have to set aside some funds. We can get started.

Melissa Fisher: So, when we have that working session about the ARPA stuff.

Diane Spotted Elk: When is that scheduled for?

Melissa Fisher: We haven't scheduled it yet.

Diane Spotted Elk: Okay.

Melissa Fisher: But we need it to take place right away.

Colton Small: Yeah, and I got quotes for pretty much everything, so as soon as we get the account set up, we can start stuff, because it has to be done by December 31st.

Diane Spotted Elk: Thank you. Thank you for all of your work!

Colton Small: Thanks.

COLTON SMALL EXITED SESSION @ 10:52 A.M.

A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL TO AUTHORIZE DEPUTATION AGREEMENTS BETWEEN THE NORTHERN CHEYENNE TRIBE, BIA-OJS, ROSEBUD COUNTY AND BIG HORN COUNTY SHERIFF'S OFFICES AND MONTANA HIGHWAY PATROL

Melissa Fisher: So, I thought that this was just to approve the negotiation. Or, to approve her to start the negotiations. But in here, it says that we're authorizing her to sign the agreement. There's not even going to be a comment period for Tribal members. Once this is passed and approved, it's just going to go into effect. We're not giving Tribal membership the opportunity.

Lane Spotted Elk: Well, I think the provision that allows for that public comment, elected representatives, still occurs.

Melissa Fisher: Well, if it's passed and approved, it's gonna go into effect. And we're not giving our membership that opportunity.

Diane Spotted Elk: I think in, um, because of the crime rate, the drugs and alcohol, where we're at right now in the BIA, we can't trust them to do their duty. If there's a misunderstanding that we are giving up our sovereignty, that is totally false. We are exercising our sovereignty. And protecting our people at the same time. I don't think that we're harming our people. We're trying to keep them safe and protected.

Debra Charette: In our reservation boundaries. Because we look at Highway 212, it's not a highway anymore, it's a street. And we don't even have officers out there that can stop even those trucks. I witnessed it the other day, there were three cars coming on a two-lane highway. I had to pull off. The semi wouldn't pull get over to let the other car back on, or wouldn't slow down. And they were coming at me, so. And I had heard about it, people had told me. And the other problem that I've had, is that I had two wrecks in my driveway. We don't know if those guys were ever charged with manslaughter. Or if there were any points put onto their driver's license. Because they pay off the family, and they're on their way. And they're driving again. I mean, it's...

Diane Spotted Elk: I think that incident in Birney that happened, too, yesterday, Highway Patrol had to deal with that.

Lane Spotted Elk: And I think the major intent of this is for safety of Tribal members, specifically for Indians and Non-Indians. That's where the jurisdictional issue lies, and it's enforcing law on Tribal...

Melissa Fisher: I think the negotiation should happen first, because we live in a border town, like I said in that meeting on Friday. We *see* the racial profiling, we *already see* the harassment of the Rosebud County Officers to the Tribal membership in Ashland. And they're just going to take advantage of that. And that needs to be made clear. Because there is going to be harassment, and there it's going to become more real once this comes into effect. Our people are going to be more tortured over there, I *know*.

Lane Spotted Elk: I think, you know, meeting with other Tribes who are successfully implementing this...

Melissa Fisher: But that's what I'm saying, why aren't the negotiations going to take place first? Prior to this going into effect.

Diane Spotted Elk: I think we *did* have a meeting with them. In here.

Melissa Fisher: So, the negotiations already took place?

Lane Spotted Elk: I think it's up to every one of us as elected leaders to go out into the community to talk to our Tribal members about the issues that they face on Highway 212, 39, 314, specifically with truckers. I think we all hear that, all the time. And I'm sure we all want to do something about it, and this is kind of the Tribe's response. And you mentioned those Deputies, this isn't a blanket coverage for every officer within Rosebud County. The Tribe has specific requirements that allows for these commission cards to be issued. And if officers violate that, the Tribe can pull their card. That's one thing we learned from Fort Peck, is this is the Tribe asserting ourselves saying, we are tired of what's happening on our highways, and we want to do something about it. When people come through the reservation, they know that these jurisdictional gaps exist, that's why they don't care. I think now that something like this could be enacted, they know there are laws here on the reservation. There are people who live along 212, 39, 314, that matter. These lives matter. And they can't drive recklessly through the reservation and kill somebody and expected not to have any repercussions. That's where we're coming at it from. And we all know of incidents that have happened, but this is really on the Tribe's terms. These deputation agreements, they really give the Tribe the authority to assert ourselves over these agreements and non-natives, and these truckers. When they know that we're serious, the Tribe is going to have the authority to issue citations and things like that. And I know it's a lot more complicated than we see here, and there's going to be a lot of education to our Tribal members about it, but that's what our job is. To go out and explain this and other Tribes, who have had similar problems to us, who have entered into these things, they really had a success and I'm not saying it's all going to be fine, there are going to be some challenges. When the Tribe steps up and starts asserting ourselves, and we start entering into the realm of Tribal law enforcement, there are going to be challenges, but I think if we're willing to show up and address these challenges, and hire folks who have the credentials and experience and understanding, who can guide our decisions, I think that's a critical piece in the year 2022, when Tribes are becoming

more sophisticated when we're hiring folks, Tribal members. Like Lane KnowsHisGun, who was a Highway Patrolman, who wants to come back here to help the reservation, but we need to give him this authority to enforce so he can be beneficial.

Debra Charette: With all the background and knowledge that he brings.

Melissa Fisher: Well, I think that we should give a comment period and then bring it back.

Lane Spotted Elk: Well, I think that's what this resolution does, is it starts the process, and if we want to set out a comment period, we can do that. But in the meantime, things are going to start happening and if you want to do a district meeting, it's up to every one of us to present to our districts and talk to community members. But, like I said, a big part of this is the public education around this. And how recent Supreme Court decisions are affecting positively and negatively, to Tribal sovereignty. I think if we can go out there and explain all of that, and reference case law, jurisdictional issues, and be a good conduit to our Tribal membership, I think that's what our role is.

Debra Charette: That will benefit our Tribal members.

Norma Gourneau: Madame President, I have a recommendation. We have concerns about what would go into an agreement, and so what I would recommend is when you start the negotiation process with these entities that are named in this resolution, that you invite the Council. Because those questions that they have, need to be responded to. We need to find a solution for those. And how we go about finding that solution, is you get input from people, and you figure out what we should be doing, and what we can do. The other thing that came up during conversations, is that we may not know what the authority is of the Highway Patrol, or even the Sheriff's Department, and so those are things that are going to need to be explored and considered, prior to entering into an agreement anyway. So, that's why I'm recommending that when you do go into those negotiation sessions, that you invite us to be a part of that, so all these issues that are a part of it, can be addressed. And we can include them into the agreement. Because eventually, that's what it's going to come down to, is an agreement. That's enforceable, that we're all okay with. We may not like every single one of them, but if the purpose is to provide safety to our Tribal members, I think we need to do that. So, invite us to those sessions, and we would be willing to help with the wording and to discuss our issues. So, that's my recommendation.

Serena Wetherelt: That is a good recommendation, and I would just like to add, because I was looking at this one "Whereas," where it says that Deputized and/or Commissioned to enforce Tribal traffic laws within the reservation and issue citations that could be processed by the Tribal Court. Do we not have that jurisdiction, like with the semi-truck drivers?

Melissa Fisher: Non-members have to go to Rosebud County.

Serena Wetherelt: Okay, so they would go to the county. Would that have to be included in here?

Norma Gourneau: Well, that’s what the agreements would flush out. And remember, this is, we’re starting with traffic issues. We may go into other things later, but for now, we’re not to that point yet. And we’re not comfortable doing other things. Right now, we’re concerned about the safety of our highways, so it’s a good starting point. It’s not the end all.

Lane Spotted Elk: And another important thing to remember is that specifically on those state highways, a Deputy can’t come onto the housing areas or anything like that. It’s specifically limited. It’s a limited deputation agreement, specifically to the highways, which arguably now, the state, you know, has jurisdiction over those. And they’re not showing up. This could lead into something more with the Highway Patrol. Maybe they would set up a station and hire a Tribal member, specifically. I know Fort Peck, they have Tribal members that work for Highway Patrol. They have Tribal members that work for the counties. That could probably go to your issue, Melissa, is if we had Tribal members who were Rosebud County Deputies, they could understand the community a lot more. I think this is kind of the inception of that. Those types of conversations that were looked at. At that same level, of the Tribe coming up to say hey, we’re sophisticated enough to understand all of these. We know what we want, and this is what we want. And with the help of experts and our attorneys, and things like that, we could begin to have those conversations.

Debra Charette: And then, we were talking and visiting, and Henry asked, I wonder if/where we could put in a weigh station. I said if we had these agreements in place, they might be able to build a weigh station. Because right now they have motor carrier services, who chases the trucks up and down the road. Up 39, and up on 314, and trying to get in front of them when they’re coming. They have the little spot up by Busby, and he’ll sit there. But when they…they all talk. So, when they know he’s sitting there, they use an alternate route. But if we could get a permanent structure, it would slow down a lot of truck traffic. To make it safer.

Henry Speelman: How many times a year do we have our members chasing semi’s because they passed a school bus? We should have an officer nearby, so they don’t have to chase them to Hardin or anywhere else.

Debra Charette: And this is what we’ve already heard from our people. Bus stops, safety, wrecks, this is everything that we’ve heard. That we’ve also all seen.

Norma Gourneau: We have a motion on the floor.

Motion made by Lane Spotted Elk. Second by Henry Speelman.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Lane Spotted Elk	X			
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Melissa Fisher		X		
Diane Spotted Elk	X			

Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

8 votes Yes	1 vote No	0 Abstentions	Motion Carried	
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Silver Little Eagle: I'll present for Teresa [Small].

Norma Gourneau: Silver, are you going to go ahead with your presentation? I just have a quick question, Madame President, what is #10 and #11? Are they similar, or are they together?

Silver Little Eagle: Theresa's is more informational, just like a call of action, and #11 is establishing a task force. So, with Theresa's, I think she just wanted to emphasize the emergency of Human Trafficking that's going on here. And attached is a Declaration of Emergency to consider, just because it is a State of Emergency and if you were able to work together to solve a simpler problem. So, I'll read the Draft Declaration. [Reads Declaration of Emergency]. That's just a consideration and a step that I think we should take to ensure that the community knows that we know that this problem is very serious. Attached is a Call of Action that was put together by a group.

Diane Spotted Elk: So, who is going to enforce these? #3 says that we know that the BIA, FBI, DEA, all of those that we entrust to enforce these, are not? So, we know that. But then up here, it says that they'll activate a Northern Cheyenne Tribe's Emergency Activation Plan. So, what's that plan? And who is responsible?

Silver Little Eagle: I think she means the Human Trafficking.

Diane Spotted Elk: That all the entities, everybody is required...?

Silver Little Eagle: Programs that are relevant to Human Trafficking. Yeah, this is just some information and emphasis on Human Trafficking.

Henry Speelman: So, for the petition, you need no action, but for your resolution, you need action on it?

Silver Little Eagle: Yeah.

**A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL
ESTABLISHING A HUMAN TRAFFICKING TASK FORCE FOR THE NORTHERN
CHEYENNE TRIBE TO BETTER SERVE VICTIMS OF VIOLENCE AND HUMAN
TRAFFICKING**

Silver Little Eagle: Okay, I handed out the newer resolution.

Diane Spotted Elk: I guess on this one, use of resources for domestic and intimate partner violence, so if those programs who are receiving federal funds, they have to stay within their perimeter and that has to be understood that no one can just go over there and start demanding that they start buying and using and paying?

Silver Little Eagle: Yep. So, after hearing from community members and victims and victim advocates, I feel there is a need for a concrete task force to tackle Human Trafficking. I worked on this for a few weeks and the specific individuals listed have been actively involved in this conversation and are truly community advocates. I know their commitment to this issue. And the programs listed are essential to victim needs and victim prevention.

Diane Spotted Elk: So, this group is these individuals named here, by those services?

Silver Little Eagle: They're just on the task force.

Debra Charette: Okay, what's your task force going to do? They're going to identify...?

Diane Spotted Elk: Probably just have meetings. So, this A through H?

Melissa Fisher: In the "Be it further resolved," right?

Silver Little Eagle: Yeah, it says "Therefore Be It Resolved." The task force is to make recommendations to leadership pertaining to effective uses of tribal resources. Identifying appropriate training and systems of accountability. Identifying at-risk populations, community awareness and education, and finding opportunities for community members to report violence and assisting and drafting legislation and other actions specific to implement the recommendations of this task force. So, those will be the goals of the task force. And we also work closely with Penny Ronning, who is the head of the Yellowstone County Human Trafficking Task Force. And with her assistants, I think we're on a good road.

Eva Foote: I have a question. The community advocate, I'd like to see one from Ashland since, to have one community advocate in Ashland and Busby.

Melissa Fisher: Maybe one from each district. There's a lot of drug traffic that comes through Birney, too. Like the Sheridan, from the interstate back road. So, I think it should be one from each district.

Eva Foote: You can get community involvement with all districts.

Silver Little Eagle: I'll amend it to include a community advocate for the five districts.

Lane Spotted Elk: So, the Emergency Declaration, that's separate? Okay. I think it would be nice to meet with Housing. Have you talked to them about this?

Silver Little Eagle: Yeah, they come to our meetings.

Lane Spotted Elk: Yeah, I think it's good to get something like that out there, a Declaration. So, maybe we could work on that?

Silver Little Eagle: Oh wait, is it not in the declaration?

Lane Spotted Elk: I mean just to get it out. Is the Declaration going to be at the next meeting?

Silver Little Eagle: Yes.

Lane Spotted Elk: Okay.

Motion made by Silver Little Eagle. Second by Henry Speelman.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Lane Spotted Elk	X			
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

9 votes Yes	0 votes No	0 Abstentions	Motion Carried
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A RESOLUTION TO AMEND RESOLUTION NO. DOI – 147 (2022) IN ESTABLISHING AND APPROVING THE NORTHERN CHEYENNE ARPA PREMIUM PAY FOR TRIBAL ENTERPRISES PROGRAM

Lane Spotted Elk: Basically, the only change was the amount. When we came up with an amount for the Premium Pay Program for Tribal Enterprises for NCUC, NCDC, Housing, and Charging Horse, we set a cap on that, not factoring in the taxes and things like that, that later was made aware to us, that it is an allowable expense from our Comptroller. So, basically this resolution would just increase that cap from \$850,000 to...

Nizhoni Friesz: \$964,617.47.

Lane Spotted Elk: Okay.

Nizhoni Friesz: It's from the 830J ARPA Premium Pay line item.

Motion made by Lane Spotted Elk. Second by Debra Charette.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Lane Spotted Elk	X			
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

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

Motion made by Melissa Fisher. Second by Henry Speelman.


ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Lane Spotted Elk	X			
Debra Charette	X			
Norma Gourneau	X			
Eva Foote	X			
Phillip Beckman				X
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

9 votes Yes	0 votes No	0 Abstentions	Motion Carried
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MEETING ADJOURNED @ 11:36 A.M.

PASSED, ADOPTED, AND APPROVED by the Northern Cheyenne Tribal Council with 7 votes for passage and adoption, 0 votes against passage and adoption, and 0 abstentions this 16th day of August 2022.


 Nizhoni Friesz, Secretary
 Northern Cheyenne Tribe