

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

REGULAR SESSION

MINUTES

May 3, 2021

CALL TO ORDER: President Donna Fisher called the meeting to order at 11:02 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	X		
Serena Wetherelt, Vice President	X		
Donna Fisher, President	X		
Melissa Fisher	X		
Diane Spotted Elk	X		
Gwen Talawyma	X		
Silver Little Eagle	X		
Henry Speelman	X		
Total:	12		

Quorum Established

Donna Fisher: I have some add-ons. I would like to add my boards on there. I would like to add the Land Committee, TERO, Elderly, and NCDC.

Norma Gourneau: Madame President, I would like to add two items: one is Eugene Limpy wants to give a brief update on Bear Butte, and the other one is the American Rescue Plan draft resolution.

Lane Spotted Elk: I would ask the Secretary to make copies of all the resolutions for the council to consider before we add them on.

Norma Gourneau: Madame President, I would also like formal action on this presentation that was given this morning on the ACT Now Resolution. I sent out the draft to council members about a month ago, but I will go get it on break.

Diane Spotted Elk: I am doing item #9, which I'm asking to table until more information is available with Board of Health and Housing Authority, and their role in the homeless shelter.

Donna Fisher: Who opened the homeless shelter?

Diane Spotted Elk: That was Dana Eaglefeathers and Nellie Whiteshield.

Donna Fisher: Yeah, we need to just close it until we get regulations, because anything that happens there, we're responsible for.

Diane Spotted Elk: On the resolution, it states that BOH and Housing Authority are the overseers. I don't know that they're aware of it. So, I need to find out if they know they've been named the overseers.

Norma Gourneau: Madame President, I have an announcement. The next step in this lawsuit against BIA and OJS, is we will be meeting with a mediator in Billings, and you all need to be there because you're the decision makers. And whatever we negotiate or agree to, it has to come from the council. I want everyone to mark their calendars for May 24th. That's my announcement, thank you.

Donna Fisher: So, I just spoke with the state grant for the language. I spoke with Serena and when that grant first came down from the state, I battled for it not to go to the college, but to headstart instead. Or get an immersion class off at headstart, and get some Cheyenne language teachers in headstart. I think that's something we need to start speaking about—where we're going to put the funding and where we're going to start it. I think the children need to absorb it, that's where it needs to start. I think getting a board together, I think that will really help us identify where we should put the funding.

Lane Spotted Elk: So, for the Montana Indian Language Program, there was a resolution done by the tribe authorizing the college to apply for that funding. If you are proposing to change that, we need to do a resolution to rescind that.

Donna Fisher: So, wouldn't the college apply for their own funding?

Lane Spotted Elk: Through the tribe, because every tribe gets...the OPI is going to manage those funds, so if we're going to redirect that funding, would we have to do a resolution to rescind that resolution that we authorized Dull Knife to apply for the funding?

Council members continued discussion about tabled Cheyenne Language Resolution.

MOTION TO ADD ON: LAND COMMITTEE, 2 TERO RESOLUTIONS, ELDERLY COMMITTEE, NCDC COMMITTEE, BEAR BUTTE, AMERICAN RESCUE PLAN, IHSP LAW ENFORCEMENT GRANT, CIVIL LAWSUIT, AND ACT NOW RESOLUTIONS

Motion made by Melissa Fisher. Second by Phillip Beckman.

ROLL CALL VOTE:

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

9 votes Yes	2 votes No	0 Abstentions	Motion Carried
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ELDERLY UPDATE

Michelene Bearcomesout, newly-elected chairman for elderly commission, entered the session @ 11:27 a.m.

Michelene Bearcomesout raised her concerns about Elderly being very short-staffed, needing help with food, food delivery, and purchase orders and vouchers being fulfilled in a timely manner for food. They are also looking for an Activities Coordinator.

Michelene Bearcomesout exited the session @ 11:37 a.m.

Eugene Limpy & Dion Killsback entered session @ 11:39 a.m.

BEAR BUTTE UPDATE

Dion Killsback: Good morning. I was telling my uncle Eugene that it would be good for the Tribe to pursue the Fee to Trust application. The current Administration has reversed the Trump Administration's policy on the Fee to Trust application process. They're no longer being decided in Washington D.C., but in the Regional office instead. Bear Butte is not considered on the reservation, and is considered discretionary. The Department of Interior has discretion to put it in the Trust. As long as the Tribe does not plan to engage in gaming or put a casino on the property, it's guaranteed. I explained to my uncle that I would be able to present to the council with him, since he is the caretaker for these properties, I would work with him to assist for that property to be put in trust. I can put together a resolution, or if you'd all like to meet, I can do that as well. (Dion Killsback continued to explain the process and concerns in regards to Bear Butte).

Eugene Limpy & Dion Killsback exited session @ 12:20 p.m.

DISTRICTS

Henry Speelman: I spoke with Lane Deer District last week and half of the party want to set up a meeting with the Lane Deer District council members, tomorrow at 1:30pm. I think the membership is hurting on this and we need to come to a conclusion. The Northern Cheyenne Tribal courts dismissed it.

No other updates at this time.

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 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			
Serena Wetherelt, Vice President	X			
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

11 votes Yes	0 votes No	0 Abstentions	Motion Carried
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MINUTES

MOTION TO PASS MINUTES FROM APRIL 5 & APRIL 19, 2021 COUNCIL MEETINGS

Motion made by Melissa Fisher. Second by Diane 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			
Serena Wetherelt, Vice President	X			
Melissa Fisher	X			
Diane Spotted Elk	X			

Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

11 votes Yes	0 votes No	0 Abstentions	Motion Carried
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A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL AUTHORIZING THE TRIBE TO BE A PLAINTIFF IN THE LAWSUIT TO BE BROUGHT BY THE NATIVE AMERICAN RIGHTS FUND, THE AMERICAN CIVIL LIBERTIES UNION-MONTANA, AND THE AMERICAN CIVIL LIBERTIES UNION NATIONAL TO ENFORCE THE MONTANA CONSTITUTION INDIAN EDUCATION CLAUSE AND THE MONTANA INDIAN EDUCATION FOR ALL STATUTE

Motion made by Lane Spotted Elk. Second by Phillip Beckman.

ROLL CALL VOTE:

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

11 votes Yes	0 votes No	0 Abstentions	Motion Carried
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A RESOLUTION AUTHORIZING THE NORTHERN CHEYENNE TRIBE TO BE A PLAINTIFF IN THE LAWSUIT TO BE BROUGHT BY THE NATIVE AMERICAN RIGHTS FUND, THE AMERICAN CIVIL LIBERTIES UNION-MONTANA, AND THE AMERICAN CIVIL LIBERTIES UNION NATIONAL TO CHALLENGE HB 530 BALLOT COLLECTION BAN AND HB 179 BAN ON SAME DAY VOTER REGISTRATION

Motion made by Melissa Fisher. Second by Phillip Beckman.

ROLL CALL VOTE:

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

Serena Wetherelt, Vice President	X			
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

11 votes Yes	0 votes No	0 Abstentions	Motion Carried
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Jason Whiteman, Sr. entered the session @ 12:34 p.m.

A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL TO ACCEPT FUNDING FROM THE BUREAU OF INDIAN AFFAIRS AUTHORIZING THE NORTHERN CHEYENNE NATURAL RESOURCES DEPARTMENT TO IMPLEMENT THE INVASIVE SPECIES MONITORING AND TREATMENT PROJECT OF THE BURNED AREA EMERGENCY RESPONSE PLAN (BAER) IN THE 2020 SARPY FIRE ON THE NORTHERN CHEYENNE RESERVATION

Jason Whiteman, Sr.: Good afternoon. I have a resolution that I requested back on March 18th, and the purpose was, the protocol was that the tribal council accepting funding from BIA. For the 2020 Sarpy fire from last year, in September 2020. Additional funding, I should add in here, that fencing project. Right now, it's only invasive species, which is generally noxious weeds. I would like to add, because I did this back in March, to include the fencing project. And this report was done by the BIA. And I was just informed that we were only going to do one project out of this response. It's called BAER. But now they included more funding to do the fencing project. The total is \$91,647.00 for two projects, for invasive species and the fencing project. The fencing project is the largest, we'll be doing a little over \$79,000 in the fencing project, and it will only involve the exterior boundaries of the reservation. Which is the Crow and Northern Cheyenne Reservation. The fire burned a total of 52,000 acres and I know Northern Cheyenne was a little over 20,000 acres. Last September, it just moved real quickly through. But this year, because they're part of the grazing permittees, they asked that the livestock permittee to remove their livestock. And one of the main things is replacing the fencing for the Crow and Northern Cheyenne. And so, we have to work real closely with the Crow Tribe/Crow BIA to come up with what areas they're going to do. The Crow tribe as well as the Northern Cheyenne. And that's the plan for the fencing project. But our goal, priority for the fencing project is to do the fence this year before they put in livestock. And have a permit to put in livestock back on range units near the Sarpy fire. Those are just a quick overview of the project here. I'm just requesting for the tribal council to approve accepting this funding on the Sarpy Fire BAER Project.

Motion made by Debra Charette. 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			
Serena Wetherelt, Vice President	X			
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

11 votes Yes	0 votes No	0 Abstentions	Motion Carried
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Jason Whiteman, Sr.: Also, if you don't mind, I'd like to make one announcement. There's a push for the Fish & Game Code. Natural Resources has a training grant and we would like to have it in Billings, to improve the most recent code. The council referred it back, and it's now at a referral type, and we would like to move forward on that and invite all the council to the Fish & Game Training Session, in Billings.

Norma Gourneau: They're trying to schedule it for the 18th and 19th. The original dates were the 17th, 18th, and 19th. But the council meeting is on Monday.

Jason Whiteman, Sr.: Okay, thank you.

Norma Gourneau: Correction. The Fish & Game is May 11th. The 17th, 18th, and 19th is the DOJ wants to come and help develop our MMIW operating plan.

Jason Whiteman, Sr. left the session @ 12:39 p.m.

Council goes into Recess @ 12:40 p.m.

Council reconvenes @ 12:46 p.m.

Althea Foote entered session @ 12:46 p.m.

A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL ACCEPTING THE GRANT FUNDING PROVIDED BY THE DOI-BUREAU OF INDIAN AFFAIRS

Althea Foote: Good afternoon, I work with the Human Services Foster Licensing ICWA Programs. I'm here on behalf of the Licensing Program. We need your authorization for some funds that were expended to us by the BIA for the Foster Care Program, in the amount of \$8,092. I have the introduction and program scope of work. The money will be used for the licensing worker and recruiting foster homes and training foster parents. They are required to have two trainings per year. So, \$2,000 will be used for office supplies for the recruitment, then incentives, gift cards, door prizes, gift bags, and finally for miscellaneous training, mileage, etc.

Motion made by Debra Charette. Second by Phillip Beckman.

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Lane Spotted Elk *Briefly absent for vote*				X
Debra Charette	X			

Norma Gourneau	X			
Eva Foote *Briefly absent for vote*				X
Phillip Beckman	X			
Serena Wetherelt, Vice President	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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Althea Foote left the session @ 12:50 p.m.

A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL TO UPDATE THE NORTHERN CHEYENNE SCHOLARSHIP COMMITTEE BYLAWS AND TO APPOINT THE NORTHERN CHEYENNE TRIBAL COUNCIL TO ACT AS AN INTERIM SCHOLARSHIP COMMITTEE

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

ROLL CALL VOTE:

	YES	NO	ABSTAIN	ABSENT
Lane Spotted Elk	X			
Debra Charette	X			
Norma Gourneau	X			
Eva Foote *Briefly absent for vote*				X
Phillip Beckman	X			
Serena Wetherelt, Vice President	X			
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

10 votes Yes	0 votes No	0 Abstentions	Motion Carried
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Diane Spotted Elk: So, I want to pull the homeless shelter resolution. With some investigation, then I will put it back on the agenda.

A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL APPROVING THE NEWLY APPOINTED MEMBERS OF THE NORTHERN CHEYENNE LAND COMMITTEE

Donna Fisher: So, my resolution to set the Land Committee Board Members. These board members will be set as temporary board members until we can get the permit process completed. And then, my plan is in place for the 638 range program, and that's when we will pull the range and land authority apart. But we need to go through the permit process before we can pull them apart because it will take another 90 days for them to approve, or I don't know how long it will take. But we have to go through the entire range program. We waited until Allen was approved from the Bureau, so he's been able to go there and they've looked at all his records. And they were able to do the permitting.

Norma Gourneau: Madame President, so I have a question. Are you saying that Allen Fisher now has access to TAAMS?

Donna Fisher: Yep, he has access.

Norma Gourneau: So he can encode?

Donna Fisher: Yep, he hasn't been able to encode, but he can go there with an agency specialist and encode. So, he doesn't have TAAMS approval, he has access. But he doesn't have TAAMS certification. But they were allowing him to look into the records. They weren't allowing anyone from the land committee to look at any records until they were approved. So, he does have his DOI card now.

Norma Gourneau: But he doesn't have authority to encode yet.

Donna Fisher: He doesn't have authority to encode.

Norma Gourneau: Is there somebody on the grazing program that is seeking access to be able to encode?

Donna Fisher: Yes, as soon as they can setup a training. So, they're all still on 100% tele-work. So, their trainings, I don't know when they'll set another training.

Norma Gourneau: But for now, Allen is the only one that is in the pipeline to encode?

Donna Fisher: Yes.

Norma Gourneau: I have another question, too. I don't mind the appointments, and you've indicated that this is temporary, and you've been telling the council that since December. So, at what point in time can we be looking for something for us to review on separation of the land board functions and the grazing board functions?

Donna Fisher: Actually, I can give you my resolutions. Everything's ready, we needed just to go through and review the range program. It's been a long process, about three months we've had to go through and look through the range program. So, we're now at the point where we're ready for the letter, we changed the budget, we modified the budget for the range program—range improvement fund. We took some of the slush out of there. So, we have our resolutions ready for

the split. As soon as we can get these permit systems, this permitting done, because last year there were some non-payments. Non-payments, there was a lot of people who didn't pay the Tribe, lot fees didn't get paid, and so, this here, we're going to make sure this happens before we make the change. And we should be done within the next 30 days, and I do have the resolutions prepared for the change. And the changes in employment, we have drafted new scopes of work.

Debra Charette: Where in here is it going to say that they're temporary?

Donna Fisher: So, they'll be temporary until I pass those...as soon as the permitting is done for the new one. But the other resolutions are ready, and the split is ready.

Serena Wetherelt: Madame President, I understand that these are temporary, but when you do make a permanent board, I would like to see more land owners on there.

Norma Gourneau: I have one last question, Donna. On February 22nd, the Bureau sent you a letter asking for clarification on those two Resolutions DOI- 061 and 096. What they wanted was a clarification in writing, so they can address any confusion that is caused by these recent events. And also to guide our action on Resolution 096. So, you have original grazing land authority that was there when we came on board. And then we made the land authority board, and then we went back to the old board, and now you're appointing new ones. So, I think for the Bureau to recognize who has authority, you really should put something in writing.

Donna Fisher: Yeah, I had a meeting with the Regional Director, A. Terry, we discussed the entire process of what was going on and how this land committee was the one that was in place. This, right here. This one, already put together. But we did have a phone conversation, and I did answer to the Regional Director and the Agency Superintendent, and Alicia Burns. So, and we do have everything in place that we've taken so far. And this will only be temporary until we split. We already have everything ready to split. But I'll put temporary in here. And only through the permit season.

Norma Gourneau: For clarification on my part, I think that action was taken in February, that it was just going to be temporary. And we're in May and how much longer are we going to do temporary? You said 30 days, you'll be done with everything in the next 30 days.

Donna Fisher: Well, it should be 30-60 days, this permit season. So, we are right in the middle of it. Right now. The board met already, and they did do some stuff, but we decided just to scale back until we had this in place. And so, we'll do the allocations, maybe this evening if the council passes this. We'll do the allocations. And then that will start, they'll go down there. But the range program, after we went, they were able to go up there and look. There was nothing done, there were no modifications and now they have to go through there and look at the entire range program because they didn't want to be giving anyone's grass away. So, there was modifications that were made, that were not processed through the prior management. And so, we had to go in there and clear everything up, so we wouldn't give anyone's grass away. So, now they're ready for the allocation. That's where we're at. And this will just be a temporary board.

Debra Charette: Is there a time frame you want to put in there?

Donna Fisher: Well, I want to put in 60 days, because we have the allocation and the next round, like two rounds. Then, we'll be there. And then we'll be on our way.

Norma Gourneau: Well, I guess I just want to express my frustration. Because we've been in office 6 months now, and now you're asking for another 60 days. There has to be a point in time where, this is really important because grazing provides a lot of funds for General Fund and for the Land Acquisition accounts. And so, to me, a lot more attention should be paid to this. Because what I'm getting is that the land owners are not getting paid. And I appreciate Vice President saying that there should be more landowners on that board, because I looked at the composition of that board and I think you only had one landowner on the current one. And I would prefer to see even one more landowner on there.

Donna Fisher: Yeah, I will get that. There is an ordinance that they go by, that they follow. So, my frustration was in the range program. The program was in dismay. And there were things that weren't getting done, people that were using grass that weren't paying for it. There were so many problems in there, it took us awhile to get through the entire thing. One of the main things is access. They wouldn't do anything without anybody having access, so now they were able to go down there two weeks ago and look at the entire range program. They got it figured out and now they're ready for the allocations. We just need this little short span, for these members, then we'll have a new land board. Another thing is the HEARTH ACT could trump all of this. That really concerns me. That's another thing I had to look into.

Norma Gourneau: The council right now has only approved the HEARTH ACT authority for wind, solar, and business. We haven't done anything on agriculture or residential. And I'd like for the Tribe to start working on those. Because right now there's nothing in place that other than what's in the ordinance and the contract.

Donna Fisher: Yeah, I did ask Brian to clarify it, but he hasn't gotten back to me yet.

Debra Charette: And that's the hard fact, like Serena was saying. It will be really important to this council to look at it. To take back what we govern on our lands. We would be like a land authority and it would be just a grazing...

Donna Fisher: I'm just going to put through the permit season. The 2021 permit season. I will put that in there.

Debra Charette: As long as it says temporary, and it has a time frame, I'll vote yes.

Motion made by Phillip Beckman. 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			
Serena Wetherelt, Vice President		X		
Melissa Fisher	X			
Diane Spotted Elk		X		
Gwen Talawyma	X			
Silver Little Eagle		X		
Henry Speelman	X			

6 votes Yes	5 votes No	0 Abstentions	Motion Carried
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A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL APPROVING THE NEWLY APPOINTED BOARD MEMBERS OF THE NORTHERN CHEYENNE DEVELOPMENT CORPORATION

Norma Gourneau: Madame President, I have a question. I looked at the enrollment numbers, and there are over 8,000 tribal members that are 18 and older. I'm just wondering why you couldn't find a tribal member to serve on that board and you have Rae Peppers on there as a board member, who is not enrolled here.

Donna Fisher: So, previous board members haven't been enrolled, and Rae Peppers has been teaching, she has a business degree, she's been teaching business at our local college. And, she prepares budgets very well, and she's very assertive. And I think she's a good fit for the position. And she resides here, she lives among us, and her husband is Northern Cheyenne. She raises Northern Cheyenne grandchildren, and she's lived here for many, many years.

Diane Spotted Elk: According to the charter, one non-tribal member can sit on a board.

Donna Fisher: Yes, and that's what the charter states. And the rest are tribal members.

Lane Spotted Elk: You know, I think the whole goal of the charter is to encourage entrepreneurship, small business, and we have a lot of younger people who are going in that direction. Have you considered adding a younger person to the board, to get a younger person's perspective?

Donna Fisher? Yeah, well, Joyce is an at-large member, and is inactive. So, amongst the board, they can take action when they go to their next meeting. If that's your recommendation, I will bring it forward.

Lane Spotted Elk: Okay, thank you.

Motion made by Phillip Beckman. 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			
Serena Wetherelt, Vice President	X			
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

8 votes Yes	3 votes No	0 Abstentions	Motion Carried
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A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL CONFIRMING THE TRIBAL PRESIDENT’S APPOINTMENT OF CHRISTINE FREEMAN AS THE MUDDY DISTRICT REPRESENTATIVE TO THE NORTHERN CHEYENNE ELDERLY COMMISSION

Debra Charette: Did our other representative put it in writing to be taken off?

Donna Fisher: She did, she called me, she didn’t put it in writing, she called me. She doesn’t want to be put on there.

Motion made by Henry Speelman. Second by Phillip Beckman.

ROLL CALL VOTE:

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

11 votes Yes	0 votes No	0 Abstentions	Motion Carried
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A RESOLUTION APPOINTING TERO COMMISSIONER

Donna Fisher: So, appointment for the Tero Commissioner, I will read the fourth Whereas... the current Muddy District member that is appointed, Reginald Killnight, Jr., is still on the Northern

Cheyenne Tribal Housing board, so he cannot be appointed to the TERO Commission, so he will be replaced by Lafe Haugen—

Debra Charette: Can I stop you right there? Where does it say, which governing document shows that they can't be on two (boards)? Because you have September on two, you have Ryhal on two, and you have Colton on two.

Donna Fisher: The Appeals Board is Colton and Ryhal, they only meet when there's meetings, and they're not regular. Whereas, there's no governing document, but I wanted to put him in TERO, but I wanted to change the housing board. But I was not allowed to by this governing body, so I will remove Reginald from the TERO board, and put Lafe on the TERO board.

Debra Charette: Did you already write letters out that they're seated?

Donna Fisher: I did. Thinking that I was going to be able to get a different board for housing, so I will give them notification after this resolution is passed.

Motion made by Henry Speelman. Second by Phillip Beckman.

ROLL CALL VOTE:

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

5 votes Yes	6 votes No	0 Abstentions	Motion Defeated
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Donna Fisher: So, I don't know why I'm not allowed to put my boards in place. Every other President in the past were allowed to put their own boards in place. Whether they were interim or not. And I don't know why I'm not being allowed to put my boards in place. If there's back draft with Lafe, I think we should all know that he's one vote. And I don't know why we're not allowed to—so, I don't know why this governing body is not allowing me to put my boards in place. Because there's been precedence set.

Norma Gourneau: Well, I want to explain my vote. My vote is not about the particular people that you have appointed on there. I like Lafe, I would like him to be on both boards. But what I'm looking at, is that we need to be consistent. If others are able to serve on two boards, but not this one, then we're not being consistent. And then on the Housing, it's not that we objected to the people that you appointed, it was there's specific ways to appoint those people. And that's all

I was thinking, that there's a process to appoint people. And that's what we need to follow. And I just want to make it clear to you, Donna, that it's not these people personally. I think we should be consistent, that's all I'm asking.

Donna Fisher: So, legally, I'm having the ordinance looked at for the Housing board. I have been consistent. Whereas, the Appeals board, they don't get paid. So, they can sit on there. So, Risco is taking a Housing and TERO board check. So, I want to switch that out. He can do either one. He can either come off of Housing, or stay on TERO.

Serena Wetherelt: I would think, if someone looked at our list of people we have on these boards, not all of them are going to know that these people get paid, and these ones don't. So, if we have people on multiple boards, I think it should be consistent that they only should serve on one. I really don't think that should be a problem if they're able to do that.

Donna Fisher: Well, Risco gets paid for two boards, and that's where we're at right now.

Diane Spotted Elk: I think upon our coming in, the President was allowing us to sit in on those people she wanted, and we had discussion, and we were included. And so, we already knew.

Melissa Fisher: And the President before that just went through and said "he's a supporter, he's not a supporter, she's a supporter, she's not a supporter...." But either way, they got their board set.

Diane Spotted Elk: All of us sitting at the table helps with communication and understanding.

Donna Fisher: It looks like they're not moving on TERO, so the other TERO....yeah... So one's Lafe, and the other one is my son, for Ashland district for TERO. And Stephanie was originally set there, but she didn't get approval...her waiver didn't get approved. I want him to be involved in politics. That's what I want him (Allen) involved in, and see what's getting done here, and how TERO functions and how we function. There's two of them, one's for Ashland, and one's for Muddy. And we'll get that typo fixed whenever the new resolution is given to the Tribal Secretary for signature.

Phillip Beckman exited session @ 1:23 p.m.

Lane Spotted Elk: So basically, there's a vacant spot for Ashland. Because the previous individual did not get a waiver? So, is this one going to be up for consideration today?

Donna Fisher: Yeah, you can consider it if you want.

A RESOLUTION APPOINTING TERO COMMISSIONER

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 *Exited session @ 1:23 p.m.*				X
Serena Wetherelt, Vice President	X			
Melissa Fisher	X			
Diane Spotted Elk		X		
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

7 votes Yes	3 votes No	0 Abstentions	Motion Carried
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A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL REGARDING THE AMERICAN RESCUE PLAN ACT OF 2021 AND ASSOCIATED FUNDS TO BE ALLOCATED TO THE NORTHERN CHEYENNE TRIBE

Norma Gourneau: This is a draft resolution presented to the Tribal Council. As you're aware, Congress passed The American Rescue Plan of 2021. And there's going to be a significant source of income being given to the Tribe. And I believe that it's going to be more than what the Tribe received under the CARES Act. The Tribe received \$20 million of the CARES Act, and there's a lot more money that's been appropriated to the tribes, which is \$20 billion. So, \$1 billion of that money is going to be split evenly among 576 tribes. That ends up being about \$1.7 million, so all the tribes are going to get that. The remaining amount is going to be determined by the formula that the Department of Treasury is working on right now. And we understand that decision by Treasury will be made by May 11th, which is good news because then we'll have a better idea of how we're going to shake out and the distribution of this money is going to be given. So, we've been in office for 6 months, and when we came into office, we were pushed into making some decisions about the CARES Act. The Tribe received the CARES Act funding back in July, and so they had that period of time to make allocations on how that money was to be spent. And then, we came on board and took over on what was left over from that fund. So, that money has been utilized mostly for COVID-19 activities. But this money is more to be used for restricting or infrastructure, and taking care of the Tribe's needs. So, with this resolution, what I would like to see the council establish, is a procedure on how we will manage these funds. What I'm talking about is the internal structure from the council, to finance, and to the programs and do whatever we are going to be funding. This resolution does not say how that money is going to be spent. What it does say, is how we are going to manage how it is spent. I looked at the process that we currently have, and I listened to the CARES Act staff, finance staff, and the programs that benefitted from the funding that was given to them. I took note of some of the issues were, and I thought, let's have a plan in place so that everyone knows the process and procedures that we're going to use when we start allocating these funds. So, if you go down to the "Therefore be it Resolved" portion, I'm going to read this so everyone understands that I believe there should be a process on how we account for these funds, and how much input that the council will have in terms of how these funds are ultimately spent. Under that second point, the reason for that is, under the CARES Act, some of those duties were given to staff that was already there, but it was a collateral duty and in addition to what they were already doing. But I

believe with the amount of funds that we will be getting, that there should be staff dedicated to just that process and that they're also not Staff Accountants or General Fund Accountants, or whatever positions that are in finance. The reason that last point is in there (on the resolution), is that to date, I have not seen a trial balance or encumbrance fund on any of those CARES Act. And that's \$20 million that I have not seen a financial report on. I think we should be entitled to look at those reports. I think we owe our tribal membership an explanation on how these funds are being spent.

Donna Fisher: So, do you have a timeline on when you will get started on this? When will you put everything in place?

Norma Gourneau: When we get an allocation and an actual budget approval because you'll have to sign for it.

Melissa Fisher: We sign for it, or she (President Fisher) signs for it?

Norma Gourneau: The President would sign for it. It's only for three years, so it's in accordance with the actual law. And I've gone through most of it, and it's very comprehensive. But the good thing about it is, in addition to the \$19 billion that's going to be divided amongst the tribes, the BIA, IHS, Housing, and ANA, are all getting funds in addition to the amount going to be given to tribes. So, these entities are going to be distributing that money to tribes, too. That's in addition to this money we're going to be receiving. I think it's exciting and we should have a process in place. And the good we're going to be able to do, is just tremendous.

Debra Charette: And I think this is a good idea because when we got the last money, it was kind of dropped in our laps. And we were scrambling because it was so much money and we were trying to get things budgeted and how we were going to spend it, and what we could use it on. At least this way, we're gearing towards having that accountability, because I know our membership has wanted to see a report on how we've spent that money. This will be a thing in putting something out for them. Even if it is just quarterly.

Donna Fisher: Yes, and streamlined. The internal bickering from previous council, that just stalled everything. And we're not here for our people if we're going to internally bicker.

Debra Charette: Yes, and the Admin had something to do with it, too. Because they were doing things down there, and we were thinking things were getting done a certain way, and we found out...but we learned a lot.

Donna Fisher: So, within the next ten days you'll have this in place?

Norma Gourneau: No. Well, everything will still have to come to the council. And the council will be very involved in how those funds are spent and allocated. What I'm trying to put in here, is the process that we and finance are going to be using so that we can actually look at reports and know. If we allocated \$100,000 for this, then we should be able to look at it at any time, and see how much did they spend and how much is left for that particular function. Because I don't

see that at all. Not saying it was spent foolishly, but there could be a little more accountability and being able to view those financial reports.

Donna Fisher: So, as I was talking to Colton on Public Works, what they're doing in our community and cleaning up, I would like to put a Project Manager in here as well.

Norma Gourneau: Madame President, we're not to that point yet. All I'm saying is, this is the process we're going to use. Those ideas, we will meet and make those allocations because there's some really good ideas being generated by the council members, and your idea for the cleanup, that's great. But that's not the intent for this particular action.

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 *Exited session @ 1:23 p.m.*				X
Serena Wetherelt, Vice President	X			
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

10 votes Yes	0 votes No	0 Abstentions	Motion Carried
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A RESOLUTION OF THE NORTHERN CHEYENNE TRIBAL COUNCIL AUTHORIZING SUBMISSION OF A U.S. DEPARTMENT OF INTERIOR, BUREAU OF INDIAN AFFAIRS, INDIAN HIGHWAY SAFETY PROGRAM LAW ENFORCEMENT GRANT FOR THE FISCAL YEAR 2022 GRANT YEAR

Diane Spotted Elk: Excuse me, I have a question. So, how does that work with John Grinsell overseeing that one, and he holds another position? Are they going to be combined?

Lane Spotted Elk: So, the intent of this is, the Tribe created Northern Cheyenne Investigative Services, they'll be responsible for managing this grant. So, the supervision of this falls under the Chief of Police, but there will be some reporting requirements. We need somebody to do all those reporting requirements. If it's in the realm of Northern Cheyenne Investigative Services, I don't think there would be any funding that will prohibit that. It's basically applying for that grant. There's a lot of data analysis and things like that that need to happen.

Diane Spotted Elk: Thank you.

Lane Spotted Elk: Another part of it, too, is that this Highway officer, it's a goal of the Tribe to improve the safety on 212, 314, 39, so these individuals can be out there ensuring that safety laws are being followed and we can work on something with them.

Donna Fisher: Also, I want to let you know that the Safe on All Roads grant that Transportation had, I pulled and put over there so they could complete it. Because, it's just on the back burner at transportation. So, I brought that over to John and Scott, so they could fulfill it. And they could be doing that right there, at our security checkpoint. So, get that fulfilled.

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 *Exited session @ 1:23 p.m.*				X
Serena Wetherelt, Vice President	X			
Melissa Fisher	X			
Diane Spotted Elk	X			
Gwen Talawyma	X			
Silver Little Eagle	X			
Henry Speelman	X			

10 votes Yes	0 votes No	0 Abstentions	Motion Carried
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Lane Spotted Elk: I think there was one more, Councilwoman Gourneau had it.

Norma Gourneau: I'm sorry, I forgot that contract. I guess what I want to know is, how do you guys feel about participating in this (ACT NOW)?

Donna Fisher: I think it's going to cost us money, so that's my biggest concern.

Diane Spotted Elk: I am so supporting it because \$50,000 is much cheaper than incarcerating a lot of our men and youth. I'd rather invest \$50,000 in alternative ways of...I don't believe in incarceration. If this is an avenue that we could take to save some of our people, I'm in full support of it.

Norma Gourneau: But do we want to wait for that contract? Because I did send it to all of you.

Council continued discussion on the ACT NOW Resolution for next council meeting.

Melissa Fisher exited session @ 1:56 p.m.

MOTION TO ADJOURN MEETING

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 *Exited session @ 1:23 p.m.*				X
Serena Wetherelt, Vice President	X			
Melissa Fisher *Exited session @ 1:56 p.m.*				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 @ 1:58 p.m.

PASSED, ADOPTED, AND APPROVED by the Northern Cheyenne Tribal Council with 9 votes for passage and adoption, 0 votes against passage and adoption, and 0 abstentions this 3rd day of May 2021.



Nizhoni Friesz, Secretary
Northern Cheyenne Tribe