

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

**REGULAR SESSION COUNCIL MEETING**

**MINUTES**

February 1, 2010

**CALL TO ORDER:** President Spang called the meeting to order at 9:50 a.m.

**INVOCATION:** Alec Sandcrane

**ROLL CALL:**

	PRESENT	ABSENT	EXCUSED
Jule Spang, Sr.	X		
R.D. Bailey	X		
George Scalpcane		X	Sick leave a.m.
Tracy Robinson	X		
Allen Fisher	X		
Alec Sandcrane	X		
L. Jace Killsback	X		
Dan Carlson	X		
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox	X		
President Spang	X		

Quorum Established

**DISTRICT UPDATE:** No representatives present.

**AGENDA ADDITION-IRS PAYMENT:** Motion made by Jace Killsback. Second by Allen Fisher.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Jule Spang, Sr.	X		
R.D. Bailey			X
George Scalpcane	X		
Tracy Robinson	X		
Allen Fisher	X		
Alec Sandcrane	X		
L. Jace Killsback	X		
Dan Carlson	X		
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox	X		

**9 votes Yes      0 votes No      1 Abstention      Motion Carried**

**AGENDA ADDITION-MEDICAL ASSISTANCE.** Motion made by Allen Fisher.  
Second by Tracy Robinson.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Jule Spang, Sr.</b>	X		
<b>R.D. Bailey</b>	X		
<b>George Scalpcane</b>			
<b>Tracy Robinson</b>	X		
<b>Allen Fisher</b>	X		
<b>Alec Sandcrane</b>	X		
<b>L. Jace Killsback</b>	X		
<b>Dan Carlson</b>	X		
<b>Jenny LaFranier</b>	X		
<b>Judith Spang</b>	X		
<b>Vice President Fox</b>	X		

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

Danny Carlson-Melissa set up a meeting with judicial branch. A lot of people are getting stopped and receive excessive fines.

Alec Sandcrane-Update on Casino. Unqualified audit, everything looks good.

**FSA Update-Virginia Nollmeyer**

Virginia Nollmeyer-What we've handed out is packets that we give to producers.

NAP-Last year we were able to Tribe is socially disadvantaged. If there's a 50% loss in grazing in the whole county, there is a NAP payment paid out. Limited resource producer, then try to get everyone in before March 15<sup>th</sup>. The easiest way, is to get a listing of all your livestock producers. They have to be in our system with their name address and phone number. We have to get a farm built up for them. Bring copies of leases so we can get a farm built and get them in the system. Then we can get them into the NAP program. The livestock forage program, you need FCI or NAP coverage. On the drought monitor you have to have at least a D2 specification. It's updated weekly, if we have an area that has D2 for 8 consecutive weeks, you will receive one month payment which is equal to one monthly feed cost.

Allen Fisher-What's the deadline for LIP?

Virginia Nollmeyer-LIP you have 30 days from the date that there's adverse weather. You don't have to come into the office if there's dead livestock, we can e-mail or fax applications.

Jenny LaFranier-Do you have people here that are participating in the program?

Virginia Nollmeyer-There's a problem with documentation. You have to document that you have the livestock and that you've lost the livestock.

**ELDERLY UPDATE-** President Spang- We have 18 meals sponsored so far.

Tracy Robinson-What about the outlying districts? You should have your director do a feasibility to get the costs for all the districts. At one time, Geraldine said she would cook if someone would get the food and deliver it.

Jenny LaFranier-How much do we bring in? How many elders are in Busby and Birney? We need that data.

Jace Killsback- The Elderly Commission should be charged with that. Give them a goal.

**Motion made by Tracy Robinson to direct the Elderly Director and Commission to do a feasibility study to get funding to feed the outlying districts on the Northern Cheyenne Reservation. Second by Allen Fisher.**

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Jule Spang, Sr.	X		
R.D. Bailey	X		
George Scalpcane			
Tracy Robinson	X		
Allen Fisher	X		
Alec Sandcrane	X		
L. Jace Killsback	X		
Dan Carlson	X		
Jenny LaFranier	X		
Judith Spang			
Vice President Fox	X		

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

**APPROVAL OF COUNCIL MEETING MINUTES FOR JUNE 15, 2009, JULY 8, 2009, JULY 20, 2009.** Motion made by Tracy Robinson. Second by R.D. Bailey.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Jule Spang, Sr.	X		
R.D. Bailey	X		
George Scalpcane			
Tracy Robinson	X		
Allen Fisher	X		
Alec Sandcrane	X		
L. Jace Killsback	X		
Dan Carlson	X		
Jenny LaFranier	X		
Judith Spang			

<b>Vice President Fox</b>	<b>X</b>		
---------------------------	----------	--	--

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

**RURAL ADDRESSING-Clifford Foote**

Presentation on street signs, physical addressing and 911 enhancement.

Ed Joiner-We've been working on this project for about three years. The BIA has a grant for street signs. We have a mapping company hired to do the actual addressing on the houses.

Michael Bearcomesout-Did the mapping, if the road has two houses on it, we have to name the road. We are addressing every home on the reservation. We are still updating everything.

Clifford Foote-In addition to the street signs, we're also going to have signs that help identify where each subdivision is located. We are working with Rosebud and Big Horn Counties. This summer, we will put the signs up all over town. Muddy Creek Highway, Birney Highway, and town site will be changed to number opposite of what they are now.

R.D. Bailey-I express my sincere gratitude for working on what the Tribal Council started 30 years ago.

Jace Killsback-There are some names that have been left off in Busby.

**RESOLUTION APPROVING THE ADOPTION OF THE USE OF RURAL ADDRESSING AND PHYSICAL ADDRESSING FOR THE PRIMARY PURPOSE OF THE ENHANCED 911 SYSTEM.** Motion made by Tracy Robinson. Second by R.D. Bailey.

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Jule Spang, Sr.</b>	<b>X</b>		
<b>R.D. Bailey</b>	<b>X</b>		
<b>George Scalpcane</b>			
<b>Tracy Robinson</b>	<b>X</b>		
<b>Allen Fisher</b>	<b>X</b>		
<b>Alec Sandcrane</b>	<b>X</b>		
<b>L. Jace Killsback</b>	<b>X</b>		
<b>Dan Carlson</b>	<b>X</b>		
<b>Jenny LaFranier</b>	<b>X</b>		
<b>Judith Spang</b>			
<b>Vice President Fox</b>	<b>X</b>		

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

**RESOLUTION AUTHORIZING THE FULL PAYMENT OF INTERNAL REVENUE SERVICE REIMBURSEMENTS TO FORMER AND CURRENT TRIBAL OFFICERS AND NORTHERN CHEYENNE TRIBAL COUNCIL MEMBERS.** Motion made by Allen Fisher. Second by Jule Spang, Sr.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Jule Spang, Sr.	X		
R.D. Bailey	X		
George Scalpcane			X
Tracy Robinson			X
Allen Fisher	X		
Alec Sandcrane	X		
L. Jace Killsback	X		
Dan Carlson	X		
Jenny LaFranier	X		
Judith Spang			
Vice President Fox	X		

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

**Break for lunch @ 11:27 a.m.**

**Reconvene @ 1:32 p.m.**

**ROLL CALL:**

	PRESENT	ABSENT	EXCUSED
Jule Spang, Sr.	X		
R.D. Bailey	X		
George Scalpcane	X		
Tracy Robinson	X		
Allen Fisher	X		
Alec Sandcrane	X		
L. Jace Killsback	X		
Dan Carlson			
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox	X		
President Spang	X		

Quorum Established

**AGENDA ADDITION-TRANSPORTATION.** Motion made by Tracy Robinson. Second by Jenny LaFranier.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Jule Spang, Sr.	X		
R.D. Bailey	X		
George Scalpcane	X		

<b>Tracy Robinson</b>	<b>X</b>		
<b>Allen Fisher</b>	<b>X</b>		
<b>Alec Sandcrane</b>	<b>X</b>		
<b>L. Jace Killsback</b>	<b>X</b>		
<b>Dan Carlson</b>			
<b>Jenny LaFranier</b>	<b>X</b>		
<b>Judith Spang</b>	<b>X</b>		
<b>Vice President Fox</b>	<b>X</b>		

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

**RESOLUTION AUTHORIZING THE NORTHERN CHEYENNE LAND AUTHORITY TO APPLY AND PARTICIPATE IN THE ENVIRONMENTAL QUALITY INCENTIVES PROGRAM (EQIP).** Motion made by Alec Sandcrane. Second by Tracy Robinson.

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Jule Spang, Sr.</b>	<b>X</b>		
<b>R.D. Bailey</b>	<b>X</b>		
<b>George Scalpcane</b>	<b>X</b>		
<b>Tracy Robinson</b>	<b>X</b>		
<b>Allen Fisher</b>	<b>X</b>		
<b>Alec Sandcrane</b>	<b>X</b>		
<b>L. Jace Killsback</b>	<b>X</b>		
<b>Dan Carlson</b>			
<b>Jenny LaFranier</b>	<b>X</b>		
<b>Judith Spang</b>	<b>X</b>		
<b>Vice President Fox</b>	<b>X</b>		

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

**RESOLUTION CONCURRING WITH THE TRIBAL PRESIDENT'S APPOINTMENT OF VIOLA WASHINGTON TO THE NATURAL RESOURCE BOARD.** Motion made by Alec Sandcrane. Second by Jenny LaFranier.

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Jule Spang, Sr.</b>	<b>X</b>		
<b>R.D. Bailey</b>	<b>X</b>		
<b>George Scalpcane</b>	<b>X</b>		
<b>Tracy Robinson</b>	<b>X</b>		
<b>Allen Fisher</b>	<b>X</b>		
<b>Alec Sandcrane</b>	<b>X</b>		
<b>L. Jace Killsback</b>			
<b>Dan Carlson</b>			
<b>Jenny LaFranier</b>	<b>X</b>		
<b>Judith Spang</b>	<b>X</b>		
<b>Vice President Fox</b>	<b>X</b>		

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

**RESOLUTION DIRECTING THE TRIBAL HEALTH PROGRAM TO SUPPLEMENT THE TRIBAL MEDICAL ASSISTANCE BUDGET WITH \$100,000.00 OF FY 2010 CARRYOVER MONIES TO CONTINUE PROVIDING MEDICAL ASSISTANCE TO TRIBAL MEMBERS.** Motion made by Allen Fisher.  
Second by R.D. Bailey.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Jule Spang, Sr.</b>	X		
<b>R.D. Bailey</b>	X		
<b>George Scalpcane</b>	X		
<b>Tracy Robinson</b>	X		
<b>Allen Fisher</b>	X		
<b>Alec Sandcrane</b>	X		
<b>L. Jace Killsback</b>			
<b>Dan Carlson</b>			
<b>Jenny LaFranier</b>			X
<b>Judith Spang</b>		X	
<b>Vice President Fox</b>	X		

**7 votes Yes      1 vote No      1 Abstention      Motion Carried**

**RESOLUTION AUTHORIZING THE MODIFICATION AND OR ADOPTION OF BUDGETS-Fund 208-Headstart-JOM-10,529.33, Fund 230B-JOM-146,230.66, Fund 230C-Higher Ed-734,322.91, Fund 230D-Job Training and Placement-198,288.13, Fund 249C-Indian Highway Safety Program-327,506.80, Fund 320B-Congregate Meals-3,076.00, Fund 320C-Home Delivered-701.00, Fund 340-Aging Nutrition Services-11,905.73, Fund 359-LIHEAP-693,877.00, Fund 383A-Transportation-4,261.81, Fund 383C-Congregate Meals-44,016.80, Fund 383E-Caregiver-2,774.00, Fund 555A-D-Supplemental Youth Services (SYS)-123,765.00, Fund 556A-E-Workforce Investment Act (WIA)-232,711.00.** Motion made by Tracy Robinson. Second by Allen Fisher.

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
<b>Jule Spang, Sr.</b>	X		
<b>R.D. Bailey</b>	X		
<b>George Scalpcane</b>	X		
<b>Tracy Robinson</b>	X		
<b>Allen Fisher</b>	X		
<b>Alec Sandcrane</b>	X		
<b>L. Jace Killsback</b>			
<b>Dan Carlson</b>			
<b>Jenny LaFranier</b>	X		
<b>Judith Spang</b>			
<b>Vice President Fox</b>	X		

<b>8 votes Yes</b>	<b>0 votes No</b>	<b>0 Abstention</b>	<b>Motion Carried</b>
--------------------	-------------------	---------------------	-----------------------

## **IRS PAYMENT DISCUSSION**

Ben Lonebear-We got the corrective action done today. We'll have a presentation next week. The resolution doesn't talk about the travel policy. We still have policies in place.

Joe Fox, Jr.-This was strictly to this entitlement.

Ben Lonebear-The money is payroll money and the policy speaks strictly to the travel policy. We won't release them until the resolution speaks to the travel policy, because there's a resolution for the travel policy.

Tracy Robinson-I didn't vote for it because I think we need to redo all of our policies. I've had this discussion with Ben, Joe, Jace. Some of it was that they were always going to pay that money back.

Ben Lonebear-We understand that both parties are at fault. We put the money back into the fund. We're scheduled to go to Colstrip next week to look through the documents. The listing if they can provide receipts or trip reports, they'll get that money back. The best way I can do to satisfy the auditors' recommendations. We're also going to give notifications and a chance to turn those documents in. I think that's undermining what the policy says.

Joe Fox, Jr.-The money is entitled to us, not the Tribe.

Ben Lonebear-It was earned as an official of the Tribe. The money was run through the payroll system which is part of our financial management system.

R.D. Bailey-This isn't the first time we've had to waive to unique circumstances. This is a unique circumstance to the Tribe. Nothing is clear cut.

Ben Lonebear-This is clear cut and black and white in the policy. Those deductions don't speak to the policy. I'm asking you to change your policy or write the resolution regarding the travel policy.

R.D. Bailey-It would have been appropriate for someone to write to the council to explain.

Tracy Robinson-The Treasurer did give something in writing. We talked about this in budget and finance.

Ben Lonebear-You passed an allowance policy that speaks directly regarding to travel.

Jenny LaFranier-Did you respond to Vice President Joe Fox?

Ben Lonebear-No, I did not.

Joe Fox, Jr.-I did get a response from the comptroller was that I disagree with your letter.

Ben Lonebear-This is a major issue with the auditors. They're well aware that we have an allowance policy and travel policy.

Joe Fox, Jr.-We're not employees.

Ben Lonebear-You still abide by the policies. As officials, you are not exempt from the travel policies. It is going to become a major issue in the audit.

Allen Fisher-Our argument is that a former councilperson here that turned the travel in. My assumption is that if I owe money I'm not against paying it. All the other people that were here before, they're already signed off and it's done. Patty says from 2007 on, there are no records down there. In the beginning, I thought all this was taken care of.

Ben Lonebear-If the Tribe wants to do this, make changes to the allowance policy. We can't expense it until we have details and receipts.

Joe Fox, Jr.-I don't have any qualms about being delinquent on reports. I had to resubmit all my records again. I had Eloise check my travel a month and a half ago, Halona said I was okay. All of a sudden I have 10 reports that weren't turned in.

Ben Lonebear-On the records, in the accounting system, it's not there. You need to figure something out to cover that. Please address this policy.

Jace Killsback-The travel policy?

Ben Lonebear-The travel policy and allowance policy. Speak to policy and appropriate the funds to replenish that.

Jace Killsback-I'd take the Treasurer's recommendations. We didn't get orientation on this money. We're setting precedence. If this is our first time doing this, I don't mind amending the action of waiving the travel policy for this purpose.

**MOTION MADE BY L. JACE KILLSBACK TO AMEND THE PREVIOUS ACTION MADE REGARDING THE IRS REIMBURSEMENT PAYMENT. TO INCLUDE...BE IT FURTHER RESOLVED THAT THE TRAVEL AND ALLOWANCE POLICY BE WAIVED FOR THIS TO BE SUCCESSFUL. WITH HISTORIC AMOUNTS STILL SUBJECT TO REVIEW. SECOND BY ALLEN FISHER.**

**ROLL CALL VOTE:**

	YES	NO	ABSTAIN
Jule Spang, Sr.	X		
R.D. Bailey	X		
George Scalpcane			X
Tracy Robinson			X
Allen Fisher	X		

<b>Alec Sandcrane</b>		<b>X</b>	
<b>L. Jace Killsback</b>	<b>X</b>		
<b>Dan Carlson</b>			
<b>Jenny LaFranier</b>	<b>X</b>		
<b>Judith Spang</b>			
<b>Vice President Fox</b>	<b>X</b>		

**6 votes Yes      1 vote No      2 Abstentions      Motion Carried**

**RESOLUTION AUTHORIZING THE NORTHERN CHEYENNE TRANSPORTATION PLANNING PROGRAM TO REQUEST FOR TEN PERCENT (10%) OF THE FY 2010 IRR CONSTRUCTION FUNDS AND TO CONTINUE TO PURSUE AND CONDUCT TRANSPORTATION PLANNING FOR THE NORTHERN CHEYENNE RESERVATION IN ACCORDANCE WITH THE STATEMENT OF WORK WITHIN THE PROPOSAL AWARDED THROUGH THE BUREAU OF INDIAN AFFAIRS AS A P638 GRANT. Motion made by Tracy Robinson. Second by Alec Sandcrane.**

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Jule Spang, Sr.</b>	<b>X</b>		
<b>R.D. Bailey</b>	<b>X</b>		
<b>George Scalpcane</b>	<b>X</b>		
<b>Tracy Robinson</b>	<b>X</b>		
<b>Allen Fisher</b>	<b>X</b>		
<b>Alec Sandcrane</b>	<b>X</b>		
<b>L. Jace Killsback</b>	<b>X</b>		
<b>Dan Carlson</b>			
<b>Jenny LaFranier</b>	<b>X</b>		
<b>Judith Spang</b>			
<b>Vice President Fox</b>	<b>X</b>		

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

**RESOLUTION AUTHORIZING THE NORTHERN CHEYENNE TRANSPORTATION PLANNING PROGRAM TO ESTABLISH THE BIA ROAD CONSTRUCTION PROJECT PRIORITY LIST FOR THE NORTHERN CHEYENNE INDIAN RESERVATION. Motion made by Tracy Robinson. Second by Allen Fisher.**

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Jule Spang, Sr.</b>	<b>X</b>		
<b>R.D. Bailey</b>	<b>X</b>		
<b>George Scalpcane</b>	<b>X</b>		
<b>Tracy Robinson</b>	<b>X</b>		
<b>Allen Fisher</b>	<b>X</b>		
<b>Alec Sandcrane</b>	<b>X</b>		
<b>L. Jace Killsback</b>	<b>X</b>		

<b>Dan Carlson</b>			
<b>Jenny LaFranier</b>	<b>X</b>		
<b>Judith Spang</b>	<b>X</b>		
<b>Vice President Fox</b>	<b>PRESIDING</b>		

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

**MOTION MADE BY R.D. BAILEY TO DENY THE RESOLUTION PRESENTED WHICH AUTHORIZES THE IRR TRANSPORTATION PLANNING PROGRAM TO ACCESS TWENTY FIVE PERCENT (25%) OF THE CONSTRUCTION FUNDING FROM THE IRR PROGRAM AS A CONTRACTABLE ITEM THROUGH THE BUREAU OF INDIAN AFFAIRS. SECOND BY GEORGE SCALPCANE.**

**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Jule Spang, Sr.</b>	<b>X</b>		
<b>R.D. Bailey</b>	<b>X</b>		
<b>George Scalpcane</b>	<b>X</b>		
<b>Tracy Robinson</b>	<b>X</b>		
<b>Allen Fisher</b>	<b>X</b>		
<b>Alec Sandcrane</b>	<b>X</b>		
<b>L. Jace Killsback</b>	<b>X</b>		
<b>Dan Carlson</b>			
<b>Jenny LaFranier</b>	<b>X</b>		
<b>Judith Spang</b>			<b>X</b>
<b>Vice President Fox</b>	<b>PRESIDING</b>		

**8 votes Yes      0 votes No      1 Abstention      Motion Carried**

**ADJOURNMENT OF MEETING.** Motion made by George Scalpcane. Second by Tracy Robinson.

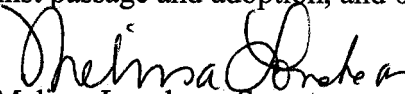
**ROLL CALL VOTE:**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Jule Spang, Sr.</b>	<b>X</b>		
<b>R.D. Bailey</b>	<b>X</b>		
<b>George Scalpcane</b>	<b>X</b>		
<b>Tracy Robinson</b>	<b>X</b>		
<b>Allen Fisher</b>	<b>X</b>		
<b>Alec Sandcrane</b>	<b>X</b>		
<b>L. Jace Killsback</b>	<b>X</b>		
<b>Dan Carlson</b>			
<b>Jenny LaFranier</b>	<b>X</b>		
<b>Judith Spang</b>	<b>X</b>		
<b>Vice President Fox</b>	<b>PRESIDING</b>		

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

**Meeting Adjourned at 3:13 p.m.**

**PASSED, ADOPTED, AND APPROVED** by the Northern Cheyenne Tribal Council by 8 votes for passage and adoption, 0 votes against passage and adoption, and 0 abstentions this 21<sup>st</sup> day of July 2010.

  
Melissa Lonebear, Secretary  
Northern Cheyenne Tribe