

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

REGULAR SESSION COUNCIL MEETING

MINUTES

July 20, 2009

CALL TO ORDER: President Spang called the meeting to order at 9:22 a.m.

INVOCATION: Alec Sandcrane

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	X		Arr. 9:40 a.m.
Jenny LaFranier	X		
Judith Spang	X		Arr. 9:34 a.m.
Vice President Fox	X		
President Spang	X		

Quorum Established

AGENDA ADDITION-NCT TREASURER APPOINTMENT. Motion made by Tracy Robinson. Second by George Scalpcane.

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			
Jenny LaFranier	X		
Judith Spang			
Vice President Fox	X		

9 votes Yes	0 votes No	0 Abstentions	Motion Carried
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AGENDA ADDITION- EXTENSION FOR NCTS AD HOC BOARD UNTIL SEPTEMBER 30, 2009, THE END OF THE FISCAL YEAR. Motion made by Joe Fox, Jr. Second by Tracy Robinson.

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			
Dan Carlson			
Jenny LaFranier	X		
Judith Spang			X
Vice President Fox	X		

9 votes Yes 1 votes No 0 Abstentions Motion Carried

AGENDA ADDITION-TRANSFER OF BIA SUPERINTENDENT DISCUSSION. Motion made by L. Jace Killsback. Second by Judith Spang.

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			
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox	X		

9 votes Yes 1 votes No 0 Abstentions Motion Carried

EXIT OUT OF COUNCIL MEETING FOR PERMANENT FUND BOARD MEETING @ 9:40 a.m. Motion made by L. 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			
Allen Fisher	X		
Alec Sandcrane	X		

L. Jace Killsback	X		
Dan Carlson	X		
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox	X		

10 votes Yes	0 votes No	0 Abstentions	Motion Carried
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PERMANENT FUND BOARD MEETING

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	X		
Jennie LaFranier	X		
Judith Spang	X		
Vice President Fox	X		
President Spang	X		

Quorum Established.

PERMANENT FUND UPDATE

Paul McKean First Interstate Bank- Good news the value of the permanent fund has increased since our last meeting about 11%. We're still climbing back from steep declines. We've seen good progress in the last few months. What we're seeing here in the economic review. The GDP has very steep declines in the last year. We still appear to be only slightly in the negative. We look to see some positive economic growth. Our feeling is, the worst is behind us. We've hit bottom and started to turn the corner. We have a gain of 11.2%

Joe Fox, Jr.-Where's the indication of our losses?

Paul McKean-You can see that it's broken down by periods.

Joe Fox, Jr.-Is there going to be any adjustments made?

Paul McKean-We made some changes back in April. If we start to see signs we may make recommendations later to further increase equities. We're right on the target levels now. The biggest thing in terms of stock market is earnings. It's quite uncertain how quickly they'll come back. The economy normally comes back briskly. Another

scenario that keeps us a bit cautious is that if the unemployment doesn't improve. That's why we're not becoming very aggressive.

L. Jace Killsback-How does the National Health Care Reform play into your projections?

Paul McKean-We look at how the does Health Care Reform impact businesses or businesses that might be hurt by that. It's one piece of the puzzle.

ADJOURN PERMANENT FUND BOARD MEETING @ 10:00 A.M. Motion made by L. 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			
L. Jace Killsback	X		
Dan Carlson	X		
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox	X		

10 votes Yes	0 votes No	0 Abstentions	Motion Carried
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Reconvene Council Meeting @ 10:01 a.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	X		
Jennie LaFranier	X		
Judith Spang	X		
Vice President Fox	X		
President Spang	X		

Quorum Established

RESOLUTION AUTHORIZING THE MODIFICATION AND OR ADOPTION OF BUDGETS: Fund 379-Head Start- Revised-FY09 budget to \$1,366,728.00. Fund

530- Juvenile Drug Court-Revised FY09 budget to \$666,083.64. Fund 210-Transportation Planning- Revised FY09 budget to \$401,923.39. Fund 727-Tobacco Prevention- Initial FY10 budget of \$95,132.70. Fund 727A-Tobacco Prevention 09Carryover- Initial FY10 budget of \$51,110.61. Fund NEW- Supplemental Youth Services- Initial FY10 budget of \$158,286.00. Fund 358-Special Diabetes Grant-Initial FY2010 budget of \$65,255.58. Fund 358A-Special Diabetes Grant 08 Carryover- Initial FY10 budget of \$84,736.00 Fund 354D-Mod 2 Third Party Collections- Revised FY09 budget of \$617,082.00 Fund 700- PPL Montana- Revised FY09 Budget of \$123,321.00. Fund 577-Performance Partnership Grant EPD-Revised FY09 budget of \$498,895.00. Fund 576-Air 103 Improve EPD-Revised FY09 budget of \$35,000.00. Fund 235-Tribal Finance Audit Assistance-Revised FY09 budget of \$175,626.05. Motion made by Tracy Robinson. Second by Alec Sandcrane.

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		

11 votes Yes	0 votes No	0 Abstentions	Motion Carried
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RESOLUTION AUTHORIZING THE APPROPRIATION OF RESIDUAL FUNDS FROM THE STATE OF MONTANA WATER LOAN REPAYMENT AS A RESULT OF THE WATER SETTLEMENT ACT. Motion made by Tracy Robinson. 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		

11 votes Yes	0 votes No	0 Abstentions	Motion Carried
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Tracy Robinson-We need to get the Treasurer position filled. It's been advertised for some time.

L. Jace Killback-It was advertised for a substantial amount of time.

Tracy Robinson-Along with this, we're not only going to fill the Treasurer position, we will be able to fill the vacancy of Ben's position as the General Fund Accountant.

R.D. Bailey-I think Bens been doing an outstanding job. The discussion is right on track. I don't believe it would be wise to just put anybody in there without giving a chance to apply.

Ben Lonebear-This position is really delicate at this point. At any time, this position is subject to disagreement. I am committed to this Tribe, I have the education to do anything else I want, really. I do want to help the Tribe. My goal is to take steps to address some of the issues. I've worked three years to see what's going on at this level.

R.D. Bailey- As a sovereign nation, all our jobs should have a high school diploma as a requirement.

L. Jace Killback-The last meeting discussion didn't get into the topic of advertising. It was advertised, the fact he didn't apply, his reasoning seems a lot more understandable to me.

Dan Carlson-I discussed in that meeting. In my mind, you take too much power into your own hands. You take certain items and put it to the side. We have to jump through hoops to get our vouchers paid, you've never changed your stance on that. Last time you came out and lied.

Judith Spang-I was asking for clarification and advertisement. I don't see why some Tribal Council was afraid to advertise that job. It's a principal that the Tribal Council needs to follow protocol and procedure. I know Ben is doing the best he can. I want people to think we're fair.

Joe Fox, Jr.-I know you're going to be a good Treasurer. It's very difficult for the Tribe to move forward when you have "acting" in the title. You don't have assurance. It happened to us a few times. These are some extremes in your position. I wasn't here for the Special. I know you've been working diligently, keeping us informed, all of us. Keeping an open door policy and dialogue is real important.

RESOLUTION APPOINTING BEN LONEBEAR AS THE TREASURER OF THE NORTHERN CHEYENNE TRIBE. Motion made by Tracy Robinson. Second by Alec Sandcrane.

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 2 votes No 0 Abstentions Motion Carried

Ben Lonebear- Thank you. It does bring some closure to my office. Danny, I don't appreciate you calling me a liar. I think it's unprofessional and unethical. These kind of issues are what the Tribe is dealing with right now.

RESOLUTION AUTHORIZING THE TRIBAL PRESIDENT TO EXECUTE, ON BEHALF OF THE TRIBAL COUNCIL, DOCUMENTS NECESSARY TO CONDUCT FUELS MANGEMENT PROJECTS UNDER THE (ARRA). Motion made by Jenny LaFranier. Second by Alec Sandcrane.

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		

10 votes Yes 0 votes No 1 Abstentions Motion Carried

RESOLUTION APPROVING THE SUBMISSION OF A PROPOSAL TO THE BUREAU OF INDIAN AFFAIRS FOR A P.L.93-638 CONTRACT TO OPERATE THE EMERGENCY FOSTER CARE SHELTER FUNCTIONS AND ESTABLISHING THE ROSEBUD LODGE FOR SUCH PURPOSES. Motion made by L. Jace Killsback. Second by Tracy Robinson.

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		

11 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION AMENDING RESOLUTION NO. DOI-174 (2003) IN THE APPLICABLE SECTIONS FOR COMMITTEE MEMBERSHIP AND FINANCIAL MANAGEMENT OF THE FORT ROBINSON MEMORIAL FOUNDATION (COMMITTEE), A TRIBAL ORGANIZATION WITH THE LAWFUL AUTHORITY TO CORRDATE, FACILITATE AND PRESERVE COMMENORATION OF THE FORT ROBINSON BREAKOUT SITE. Motion made by Allen Fisher. Second by Tracy Robinson.

* Edna Seminole, John Walks Along, Allen Clubfoot, Sr., Leo Killsback, Conrad Fisher, Mina Seminole, Lenora Wolfname, Vincent Whitecrane, Rose Eaglefeathers, Eva Foote, Gilbert Whitedirt, Winslow Whitecrane (ex-officio), Winfield Russell (ex-officio), Richard Littlebear (ex-officio).

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		

11 votes Yes 0 votes No 0 Abstentions Motion Carried

ORDINANCE AMENDING ORDINANCE NO. DOI-002 (09) FOR THE PURPOSES OF EXTENDING THE CURRENT NCTS TEMPORARY AD HOC COMMITTEE'S TERM UNTIL OCTOBER 1, 2009 AND FOR REPLACEMENT OF CALVIN WILSON WITH THE APPOINTMENT OF WALLACE BEARCHUM. Motion made by Joe Fox, Jr. Second by Tracy Robinson.

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		

9 votes Yes 1 votes No 0 Abstentions Motion Carried

ADJOURNMENT OF MEETING. Motion made by George Scalpcane. Second by Jenny LaFranier.


ROLL CALL VOTE:

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

8 votes Yes 0 votes No 0 Abstentions Motion Carried

Meeting Adjourned at 1:10 p.m.

PASSED, ADOPTED, AND APPROVED by the Northern Cheyenne Tribal Council by 9 votes for passage and adoption, 0 votes against passage and adoption, and 0 abstentions this 1st day of February 2010.


 Melissa Lonebear, Secretary
 Northern Cheyenne Tribe