

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

REGULAR SESSION COUNCIL MEETING

MINUTES
June 7, 2010

CALL TO ORDER: President Spang called the meeting to order at 9:24 a.m.

INVOCATION: Jennie Parker

ROLL CALL:

	PRESENT	ABSENT	EXCUSED
Jule Spang, Sr.		X	Sick Leave
R.D. Bailey	X		
George Scalpcane	X		
Tracy Robinson	X		
Allen Fisher	X		
Alec Sandcrane		X	Personal Leave
L. Jace Killsback		X	Arr. 9:29 a.m.
Dan Carlson	X		
Jennie LaFranier	X		
Judith Spang	X		
Vice President Fox	X		Travel
President Spang	X		

Quorum Established

AGENDA ADDITION ROBERT BEARCHUM, JR. PERSONNEL CASE. Motion made by R.D. Bailey. Second by Judith Spang.

ROLL CALL VOTE:

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

6 votes Yes	2 votes No	0 Abstentions	Motion Carried
-------------	------------	---------------	----------------

AGENDA ADDITION-PROCUREMENT. Motion made by L. Jace Killsback.
 Second by Tracy Robinson.

ROLL CALL VOTE:

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

9 votes Yes 0 votes No 0 Abstentions Motion Carried

ENROLLMENT-WALLACE BEARCHUM

RESOLUTION APPROVING AND GRANTING THE REQUEST FOR NORTHERN CHEYENNE MEMBERSHIP THROUGH AUTOMATIC ENROLLMENT OF ELEVEN (11) INDIVIDUALS. Motion made by Tracy Robinson. Second by George Scalpcane.

ROLL CALL VOTE:

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

9 votes Yes 0 votes No 0 Abstentions Motion Carried

ORDINANCE APPROVING AND GRANTING THE REQUEST FOR NORTHERN CHEYENNE MEMBERSHIP THROUGH ADOPTION OF THIRTY-TWO (32) INDIVIDUALS. Motion made by Tracy Robinson. Second by Jennie LaFranier.

ROLL CALL VOTE:

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

7 votes Yes 2 votes No 0 Abstentions Motion Carried

ORDINANCE RELATING TO THE RELINQUISHMENT OF THREE (3) INDIVIDUALS FROM THE NORTHERN CHEYENNE TRIBE. Motion made by Allen Fisher. Second by Tracy Robinson.

ROLL CALL VOTE:

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

9 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION APPROVING AND GRANTING NAME CHANGES FOR NINE (9) MEMBERS ON THE NORTHERN CHEYENNE MEMBERSHIP ROLLS. Motion made by Allen Fisher. Second by George Scalpcane.

ROLL CALL VOTE:

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

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

9 votes Yes 0 votes No 0 Abstentions Motion Carried

ORDINANCE APPROVING AND GRANTING BLOOD QUANTUM CHANGES FOR EIGHT (8) TRIBAL MEMBERS ON THE NORTHERN CHEYENNE MEMBERSHIP ROLLS. Motion made by Allen Fisher. Second by L. Jace Killsback.
ROLL CALL VOTE:

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

9 votes Yes 0 votes No 0 Abstentions Motion Carried

APPROVAL OF COUNCIL MEETING MINUTES FOR SEPTEMBER 21, 2009, SEPTEMBER 29, 2009, OCTOBER 5, 2009, OCTOBER 19, 2009, OCTOBER 23, 2009. Motion made by Jennie LaFranier. Second by R.D. Bailey.
ROLL CALL VOTE:

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

9 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION CONFIRMING THE TRIBAL PRESIDENT'S TEMPORARY APPOINTMENT OF JENNIE PARKER AS AN ASHLAND DISTRICT REPRESENTATIVE TO THE NORTHERN CHEYENNE ELDERLY COMMISSION. Motion made by Allen Fisher. Second by Danny Carlson.

ROLL CALL VOTE:

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

9 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION CONFIRMING THE TRIBAL PRESIDENT'S TEMPORARY APPOINTMENT OF NORMA BIXBY AS A MEMBER OF THE NORTHERN CHEYENNE TRIBAL SCHOOLS AD HOC BOARD OF TRUSTEES. Motion made by Allen Fisher. Second by Jennie LaFranier.

ROLL CALL VOTE:

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

9 votes Yes 0 votes No 0 Abstentions Motion Carried

TRIBAL EDUCATION QUESTION & ANSWER-R.D. Bailey

R.D. Bailey-I was approached by Collette Fisher about the Tribal Education process. The first time, I wrote a letter to Tribal Ed. Norma responded that everything was okay. She told me that everyone got their checks on time. Everything was in line with what Tribal Ed. is supposed to do. Collette told me that there are major problems with the Tribal Ed.

Department. I did a survey and I received 17 back from Collette, and I received 10 from Norma. One side says that everything is okay and the other side says that there's a lot of problems with Tribal Ed.

Collette Fisher-I've been contacted from different students. They felt that they are being mistreated. The scholarship committee is not being involved in the selection process. They only see a list of names and just do a math approval. Some of the concerns, is who actually gets the scholarship and how much. Does the scholarship committee review the applications and supporting documents? They come into the office, stamp them and get put into a folder. The committee doesn't review any of the documents required (letter of application, letters of reference).

R.D. Bailey-I want this Council to come up with a solution for something fair not only for Community College students but for students that are going to Universities.

Tracy Robinson-A solution would be to put a formal investigation together to look at the whole system. It's been in place for so long and it fell into that rut. I am recommending that it come from your office (President Spang) to do a full audit with a timeline put on that.

L. Jace Killsback-I did that survey four years ago, I presented an Ordinance to change some of the requirements for Tribal Ed. We want to ensure that this investment knows about our Tribe. What kind of services are the graduates going to provide for the Tribe, who is paying for their education. Contemporary and cultural history. My brother just got his PhD and was never funded for seven years.

Jenny Parker-You're all elected officials, you have a responsibility to the people. I had two grandkids that went to school in Broadus. They couldn't get funded because they didn't graduate from a school on the reservation. I think there needs to be an evaluation done on the employees. They lose paperwork all the time. Evaluate the whole situation.

Rachel Carrol-I've been in the education system for 45 years. Before I was ousted by the board, his campaign told me that I was Cheyenne and speak the language, they didn't have any dirt to throw at me. I've been out there in the work all my life. Your education office is behind and the policies need to be upgraded. I was superintendent at Gila River. They do ask questions and they do give hefty awards. They like to have them educated so they can compete in the metropolitan world. There is universal deadlines. There's forms that can be done online, I've seen students miss their deadlines. I asked Norma if they fund graduate students. When I was the Superintendent at Busby School, I finally finished paying off my debt (educational loans). We need to have informed people to lead the Tribe. I would encourage you to do something about your education system. When I first came to work at Busby, I ordered an audit. It took them two years to find stuff, mismanagement of funds. When I left, it was the first time that there was an accepted audit done at Busby School.

Allen Fisher-In budget & finance we requested that Norma do an update. We need to take a look at this. They're simple things,

George Scalpcane-When I was working at WECO, that scholarship program only handled four students. Tribal Ed. had problems with them four students. I tried to implement changes with the policies. Norma was always against it. One thing was a year-end report from the students. Norma didn't want it.

Tracy Robinson-JOM doesn't have very good parental attendance. They say that the Ashland District did not respond. They're tired of hitting a brick wall with trying to get help over here. I asked for an audit or investigation. I think it's a long time coming.

Vice President Fox-There's two parts to this picture. When there are amendments to the Ordinance, that's the Council. I know William works with Norma, he needs to be involved in this. I think it would be best to concur and work together. We need to have a good working session. I've seen some process and they haven't really met the needs. Then the frustration sets in, they discouraged and come home.

Judith Spang-On Tracy's motion. I think part of that program is 638 and the Executive Branch probably has those. If you're going to make it a little broad, you should come up with some kind of questions.

L. Jace Killsback-They need to give us some data to see what they're going to do. They think we're all white kids going to school so they give us a form for white kids.

Jennie LaFranier-We all agree that there needs to be a change, we can get the technical assistance from the bureau, we need data, we need compliance reports. Are we going to get reports saying they're doing fine? How do we get reports? We need something to show what's working and not working.

L. Jace Killsback-I swore an oath as a Tribal leader. I still wasn't allowed into their office.

R.D. Bailey-I agree with what Jennie stated. I have no doubt that their paperwork is suitable. I wanted all of us as Legislative and Executive to come up with a solution.

Danny Carlson-There's problems when they get students into these school systems. Who you going to blame for that if that student is a problem child? This high school is supposed to be a public school. Most of the administrators over there don't send their kids to school here. Lame Deer is way down there in the state. It's a huge problem here. When it comes up to getting a scholarship, it seems like there's only a few selected. I think we need to get teachers together from all these schools and find out what the breakdown is here.

Vice President Fox-We need to be specific of what you want Administration to do, we need to sit down with William Walksalong. Solutions need to be met here, we should come out with a good working document.

MOTION MADE BY TRACY ROBINSON FOR ADMINISTRATION TO COMPLETE A FULL INVESTIGATION ON THE TRIBAL EDUCATION DEPARTMENT. SECOND BY R.D. BAILEY.

ROLL CALL VOTE:

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

8 votes Yes 0 votes No 1 Abstention Motion Carried

Break @ 10:45

Reconvene @ 11:06 a.m.

BUDGETS

RESOLUTION AUTHORIZING THE MODIFICATION AND OR ADOPTION OF BUDGETS-Fund 255-ICWA-\$79,997.64, Fund 358-Special Diabetes-\$169,398.00, Fund 700-PPL Montana-\$136,196.93, Fund 730G-Child Welfare Title IV-B-\$47,587.06. Motion made by Jennie LaFranier. Second by Dan Carlson.

ROLL CALL VOTE:

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

9 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION AUTHORIZING THE RE-CONTRACTING OF CERTAIN PROGRAMS FROM THE DOI-BUREAU OF INDIAN AFFAIRS. Motion made by Joe Fox, Jr. Second by Allen Fisher.

ROLL CALL VOTE:

	YES	NO	ABSTAIN
Jule Spang, Sr.			

R.D. Bailey	X		
George Scalpcane	X		
Tracy Robinson	X		
Allen Fisher	X		
Alec Sandcrane			
L. Jace Killsback	X		
Dan Carlson	X		
Jennie LaFranier	X		
Judith Spang	X		
Vice President Fox	X		

9 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION AUTHORIZING AN ELDER NEEDS ASSESSMENT. Motion made by Allen Fisher. Second by R.D. Bailey.

ROLL CALL VOTE:

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

9 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION AUTHORIZING SUBMISSION OF A GRANT WITH THE INDIAN HIGHWAY SAFETY PROGRAM FROM THE BUREAU OF INDIAN AFFAIRS UNDER THE NATIONAL HIGHWAY SAFETY ACT, CHAPTER W, TITLE 23, U.S.C. AND ABIDING BY THE GENERAL REQUIREMENTS OF THE GRANT WHICH WILL PROVIDE STAFF, TRAINING AND EQUIPMENT. Motion made by Allen Fisher. Second by Jennie LaFranier.

ROLL CALL VOTE:

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

Jennie LaFranier	X		
Judith Spang	X		
Vice President Fox	X		

9 votes Yes 0 votes No 0 Abstentions Motion Carried

SURPLUS BISON PROPOSAL- Mark Roundstone – ITBC manages the National Parks and they have bison. When they have too many, they contact ITBC to distribute to the Tribes. What we’re seeking is to change up the genetic strain. I’m asking for 40 but will be lucky to get 5.

RESOLUTION AUTHORIZING THE NORTHERN CCHEYENNE NATURAL RESOURCE BISON PROGRAM, TO SUBMIT A PROPOSAL FOR SURPLUS BISON FROM SOUTH DAKOTA STATE PARKS. Motion made by R.D. Bailey. Second by L. Jace Killsback.

ROLL CALL VOTE:

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

9 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION ESTABLISHING THE SCHEDULE FOR YEAR 2010 REGULAR PRIMARY AND GENERAL ELECTIONS. Motion made by L. Jace Killsback. Second by Allen Fisher.

ROLL CALL VOTE:

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

9 votes Yes 0 votes No 0 Abstentions Motion Carried

PERSONNEL CASE (ROBERT BEARCHUM, JR.)-R. D. Bailey-Request an Executive Session

Enter Executive Session @ 11:40 a.m.
Executive Session @ 11:50 a.m.

R. D. BAILEY MADE A MOTION TO RECOMMEND THAT THE OFFICE OF THE PRESIDENT & ADMINISTRATION REVIEW THE ROBERT BEARCHUM ISSUE IN ORDER TO REFER IT TO THE APPEALS BOARD FOR A HEARING. SECOND BY ALLEN FISHER.

ROLL CALL VOTE:

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

9 votes Yes 0 votes No 0 Abstentions Motion Carried

PROCUREMENT-L. Jace Killsback

L. Jace Killsback-There are two draft resolutions, one putting Procurement under the supervision of the President and the other putting Property under the President.

Ben Lonebear-I have a few comments. The President is responsible for endorsing all the contract documents of the Tribe. It could become a conflict of interest for the President to funnel contracts through his office. It could be an audit finding as well as a problem for control.

L. Jace Killsback- Is the Administration trying to address a current problem through these resolutions. Maybe Leroy can give an example or a reason why you would like to change this.

President Spang-She's hardly here, and second she's given documents out without my signature.

Ben Lonebear-If those are issues, you are still responsible for disciplinary actions for all employees of the Tribe. You have mentioned these to me, and I asked that you put it in writing.

L. Jace Killsback-There's a breakdown of communication, I wanted clarification for the record.

Judith Spang-The purchasing management system, and the procurement officer are both under the supervision of the Tribal Treasurer, according to the policies adopted by the Tribal Council.

L. Jace Killsback-If there's issues with Procurement, they need to be addressed to the Treasurer's office.

Ben Lonebear-They need to be addressed to the Procurement Officer first, and then it goes to my office. Ultimately, it would be the President that concurs with disciplinary actions. I've talked to Leroy about these issues before and told him to put his concerns to paper. We're giving them (Procurement Officer and Property Supply Officer) the ability to supervise and they have a staff relationship with all the programs. If he wants to supervise the property person, I would like to know the reasoning behind it.

L.Jace Killsback-Why do you want to be over property?

President Spang-To keep them straight.

Allen Fisher-There are federal guidelines that need to be followed with these departments.

Ben Lonebear-The Tribe has policies in place. They are written for internal control. The concerns need to be written up so I can formerly address them.

NO ACTION TAKEN ON 2 DRAFT RESOLUTIONS.

ADJOURNMENT OF MEETING. Motion made by George Scalpcane. Second by Allen Fisher.

ROLL CALL VOTE:


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

Vice President Fox	X		
--------------------	---	--	--

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

Meeting Adjourned at 12:22 p.m.

PASSED, ADOPTED, AND APPROVED by the Northern Cheyenne Tribal Council by 11 votes for passage and adoption, 0 votes against passage and adoption, and 0 abstentions this 3rd day of January 2011.



Melissa Lonebear, Secretary
Northern Cheyenne Tribe