

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

REGULAR SESSION COUNCIL MEETING

MINUTES

May 19, 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		
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox			Sick Leave
President Spang	X		

Quorum Established

AGENDA ADDITION-GEORGE BEMENT (ST. LABRE). Motion made by Dan Carlson. 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	X		
Vice President Fox			

10 votes Yes 0 votes No 0 Abstentions Motion Carried

AGENDA ADDITION- GOVERNMENT SURPLUS. Motion made by Jenny LaFranier. 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			

10 votes Yes 0 votes No 0 Abstentions Motion Carried

ARRA GRANT APPLICATION-BUS SHELTERS

RESOLUTION AUTHORIZING THE TERO/TRANSIT OFFICE TO FILE AND ADMINISTER THE ARRA OF 2009 GRANT APPLICATION. Motion made by Allen Fisher. 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			

10 votes Yes 0 votes No 0 Abstentions Motion Carried

MOTION MADE BY ALEC SANDCRANE TO FORWARD THE INFORMATION FROM GEORGE BEMENT REGARDING ST. LABRE TO STEVE CHESTNUT. 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			
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox			

9 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION CALLING FOR THE RESIGNATION OF CURTIS YARLOTT AND KAREN KANSALA FROM THEIR POSITIONS WITH THE ST. LABRE INDIAN SCHOOL EDUCATIONAL ASSOCIATION, OR IN THE ALTERNATIVE, THEIR TRANSFER FROM THE ST. LABRE INDIAN SCHOOL. 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			

10 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 FIVE (5) INDIVIDUALS. 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			
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox			

9 votes Yes 0 votes No 0 Abstentions Motion Carried

ORDINANCE APPROVING AND GRANTING THE REQUEST FOR NORTHERN CHEYENNE MEMBERSHIP THROUGH ADOPTION OF TWENTY-SIX (26) INDIVIDUALS. 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		
Tracy Robinson	X		
Allen Fisher	X		
Alec Sandcrane	X		
L. Jace Killsback		X	
Dan Carlson			
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox			

8 votes Yes 1 votes No 0 Abstentions Motion Carried

Jace Killsback-My comment on adoptions, there's an adoption with 1/256. My vote is no.

ORDINANCE RELATING TO THE RELINQUISHMENT OF THREE (3) INDIVIDUALS FROM THE NORTHERN CHEYENNE TRIBE. Motion made by Alec Sandcrane. 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			
Jenny LaFranier	X		

Judith Spang	X		
Vice President Fox			

9 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION APPROVING AND GRANTING NAME CHANGES FOR TEN (10) MEMBERS ON THE NORTHERN CHEYENNE MEMBERSHIP ROLLS.
 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	X		
L. Jace Killsback	X		
Dan Carlson	X		
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox			

10 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION APPROVING AND GRANTING DATE OF BIRTH CHANGE FOR A TRIBAL MEMBER ON THE NORTHERN CHEYENNE MEMBERSHIP ROLLS. Motion made by Alec Sandcrane. 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			
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox			

9 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION APPROVING AND GRANTING A CORRECTION FOR ONE (1) TRIBAL MEMBER ON THE NORTHERN CHEYENNE MEMBERSHIP ROLLS.
 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			
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox			

9 votes Yes 0 votes No 0 Abstentions Motion Carried

ORDINANCE APPROVING AND GRANTING BLOOD QUANTUM CHANGES FOR TWELVE (12) TRIBAL MEMBERS ON THE NORTHERN CHEYENNE MEMBERSHIP ROLLS. Motion made by Alec Sandcrane. 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			
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox			

9 votes Yes 0 votes No 0 Abstentions Motion Carried

BUDGETS

RESOLUTION AUTHORIZING THE MODIFICATION AND OR ADOPTION OF BUDGETS: Fund 162-TERO initial FY09 budget of \$46,405.12, Fund 236-Wildlife and Parks revised FY09 budget to \$68,362.96, Fund 246-Summer Youth Work Learn revised FY09 budget to \$42,641.41, Fund 224-Water Resources revised FY09 budget to \$349,436.37, Fund 244-Tribal Part B&C revised FY09 budget to \$148,418.19, Fund 359-LIHEAP revised FY09 budget to \$722,880.00, Fund 730F-Title IV-B Child Welfare initial FY09 budget of \$48,320.68, Fund 626 Mod 1-MT/WY Tribal Leaders revised FY09 budget of \$26,816.06, Fund 360C-DUI

Income revised FY09 budget to 20,118.00, Fund 330G-NCTH Behavioral Health revised FY09 budget to \$586,676.46, Fund 330E Mod 1-NCTH Public Health Representatives revised FY09 budget to \$695,548.94, Fund 330D Mod 1-NCTH Community Health Representatives revised FY09 budget to \$375,948.07, Fund 330B Mod 1-NCTH Community Health revised FY09 budget to \$762,800.43, Fund 330A Mod 2-NCTH Administration revised FY09 budget to \$935,846.11, Fund 330F-NCTH Recovery revised FY09 budget to 1,139,383.84. Motion made by R.D. Bailey. 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	X		
Vice President Fox			

8 votes Yes	0 votes No	0 Abstentions	Motion Carried
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APPROVAL OF TRIBAL COUNCIL MEETING MINUTES FOR JANUARY 29, 2009. Motion made by R.D. Bailey. 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			
Jennie LaFranier	X		
Judith Spang	X		
Vice President Fox			

9 votes Yes	0 votes No	0 Abstentions	Motion Carried
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COMPLAINT

Gail Small-Hubert Blackwolf asked me to represent him because he hasn't been able to get anyone to help him. He asked that I help him get this wrapped up by Sunday. This is

a very serious issue, when your constituents come in to our Government and be assaulted this way. I think it would be good to get it resolved.

R.D.Bailey-We've already been splashed across the front page of the Billings Gazette. It could have been resolved between the President and the Complainant. Now it's been publicized.

Tracy Robinson-The complaint has been handed in. We need to decide whether or not we're going to hear it.

Allen Fisher-We need to take action today, whether we're going to hear it or not.

MOTION MADE BY ALLEN FISHER TO RECESS SO HUBERT AND PRESIDENT SPANG CAN MEET TO RESOLVE THIS MATTER. Motion made by Allen Fisher. Second by Jenny LaFranier.

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		
Jennie LaFranier	X		
Judith Spang	X		
Vice President Fox			

7 votes Yes	3 votes No	0 Abstentions	Motion Carried
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Recess at 10:47 a.m.

(Lunch break)

Reconvene @ 1:10 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		X	
Jenny LaFranier	X		

Judith Spang	X		
Vice President Fox		X	Sick leave
President Spang	X		

Quorum Established

Gail Small-The societies came in and told Hubert that it was not a proper time and that he needs to step out of the public eye. We need to be grateful that we have a culture that is pretty much alive. I think this is a good lesson for everyone; we need to come together in prayer. I've done my part; I told Hubert I would help him.

R.D. Bailey-I think the Billings Gazette already went on record for us as the governing body. I think we need to deal with the complaint today. It's on the floor; we can't put it up on the shelf and let it collect dust. I think we need to decide whether it has merit and move on. I think it's an attempt to mess up our working relationship. It has to come from the ceremonial people to decide if someone with that stature can come back and pick up the complaint.

**Tracy Robinson- Request Executive Session 1:15 p.m.
Exit Executive Session at 1:52 p.m.**

MOTION MADE BY L. JACE KILLSBACK TO FIND THAT THE COMPLAINT SUBMITTED BY HUBERT BLACKWOLF, SR. DOES HAVE MERIT AND TO SCHEDULE A HEARING FOR LATE AUGUST (AFTER CEREMONY). 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		X	
Jennie LaFranier	X		
Judith Spang	X		
Vice President Fox			

3 votes Yes	6 votes No	1 Abstentions	Motion Failed
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R.D. Bailey-Before I vote, I believe this is politically motivated. When I campaigned, I don't partake of that political nonsense because of the state we're in, I believe this complaint does not have merit. My vote is no.

George-The complaint makes refers to Article 7 Section 2 of the Constitution and Bylaws and points out failure to perform and gross neglect. To me, it has no merit to it. Section 2 (a) Code of Ethics. While working at Colstrip, I would try to come up for every council meeting day. There were a lot of times that there was no meeting. To me that is gross neglect. We all took an oath to be here every day. I vote no.

Allen Fisher-We passed a time when there was 5-6 months of no council meetings. We're all working together now. My vote is no.

L. Jace Killsback-We're looking at the credibility of a process to handle these issues. I vote yes.

Dan Carlson-I agree with George, no merit. He has not failed to perform. There is a code of ethics; I would say it to one of my friends but not to someone like that. Joe Fox talked to some traditional people. Hubert shouldn't even be in this building. Those three things are in my mind. I don't believe what he said to Hubert is right. When I got in here, to tell you the truth, we wasted a lot of time and couldn't do nothing. Wasted time, wasted my time. Whatever the outcome, nobody is going to be satisfied with it. If we have a hearing and find him guilty. I don't think this is grounds for removal.

Judith Spang-Some of us have sat here and had a pretty hard time. You use your past to help with your future. I think any time there's 11 of us that govern this. Whether you want to hear it or not, I think this was a situation that needs to be heard. The magnitude of the situation is unique, I've been around. If the people are interested in the government, they're going to be in a hearing. If these kinds of things are happening, we talk about how transparent we're going to be. I'm for hearings. My vote is yes, because the community is who we represent.

L. Jace Killsback-The reason we had an Executive Session is that the issue was on the agenda and we need to deal with it. That is how we dealt with it.

CULTURAL OVERSIGHT

L. Jace Killsback-You should insert the Tribal President as well, to be included with the Tribal Council. The President will delegate his administrative authority for anything pertaining to culture. Rufus Spear gave an example, this is the reasoning why.

Rufus Spear-When they did the shooting range at Bear Butte, since John Joe Woodenlegs, Vice President was delegated authority, he gave the Culture Commission Chairman authority. The societies had an issue with Geri being a woman. Joe has some experience and his father was a society member. I thought it would be an opportunity for the Tribe to take some big steps. Rather than have everything come to the Council, it will go to the Culture Commission, and THPO office.

Judith Spang-You know with the day-to-day oversight, I have a problem with that. Is Joe aware of that?

Melissa Lonebear-Yes, Joe requested the draft of this resolution.

RESOLUTION DELEGATING DAY-TO-DAY OVERSIGHT OVER ALL CULTURAL MATTERS TO VICE PRESIDENT JOE FOX, JR. Motion made by George Scalpcane. Second by Dan Carlson.

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		
Jennie LaFranier	X		
Judith Spang		X	
Vice President Fox			

9 votes Yes	1 vote No	0 Abstentions	Motion Carried
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Break @ 2:32 p.m.

Reconvene @ 2:45 p.m.

HUNTING CLOSURE

RESOLUTION TO AUTHORIZE INCREASED MANAGEMENT OF THE WILDLIFE POPULATION ON THE NORTHERN CHEYENNE RESERVATION BY RESTRICTION OF HUNTING WHENEVER IT IS DEEMED NECESSARY BY THE TRIBAL ADMINISTRATION IN CONSULTATION WITH THE TRIBAL NATURAL RESOURCES DEPARTMENT. 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	
Jennie LaFranier	X		
Judith Spang	X		
Vice President Fox			

9 votes Yes	1 vote No	0 Abstentions	Motion Carried
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GOVERNMENT SURPLUS-WITHDRAWN DUE TO INFORMATION FROM THE BIA – DELEGATES MUST BE DIRECTORS OF 638 PROGRAMS.

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

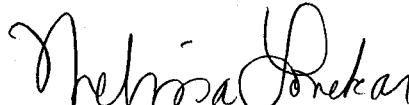
ROLL CALL VOTE:

	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	X		
Vice President Fox			

9 votes Yes	0 votes No	0 Abstentions	Motion Carried
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Meeting Adjourned at 3:54 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 9th day of December 2009.


 Melissa Lonebear, Secretary
 Northern Cheyenne Tribe