

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

**REGULAR SESSION COUNCIL MEETING**

**MINUTES**

May 4, 2009

**CALL TO ORDER:** President Spang called the meeting to order at 10:03 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		Arr.10:05 a.m.
Dan Carlson	X		Arr.10:05 a.m.
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox	X		
President Spang	X		

Quorum Established

**AGENDA ADDITION - TRANSFER OF BIA SUPERINTENDENT.** Motion made by 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	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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## Public Apology- President Spang

President Spang-I'm sorry for what I said to you Hubert.

Hubert Blackwolf-What the President told me, it hurt me inside of me. No other person would say that to me. The Tribal Council heard about it, his words. I didn't tell my family, I didn't tell my wife. When I left this building, my feelings were hurt. I didn't tell my relatives. I want you guys to hear this; you say to talk to each other good. Today, you say this apology in front of everybody here. I'm not going to accept his apology. He thinks it's just going to wipe everything off. I just came in here that day; me and Jace were just talking. That day, my feelings were hurt. I didn't know what to do. I always go in his office and say things to him. I wouldn't do or say anything like that, because I have a lot of respect for people. I don't know what you say about this, about his role as our President. Out there you can joke around but in here you can't. Everyone's been coming up to me. He was just joking around, leave it at that. Some society people came up to me and said let it go. You guys listen, I stood back and I told him not once have I seen a President talk like that ever. My family members want to come over and hear what I have to say to you guys and the President. I'm not going to let it go. I want some action done. That's sexual harassment what he said. It's up to you guys, I'm not going to accept his apology. What you guys have to do, to discipline him suspend him or whatever for what he said to me. I have a lot of respect for you guys. For me, I got no job. That there, hurt my feelings bad. Serious thing what he said to me. One person came up to me, go tell Hubert to change his mind. It happened at 2:00 on a Tuesday. People came up to me, let it go. Nope, I'm a man, I'm going to stand up. People say something, don't go back and try to do something. Let it go. Today, I'm saying right now, I'm not going to accept his apology. I want something done. He hurt my feelings, myself, I've never been talked to like that ever.

Jace Killsback- Request an Executive Session 10:25 a.m.

Frederick Blackwolf, Sr.- I want to remind you of these things. I seen a lot of things, it don't even matter on our people. You take more time to discuss a resolution and your duties as Councilman. I go to the courts, I see a lot of my people cry in there. I see people come here, they almost cry. We're living with the laws that you passed. On people, some even cry if these resolutions aren't benefiting our people.

Jace Killsback-We don't want to offend you or Hubert, you brought us an issue and we are asking for an executive session so we can deal with it.

Frederick Blackwolf, Sr.-I think I can take as long as I want, if you believe in freedom of speech. You guys don't even know what's going on out there. Our people need help. I shouldn't even be coming up here if there was nothing wrong. When you work at some public place, you're supposed to act professional. I had a stroke in 93 and I'm living with it. I have to go out there to seek help. I'm telling you guys to take care of people. Business leaders, use business minds to help people. You can't be helping just one group of people. I went to school. I graduated here. How many years have I been without a job? You need to work with people with disabilities. There's no funds, how many years have you been saying that? You guys talk about being fair. I try to get help, nothing.

Jace Killsback-I don't want you to take any disrespect, we have a lot of business to take care of. There's a time and a place to take care of all your issues. Right now, we have an agenda item that concerns Hubert and we don't want you to get offended.

Frederick Blackwolf-I just want to tell you guys to help the people. Stay on the right course. I wanted to represent the Northern Cheyenne Tribe but too bad I had this stroke.

Jace Killsback-Thanks Fred, we still have to take care of this issue.

**Enter Executive Session @ 10:44 a.m.**

**Exit Executive Session @ 11:21 a.m.**

**Elderly Update**

Teddy McMakin-I wish there was more elders here. Some of the things I'd like to comment on. I went to the District meeting here and was happy to see baskets were given to members that lost loved ones. I was happy to hear that Allen & Jule are our representatives. You people are here to listen to our concerns. I have a lot of questions about a van. We need transportation to a laundry facility once or twice a week. The complex overloaded and overused the facility. When the new ones come in I hope they have a better watch. We're going to have a garden. One will be over by the old swimming pool. Debby Bends from IHS had someone come till it. We need to put a fence around that one because the horses can get in there. We invited Mark Small to tell us about his independent living program. After Annie Burns passed away, I asked for a bench several years ago. I see the efforts of Charging Horse and myself, the bench is finally up at the casino. It's in memory of Annie Burns and her bingo friends. I'm paying the bench off myself, it cost me 600.00. For the last six years, the Chamber has been working for signs on highway 212. Through the efforts of Leroy, LDS, and the Chamber we now have highway signs that should be put up by late fall.

Judy Spang-What kind of signs are those?

Teddy McMakin-School bus approach, people need to slow them down before they get to the lower part of the highway. I think we need something by the casino too. We were given an oath at the complex. We are an official board now. We need some type of a laundry facility. We'd like to get the corner of the lube center. It's ground level, you wouldn't have to worry about hauling your stuff up. There should be a paid attendant to make sure that they don't overload and take care of them.

Tracy Robinson-I think it would be a good venture for EDA to do. It is something that our community members need.

**Break for lunch @ 11:45 a.m.**

**Reconvene @ 1:40 p.m.**

**ROLL CALL:**

	<b>PRESENT</b>	<b>ABSENT</b>	<b>EXCUSED</b>
<b>Jule Spang, Sr.</b>	<b>X</b>		
<b>R.D. Bailey</b>	<b>X</b>		
<b>George Scalpcane</b>	<b>X</b>		Arr. 1:45 p.m.
<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>		Arr.1:41 a.m.
<b>Dan Carlson</b>	<b>X</b>		
<b>Jenny LaFranier</b>	<b>X</b>		Arr.1:41 a.m.

Judith Spang	X		
Vice President Fox	X		
President Spang	X		

Quorum Established

**Enrollment**

Wallace Bearchum-There is one ordinance for the adoption of one individual. ICWA is also involved with this case.

Joe Fox, Jr.-There's some questions here. Would it be possible to give Steve Chestnut a call because I think he did render an opinion on this.

Tracy Robinson-It was Steve Kelly.

Joe Fox, Jr.-Maybe we can go to the President's office to ask him some of the legal questions. If that's okay with the Council, I'm putting it out there for consensus.

Conference call with Steve Chestnut.

Agenda item tabled until Steve can review documents further and give a good legal opinion.

**MOTION MADE BY TRACY ROBINSON TO TABLE ENROLLMENT ITEM. 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		
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox			

9 votes Yes	1 votes No	0 Abstentions	Motion Carried
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**BUDGETS**

**RESOLUTION AUTHORIZING THE MODIFICATION AND OR ADOPTION OF BUDGETS: Fund 143-EPD General Fund initial FY09 budget of \$4,000.00, Fund 331A-AFA Carryover revised FY09 budget of \$2,135,959.38, Fund 358-Diabetes Grant revised FY09 budget of \$502,242.00, Fund 739-Title**

**IV-E Foster Care revised FY09 budget of \$309,083.01. Motion made by L. Jace Killsback. 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>X</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      1 votes No      0 Abstentions      Motion Carried**

George Scalpcane-Looking at the Recovery budget, looks like they're top heavy. My vote is no.

L.Jace Killsback-Again, if the Council was on these boards we can address whether programs are top heavy. My vote is yes.

**MOTION MADE BY ALLEN FISHER TO TABLE THE APPELLATE JUDGE APPOINTMENT. SECOND BY JULE SPANG, SR.**

**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>X</b>	
<b>Jenny LaFranier</b>	<b>X</b>		
<b>Judith Spang</b>		<b>X</b>	
<b>Vice President Fox</b>		<b>X</b>	

**5 votes Yes      6 votes No      0 Abstentions      Motion Failed**

**RESOLUTION PROVIDING FOR APPOINTMENT OF STEVE LITTLEBIRD AS AN ASSOCIATE APPELLATE JUDGE. 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	X		
Vice President Fox	X		

**7 votes Yes      4 votes No      0 Abstentions      Motion Carried**

**RESOLUTION CONCURRING WITH THE TRIBAL PRESIDENT'S APPOINTMENT OF DOROTHY JACKMAN TO THE TERO COMMISSION.** Motion made by L. Jace Killsback. 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	X		
Jenny LaFranier	X		
Judith Spang		X	
Vice President Fox		X	

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

**MOTION MADE BY GEORGE SCALPCANE TO NORTHERN CHEYENNE TRIBAL HOUSING AUTHORITY ORDINANCE IN ITS ENTIRETY.** No second. Motion withdrawn.

**MOTION MADE BY ALLEN FISHER TO TABLE NCSPP AGENDA ITEM. 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		
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox	X		

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

**RESOLUTION REQUESTING THE SECRETARY OF INTERIOR TO TRANSFER THE NORTHERN CHEYENNE AGENCY SUPERINTENDENT MARJORIE EAGLEMAN.** Motion made by L. Jace Killsback. Second by R.D. Bailey.

**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		

**8 votes Yes      3 votes No      0 Abstentions      Motion Carried**

**RESOLUTION SUPPORTING THE TREATMENT OF EFFECTS TO HISTORIC PROPERTIES EAST FORK OTTER CREEK ROAD RECONSTRUCTION PROJECT MT PFH 90-1(1) & (2) POWDER RIVER COUNTY, MONTANA.** Motion made by Joe Fox, Jr. 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**

Break @ 3:28 p.m.  
 Reconvene @ 3:44 p.m.

**RESOLUTION AUTHORIZING THE USE OF CERTAIN LAND AREAS FOR THE PLACEMENT OF TELECOMMUNICATION TOWER FACILITIES AND A BUILDING FACILITY.** 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			
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox	X		

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

**RESOLUTION RESCINDING NORTHERN CHEYENNE SOCIAL PRESERVATION PROJECT (NCSPP) ORDINANCE AND ANY OTHER TRIBAL ORDINANCES AND RESOLUTIONS CREATING OR RECOGNIZING NCSPP, OR AUTHORIZING ITS ACTIVITIES.** Motion made by George Scalpcane. 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			
Dan Carlson			
Jenny LaFranier	X		
Judith Spang			
Vice President Fox	X		

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

R.D. Bailey-For the record, according to the Ordinance that establishes non-profit. We are retracting our charter. They can pursue a non-profit status from the State of MT or IRS.

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

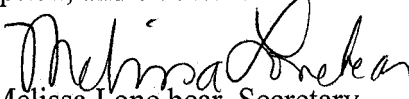
**ROLL CALL VOTE:**

	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			
Dan Carlson			
Jenny LaFranier	X		
Judith Spang			
Vice President Fox	X		

8 votes Yes	0 votes No	0 Abstentions	Motion Carried
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Meeting Adjourned at 4:27 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 9<sup>th</sup> day of December 2009.

  
 Melissa Lone bear, Secretary  
 Northern Cheyenne Tribe