

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

SPECIAL SESSION COUNCIL MEETING

MINUTES

October 23, 2009

CALL TO ORDER: President Spang called the meeting to order at 11:50 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	X		Arr. 11:55 a.m.
President Spang	X		

Quorum Established

MOTION MADE BY R.D. BAILEY TO APPOINT JULE SPANG, SR. AS TEMPORARY SGT. AT ARMS. SECOND BY L. JACE KILLSBACK.

ROLL CALL VOTE:

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

L. Jace Killsback- There was a working session with Prosecution, the Special Prosecutor and lay person regarding the Drug Exclusion Ordinance. I, Jenny, and George attended. What we want is a new law, geared toward the social problems of drug addiction. The addiction itself needs to be addressed. The Constitution allows exclusion for people that are not tied to the land.

George Scalpcane-Instead of rescinding it in its entirety, why wasn't it split up?

L. Jace Killsback-Prosecution recommended that it be in its entirety. With the drug law, there are levels of severity.

George Scalpcane- Lower too much taking away deterrent. We do a lot of enabling, have to get away from that.

R.D. Bailey-I had a boilerplate drug law from Terry Beartusk, we should take a look at it.

Judith Spang-The intent for the law when it was passed was to exclude individuals not legally entitled to reside on the reservation. It was designed to give Prosecution a tool to say we want you gone, and don't come back. I have a relative that went to criminal court. Prosecution took it to civil court. It was designed for non-members and they started using it on members.

L. Jace Killsback-We requested the data. They said they have to use it on every drug offense.

Judith Spang-Is it our intent to make it better? We don't want to destroy the law.

L. Jace Killsback-That is a civil issue, we still have the power to exclude.

Judith Spang-When it passed in 1999, there was a lot of drug dealing. There were a lot of comments from the BIA. Nobody picked it up to review to make it better. The Tribe dropped the ball. I'm still for the intent of this.

R.D. Bailey-Is there going to be a "free for all"?

L. Jace Killsback-No, this is just the exclusion. There are still drug laws.

R.D. Bailey-I would like to thank Dolly Rockroads for all the work she's done on this.

Joe Fox, Jr.-There should be some discrepancies so the entitlements to the law will be met. We need to make the law fair, fairness is the main thing. We need a judicial review.

ORDINANCE RESCINDING NORTHERN CHEYENNE ORDINANCE NO. DOI-001 (2000) IN ITS ENTIRETY (DECLARED UNFAIR AND UNJUST AND THAT ANY TRIBAL DRUG LAW NEEDS TO BE GEARED TOWARD THE

REHABILITATION OF DRUG OFFENDERS RATHER THAN PUNITIVE IN ITS PURPOSE). Motion made by Tracy Robinson. Second by L. Jace Killsback.
ROLL CALL VOTE:

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

6 votes Yes	1 vote No	1 Abstention	Motion Carried
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Break for lunch @ 12:15 p.m.
 Reconvene @ 1:50 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		
President Spang	X		

Quorum Established

NORTHERN CHEYENNE TRIBAL SCHOOLS (MOTIONS MADE PRIOR TO THIS MEETING-RESOLUTIONS COMPLETED 10/23/09)

RESOLUTION PROVIDING FOR THE SEATING OF NORTHERN CHEYENNE SCHOOLS BOARD OF TRUSTEES MEMBERS ELECTED IN 2005 TO END OF CURRENT TERM EXPIRING 2013. Motion made by Alec Sandcrane. Second by R.D. Bailey.

****Meredith McConnell-Busby, Phyllis Fisher-Birney, Wallace Bearchum-LD, George Elkshoulder, Jr.-Muddy.**

ROLL CALL VOTE:

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

8 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION DISSOLVING THE NCTS AD HOC BOARD AND RECOGNIZING NCTS BOARD OF TRUSTEES AS THE GOVERNING BOARD.
Motion made by Alec Sandcrane. 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			
Alec Sandcrane	X		
L. Jace Killsback			
Dan Carlson	X		
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox	X		

8 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION TEMPORARILY APPOINTING EX-OFFICIO MEMBERS TO THE NCTS BOARD OF TRUSTEES (WILLIAM WALKSALONG, NORMA BIXBY APPOINTMENT FOR 90 DAYS TO ASSIST WITH TRANSITION).
Motion made by Alec Sandcrane. 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			
Alec Sandcrane	X		

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

8 votes Yes 0 votes No 0 Abstentions Motion Carried

RESOLUTION PROVIDING FOR AN ELECTION TO FILL THE VACANT ASHALND SEAT ON THE NCTS BOARD OF TRUSTEES (INCLUDED IN THE NOVEMBER 25, 2009 TRIBAL MEMBERSHIP VOTE). Motion made by Alec Sandcrane. 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			
Alec Sandcrane	X		
L. Jace Killsback			
Dan Carlson	X		
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox	X		

8 votes Yes 0 votes No 0 Abstentions Motion Carried

GRAZING ORDINANCE

Alec Sandcrane-The Land Authority passed the grazing. The only thing that was changed was the dates and we need to set a rate.

Jenny LaFranier-The group decided it would be \$12.00.

Judith Spang-The Land Authority decided it should be \$13.50 and date was set for February 15th.

Tracy Robinson-Yesterday at the working session we agreed to \$12.00.

Judith Spang-The Land Committee met and we recommend \$13.50, we went on record. The Council can agree or change it.

ORDINANCE AMENDING ORDINANCE NO. DOI-004 (2009), THE NORTHERN CHEYENNE GRAZING ORDINANCE AND TO SET FORTH TRIBAL LAWS FOR THE GRAZING RATE ON TRIBAL LANDS THROUGH

2013 (RATE \$12.75 PER A.U.M. AND DATE FEBRUARY 15, 2010). 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			
Alec Sandcrane	X		
L. Jace Killsback			
Dan Carlson	X		
Jenny LaFranier	X		
Judith Spang	X		
Vice President Fox	X		

8 votes Yes 0 votes No 0 Abstentions Motion Carried

Danny Carlson-Over the past year, the Council has been working together on things. I think we need a couple days to work on it.

Jenny LaFranier-I agree with Danny and encourage Danny to set up a meeting.

ADJOURNMENT OF MEETING. Motion made by Tracy Robinson. Second by R.D. Bailey.

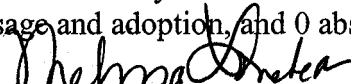
ROLL CALL VOTE:

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

8 votes Yes 0 votes No 0 Abstentions Motion Carried

Meeting Adjourned at 2:00 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 7th day of June 2010.


Melissa Lonebear, Secretary