

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

**REGULAR SESSION COUNCIL MEETING**

**MINUTES**

October 4, 2010

**CALL TO ORDER:** President Spang called the meeting to order at 9:43 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 Killback                     | X       |        | Arr. 9:47 a.m. |
| Dan Carlson                          | X       |        |                |
| Jennie LaFranier                     | X       |        |                |
| Judith Spang                         | X       |        |                |
| Vice President Fox- <b>PRESIDING</b> | X       |        |                |
| President Spang                      |         | X      | On Leave       |

Quorum Established

**Arch Coal Presentation-Keith Williams**

Keith Williams-Final Piece of the Operating Program. This is the 5<sup>th</sup> of 5 Operating Plans. This almost mimics word for word what the settlement agreement says. I would like to offer another tour, if there's an interest. We've been coming every two weeks, we need to know where to go from here.

Jennie LaFranier-We're meeting with our attorney on Wednesday, and we'll get back to you. Melissa will contact you.

Keith Williams-The last thing is, are you interested in doing a tour again? We should do it before it gets cold.

Jennie LaFranier-Can you give us an update on your training?

Keith Williams-I contacted Dull Knife two weeks ago. We're trying to develop a training program that will work in a collected group. I want to ensure that CDKC is in that process.

Keith Williams-We're ready to do anything that the agreement specifies. I'm sure your legal, and our legal feels the same thing. They don't want us acting too much unless we have some kind of framework.

William Rowlands-We do understand that we won't show up unless Melissa contacts us.

**Presentation of Northern Cheyenne flag to Keith Fox, NC Tribal Veteran.**

**RESOLUTION APPROVING THE REQUEST FOR NORTHERN CHEYENNE MEMBERSHIP THROUGH AUTOMATIC ENROLLMENT OF TEN (10) INDIVIDUALS UNDER THE APPROPRIATE SECTION OF THE NORTHERN CHEYENNE AMENDED CONSTITUTION AND BYLAWS.** Motion made by L. Jace Killsback. Second by Tracy Robinson.

**ROLL CALL VOTE:**

|                    | YES | NO | ABSTAIN |
|--------------------|-----|----|---------|
| Jule Spang, Sr.    | X   |    |         |
| R.D. Bailey        |     |    |         |
| 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      0 votes No      0 Abstentions      Motion Carried**

**ORDINANCE APPROVING THE REQUEST FOR NORTHERN CHEYENNE MEMBERSHIP THROUGH ADOPTION OF TWENTY-FIVE (25) INDIVIDUALS UNDER THE APPROPRIATE SECTION OF THE NORTHERN CHEYENNE AMENDED CONSTITUTION AND BYLAWS.** Motion made by Allen Fisher. Second by Alec Sandcrane.

**ROLL CALL VOTE:**

|                   | YES | NO | ABSTAIN |
|-------------------|-----|----|---------|
| Jule Spang, Sr.   | X   |    |         |
| R.D. Bailey       |     |    |         |
| 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      2 votes No      0 Abstentions      Motion Carried**

**RESOLUTION APPROVING NAME CHANGES FOR FIFTEEN (15) 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        |     |    |         |
| 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      0 votes No      0 Abstentions      Motion Carried**

**RESOLUTION APPROVING DATE OF BIRTH CHANGES FOR THREE (3) TRIBAL MEMBERS ON THE NORTHERN CHEYENNE MEMBERSHIP ROLLS.** Motion made by Allen Fisher. Second by Tracy Robinson.

**ROLL CALL VOTE:**

|                    | YES | NO | ABSTAIN |
|--------------------|-----|----|---------|
| Jule Spang, Sr.    | X   |    |         |
| R.D. Bailey        |     |    |         |
| 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      0 votes No      0 Abstentions      Motion Carried**

**ORDINANCE RELATING TO THE RELINQUISHMENT OF ONE (1) INDIVIDUAL FROM THE NORTHERN CHEYENNE TRIBE.** Motion made by Tracy Robinson. 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>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>Jennie LaFranier</b>   | <b>X</b>   |           |                |
| <b>Judith Spang</b>       | <b>X</b>   |           |                |
| <b>Vice President Fox</b> |            |           |                |

|                    |                   |                      |                       |
|--------------------|-------------------|----------------------|-----------------------|
| <b>9 votes Yes</b> | <b>0 votes No</b> | <b>0 Abstentions</b> | <b>Motion Carried</b> |
|--------------------|-------------------|----------------------|-----------------------|

**NCUC USDA-RD GRANT-Winslow Whitecrane**

Judith Spang-On this resolution, it's accepting the RD grant and loan offer. They need \$3800.00, you're asking the Tribe for \$3800.00 to sit in the bank in case there is a default in the loan. I discussed that a little bit with Winslow before. They really need water at Muddy Cluster, it's been a long time coming.

Allen Fisher-Was the only question on the collateral?

Judith Spang-He's been working on this loan, sounds like this is ready to be processed.

Tracy Robinson-The way Brian Chestnut explained, the funding agency just needs another source of collateral to back up the revenues of NCUC. The source that he recommended, was the cigarette and gas tax. NCUC will put the initial \$3800.00 dollars in the escrow account. If they default, they'll take the \$3800.00 for payment and whatever source you put there, that source will be responsible for replenishing that back in the escrow account.

L. Jace Killsback-We just want to make sure that it's managed right. We have to have confidence that it's going to be managed right. It's progressing, we've had issues with taxes, and other things that we have issues with. That's pretty much how it's broken down, we're responsible for the escrow.

Judith Spang-We're just pledging it.

Tracy Robinson-From the Budget & Finance. I recommend that you provide some type of financial report for 09. It's good practice, whenever we go after funding they want to see an audit for every year. They hesitate to give you funding.

Jennie LaFranier-I agree with our budget chair.

**RESOLUTION ACCEPTING USDA RURAL DEVELOPMENT LOAN AND GRANT OFFER FOR LAME DEER/MUDDY CLUSTER WATER SYSTEM IMPROVEMENTS PROJECT AND AUTHORIZING EXECUTION OF SECURITY AGREEMENT PLEDGING GAS TAX REVENUES AS SECURITY FOR LOAN.** Motion made by Allen Fisher. Second by Judith Spang.

**ROLL CALL VOTE:**

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

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

**RESOLUTION SUPPORTING THE NEW NATIONAL HISTORIC LANDMARK NOMINATION FOR BIGHORN MEDICINE WHEEL/MEDICINE MOUNTAIN.**

Motion made by Allen Fisher. Second by Dan Carlson.

**ROLL CALL VOTE:**

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

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

**RESOLUTION AUTHORIZING THE MODIFICATION AND OR ADOPTION OF BUDGETS, 330A-BOH Administration-\$2,195,699.61.** Motion made by Tracy Robinson. Second by Allen Fisher.

**ROLL CALL VOTE:**

|                        | YES | NO | ABSTAIN |
|------------------------|-----|----|---------|
| <b>Jule Spang, Sr.</b> | X   |    |         |

|                           |          |  |  |
|---------------------------|----------|--|--|
| <b>R.D. Bailey</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>Dan Carlson</b>        | <b>X</b> |  |  |
| <b>Jennie LaFranier</b>   | <b>X</b> |  |  |
| <b>Judith Spang</b>       | <b>X</b> |  |  |
| <b>Vice President Fox</b> |          |  |  |

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

**RESOLUTION AUTHORIZING THE MODIFICATION AND OR ADOPTION OF BUDGETS, Fund 108-Land Authority-\$353,058.42, Fund 124-NC Tribal Courts-\$92,490.80, Fund 190-HIP-\$44,000.00, Fund 202-Natural Resources-\$59,483.00, Fund 214-NC Tribal Courts-\$306,522.82, 229-Black Footed Ferret-\$27,794.00. Motion made by Tracy Robinson. Second by Jennie LaFranier.**

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

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

**Break @ 10:58 a.m.**

**Reconvene @ 11:04 a.m.**

Terry Spang-I've been here several times now. President Spang told BIA Forestry that would be no more controlled burns. They're not doing their burns correctly. They're burning a lot of healthy trees. We need to put a halt to all of it. After this is said and done, they're having a lot of mortality, because the seedlings are being destroyed.

**MOTION MADE BY TRACY ROBINSON TO STOP ALL PRESCRIBED BURNS UNTIL A MANAGEMENT PLAN IS DEVELOPED. ALSO, MANDATING THAT TRIBAL FORESTRY BE INVOLVED EXTENSIVELY IN FUTURE DISCUSSIONS. SECOND BY JENNIE 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     | X   |    |         |
| L. Jace Killsback  | X   |    |         |
| Dan Carlson        | X   |    |         |
| Jennie LaFranier   | X   |    |         |
| Judith Spang       | X   |    |         |
| Vice President Fox |     |    |         |

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

**RESOLUTION AUTHORIZING THE TRIBE'S INTENT TO ENTER INTO A P.L. 930638 SELF DETERMINATION CONTRACT WITH THE UNITED STATES GOVERNMENT TO ADMINISTER THE ROAD MAINTENANCE AND IRR PROGRAMS ON THE NORTHERN CHEYENNE RESERVATION FOR FY2011 AND SUBSEQUENT YEARS.** Motion made by L. Jace Killsback. Second by Tracy Robinson.

**ROLL CALL VOTE:**

|                    | YES | NO | ABSTAIN |
|--------------------|-----|----|---------|
| Jule Spang, Sr.    | X   |    |         |
| R.D. Bailey        |     |    |         |
| 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      0 votes No      0 Abstentions      Motion Carried**

**RESOLUTION RESERVING THE RIGHT TO CONTINUE TO WORK WITH THE CTEP OFFICE OF THE MONTANA DEPARTMENT OF TRANSPORTATION, AND AUTHORIZE THE PRESIDENT TO WITHHOLD ANY FURTHER PARTICIPATION IN THE MOA BETWEEN THE MONTANA DEPARTMENT OF TRANSPORTATION, THE BIA, AND THE TRIBE.** Motion made by Allen Fisher. Second by George Scalpcane.

**ROLL CALL VOTE:**

|                 | YES | NO | ABSTAIN |
|-----------------|-----|----|---------|
| Jule Spang, Sr. | X   |    |         |

|                           |          |  |  |
|---------------------------|----------|--|--|
| <b>R.D. Bailey</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>Jennie LaFranier</b>   | <b>X</b> |  |  |
| <b>Judith Spang</b>       | <b>X</b> |  |  |
| <b>Vice President Fox</b> |          |  |  |

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

**ORDINANCE ADOPTING THE SOLID WASTE CODE.** Motion made by Jennie LaFranier. Second by Allen Fisher.

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

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

**ADJOURNMENT OF MEETING.** Motion made by L. Jace Killsback. Second by Allen Fisher.

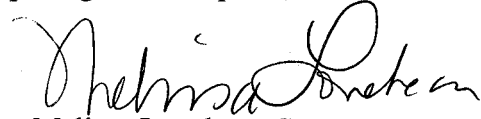
**ROLL CALL VOTE:**

|                           | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> |
|---------------------------|------------|-----------|----------------|
| <b>Jule Spang, Sr.</b>    | <b>X</b>   |           |                |
| <b>R.D. Bailey</b>        |            |           |                |
| <b>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>Jennie LaFranier</b>   | <b>X</b>   |           |                |
| <b>Judith Spang</b>       | <b>X</b>   |           |                |
| <b>Vice President Fox</b> |            |           |                |

|                    |                   |                      |                       |
|--------------------|-------------------|----------------------|-----------------------|
| <b>9 votes Yes</b> | <b>0 votes No</b> | <b>0 Abstentions</b> | <b>Motion Carried</b> |
|--------------------|-------------------|----------------------|-----------------------|

**Meeting Adjourned at 12:10 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 1 abstention this 16<sup>th</sup> day of May 2011.

  
Melissa Lonebear, Secretary  
Northern Cheyenne Tribe

**\*\*Resolutions re-passed on November 1, 2010, missed the submission deadline.**