



# LOWER BRULE SIOUX TRIBE MINUTES September 5, 2018

**The Lower Brule Sioux Tribal Council Meeting was held at the Tribal Administration Building on September 5, 2018. The meeting was called to order by Chairman Boyd Gourneau at 10:00 AM.**

**The Opening Prayer was led by Chaplain John McCauley.  
The Meeting being dedicated to ones we have lost in the past month:  
Maddy Grassrope, Julie Langdeau**

**Lower Brule Sioux Tribal Council Members Present:**

**Chairman Boyd Gourneau**

**Vice-Chairman Darrell Middletent**

**Secretary/Treasurer Orville Langdeau Jr.**

**Council Member Clyde Estes**

**Council Member Donnie Moore**

**Council Member John McCauley**

**Also Present:**

Tribal Manager Lee Brennan

Lower Brule IHS Clinic- Helen Thiry-Chmela

BIA – Superintendent Mr. James Two Bulls, BIA Realty Kristy Wolf, Seann Woster

Sharon Bingen

Jacob Brouse

LB Tribal Attorney Tara Adamski

Police Department- William C. Moran

Wildlife Director – Ben Janis

Schools – Dan Shroyer

PFS-Tonya Durall

1. **Approve to Close August Tribal Council Meeting**  
Motion was made by John McCauley to close the August 2018 Tribal Council Meeting.  
This motion was seconded by Darrell Middletent.  
**Vote being:** Darrell Middletent for, Orville Langdeau Jr. for, John McCauley for,  
Donnie Moore for and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and none  
not voting.
2. **Approve August 2018 Minutes**  
Motion was made by Donnie Moore to approve the August Minutes.  
This motion was seconded by Orville Langdeau Jr.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for,  
Donnie Moore for and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and  
none not voting.
3. **Accept September School Report ( see Attachments)**
4. **Update from the Lower Brule Police Department**  
Still Job openings at the Corrections USA Jobs and Police Dispatcher needed
5. **Lower Brule IHS Clinic – Update Helen Thiry-Chmela**
6. **Approve Management Agreement-Lower Brule RV Park-Jacob Brouse**  
Motion was made by Orville Langdeau Jr. to approve the Management Agreement for the  
Lower Brule RV Park with Mr. Jacob Brouse.  
This motion was seconded Donnie Moore.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for,  
Donnie Moore for and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and  
none not voting.
7. **Approve NAHA Donations Distribution Guidelines**  
Motion was made by Donnie Moore to approve the NAHA Donations Distribution  
Guidelines.  
This motion was seconded by Darrell Middletent.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for,  
Donnie Moore for and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and  
none not voting.

**8. Approve Declaration and Authorization of intent to Purchase Land**

Motion was made by Donnie Moore to approve and authorize the Lower Brule Wildlife Program to proceed with the purchase of land located off Hwy 47.

This motion was seconded by John McCauley.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

**9. Deny request to make Haight Ranch walk-in for all hunters– Tribal Members only**

**10. Approve Raise LBST Sand, Gravel & Rock Royalties to \$4.20 Per Ton**

Motion was made by Donnie Moore to approve to raise the LBST Sand, Gravel & Rock Royalties to \$4.20 Per Ton.

This motion was seconded by Darrell Middletent.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

**11. Approve Submission of Rural Development Community Facility Grant**

Motion was made by Orville Langdeau Jr. to approve the submission of a grant to Rural Development Community Facility in the amount of \$50,000 to go towards purchasing a new garbage truck.

This motion was seconded by Donnie Moore.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

**12. Approve to Accept Grant \$27,000 from USDA- for the Lower Brule Boys & Girls Club**

Motion was made by Orville Langdeau Jr. to accept the grant of \$27,000 from USDA for the Lower Brule Boys & Girls Club to purchase a van. The procurement policy was followed for this purchase.

This motion was seconded by John McCauley.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

13. **Approve Building Purchase Request from Partnership For Success Program**  
Motion was made by Darrell Middletent to approve the request from the Partnership For Success Program to purchase a building for storage. The procurement policy was followed for this purchase.  
This motion was seconded by Clyde Estes.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for, and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, one absent and none not voting.
14. **Approve Draws as Interest Becomes Available Office of Trust Fund Management**  
Motion was made by John McCauley to approve the draws as interest becomes available from the Office of Trust Fund Management for Tribal Operations.  
This motion was seconded by Darrell Middletent.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Lower Brule Sioux Tribal Council recessed at 10:51 am.**  
**The Lower Brule Sioux Tribal Council reconvened at 11:00 am.**

15. **Approve Request From Charles Fuhrman to Add Kristofer LaRoche to his Homesite Lease**  
Motion was made by John McCauley to approve the request received from Charles Fuhrman to add Kristofer LaRoche to his Homesite Lease.  
This motion was seconded by Donnie Moore.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and none not voting.
16. **Approve Request From Ben Thompson to add Joseph Thompson to his Homesite Lease**  
Motion was made by Orville Langdeau Jr. to approve the request received from Ben Thompson to add his son Joseph Thompson to his Homesite lease.  
This motion was seconded by John McCauley.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for, and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and none not voting.

17. **Approve Lot Lease Renewal- Leland & Eugene Skunk**  
Motion was made by John McCauley to renew the lot lease held by Leland & Eugene Skunk.  
This motion was seconded by Darrell Middletent.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and none not voting.
18. **Approve to Place Leland & Eugene Skunk on the IHS Priority List for Services**  
Motion was made by John McCauley place Leland & Eugene Skunk on the IHS Priority List for Services.  
This motion was seconded by Darrell Middletent.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and none not voting.
19. **Relinquish Homesite Request-Tia Seaboy**  
Motion was made by Darrell Middletent to approve the request from Tia Seaboy to relinquish her Homesite.  
This motion was seconded by John McCauley.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and none not voting.
20. **Relinquish Homesite Request-LeRoy Bingen**  
Motion was made by John McCauley to approve the request from LeRoy Bingen to relinquish his Homesite.  
This motion was seconded by Orville Langdeau Jr.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and none not voting.
21. **Approve Homesite Request-LeRoy Bingen**  
Motion was made by Darrell Middletent to approve the request from LeRoy Bingen for a Homesite. (one year lease- if a home is built on the Homesite within the one year lease the lessees is eligibility for a 25 year lease).  
This motion was seconded by John McCauley.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and none not voting.

**22. Approve Homesite Request-Jalen Bingen**

Motion was made by Orville Langdeau Jr. to approve the request from Jalen Bingen for a Homesite. (one year lease- if a home is built on the Homesite within the one year lease the lessees is eligibility for a 25 year lease).

This motion was seconded by Donnie Moore.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

**23. Approve Lease-Hilltop Baptist Church**

Motion was made by John McCauley to approve the Business Lease to the Hilltop Baptist Church.

This motion was seconded by Donnie Moore.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

**24. Deny Lease Request Christian Little**

Motion was made by Orville Langdeau Jr. to deny the lease request received from Christian Little.

This motion was seconded by Donnie Moore.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes not voting.

Motion carried with vote being four members for, none opposing, none absent and one not voting.

**25. Deny Request Travis Thompson Be Added to His Late Father's Range Unit**

Motion was made by John McCauley to deny the request from Travis Thompson to be added to his late father's Range Unit. The Range Unit will be put out for bid and he will be able to bid on it.

This motion was seconded by Orville Langdeau Jr..

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

**26. Approve Request –Bart Ness to Till Hay Ground**

Motion was made by Donnie Moore to approve the request received from Bart Ness to till the 160 acres of hay ground.

This motion was seconded by John McCauley.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

**27. Approve to Place Deanna Rouillard on the IIS Priority List for Services**

Motion was made by Orville Langdeau Jr. to place Deanna Rouillard on the IIS Priority List for Services.

This motion was seconded by Donnie Moore.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

**28. Approve to Change Richard P. Thompson Leases**

Motion was made by Donnie Moore to approve to change Richard P. Thompson leases:

- Agriculture Lease 123-029-1222 (5,791.52 acres) into a Range Unit
- Range Unit 27 (657.50 acres) into a Agriculture Lease.

This motion was seconded by John McCauley.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

**There being no further business, the Tribal Council Meeting recessed at 11:31 AM.**



**The Lower Brule Sioux Tribal Council Reconvened on September 19, 2018 at 1:02 pm.**

The Opening Prayer was led by Chaplain John McCauley.

**Lower Brule Sioux Tribal Council Members Present:**

**Chairman Boyd Gourneau**

**Vice-Chairman Darrell Middletent**

**Secretary/Treasurer Orville Langdeau Jr.**

**Council Member Clyde Estes**

**Council Member Donnie Moore**

**Council Member John McCauley**

**Also Present:**

Tribal Manager Lee Brennan

Election Board- Karen Jones, Marlene Crowe, Shirley Crane

Personnel Wilma Wilson

**1. Approve Modification to 2018 Election Board Budget**

Motion was made by Orville Langdeau Jr. to approve the modification to the 2018 Election Board Budget.

This motion was seconded by Darrell Middletent.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

**2. Authorize LB Tribal Court and LB Health Department Pursue Avera Telehealth Services to serve the Lower Brule Area**

Motion was made by Donnie Moore to authorize the Lower Brule Tribal Court and Lower Brule Health Department to Pursue Avera Telehealth Services to serve the Lower Brule Area. This motion was seconded by Clyde Estes.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

**3. Authorize Grant Application EDA Planning**

Motion was made by John McCauley to approve the submission of a grant application by the EDA Planning Program.

This motion was seconded by Darrell Middletent.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

4. **Authorize Indian Health Service Settlement Option #3**

Motion was made by Donnie Moore to approve the selection of Option #3 in the IHS CSC Shortfall Claim.

This motion was seconded by Clyde Estes.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

5. **Approve Per Diem Change For Student Activities**

Motion was made by Donnie Moore to approve the per diem increase for student activities.

This motion was seconded by Orville Langdeau Jr..

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting

6. **Approve Changes to Election Resolutions 2018-138/2018-140/2018-141**

Motion was made by Darrell Middletent to approve the changes to the following 2018 Election Resolutions:

Resolution 2018-138 to insert: 4.5 “Must be licensed to practice law and a member in good standing with the State Bar of South Dakota” **and must submit proof of qualifications and proof of good standing with the State Bar of South Dakota at the time you submit your petition to the Lower Brule Election Board;** and

Resolution 2018-140 strike out **and all** in 3<sup>rd</sup> WHEREAS

Resolution 2018-141 strike out **and all** 3<sup>rd</sup> WHEREAS and NOW THEREFORE BE RESOLVED.

This motion was seconded by Donnie Moore.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

7. **Approve Hire LB Headstart Building Supervisor-Dawn Johnson**

Motion was made by John McCauley to approve the recommendation received from the LB Headstart Director to select Dawn Johnson as the LB Headstart Building Supervisor.

This motion was seconded by Darrell Middletent.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting.

**8. Approve LB Corporation Positions**

Motion was made by Orville Langdeau Jr. to approve the re-election of the expired positions on the Lower Brule Corporation Board.

This motion was seconded by Donnie Moore.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting

**9. Approve Hire Darrell Middletent-LB Administration Building Supervisor**

Motion was made by Orville Langdeau Jr. to approve the hire of Darrell Middletent as the Lower Brule Administration Building Supervisor to oversee security, janitors and receptionists. Darrell is in good standing to be selected for a job with the LBST.

This motion was seconded by John McCaluey.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes not voting.

Motion carried with vote being four members for, none opposing, none absent and one not voting

**There being no further business, the Tribal Council Meeting recessed at 1:35 PM.**

**The Lower Brule Sioux Tribal Council Reconvened on September 28, 2018 at 1:15 pm.**

The Opening Prayer was led by Chaplain John McCauley.

**Lower Brule Sioux Tribal Council Members Present:**

**Chairman Boyd Gourneau**

**Vice-Chairman Darrell Middletent**

**Secretary/Treasurer Orville Langdeau Jr.**

**Council Member Clyde Estes**

**Council Member Donnie Moore**

**Council Member John McCauley**

**Also Present:**

Tribal Manager Lee Brennan

**1. Authorize Establishment of a Aeanglaka Okolakiciye Initiative (Society of Care) for the Lower Brule Reservation Toward the Goal of Building a Comprehensive, Holistic, Strength-Based Health and Wellness Society That Serves youth and their Families**

Motion was made by John McCauley to authorize the Establishment of a Aeanglaka Okolakiciye Initiative (Society of Care) for the Lower Brule Reservation toward the goal of building a comprehensive, holistic, strength-based health and wellness society that serves youth and their Families.

This motion was seconded by Darrell Middletent.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting

**2. Approve Resolution Preventing Individuals Involved in Sedition or Treason from Election to Tribal Offices**

Motion was made by Orville Langdeau Jr. to approve preventing individual's involved in sedition or treason from election to Tribal Offices.

This motion was seconded by John McCauley.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes against.

Motion carried with vote being four members for, one opposing, none absent and none not voting.

3. **Approve Resolution Concerning Expungment or Pardon Process**

Motion was made by Orville Langdeau Jr. to approve a resolution concerning expungment or pardon process.

This motion was seconded by Donnie Moore.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes not voting.

Motion carried with vote being four members for, none opposing, none absent and one not voting

4. **Approve Ordinance to the Lower Brule Law & Order Code-Chapter II Establishment of Courts, Judges and Other Court Personnel**

Motion was made by Clyde Estes to approve the Ordinance to the Lower Brule Law & Order Code-

**Chapter II Establishment of Courts, Judges and other Court Personnel.**

**Section 1-2-13: “There shall be a separation of power between the Tribal Judiciary and the Tribal Council. The Tribal Council and the Tribal Court shall be separate and equal branches of the Tribal Government. Neither branch shall exercise the powers of the other, nor shall either have authority over the other branch except as may be granted by the Constitution, Bylaws and Law & Order Code. Decisions of the Lower Brule Trial Court may be appealed to the Lower Brule Appellate Court, but shall not be subject to review by the Tribal Council.”**

This motion was seconded by Orville Langdeau Jr.

**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.

Motion carried with vote being five members for, none opposing, none absent and none not voting

5. **Authorize Chairman to seek a Operating Loan for the Lower Brule Sioux Tribe**

Motion was made by John McCauley to authorize Chairman Gourneau to seek an operating loan for the tribe.

This motion was seconded by Darrell Middletent.

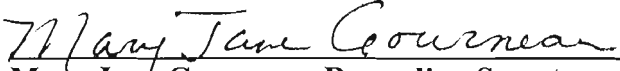
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes not voting

Motion carried with vote being four members for, none opposing, none absent and one not voting

There being no further business, the Tribal Council Meeting recessed at 1:32 PM.

**CERTIFICATION**

The foregoing is a true and correct transcript of the actions and decisions of the Lower Brule Sioux Tribal Council assembled in Regular Session, with quorum present on the 5<sup>th</sup> day of September, 19<sup>th</sup> day of September and the 28<sup>th</sup> day of September, 2018.

  
Mary Jane Gourneau, Recording Secretary  
Lower Brule Sioux Tribe