



# LOWER BRULE SIOUX TRIBE

## MINUTES

### August 5, 2020

**The Lower Brule Sioux Tribal Council Meeting was held at the Tribal Administration Building on August 5, 2020. The meeting was called to order by Chairman Boyd Gourneau at 10:06 AM.**

**The Opening Prayer was led by Chaplain John McCauley**

**The Tribal Council Meeting was dedicated to the ones we have lost:**

**Beverly Skunk, Derick Skunk, Wade Brings, Galen Grassrope, Janet Traversie, Rianne Johnson, Leonard Byington, Francis Byington, Harry Black Bear, Kaylynn Weeks, Audrey Marie St Cloud, Misty Scothern, Matthew Shroyer, Emmett Eagle Horse**

#### **Roll Call:**

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

**Chairman Boyd Gourneau**

**Vice-Chairman Neil "Cody" Russell**

**Secretary/Treasurer Orville Langdeau Jr.**

**Council Member Clyde Estes (entered the meeting at 10:10)**

**Council Member Marvin Grassrope Sr.**

**Council Member John McCauley**

**Also Present:**

Schools – Superintend Mr. Lance Witte, Brian Wagner, Mitch Koep, Rianna Albers,  
Logan Moeller

LBST Attorney - Randy Seiler

Law Enforcement- Lieutenant Erick Crazy Bear

IHS Clinic CEO - Kim Schweitzer

Health Administration- Christy Olsen

Wildlife Director-Ben Janis

LB Election Member-Lydia Sazue

Fely Goodface

**1. Approve to Close 2020 July Tribal Council Meeting**

Motion was made by Orville Langdeau Jr. to close the July 2020 Tribal Council Meeting.

This motion was seconded by John McCauley.

**Vote being:** Cody Russell for, Orville Langdeau Jr. for, John McCauley for, Clyde Estes absent, Marvin Grassrope for.

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

**2. Approve July 2020 Minutes**

Motion was made by Orville Langdeau Jr. to approve the 2020 July Minutes.

This motion was seconded by John McCauley.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes absent, Marvin Grassrope for.

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

**Tribal Council Member Clyde Estes entered the meeting at 10:10 AM.**

**3. School Update- Superintend Mr. Lance Witte – Brian Wagner  
School Report Attached**

**4. Approve 638 Contract for Educational Technical Assistance-Brian Wagner**

Motion was made by John McCauley to approve the 638 Contract for Educational Technical Assistance with Mr. Brian Wagner.

This motion was seconded by Marvin Grassrope.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**5. Approve Brian Wagner as the Representative to the SD Indian Education Advisory Council**

Motion was made by John McCauley to select Brian Wagner as the Representative to the SD Indian Education Advisory Council.

This motion was seconded by Cody Russell.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Marvin Grassrope Sr. for and Clyde Estes for.

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

**6. Approve Lower Brule Schools Return to School Plan 2020**

Motion was made by John McCauley to approve the Lower Brule Schools Return to School Plan 2020.

This motion was seconded by Clyde Estes.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell against,  
John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**7. Approve Lower Brule School CARES Act Supplies and Materials**

Motion was made by John McCauley to approve the Lower Brule School CARES Act supplies and materials.

This motion was seconded by Cody Russell.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for,  
Marvin Grassrope Sr. for and Clyde Estes for.

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

**8. Approve Lower Brule School CARES Act Network Router**

Motion was made by Clyde Estes to approve the purchase of the Lower Brule Schools CARES Act network router.

This motion was seconded by Cody Russell.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for,  
Marvin Grassrope Sr. for and Clyde Estes for.

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

**9. Approve Hardware Tribal Wireless Project**

Motion was made by Cody Russel to approve the hardware for the Tribal Wireless Project.

This motion was seconded by Clyde Estes.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for,  
Marvin Grassrope Sr. for and Clyde Estes for.

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



**10. Approve Muralnet Master Partnership Agreement**

Motion was made by John McCauley to approve the Muralnet Master Partnership Agreement.

This motion was seconded by Cody Russell.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**11. Approve Purchase LB Schools-Lunchroom Tables**

Motion was made by John McCauley to approve the purchase of lunchroom tables for the schools. (the LB Procurement Policy was followed for this purchase).

This motion was seconded by Cody Russell.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**12. Approve On-Reservation Enrollments-19**

Motion was made by Orville Langdeau Jr. to approve the 19 On-Reservation Enrollments.

This motion was seconded by Cody Russell.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for

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

**13. Approve Request Marlene Crowe Be Placed on the IHS List for Services**

Motion was made by Clyde Estes to approve the request from Marlene Crowe to be placed on the IHS List for Services.

This motion was seconded by John McCauley.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for

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

**14. IHS Clinic Report- Kim Schweitzer**

1360 People tested so far

90 Positive

5 Active

83 Recovered

Still doing testing at the main building, will have a separate building for the flu testing

Started opening back up slowly, it will be in steps

Testing- School staff August 13

All Testing- August 18, August 27, September 12 and September 22

Avera Tele-med visits going well

3 positions open at the clinic

**Health Admin Director-Christy Olsen**

Cooking for 20 people on quarantine

**15. Approve Purchase Motor Pool -Pickup & Trailer**

Motion was made by John McCauley to approve the request from the Motor Pool Program to purchase a Pickup and trailer. (the LB Procurement Policy was followed for this purchase).

This motion was seconded by Cody Russell.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**16. Approve Purchase CHR Program - Vehicle**

Motion was made by John McCauley to the request received from the CHR Program to purchase a new vehicle. (the LB Procurement Policy was followed for this purchase).

This motion was seconded by Cody Russell.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**17. Approve Hazard Pay for All Essential Employees Who Qualify**

Motion was made by Orville Langdeau Jr. to approve hazard pay for all essential employees who qualify.

This motion was seconded by John McCauley.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**18. Law Enforcement Report- Lieutenant Erick Crazy Bear**

One new officer

One new dispatcher, need one more and the dispatch office will be moved back to Lower Brule

**19. Wildlife Program – Ben Janis**

Come back next week with a Hunting proposal

**20. Approve Service Line Agreement for New Post Office**

Motion was made by Orville Langdeau Jr. to approve the service line agreement for the new Post Office.

This motion was seconded by John McCauley.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**21. Approve Crow Creek Tribal Court System Request to allow Judge Lori Miner to sit on their Appeals Court**

Motion was made by Orville Langdeau Jr. to approve the request from the Crow Creek Tribal Court System to allow Judge Lori Miner to sit on their Appeals Court.

This motion was seconded by Clyde Estes.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**22. Set-up a CARES Act Committee**

**Committee Members:** Christy Olsen, Jolene Laverdure, Shirley Crane, Ellen Durkin, Tribal Attorney Randy Seiler, CPA Callie Iverson, Contact person Jana Brouse  
**Advertise for 3 community members to set on the committee**

**23. Approve LB Boys & Girls Club to Apply for a USDA Grant for a Van**

Motion was made by John McCauley to approve the submission of a USDA grant by the Boys & Girls Club for a new van.

This motion was seconded by Marvin Grassrope.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**24. Request Any Additional Funds from the BIA and others for the LB Road Maintenance Department**

Motion was made by Cody Russell to request any additional funds from the BIA and others for the Lower Brule Road Maintenance Department.

This motion was seconded by Orville Langdeau Jr.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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



**25. Approve Grant Application for NABIS Grant for Hemp Processing**

Motion was made by Orville Langdeau Jr. to approve the submission of a grant application to NABIS for Hemp Processing.

This motion was seconded by Cody Russell

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**26. Approve Grant Application 2020 BIA Tribal Energy Development Capacity (TEDC)**

Motion was made by Orville Langdeau Jr. to approve the submission of a grant application for a 2020 BIA Tribal Energy Development Capacity (TEDC).

This motion was seconded by John McCauley.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**27. Request Appraisal on Phyllis Thompson Ladue's Land**

Motion was made by Orville Langdeau Jr. to approve the request received from Phyllis Thompson Ladue for an appraisal to be done on her land.

This motion was seconded by Cody Russell.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**28. Support the BIA on Collecting Lease Late Fees and Payments**

Motion was made by John McCauley to support the BIA in the process of collecting lease late fees and payments.

This motion was seconded by Orville Langdeau Jr.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**29. Approve Election Board Revised Budget**

Motion was made by Orville Langdeau Jr. to approve the Election Board revised budget.

This motion was seconded by John McCauley

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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



**30. Approve Hire Red Tail Express Transit Dispatch-Blanca F. Jimenez**

Motion was made by John McCauley to approve the recommendation received from the Red Tail Express Transit Program Director to hire Blanca F. Jimenez as the Dispatch.

This motion was seconded by Cody Russell.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**31. Approve Hire CHR-Cynthia L. Firecloud**

Motion was made by John McCauley to hire Cynthia L. Firecloud as the CHR.

This motion was seconded by Orville Langdeau Jr.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope not voting (vote goes with majority).

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

**32. Motion was made by Marvin Grassrope to reinstate Fely Goodfaces election petition.**

**No second.**

**Motion dies.**

**The Lower Brule Sioux Tribal recessed at 2:02 PM**

**The Lower Brule Sioux Tribal Council reconvened on August 6, 2020 at 10:38 AM with all Tribal Council Members present.**

**33. Approve Lower Brule Water Distribution Community Upgrade**

Motion was made by John McCauley to approve the Lower Brule Water Distribution Community Upgrade.

This motion was seconded by Clyde Estes.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope for.

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

**The Lower Brule Sioux Tribal recessed at 10:41 AM**

The Lower Bule Sioux Tribal Council reconvened on August 12, 2020 at 10:10 AM with Tribal Council Member Marvin Grassrope absent.

**34. Approve Defer Payments for May, June, July on 3.5 Million Loan with Wells Fargo Bank**

Motion was made by John McCauley to approve to request to defer May, June and July payments on the 3.5 million loan with Wells Fargo Bank.

This motion was seconded by Orville Langdeau Jr.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Clyde Estes for, Marvin Grassrope absent.

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

**Tribal Council Member Marvin Grassrope entered the Tribal Council meeting at this time (10:29 am)**

**35. Deny to Open Hunting Season**

Motion was made by Orville Langdeau Jr. to approve the request from the Wildlife Program to open the 2020 hunting season with negotiated changes.

This motion was seconded by John McCauley.

**Vote Being:** Orville Langdeau Jr. for, Cody Russell against, John McCauley for, Clyde Estes abstaining (vote does not count), Marvin Grassrope for.

Vote being three members for, one against and one abstaining (vote does not count)

Motion dies lack of four positive votes.

There being no further business, the Tribal Council Meeting recessed at 11:42 A.M.

**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>, 6<sup>th</sup> and 12<sup>th</sup> day August, 2020.

Mary Jane Gourneau

Mary Jane Gourneau, Recording Secretary  
Lower Brule Sioux Tribe