

The Lower Brule Sioux Tribal Council meeting was held at the Tribal Administration Building on October 12, 2016, and called to order by Chairman Boyd Gourneau at 10:11 a.m.

Present

Boyd Gourneau, Chairman
Darrell Middletent, Vice Chairman
Orville Langdeau Jr., Secretary/Treasurer
Clyde Estes, Council Member
Donnie Moore, Council Member
John McCauley, Council Member

Also Present

Lee Brannan
Jera Brouse
Rose McCauley
Trish Quilt
Gerauld Jandreau
Wilma Wilson
Karen Wright
Kristy Wolf
Marlo Langdeau
Kara Estes
Wade Christensen
Terry Langdeau
Bob Merritt
Tara Adamski
Janet Traversie
Bessie Loudner
Rikki Middletent
Josie Skunk
Ursula Estes

Opening Prayer

Opening prayer was led by John McCauley.

Roll Call

A quorum was established.

1. DAPL

Motion was made by John McCauley for a resolution to support Standing Rock in the fight against the Dakota Access Pipeline. This motion was seconded by Darrell Middletent. Vote: Darrell Middletent-for, Orville Langdeau Jr.-for, Donnie Moore-for, Clyde Estes-for, and John McCauley-for. Motion was carried with the vote being five members for, none opposing.

2. Signers on Lower Brule tribal documents

Motion was made by John McCauley for approval of officers, Chairman Gourneau, Vice Chairman Middletent and Secretary/Treasurer Langdeau to sign all documents on behalf of the Lower Brule Sioux Tribe. This motion was seconded by Orville Langdeau Jr. Vote: Darrell Middletent-for, Orville Langdeau-for, Donnie Moore-for, Clyde Estes-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

3. Tara Adamski-General Counsel Contract

Motion was made by Orville Langdeau Jr., to approve Tara Adamski's proposed legal counsel contract. This motion was seconded by Donnie Moore. Vote: Darrell Middletent-for, John McCauley-for, Donnie Moore-for, Orville Langdeau Jr.-for, Clyde Estes-against. Motion was carried with the vote being four members for, one against.

4. West Brule Recreation Area

Discussion: thoughts on what needs to be provided for the kids. No Action Taken.

5. Land Buy Back Program in Lower Brule

Motion was made by Orville Langdeau Jr. to appoint Lee Brannan as the Point Of Contact for Lower Brule. This motion was seconded by John McCauley. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

6. Finance Policies Amendment

Motion was made by Orville Langdeau Jr. to approve changes for DOJ. This motion was seconded by Donnie Moore. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

7. Counselor Creek Bridge

Motion was made by Orville Langdeau Jr. to approve the rehabilitation of A058 Counselor Creek Bridge. This motion was seconded by John McCauley. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

8. Recording: Video/Audio in Council Chambers

Motion was made by Darrell Middletent in reference to pass a policy of video and audio recording in the council chambers; a public notice will be displayed. This motion was seconded by Donnie Moore. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

9. Oacoma Project –Informational. No Action Taken.

10. Yellow Buildings in Lower Brule

Discussion: No leases are currently in place; LB Tribe has been paying the electricity bill. No rental agreements are in place yet the buildings are all occupied. Have the buildings been previously condemned?

Motion was made by Orville Langdeau Jr. for letters to be sent requiring rental agreements from current occupants. This motion was seconded by Darrell Middletent. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

11. Drug Testing for Tribal Employees

Discussion: All council members will take under advisement and vote at the next council meeting. No Action Taken.

12. Time Clocks for all Tribal Programs

Motion was made by Darrell Middletent for every tribal program to have a time clock via fingerprint scan and that each program director needs to participate in preparing a policy. This motion was seconded by John McCauley. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

13. Lower Brule Detention Facility

Chairman Gourneau will set up a meeting with BIA for further discussion and action.

14. Funding to pave BIA Route 10—BIA has no funds available

Motion was made by John McCauley for a resolution and letter from the council to BIA requesting BIA find the funds to pave BIA Route 10. This motion was seconded by Darrell Middletent. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

15. Lakota Foods Debt to Lower Brule Tribe

Motion was made by Darrell Middletent for the Lower Brule Tribe to forgive the Lakota Foods debt to tribe of \$550,000. This motion was seconded by Donnie Moore. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

16. State of Emergency-Drug Abuse

Motion was made by Clyde Estes to declare a State of Emergency in Lower Brule regarding the ongoing/rise in drug use/abuse. This motion was seconded by Donnie Moore. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was passed with the vote being five members for, none opposing.

17. Lower Brule Tribal Vehicles/Property use

Discussion: Lee Brannan will address this in the next Directors' meeting. No Action Taken.

18. ICWA (Indian Child Welfare Act)

Motion was made by Orville Langdeau Jr. to recognize Rose McCauley and Jera Brouse as the Lower Brule ICWA agents. This motion was seconded by Donnie Moore. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was passed with the vote being five members for, none opposing.

19. Lower Brule Wildlife Request

Motion was made by Donnie Moore to approve Lower Brule Wildlife's request to purchase a 2011 John Deere 4630 Sprayer from Noteboom Implement. This motion was seconded by Darrell Middletent. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

20. Councilman Clyde Estes stated for the record, "I want to formally at this time thank, I know there might be hard feelings against them, but they were still elected by the people. Formally thank Mrs. Desiree LaRoche, Mr. Sonny Ziegler and Mr. Kevin Wright for their service to our community. Thank them for serving our community for two years. That's one thing I forgot to do at Inauguration; proper recognition to them. There might have been hard feelings against whoever, whatever, that was then and they should still be recognized for their service to the tribe."

Chairman Boyd Gourneau "I agree and would like to include Chairman Jandreau on that."

Councilman Clyde Estes "And Chairman Jandreau, my bad, may he Rest in Peace and they should all be recognized for their service."

Break 11:33 a.m.

Return 11:49 a.m.

21. BIA—Shane Durkin Leases

Discussion: Niece Jessica Durkin Heinzmann is Executor of Estate and will carry on all business until Probate closes the Estate. No Action Taken.

22. Katherine Johnson Leases

Discussion: Donnie Moore to contact Jerrod Johnson before next council meeting. No Action Taken.

23. Expiring Leases 2016

Motion was made by John McCauley to renew 2016 expiring tribal leases, Marty Jandreau Doc. ID 122-002-0616; Richard P. Thompson Sr. Doc ID 122-003-0616, 122-004-0616, 123-010-0616; Jeffrey Langdeau Doc ID 123-005-1116; Jan Brouse Doc ID 123-034-1116; Sonny Ziegler Doc ID 123-040-0616; Donnie Moore Doc ID 123-055-1216; Steve Langdeau Doc ID 123-057-1216; Neil Russell Doc ID 123-063-1316; excluding William S. Jandreau. This motion was seconded by Orville Langdeau Jr. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

24. Advertising Tract T649

Motion was made by Darrell Middletent to advertise William Jandreas' tract T649 with the same rates and terms (lease expires 11/30/16) to eligible members living on the Lower Brule Reservation. This motion was seconded John McCauley. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

25. Residential Lease Transfer

Motion was made by Orville Langdeau Jr. to approve the transfer of Residential lease No. 25-197-0227, Tract T4079-E from Eva Long Turkey-Swift Cloud to Janice Bad Horse-Larson. This motion was seconded by John McCauley. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

26. Homesite Request—Jeshua Estes

Motion was made by Darrell Middletent to approve the homesite request by Jeshua Estes. This motion was seconded by Donnie Moore. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

27. Terry L. Pexa Request

Discussion: BIA will write a letter informing Terry of what all needs to be provided. No Action Taken.

28. Personnel

Executive Session: 12:11 p.m.

Closed Session: 12:14 p.m.

29. Data Entry Position at Lower Brule Tribal Court

Motion was made by Darrell Middletent to approve Fedelia Skunk for the data entry position at the Lower Brule Courthouse with Sylvia Grassrope as an alternate to be available within 90 days. This motion was seconded by John McCauley. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

30. Family Services Manager position at Lower Brule Headstart

Motion was made by Clyde Estes to approve Loretta Ryan for the Family Services Manager position at the Lower Brule Headstart with Sylvia Grassrope as an alternate. This motion was seconded by Donnie Moore. Vote: Darrell Middletent-against, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-against, John McCauley-for. Motion dies with the vote being three members for, two opposing.

31. Family Services Manager position at Lower Brule Headstart

Motion was made by John McCauley to approve Sylvia Grassrope for the Family Services Manager position at the Lower Brule Headstart. This motion was seconded by Darrell Middletent. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-against, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being four members for, one opposing.

32. Boys & Girls Club—Personnel Policies

Motion is made by John McCauley requiring the Boys & Girls Club to follow all Lower Brule Personnel Policies. This motion was seconded by Donnie Moore. Vote: Darrell Middletent-for, Donnie Moore-for, Clyde Estes-for, Orville Langdeau Jr.-for, John McCauley-for. Motion was carried with the vote being five members for, none opposing.

33. Recess

There being no further business, the meeting Recessed at 12:34 p.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 12th day of October, 2016.

A handwritten signature in cursive script, appearing to read "Ursula Estes", is written over a horizontal line.

Ursula Estes, Recording Secretary
Lower Brule Sioux Tribe