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REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL  
January 5, 1977

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 5th day of January, 1977, and was called to order by the Chairman, Michael B. Jandreau, with roll call as follows:

Present: Michael B. Jandreau  
Grace Estes  
J. W. Thompson  
John Estes  
Kay Gourneau

Absent: Orville Langdeau  
Everett Wilson

Orville Hicks, Superintendent, Lower Brule Agency

(1)

OATH OF OFFICE - Mr. Orville Hicks, Superintendent, congratulated the elected Council members. He then administered the oath of office, as stated in the Constitution and Bylaws of the Lower Brule Sioux Tribe, to the following: Michael Jandreau, John Estes, J. W. Thompson, Kay Gourneau, Richard Thompson, Bill Ziegler, and Mary Dixon.

(2)

ELECTION OF OFFICERS - The Superintendent opened the floor for nominations.

Chairman - Michael Jandreau nominated J. W. Thompson. At this time it was stated that the motions for nominations did not need a second. John Estes nominated Richard (Bill) Thompson. Kay Gourneau made a motion that nominations cease, seconded by Bill Ziegler, with no objections made. By secret ballot Richard Thompson was elected Chairman, receiving four votes and J. W. Thompson receiving three votes.

Vice-Chairman - Mary Dixon nominated J. W. Thompson. Bill Ziegler made a motion the nominations cease, seconded by Kay Gourneau, with no objections. Mr. Thompson was elected vice-chairman by acclamation.

Secretary-Treasurer - Mike Jandreau nominated Kay Gourneau. Bill Thompson nominated Bill Ziegler. J. W. Thompson made a motion that the nominations cease, seconded by John Estes, with no objections made. By secret ballot, Bill Ziegler was elected secretary-treasurer.

Chaplain - Kay Gourneau nominated John Estes. Michael Jandreau made a motion the nominations cease, seconded by J. W. Thompson, with no objections made. John Estes was named Chaplain, by acclamation.

Sergeant-at-Arms - J. W. Thompson nominated Michael B. Jandreau. Bill Thompson made a motion the nominations cease, seconded by Kay Gourneau, with no objections made. By acclamation, Michael B. Jandreau was elected by Sergeant-at-Arms.

Michael B. Jandreau expressed his congratulations to the new officers of the Council and the new members of the Council. He stated he would assist them in every way as former chairman. The meeting was then turned over to the new Chairman, Richard (Bill) Thompson.

(3)

SELECTION OF CLERK-STENO - It was felt the first order of business should be the selection of the clerk-steno position. There were two applicants, Willa Fire Cloud and Connie Boyd. After reviewing the applications, by secret ballot, Connie Boyd was selected. On discussion for the date to begin employment, Mary Dixon made a motion that the applicant be notified and requested to begin work immediately. The motion was seconded by Michael Jandreau and carried with six for and none against.

RECESS - The Chairman declared a recess until such time as the clerk-steno could be notified and be present.

The meeting reconvened at 1:10 p.m., with the Chairman, Richard Thompson calling the meeting to order and roll call as follows:

Present: Richard Thompson, Chairman  
J. W. Thompson, Vice-Chairman  
Bill Ziegler, Secretary-Treasurer  
John Estes, Chaplin  
Michael B. Jandreau, Sergeant-at-Arms  
Kay Gourneau, Member  
Mary Dixon, Member

(4)

OPENING ADDRESS & PRAYER - The Chairman asked the Chaplain, John Estes to say a few words and lead the prayer. Mr. Estes stated his congratulations and welcomed the new members. He then addressed the Council stating, "We all know we have alot of responsibility. We should have in mind at all times, the good of the people on the reservation. There are going to be times when we will have to disagree, but hopefully we won't carry the disagreements out into a personal thing. This is the only way we can get business done, have discussions. This was one of my feelings, I hated to disagree with someone, so as not to make grudges. Hopefully we won't have this feeling. In this way we can hopefully have a good two years on this Council." He then led the Council in the Lord's prayer.

(5)

COUNCIL SALARIES, PER DIEM & MILEAGE - Richard Thompson stated that, according to the Constitution, Council salaries should be established. Michael Jandreau explained that what is available, and the budget the Tribe is currently operating under. The Chairman receives an annual salary of \$10,800. Council members receive \$100 per month, plus per diem and mileage for all meetings attended. The per diem is \$50/day, based on a 24 hour day. The mileage rate is .10/mile. Michael Jandreau then made a motion that this stay as it is, unless other funds become available for ongoing salaries for the Council. The motion was seconded by John Estes, that the salaries remain the same until the new fiscal year. On call for vote, the motion carried with six for and none against. Michael Jandreau suggested that a copy of the operating budget be made and given to each Council member.

(6)

TIME & PLACE FOR MEETINGS - John Estes made a motion that the meeting place be left as it is (Tribal Office), but to change the time to convene at 9 a.m., instead of 10, and to leave the regular meeting day as the first Wednesday of each month. The motion was seconded by Bill Ziegler and carried with five for and one absent.

(7)

REVISION OF BUDGET - The Administrative Officer, Joyce Estes, informed the Council that a budget revision is necessary as the line item, Rehab Industrial Development was set at \$20,000 for this year. At the time this was set, the Council did not know what

the funds would be used for. The Council recently approved an irrigation lease to be paid with these funds, in the amount of \$28,000. Michael Jandreau made a motion to pass a resolution to modify the budget, increasing that line item, Rehab Industrial Development to \$28,000. The motion was seconded by J. W. Thompson and carried with six for and none against.

(8)

REVOLVING CREDIT PROGRAM - The Administrative Officer informed the Council that the note is due to the Revolving Credit fund; these funds are used in the Tribe's land purchase program. She asked the Council's approval to withdraw funds from the Treasury for this payment. Kay Gourneau made a motion to approve withdrawal of funds. The motion was seconded by J. W. Thompson and carried with six for and none against.

(9)

CLERK-STENO SALARY - John Estes wished to establish the salary for the clerk-steno, as it was advertised as negotiable, depending on qualifications and experience. J. W. Thompson made a motion to leave the salary as it was budgeted until the new fiscal year. The motion was seconded by John Estes and carried with six for and none against.

(10)

DISCUSSION OF BUDGET - After copies of the FY 77 budget were distributed, the budget was reviewed to inform the new members of the Council. John Estes asked about the amount budgeted for rodeo stock, what was used and what would be done with the amount that is left. Michael Jandreau answered that approximately \$412 was the amount expended so far, and that there would probably be a savings. There will be no changes or modifications of the budget at this time, except as noted in Item #7.

SUMMER FOOD PROGRAM - John Estes presented a request from the Education Department for the Council to approve participation in the Summer Food Program again. The program serves three meals a day to school age children throughout the summer. The funds are provided by the State. John Estes made a motion to participate in the program this year. The motion was seconded by Mary Dixon and carried with six for and none against.

(11)

POSITION SELECTIONS FOR IAT PROGRAM - Tom Skye, IAT Director, presented applications and his recommendations for the following: One conservation trainee, two ag-engineer trainees, two building and trades trainees and the Conservation instructor. A motion was made and seconded that the recommendations made by the Director be approved, and the motions carried with six for and none against.

(12)

CETA DIRECTOR - This position became available with the resignation of Mrs. Julie Yellow Robe. Applications were received from the following: Bernard LaRoche, Lorna Smith, Willa Fire Cloud, Gary Crowe, Mark Estes and Darlene Traversie. By secret ballot, Lorna Smith was selected to fill this position.

(13)

CRIMINAL JUSTICE PLANNER - This is a new program and funded through a By-Indian Contract. Applications were received from the following: Mark Estes, Gary Crowe, Shirley Flute, Lorna Smith and Darlene Traversie. By secret ballot, Darlene Traversie was selected to fill this position.

(14)

DETENTION OFFICER - Captain Hill recommended that Burt Kaline be named to fill this position, he has been placed in this position temporarily. Kay Gourneau made a motion to approve the recommendation. The motion died for lack of a second. John Estes stated that, since the applications were so old, he would like to see the position re-advertised, and then made this a motion. The motion was seconded by Bill Ziegler.

Michael Jandreau requested that Mr. Kaline be allowed to remain in the position until new applications are received and a permanent selection made, and that his application be accepted again at that time. John Estes and Bill Ziegler agreed to include this in their motion. The motion carried by a vote of six for and none against.

(15)

ENROLLMENTS - Birth certificates and requests for enrollment were received for Elaine Doris Johnson, parents Alvin and Donita Johnson; Kathryn Lee Jones, parents William and Helen (Durkin) Jones; Kathleen, Elizabeth and Judith Anne Durkin, parents Leo and Elizabeth Durkin. On discussion, Bill Ziegler questioned the practice of only recognizing the Lower Brule Sioux blood degree, and not that portion if a parent is not enrolled in Lower Brule. He stated he did not think it was fair as it lowers the blood degree of children. J. W. Thompson stated that to change this, you would only have to amend the Constitution to read "Indian blood", instead of Lower Brule Indian blood. In order to change the constitution, a referendum vote by the people is needed. The Chairman stated he would like to see some changes too, and suggested a special meeting at some date in the future to review the Constitution. John Estes stated that on the Durkin birth certificate (Jones), that the race was given as White and wanted to know if this would have any effect. It was stated that one-fourth degree Indian blood is a necessary requirement for enrollment. John Estes stated he would make a motion to enroll the Johnson child and the Durkin children, but he would like to see proof of degree of Indian blood for Helen Durkin Jones before enrolling her child. Kay Gourneau and Michael Jandreau informed him that she was enrolled as one-half, but the motion stayed as it was made. The motion was seconded by Bill Ziegler and carried with six for and none against.

Michael Jandreau informed the Council at this time, that a motion was passed at a meeting December 13th, that each request for enrollment be accompanied by a standard form statement, to be signed by parent or guardian, to attest that the child is not enrolled on another reservation. He therefore asked, that this requirement also be met with these enrollments. The form is not yet completed, but when it is, it will be sent to the parents and/or guardian to be filled out and returned. The resolution will not be sent to the Bureau until this is done.

(16)

LAND PURCHASE DISCUSSION - A letter was read by the Secretary, from Joe Coble, who presented an offer to the Tribe to sell his land, consisting of approximately 7040 A., to then lease it from the Tribe. Michael Jandreau stated that this was a pretty stable offer, the land is within the reservation boundaries, and that money is available for land purchase, but the Tribe has not taken action in the past because we cannot lease it at a price to cover the loan and interest payments. J. W. Thompson stated that the Tribe initiate the process to obtain permission from the Secretary of Interior to sell tribal land, at this time this cannot be done with land held in trust. Since the Tribe would be using FHA money, this might be feasible, but the problem would lie in getting the land put in trust, if it isn't, then the Tribe may end up paying taxes on this land. Mr. Coble was called in to inform him of the Tribe's interest and to ask what time limit there is on making a firm commitment. Mr. Coble stated the abstracts will be updated by the time of the transaction. He informed the Council that some type of commitment must be made within a month, he does have another buyer. He would be willing to lease it from the Tribe for five years, with a five year option. Michael Jandreau made a motion to request an appraisal from the Bureau and FHA. The motion was seconded by John Estes and carried with six for and none against.

(17)

TITLE I BUSINESS - A resolution is needed to retain Title I services for FY 78. Michael Jandreau made a motion to pass a resolution requesting the Title I program for FY 78. The motion was seconded by J. W. Thompson and carried with six for and none against.

An on-site visitation and monitoring of the Title I program was made by the Title I Staff from the Area Office. This included the services and the personnel. Michael Jandreau explained that it was his contention that personnel ratings cannot be made by the Civil Service guidelines, as they are not Civil Service employees since the Tribe is the Title I contractor. He has discussed this with the Area office and has requested a meeting to clarify this problem.

(18)

SUPPORT FOR LYMAN COUNTY RURAL DEVELOPMENT COMMITTEE - The Tribal Council wishes to go on record as supporting the recommendations of the Lyman County Rural Development Committee. They are developing a proposal for assistance due to drought conditions. J. W. Thompson made a motion to adopt a resolution for this. The motion was seconded by Kay Gourneau and carried with six for and none against.

(19)

UP-COMING MEETINGS - There are meetings to be held in Pierre, Aberdeen and Washington in the near future, that are important enough to have Tribal representation and this was discussed at this time to see who would be available or who would want to go. Kay Gourneau and Annalisa Estes will attend a two day workshop to be held in Aberdeen the 11th and 12th of January. The entire Tribal Council will attend an Inter-Tribal Council and UST Board meeting the 13th and 14th of January. Kay Gourneau made a motion to delegate Michael Jandreau as our representative to go to Washington - the Chairman had informed the Council that he could not be available for travel at this time. The motion was seconded by Bill Ziegler. J. W. Thompson requested that Bill Ziegler also attend this meeting and it was agreed to include his name in the motion.

(20)

REQUEST FOR ENROLLMENT - Winona (Thompson) Long was present to personally present her request for enrollment of Bernard Long. She stated he is her adopted son and that his natural mother is an enrolled member of the Lower Brule Tribe. She offered to give the name of the mother, not to be published, but she was not asked for this. John Estes made a motion to enroll the child. The motion was seconded by Mary Dixon and carried with six for and none against.

(21)

EDUCATION GRANT - An application for a high school education grant was received from Barbara Langdeau. John Estes made a motion to approve the grant. The motion was seconded by Michael Jandreau and carried with five for and none against.

(22)

CHR REQUEST - The CHR program has unexpended funds which will have to be returned if not used. Communications being an essential part of a health program, it was their request to purchase CB radios and a base stations for the program. Bids were obtained for this from two stores in Chamberlain. Bill Ziegler made a motion to approve the purchase of the radios, with the stipulation that the exact merchandise be known before purchase, and that the individuals assigned to them will be responsible for them. The motion was seconded by Michael Jandreau. John Estes stated he thought they could find some other use for the money, Mary Dixon stated this also. On call for vote, it was two for and two against, with one not voting. The Chairman voted against the purchase of the radios. Michael Jandreau then made a motion to purchase one base station and two mobile radios, with the same stipulations as above. This was seconded by Bill Ziegler and carried with five for and one absent.

(23)

PROPOSED INSURANCE CORPORATION - Mr. Bob King, insurance agent for New York Life, presented a proposal wherein the Indian Tribes and his company incorporate to form an insurance company, his reasoning being the amount of money the Tribes pay out for property insurance, etc. This will be carried out in conjunction with United Sioux Tribes development corporation.

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

January 12, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 12th day of January, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: Richard Thompson

Absent: Kay Gourneau

J. W. Thompson

William Ziegler

John Estes, arrived after roll call

Mary Dixon

Michael B. Jandreau

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

APPRAISAL REVIEW - The meeting convened at 10 a.m., but the Area Office appraiser and the representatives from the Washington office had not arrived. Mr. Hicks explained they were on their way and suggested to the Chairman that the meeting be recessed until they could be present. The Chairman called a recess until 11 a.m.

The meeting reconvened at 10:55 a.m.

Merrill Karlen, his attorney Gary Davis and appraiser Mr. Shackett were present. Mr. Hicks introduced the two representatives from the appraisal branch, Washington Office. Mr. Harry Dome was asked to give a resume of the meeting held in Washington with the Commissioner, Mr. Karlen and Mr. Shackett. The discussion was on the difference in appraisals done through the Area Office and Mr. Karlen's asking price. The Commissioner suggested a meeting with the Tribe. The meeting was to give Mr. Karlen assurance they are being heard. There may be new evidence or facts the Bureau appraiser has overlooked, but as it stands now, there is no reason to change the evaluation on Mr. Karlen's land.

Mr. Shackett: Generally speaking, not enough consideration to value of land on any Karlen's tracts. There isn't that much a difference in on/off reservation appraisals. He felt that the market prices are not being compared.

Mr. Dome: What you want to do is make your own appraisals. There is a limit as to what we can do. For example, there is a tract Mr. Karlen owned on the reservation for 50 years and didn't irrigate. If you put it up for sale you will not get a price for irrigated land. No appraiser will give you price of land before it is developed. Neither can you get potential price if the tract is too small. Mr. Karlen had this for 50 years and never developed it, because it wasn't worth developing to him. On the open market it would be the same. Karlen would know if it was economically feasible to irrigate it or not. The Tribe owns the land surrounding the tract and should not be penalized for this. We are not going to negotiate on what you may think the land is worth. We will appraise it and make a judgement on the open market, this tract has never been put on open market. If you want to negotiate with the Tribe, fine, but we will not negotiate appraisals.

Mr. Shackett: We were hoping a negotiating figure could be arrived at. I agree that the irrigation potential has always been there and Mr. Karlen didn't develop it, but



now people are buying more for potential.

Mr. Dome: If the Tribe desires, appraisals can be brought uptodate.

Mr. Shackett: You have answered our questions, nothing can be done. We have wasted your time and ours.

Mr. Dome: You know appraisal business well enough to realize you can't negotiate value.

Mr. Shackett: Yes, but we did ask Mr. Pappendick to consider certain things.

Mr. Dome: He has before and you didn't like his answers. He is one of the most qualified appraisers in SD and has worked for the Dept. of Transportation. I don't believe he missed very much. He just doesn't agree with you and we are not concerned about that. We do want to be sure he has considered everything, but he does not have to agree with the owner of the property, and does not appraise to the benefit of the Tribe either; he only decides what the property would be worth on the open market.

Mr. Shackett: If we decide we can't get together with the Tribe, can we then put any or all of the land out on auction basis, and be assured there is no conflict of interest with the Tribe in doing so.

Mr. Hicks: It's his land, if he wants to sell it, we can't stop him. The situation would be the same no matter who owns it.

Mr. Dome: If you like, we could review the appraisal, update it to Jan '77.

Mr. Shackett: Probably would be beneficial to both. Market trends are definitely up now.

Mr. Dome: We aren't aware of this, but we can review the appraisal. The Tribe can pay what they want but finance-wise, FHA or anyone else will not loan more money than the land is worth.

Mr. Hicks: Right, the Council is in a position to buy any and all land, but this negotiating is not a desirable thing to get into. If one is in a position to buy, you would want to do it on an even basis, based on current appraisals. Appraisals are past tense, always, because they are compared to land already sold.

Mr. Dome: (to Mr. Shackett) Make your own appraisal, put something down on paper. Analyze this and give us facts. If you really have all facts and you can prove it, let us see it. We want to see sales and listings. You're coming in and arguing with only your personal opinion. Get your appraisal report so we can see your facts. Very simple form. You have to demonstrate highest and best use. Has to be more than conducive conditions. You know you have us at a handicap because you don't have an appraisal. Put it down and sign your name to it and see how it stands up. Our appraiser, Mr. Pappendick, is one of the best, you know that, so if you have proof, put it out, don't be ashamed of it. We have to live with what we say.

Mr. Shackett: We haven't seen your appraisal, they are just generally too low.

Mr. Dome: Yes, lower than you want. How do you know it is too low? Mr. Karlen can ask any price, it's a free country, but appraisals will not be the same, and will not agree with the property owner, but this doesn't mean it is wrong. Mr. Karlen's property isn't on the market, has not been tested, so you can ask any price you want but you have to justify an appraisal.

Mr. Shackett: If you want it on open market, we will put it there. We have covered as much as we can. I will put my appraisal in written form.

Mr. Karlen, his attorney and appraiser left the meeting.

After further discussion, J. W. Thompson made a motion to inform Mr. Karlen that the Tribe does not intend to buy his land, at any appraisal or price. The motion was seconded by Mary Dixson and carried with four for and two members absent.

RECESS - The meeting recessed for the noon hour, and reconvened at 1:20 p.m. The same Council members were present. Also present were representatives from the Bureau of Reclamation, Huron office; BIA staff, from Area and Agency level, Planning Director and the Extension Service Representative, Mr. Riehle.

(2)

UPDATE OF FEASIBILITY STUDY - GRASSROPE (Little Bend) IRRIGATION PROJECT - The Tribe requested an update of the feasibility study on the Grassrope Irrigation Project from the Bureau of Reclamation as the initial step in seeking congressional action to approve the irrigation project as an authorized project to be funded by the Bureau of Indian Affairs. This funding is sought for the total irrigation development. The Tribe has received a 100% grant thru EDA for construction of Phase I. The Bureau of Reclamation update will include analysis of economic, social and environmental impact, and will analyze crops and rotation for full land utilization and cost. The meeting was held for Tribal input.

(3)

FARM MANAGER POSITION - Concern was expressed by the Chairman and Tribal Planner that the irrigation farm manager has not been selected. The consulting firm, by agreement, was to advertise this position and it has not been done. Michael Jandreau made a motion to advertise the farm manager position, at a \$10,000 base salary and benefits to be negotiated. The motion was seconded by J. W. Thompson and carried with four for, none against and two absent. The position will be advertised up to January 31st, with the applications to be reviewed at the regular meeting in February.

(4)

REQUEST FOR SALARY ADVANCE - A letter was read from Cephaïs Goodface, Sr., requesting an advance in his salary to keep an appointment at Ft. Meade. Michael Jandreau made a motion that this request be channeled through the AA Program to provide transportation for him. The motion was seconded by Mary Thompson and carried by a vote of four for, none against and two absent.

(5)

ADJOURNMENT - There being no further business, Michael Jandreau made a motion to adjourn, seconded by Bill Ziegler; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council with quorum present on the 12th day of January, 1977.

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Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

January 21, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 21st day of January 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: Richard Thompson, Chairman  
William Ziegler  
John Estes  
Mary Dixon  
Michael B. Jandreau  
Kay Gourneau

Absent: J. W. Thompson

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

This is a Special Meeting, called to consider purchase of the Coble Ranch. The appraisal has been done and is comparable to asking price. The Superintendent, Mr. Hicks reviewed the appraisal with the Council. The Council decided to discuss the proposed purchase of the property before calling in Mr. Coble and his attorney, Mr. Brost. The Tribe must take action to change land use fees to assume obligation of repayment. It was stated an increase in grazing and lease fees would be a hardship, but would be the only method of securing income to repay the loan. Discussion was held on securing income for repayment, using also the lease fee Mr. Coble proposed.

Michael Jandreau made a motion to adopt a resolution to accept the offer to purchase the Coble Ranch provided - #1) an escrow interest bearing account be established for repayment of this loan out of proceeds received from lessor as per his offer; and 2) that the Tribe pledge the additional money for principal payment to begin to be deposited in that account no later than one year from date of finalization of sale; 3) and that we borrow the amount of \$1,056,000 from FHA as per our loan application, to include the previous application in this one. The motion was seconded by John Estes and carried by a vote of five for, none against and J. W. Thompson absent.

Mr. Coble and his attorney were called into the meeting. The Superintendent informed them the Council discussed, in detail, the acquisition of his property, and that the Tribe is definitely interested. He asked, from the offer, that \$1,056,000 is the bottom line offer and Mr. Coble answered yes. In discussing the acreage figures, there is a difference, but the Tribe is making the offer, not to exceed the base price, as stated, and that any and all minerals be transferred to the Tribe. Mr. Coble was not sure what minerals were transferred to him from Mr. Clarke; they were deeded. He then stated he could be willing to convey all mineral rights.

Mr. Hicks then informed Mr. Coble the Tribe was willing to negotiate a lease, based on a per acre basis, not less than \$52,000, and that Mr. Coble be subject to a performance bond, stipulated as part of the lease. Mr. Brost asked what kind of performance bond. This is for term of lease to insure conservation practices, etc. Mr. Coble and his attorney were agreeable to this.

On the option agreement, FHA indicates a period of 60 days. Mr. Brost stated his client is interested in getting something down, to enter into option. Mr. Hicks asked if

\$10,000 would be reasonable and Mr. Coble answered, yes. It was then explained that the option agreement figure represents earnest money - that the Tribe intends to complete transaction to purchase land.

Mr. Coble was asked when he could sign the agreement and answered, today. Michael Jandreau then made a motion to authorize the Chairman and Secretary-Treasurer to execute the necessary documents to enter into the agreement. The motion was seconded by Mary Dixon and carried with five for, none against and one absent.

The agreement as prepared and written by Mr. Brost, the Superintendent and the Tribal Council was completed and signed, and will be filed as Exhibit A of the resolution adopted today.

ADJOURNMENT - There being no further business, Kay Gourneau made a motion to adjourn, seconded by Michael Jandreau; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Tribal Council with quorum present on the 21st day of January, 1977.

Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

January 26, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 26th day of January, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson, arrived after roll call  
William Ziegler  
John Estes  
Michael B. Jandreau  
Mary Dixon

Absent: Kay Gourneau

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes, Sr.

(1)

STATE EMERGENCY PLAN - The State has a three year program funded through the Federal Disaster Assistance Administration to establish a State Emergency Plan, by using State resources to aid local governments in the event of a natural disaster. Developing plans will be based on what local governments now have available. Mr. Zobell and Mr. Smith were present to discuss this with the Council. Some items to be considered are, communications, direction, evaluation of damages, and what services the State can provide, coordinating all resources. No definite action was called for. Further information will be sent.

(2)

PROPOSAL FOR HEALTH CENTER FACILITY - PL 93-638 has made funds available to tribes for use in developing proposals. PHS would do this by providing the architectural and engineering fee for planning development of a health care facility, and is ready to proceed, on receipt of an acceptable plan to commit money. The facility would centralize all existing health programs on the reservation. The 638 fund would serve as the matching portion with HUD, who will review and act on the completed proposal, and their funds could then be used for actual construction. The AE fee is based on the entire construction price. Bill Ziegler asked how the AE firms are picked and was told, by bid or just chosen. Michael Jandreau made a motion to adopt a resolution to utilize 638 money for planning and development of a Health Care Facility, and that the 701 Planner be designated as the contact person to work with IHS in conjunction with the Health Board and Chairman in development of the facility. The motion was seconded by Bill Ziegler. Mr. Jandreau then asked if it could be included in the motion that the Health Board, the 701 Planner, Planning Director and Chairman be allowed to work out selection of any AE firm. Bill Ziegler denied a second to include this and it was withdrawn. On call for vote, motion carried with a vote of four for, none against and two absent. Michael Jandreau then made a motion to allow the 701 Planner, the Health Board, Planning Director and Chairman to work out procedure for selection of the AE firm, as they see necessary, to be ratified by the Council at such time as their recommendation is presented. The motion was seconded by Bill Ziegler and carried with four for, none against and two absent. The 701 Planner, Ms. Pourier, then stated she would inform the Chairman of the Health Board members; then asked for a Council representative. Bill Ziegler volunteered to serve on the Health Board and the Council concurred. The 701 Planner will prepare the health facility proposal

(3)

HIP COMMITTEE - The Chairman requested the former HIP Committee be allowed to retain their positions, if they were agreeable. There would still be a Council representative. These members are J. W. Thompson, Everett Wilson and Orville Langdeau. Michael Jandreau made a motion to concur with the Chairman's request and have the same members serve on the HIP Committee. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.

(4)

DRAINAGE PROJECT FOR COMMUNITY - The Superintendent expressed interest in the discussion on the architectural-engineering firm. He suggested the Council keep in mind that a drainage project is underway, being done by the firm from Huron. They should be informed of any proposed building. Michael Jandreau asked who authorized a community plan. Mr. Hicks stated the plan takes into consideration drainage where existing buildings are now located and where expansion is planned, especially in the area of the high school construction. Michael Jandreau stated that people are disturbed because they suggested moving some buildings, etc. The Superintendent stated the direction he had was that they were going to study existing and proposed buildings, to keep up with an acceptable plan; but are going to have to work with existing facilities. The Planning Director informed the Council of a future meeting with the AE firm, the BIA technical staff and the Tribe concerning the drainage survey in conjunction with the new high school facility. The meeting will give direction as to our needs and the areas effected by the drainage program. Mr. Langdeau also stated that, as far as selecting an AE firm, from his point of view, you would want a firm who will cooperate with the Tribe in design and cost, giving us what we want in service as well as design.

(5)

HOMEMAKER SERVICE PROGRAM - Michael Jandreau requested that he be allowed to examine all resources within the Bureau to obtain the matching portion of the funding needed to continue this program. The employees work out of the Housing Authority office. The matching funds were previously provided by the Housing Authority but that source has been depleted. Mary Dixon moved to allow Mr. Jandreau to do this. The motion was seconded by J. W. Thompson and carried with four for and none against.

(6)

UPDATE ON INSTALLATION OF IRRIGATION PROJECT - Abe Langdeau stated that some federal agencies are apparently unprepared for our irrigation project and have only now tried to have input. Therefore, their records are not up to date. This has brought about a misunderstanding with the Corps of Engineers as to the rights the Tribe has in developing a project here on the reservation. They have stalled the project by denying a Section 10 permit until an assessment is made by the U.S. Fish & Wildlife agency. The consultant firm has made congressional and federal agency contact for support and assistance. EDA made the commitment to proceed with the project without the permit if so ordered. Michael Jandreau made a motion to adopt a resolution requesting EDA act immediately to dispense funds to begin construction. The motion was seconded by Mary Dixon and carried with four for and none against.

RECESS FOR LUNCH - The meeting reconvened at 1:30, with the same members present; also present were representatives from West Central - Mr. Byre, Mr. Jost and their attorney Mr. Larson.

(7)

CONTRACT FOR POWER INSTALLATION - West Central Electric Cooperative was contacted April 6th, 1976, and July 23rd, 1976, in regard to the expansion of power facilities for the irrigation project. A contract is necessary to proceed with installation. Mr. Jost presented a rough draft of the contract for the Tribe to review. Although they had early contact of our needs, they only recently received the specs and plans of the project. After reviewing the contract, it was decided that there were points

of contention and conflict that could only be resolved by having the contract reviewed by the Tribal attorney before it could be acted upon. Michael Jandreau made a motion to designate the Tribal Planner, Abe Langdeau, to take the contract to our attorney for review and recommendations for the rest of this week and two days next week, and request he attend the regular meeting on February 2nd, to finalize the contract. The motion was seconded by Bill Ziegler and carried with four for and none against.

(8)

CANCELLATION OF ALL LEASES & PERMITS IN IRRIGATION PROJECT AREA - Jim Legg, BIA staff, reminded the Council that this action must be taken. This will involve the entire area for the proposed irrigation, all phases. Bill Ziegler made a motion to adopt a resolution to cancel said leases and permits. The motion was seconded by Mary Dixon and carried with three for, none against, J.W. Thompson not voting, and two absent.

(9)

NURSERY PROJECT FOR RESERVATION - Jim Legg stated that this project has been discussed with the Tribe before, but a resolution was never received to enter into a contract for the funds to establish a tree nursery, greenhouse, seed acquisition, etc. The funds are available now. Michael Jandreau made a motion to adopt a resolution to enter a contract for forestry money available through the Area Office, to establish a nursery project, and to submit the proposal for funding. The motion was seconded by J. W. Thompson and carried with four for, none against and two absent.

(10)

GRANT PERMIT TO J.W. THOMPSON - There are fringe areas in the Little Bend area that have been designated as unsuitable for irrigation. J. W. Thompson requested that he be granted a permit on these lands. Michael Jandreau made a motion to grant a permit to J. W. Thompson of those lands designated as unsuitable, to be designated on a map to be attached to the resolution. The motion was seconded by J. W. Thompson and carried with four for and none against.

(11)

CANCELLATION OF FARM LEASE BY MUTUAL CONSENT - J. W. Thompson still holds a farm lease on a portion of land in the irrigation project. This can be cancelled by mutual consent or if the Tribe can show just cause, they can cancel it this way. Mr. Thompson stated if he was to agree to this he would want repayment of custom work and seed put into the land. Bill Ziegler made a motion to cancel the lease by mutual consent, and to reimburse Mr. Thompson for the balance of the lease, and to repay him for custom work and seed at a rate of \$11 per acre. On discussion, Mr. Jandreau asked about the money for payment, where the Tribe would be getting it. Mr. Thompson stated that if this same land were put out on advertised bid, that the Tribe could get alot more for it than what he was paying. The Chairman then asked if Mr. Thompson would agree to wait for payment, at least 90 days, and he agreed. On call for a second, Michael Jandreau seconded the motion and it carried by a vote of four for and none against.

(12)

AUTHORIZE B.I.A. TO ADVERTISE FOR LEASE - Michael Jandreau made a motion to authorize the Bureau of Indian Affairs to advertise for lease those lands in the Little Bend irrigation project area that are not under Phase I, for a development lease for one year. The motion was seconded by Mary Dixon and carried with four for and none against.

(13)

TEMPORARY APPOINTMENT OF TRIBAL JUDGE - J. W. Thompson informed the Council that a situation arose over the weekend, wherein the police could not contact the Chairman

and came to Mr. Thompson as the Vice-Chairman. There was, what appeared to be, a felony in progress and they needed a search warrant signed. The judges were out of town; also found out at this time that there is only one judge, the associate judge position has never been filled since the resignation of Shirley Flute. Acting in the capacity of Chairman, in your absence, Mr. Thompson stated he appointed Linda Thompson as temporary judge. She previously worked in LEAA and had knowledge of court procedures. She is now through. Mr. Thompson suggested that the Council now dismiss her and to pay her for the two days she served. He further stated that he did not think this situation should be allowed to occur again, especially on weekends. Michael Jandreau stated that the action was within the realm of responsibility as allowed by the Code for the situation that existed, and suggested that the Council advertise for the position. He then made a motion to this effect, that Linda Thompson's appointment be terminated and that the position be advertised for a period of 30 days. The motion was seconded by J. W. Thompson and carried with four for and none against.

(14)

ADJOURNMENT - There being no further business, the Chairman entertained a motion for adjournment. The motion was made by J. W. Thompson, seconded by Michael Jandreau; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 26th day of January, 1977.

\_\_\_\_\_  
Connie Boyd, Recording Secretary



REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

February 2 & 4, 1977

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 2nd and 4th days of February, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: (for the 2nd day of February)  
Richard P. Thompson, Chairman  
J. W. Thompson  
William Ziegler  
John Estes  
Mary Dixon  
Kay Gourneau

Absent: M.B.Jandreau

The meeting was called to order at 9:10 a.m., and was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

RESOLUTION IN SUPPORT OF I.A.T. FOR FY 78 - The Director of the IAT Program presented a resolution developed at a Regional Meeting of IAT Directors, concerning funding for FY 78. They are requesting that the IAT program be continued and funded, but not under the Bureau. J.W. Thompson made a motion to adopt a resolution supporting their request. The motion was seconded by Kay Gourneau and carried with four for, one absent and one, (J. Estes) not voting.

(2)

NRCA & SDRA MEMBERSHIP - Applications have been received from both rodeo associations. The Council must take action if they desire membership. J.W. Thompson made a motion that the Tribe apply for membership to both associations. The motion was seconded by John Estes and carried with five for and none against.

(3)

CONTRACT FOR POWER INSTALLATION - The contract was reviewed with the Council and the Tribal attorney, Mr. Srstka, prior to going through the contract with the West Central representatives and their attorney. The points of contention were discussed, and noted as follows: The national code and regulations will be specified, rather than the State. Dates of disconnect were to be deleted from the Contract. Use without interference was discussed at length, the Tribe does not want reduced voltage starting; the cooperative cannot guarantee source of supply and the other consumers cannot be affected; as stated, the power can be shut off at any time; other industry and/or irrigators would not be considered priority over Lower Brule. Mr. Benjamin stated he would want the cooperative to state they would not oversell their power available to another customer, and to include something about phase shut down or periodic shut down as an alternative. Mr. Larson stated they were not intending to treat Lower Brule any different than any other irrigation or industrial customer. If, due to circumstances beyond their control, power were to be shut down, it would be only on an emergency basis. Mr. Larson was worried over the enforcement and approval portion of the contract. Mr. Srstka stated jurisdiction cannot be enforced by contract. Mr. Larson requested an opinion of the citation of authority. The rates were then reviewed. The contract will be presented to the West Central Cooperative Board for their approval. The contract will then be finalized for review and approval by the Council again before signing. An effort will be made to have this completed by the 14th of February.

RECESS FOR LUNCH - The meeting reconvened at 1:10 p.m., with the same members being present. Also present were Mr. Jaeger and Mr. Poitra from the Title I, Area Office staff.

(4)

TITLE I MONITORING RECOMMENDATIONS - Mr. Jaeger stated they were here at the request of the Chairman and Council in regard to their monitoring visit conducted and their findings. The reason for the monitoring is to determine if the Tribe, as the contractor, is in compliance with rules and regulations of the contract. The main point of the objection, by the Tribe, was the monitor's recommendation as to the bookkeeper's salary. They contended that the person now employed was not qualified for the same salary that the previous bookkeeper was receiving in that position. The Tribe maintained that as the contractor, they do the hiring and that the present bookkeeper is qualified and is doing the work, as stated by Kay Gourneau. They answered that, even if the person is qualified, she does not have the working experience required in a GS 5/2 position. The Tribe contended she is qualified. The discussion did not lead to any resolution except that the Tribe, as contractor, must meet their guidelines. There were three alternatives offered to retain the present bookkeeper and at the same time account for the overpayment in salary. The Tribe had no alternative but to comply, if they didn't then they would stand to lose the contract. Bill Ziegler stated that if this is the way it has to be done, between this and losing the program, he would make a motion that the Tribe adopt the third alternative offered - placing the position at a GS 5/1 level, prorating the overpayment over the remaining term of the contract to repay the program. The motion was seconded by John Estes and carried with four for, one absent and Kay Gourneau voting against. Bill Ziegler again stated that he wanted it stated in the minutes that it was between this and losing the program. The Title I staff were directed to submit their recommendations in writing to the Chairman.

(5)

CLEAN AIR ACT - Jim Legg reported on the Clean Air Act and asked if the Tribe would want the air quality designation changed from Class II to Class I. This is important in future developments and negotiations if industrial development occurs, and if the Tribe were even in a negotiating position. As it stands now, the Tribe would have to follow the State's. Bill Ziegler made a motion to change the air quality designation from Class II to Class I. The motion was seconded by Michael Jandreau and carried with six for and none against. (Michael Jandreau arrived at the meeting during this discussion)

(6)

HIGH SCHOOL CONSTRUCTION - The Superintendent informed the Council that the Albuquerque office has sent out notices to potential, eligible Indian contractors, to negotiate a contract for construction of the school. It has been his experience, that when this happens, it tends to delay the project. Mr. Sunrise, of the Albuquerque office, indicated that it is entirely up to the Council as to what is done. The Council can take the position to go on the open market for advertised bids. The main concern here is that this means a 90 day delay before construction even starts. This would be a matter of expediting the school construction. Michael Jandreau asked if the school board was involved in this and was told yes. The Superintendent stated if the Council takes action to expedite this, then he would like to send someone to Albuquerque to promote the project and get it moving. Michael Jandreau made a motion that the Tribe adopt a resolution requesting that the construction contract for the high school be put on the open market for advertised bids, provided a resolution from the school board concurring with this action is sent. The motion was seconded by J. W. Thompson and carried with six for and none against.

(7)

LAW & ORDER CODE - Mr. Hicks stated the Tribe has a prohibition in regard to marijuana,

but does not include controlled substance drugs. The law enforcement department would like to see this amended to include the controlled substances. Michael Jandreau asked how many arrests were made on violation of the code as to pot, and was told none. Mr. Hicks continued, that this is an increasing problem and it would help if the code were amended. J. W. Thompson suggested that the entire law and order department review the entire code as to recommendations for amendment change. He then made a motion to this effect. The motion was seconded by Mary Dixon and carried by a vote of five for and Michael Jandreau voting against. He stated he voted against this, unless the Tribe were to get an attorney to give the adequate language in it on civil rights.

(8)

COMPLETION OF ROAD INTO FT. PIERRE - The BIA met with State officials before construction of the road, with the State committing themselves to construction of the 15 miles from the reservation line into Ft. Pierre. There is going to be a meeting on road construction on the 14th. He stated a resolution stating the Tribe's position would be helpful in getting the road completed. Kay Gourneau made a motion to adopt a resolution requesting that the State honor their commitment to construct the 15 mi. of road into Ft. Pierre from the reservation line. The motion was seconded by Michael Jandreau and carried with six for and none against.

(9)

MATCHING FUNDS FOR HOMEMAKERS PROGRAM - Michael Jandreau was authorized to investigate possibilities of obtaining matching funds for the Homemaker Program. Mr. Griffith stated there was no way they could use grant money for this. This cannot be contracted for either. No further action was taken on this.

(10)

COMMENT - Michael Jandreau requested time to comment on a written proposal submitted by Mary Dixon, as he had to leave for Pierre. Establishment of a branch of the American Indian National Bank on the reservation: This was requested previously and their answer was that they couldn't afford this. They were working on an agreement with a bank in Denver. Establishment of the new complex as a nursing home: There are quite a few elderly people that will be moving into the complex that are able to take care of themselves. Also, the central area of the complex will be used by the Elderly Nutrition Program to serve the elderly. Use of the present gradeschool building: The Tribe must develop this for greater capacity for the students we have now. The present facilities for the highschool are inadequate and were only meant to be temporary, so cannot be used for the gradeschool.

Mr. Jandreau also reported on his trip to Washington D.C. as our representative and met with NCAI, UST, the consortium, etc. On the drought assistance, they are waiting for documentation from the consortium as to how the money will be made available to the ranchers. Mr. Jandreau will be leaving for Denver to receive the allocation from HUD for the 40 new homes to be built in Lower Brule.

(11)

NEAL CLARK LAND SALE - Dr. Sibley, representing a real estate agency from Pierre, came to the Council to personally inform them of this land sale, since a large portion of land is on the reservation. The Council reviewed the written proposal. No definite action was taken. An appraisal will be made through the Bureau to see if the asking price is within reason; J. W. Thompson made a motion to request the appraisal, seconded by Kay Gourneau, carried by a vote of five for and one absent.

(12)

APPRAISAL REQUEST - Pat Durkin requested an appraisal on a 1/4 of his land. The appraisal to be used for mortgage purposes. The Bureau will be requested to have this done for him.

(13)

F. W. THOMPSON LEASE - A lease in the name of F. W. Thompson is due for renewal. A request was submitted by Jeanne Bolman, administrator of his estate, to have the lease renewed and to have it placed in her name. Kay Gourneau made a motion to lease the land to Jeanne Bolman. The motion was seconded by John Estes. Bill Ziegler asked if the lease will be subject to change, as to payment, and was told yes, if other leases are increased. On call for vote, the motion was carried by a vote of four for, one absent and Mary Dixson voting against.

(14)

SIoux FOR CHRIST RADIO PROGRAM - A letter was read from Father Fagan, requesting a donation to continue this program. The Tribe has made annual donations in the past. J. W. Thompson made a motion to donate \$25 to the program. The motion was seconded by John Estes and carried with five for, one absent and none against.

(15)

REQUEST FOR RURAL HOMESITE - F. Ed Blackdog presented a written request for a rural homesite. J. W. Thompson made a motion to grant the request. The motion was seconded by Bill Ziegler and carried with four for, two absent and none against.

On the subject of rural homesites, Mr. J. W. Thompson was asked by Bernadette King to request that her homesite be staked out. He made a motion to request the Bureau to survey and stake out all homesites. The motion was seconded by John Estes and carried with five for, none against and one absent.

(16)

REQUEST FOR DEFERMENT OF LEASE PAYMENT - Alfred Ziegler came before the Council to request a 60 day deferment on his lease. The lease was due in November. J. W. Thompson made a motion to grant this deferment. The motion was seconded by Mary Dixson and carried with five for and none against.

(17)

EDA SEMI-ANNUAL REPORT - The Planning Director presented his Semi-Annual report for the Council to review for recommendations and/or approval. J. W. Thompson made a motion to approve the report. The motion was seconded by John Estes and carried with five for and none against.

(18)

REQUEST FOR LOAN - Gene Wilson wrote a letter to the Council requesting a loan. Kay Gourneau made a motion to write a letter informing him the Tribe does not have the funds to make any loans at this time. The motion was seconded by J. W. Thompson and carried with five for and none against.

(19)

SELECTION OF I.A.T. TRAINEES - The hiring of trainees was previously up to the Director to fill positions as they became vacant. The Chairman requested that this authority be returned to the Directors. Kay Gourneau so moved, seconded by J. W. Thompson and carried with five for and one absent.

(20)

USE OF MEMORIAL BUILDING FOR BINGO - John Estes requested the use of the Memorial Bldg. to hold bingo for the Pow-wow. It is being used as a recreation center but asked if it could be used at least one night a week, on Saturday. The Council had no objections.

(21)

RECESS FOR EVENING - Bill Ziegler made a motion to recess the meeting until 9 a.m., Friday, February 4th, seconded by Kay Gourneau; there were no objections.

The regular meeting of the Lower Brule Sioux Tribal Council reconvened at 10 a.m., and was called to order by the Chairman with roll call as follows:

Present: Richard Thompson, Chairman  
Bill Ziegler  
John Estes  
Kay Gourneau

Absent: J. W. Thompson  
Michael Jandreau  
Mary Dixon

(22)

ENROLLMENTS - Birth certificates and requests for enrollment were received from the parents of Kathryn Jones, Kimberly LaRoche, Richard St. Cloud, Jr. The Chairman stated he felt the Council could not deny enrollment to one member of a family, when the other members were enrolled, therefore the request for enrollment of Kathryn Jones was again presented. Kay Gourneau made a motion to grant enrollment. The motion was seconded by John Estes and carried with three for, three absent and none against. John Estes wished to state his reason for denial of enrollment previously - the birth certificate stated the parents were white, and he had wanted this clarified.

(23)

APPLICATION FORM FOR ENROLLMENT - A form is being prepared as a standard application for all enrollments. The following additions were made: The questions as to whether the request is being made by natural parents, adoptive parents or guardians, and that the information given must relate to the natural parents if the child is adopted. The degree of Indian blood of both parents must be given. John Estes then made a motion to adopt the form as revised. The motion was seconded by Kay Gourneau and carried with three for, three absent and none against.

(24)

REQUEST FOR LOT IN INDUSTRIAL PARK - Tony LaRoche, Jr. presented his request for a lot in the industrial park, for establishment of a grocery store. The Planning Director was present to give information to the Council on this. Bill Ziegler made a motion to assign the lot requested to Tony LaRoche, Jr. The motion was seconded by John Estes and carried with three for and none against.

(25)

EDUCATION GRANTS - Applications for education grants were received from Anna Thompson Ferlin Grassrope, Richard LaRoche, Curtis Abrahamson. All were eligible. Kay Gourneau made a motion to approve the applications. The motion was seconded by John Estes and carried with three for and none against.

The Chairman requested that letters be sent to those students who are eligible for their second semester grants but are being delayed because grades and progress reports have not been submitted.

(26)

DETENTION OFFICER POSITION - The Captain of Law Enforcement Department again presented his recommendation that Bert Kaline be selected to fill this position permanently. Kay Gourneau stated she would vote to go along with the Captain's recommendation. Bill Ziegler stated he would also, and John Estes then concurred. This was made in the form of a motion by Kay, seconded by Bill Ziegler and carried with three for and none against.

(27)

CONSERVATION INSTRUCTOR - The Director of I.A.T. Program, Thomas Skye, recommended that Duane Goodface be delegated to fill this position, as he has been serving in this capacity for some time. The position has been advertised on two occasions and a selection made but the individuals refused the job. Duane also serves in the capacity

of Game Warden for the Tribe, and since the Tribe does not have the funds to employ a Game Warden, with his salary increase as instructor, he will be serving in two capacities but will only be receiving one salary and will not be taking employment from anyone in doing so. Kay Gourneau made a motion to approve the director's recommendation. The motion was seconded by John Estes and carried with three for and none against.

(28)

RESIGNATION OF S.U.D. - Mrs. Gen Doran came before the Council to personally inform them that circumstances have led to her resignation, effective 3/25/77. She stated she wanted to personally come out and thank everyone with whom she has worked in the past. The Chairman stated he hated to see her leave and wished her the best. Kay Gourneau and John Estes also expressed their feelings to Mrs. Doran.

(29)

HUNTING REGULATIONS & COST OF PERMITS - Duane Goodface presented a written proposal to the Council, to amend the Code and to submit the 1977 hunting regulations and fees. This was reviewed in detail by the Council members present and all changes will be made available through the office of Mr. Goodface. Kay Gourneau made a motion to amend the Code to include those additions as submitted by Mr. Goodface, and to approve the hunting regulations for 1977 season. The motion was seconded by John Estes and carried with three for and none against.

(30)

LOWERING OF AGE REQUIREMENT FOR TRIBAL JUDGE - The minimum age for a Tribal Judge is now 30 years. A request was made by the Chief Judge, Mrs. Smith, to lower this to 25 years, but to retain the investigative procedure as stated. Bill Ziegler made a motion to this effect. The motion was seconded by John Estes and carried with three for and none against.

(31)

APPROVAL OF MINUTES - John Estes made a motion to approve the minutes of January 5, 1977 as published, without correction. The motion was seconded by Bill Ziegler and carried with three for and none against.

(32)

FARM MANAGER APPLICATIONS - There were 23 applications submitted for the position of Farm Manager. The Council wished to interview the applicants and therefore, the 23 will be narrowed down to a workable number for interview. Six were chosen as receiving more than two votes, with the Chairman and three Council members selecting. The Planning Director will handle the notification to come in for interviews on the 14th, at 1 p.m.

(33)

ADJOURNMENT - The Chairman asked if there was any further business, and there being none, he entertained a motion for adjournment. The motion to adjourn was made by Kay Gourneau and seconded by Bill Ziegler; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 2nd and 4th days of February, 1977.

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Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

February 17, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 17th day of February, 1977, and was called to order by the Vice-Chairman, J. W. Thompson, with roll call as follows:

Present: J. W. Thompson, Vice-Chairman  
Bill Ziegler  
John Estes  
Michael b. Jandreau  
Mary Dixon

Absent: Richard Thompson  
Kay Gourneau

In the absence of the Chairman, the meeting was called to order by the Vice-Chairman, Mr. J. W. Thompson. He stated there were two very important resolutions that needed immediate action by the Council:

- 1) A resolution is needed approving the contract for power installation to Phase I of the irrigation project. The Area Director does not have the authority to sign or approve the contract without a Tribal resolution. The contract has to be approved by the cooperative tomorrow. Michael Jandreau made a motion to adopt a resolution approving the contract. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.
- 2) An all day meeting was held on the Master Drainage Plan involving the entire community. An actual survey is needed and must be requested by Tribal resolution. The Superintendent requested this be done while the representatives are here so they can accept the resolution. Bill Ziegler made a motion to adopt a resolution requesting the survey. The motion was seconded by Michael Jandreau and carried with four for, two absent and none against.

There being no further business, a motion was made by Michael Jandreau to adjourn, seconded by Bill Ziegler; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 17th day of February, 1977.

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Connie Rae Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

February 14, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 14th day of February, 1977, and was called to order by the Chairman at 1 p.m., with roll call as follows:

Present: Richard "Bill" Thompson, Chairman  
John Estes  
Michael Jandreau  
Kay Gourneau

Absent: J. W. Thompson  
Bill Ziegler  
Mary Dixon

A Special Meeting was called for the specific purpose of interviewing applicants for the irrigation farm manager position. There were six applicants, but only five were present for the interview, as follows: Amin Gemei, Mr. Hanke, William Fox, Don Merriman and a Mr. Kambell.

Those present to conduct the interview and give technical assistance to the Council members present were: Mr. Corey, Mr. Benjamin and Mr. Kasl of the Consultant Firm; Mr. Mel Myers of the EDA Office in Denver; the Superintendent, Mr. Hicks, Jim Legg, Ed Riehle and Mr. Abe Langdeau.

The applicants were interviewed in all the technical and practical aspects of the Farm manager position. They were also allowed to ask questions of the Council. At the conclusion of the interviews, each of those assisting in the interview gave their recommendations to the Council; the result was that Mr. Fox was the best qualified and Mr. Hanke placed second.

PRECONSTRUCTION CONFERENCE - EDA Project #05-01-01565: At the close of the interviews, the meeting was then called as the Pre-Construction Conference, as required by EDA, with the same Council members and advisors named being present. Also present were Mr. Milton Morris and his staff, of Morris Irrigation, Pierre, SD, who was awarded the contract for construction of the Irrigation Project.

Mr. Myers stated the meeting was to acquaint the contractor and grantee with the procedures to be followed for construction of the project. The document authorizing construction to proceed was presented and signed. Mr. Benjamin stated the Section X permit should be here by Friday, the 18th. Mr. Myers reviewed the guidelines of EDA requirements with the contractor: Objective of EDA public works grant is to put the unemployed to work in all aspects possible. The contractor is to employ as many local laborers as possible. Statement of compliance was reviewed. Projected schedule of work must be completed by contractor. Periodic estimates for project payment and schedule for amount of payment were explained. Change orders must be cleared thru consultants. A monthly breakdown of work completed must be reported to the Tribe, through the Consulting Firm and then to EDA, to dispense money. Consultants will send notification when project is complete and a final inspection will be made. "As built" plans must be furnished to the Tribe and EDA by the contractor. There will be a construction supervisor on project at all times. The on-project responsibility of employees in regard to care and safety is entirely the responsibility of the contractor. Review by consultants is for compliance of Plans and Specifications, not for safety factors, but if necessary, these will be brought to the contractor's attention.

There being no further business, the meeting was adjourned.



Special Meeting

February 14, 1977

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present on the 14th day of February, 1977.

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Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

February 23, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 23rd day of February, 1977, and was called to order by the Chairman, Richard P. "Bill" Thompson, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson  
Bill Ziegler  
Mary Dixon  
Michael Jandreau, arrived after roll call

Absent: John Estes  
Kay Gourneau

The meeting was opened with the Lord's prayer.

(1)

HIRING OF FARM MANAGER - The meeting was called primarily to select the irrigation farm manager, and the preparation of a contract for him. Michael Jandreau made a motion to select William Fox as manager, with Mr. Hanke as alternate. The motion was seconded by Bill Ziegler and carried with four for, none opposed and two absent.

The points of negotiation - fringe benefits, percentage amount of incentive pay, living quarters, etc., will be discussed at a meeting with the manager, Mr. Legg, Mr. Riehle and Mr. Abe Langdeau who will conduct the preliminary negotiations with final recommendations to be presented to the Tribal Council - Farm Board on Monday, February 28th. J. W. Thompson made this in the form of a motion, seconded by Bill Ziegler; there were no objections.

(2)

AMEND RESOLUTION NO. 77-60 - The Albuquerque office contacted the Chairman and Superintendent's office to inform them the resolution submitted would have to be amended; the regulations prohibit open market advertisement with the option that an Indian contractor could meet the low bid. The Superintendent requested this portion of the resolution be deleted. J. W. Thompson made a motion that this be deleted. The motion was seconded by Michael Jandreau and carried with four for, none opposed and two absent.

(3)

DEFERRMENT OF LEASE PAYMENT - The Council had granted a deferrment of lease payment to Alfred Ziegler. A memorandum had been written by the Superintendent disallowing this. In the meantime, Mr. Ziegler had been in contact with the Bureau office and when this was explained, readily agreed to make the payment now.

(4)

LAND APPRAISALS - The Superintendent requested that certain isolated tracts of land be appraised for possible future land exchange. These tracts were pointed out to the Council on a map. A copy of the appraisal will be sent to the Tribe which will contain the legal description of the land. J. W. Thompson made a motion to get all tracts appraised, and include that the Tribe buy the interests of Normal Wilson. The motion was seconded by Michael Jandreau and carried with four for, none opposed and two absent.

(5)

AUTHORIZE RE-NEGOTIATION OF NOTE - A short term note at Pierre National Bank was secured as interim financing for the irrigation project. The note is now due and must be re-

negotiated as the funds have not yet arrived. J. W. Thompson made a motion to authorize the Chairman to re-negotiate the loan, to extend it for a period of 90 days. The motion was seconded by Michael Jandreau and carried with four for, none opposed and two absent.

(6)

ADJOURNMENT - There being no further business the Chairman entertained a motion to adjourn. The motion was made by J. W. Thompson, seconded by Michael Jandreau; there were no objections. The meeting was held from 1 p.m. to 2:30 p.m.

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council - Farm Board on the 23rd day of February, 1977.

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Connie Boyd, Recording Secretary

## Regular Meeting

### Lower Brule Sioux Tribe

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 2nd, 7th and 8th days of March, 1977, and was called to order by the Chairman, Richard P. Thompson, on the 8th day with roll call as follows:

Present: Richard P. Thompson  
Kay Gourneau  
Mary Dixon  
William Ziegler

Absent: J.W. Thompson  
Michael B. Jandreau  
John Estes

LAND EXCHANGE REPORT - Mr. Hicks and Mrs. Claymore from the Bureau of Indian Affairs were present and presented a tentative report on three (3) proposed land exchanges between the Lower Brule Sioux Tribe and three (3) land owners; Keith Dorman, Larry Larson and Joe Coble. The Tribal Council adopted three resolutions in support on the tentative land exchanges. The first resolution was made by William Ziegler with a motion seconded by Mary Dixon with three for none against three absent and motion carried, quorum present for the land exchange between the Lower Brule Sioux Tribe and Keith Dorman. The second resolution was made by Kay Gourneau seconded by Mary Dixon with three for none against three absent, motion carried and quorum present. Resolution for the land exchange between the Lower Brule Sioux Tribe and Joe Coble land was adopted by William Ziegler with motion seconded by Kay Gourneau with three for and none against three absent, motion carried and quorum present.

AUDIT REPORT - At this time, Mr. Ziegler stated after hearing the audit report by Mr. Wilson, something should be done in order to assure the Tribe's accounting system. Mary Dixon stated something should be done as to the C.H.R.'s mileage, which should be checked up on more closely. Mr. Ziegler continued that he would like to see all Directors of each program receive a directive as to the use of Program monies and closely check the mileage. I would also like to see the Indian Action Team

Regular Meeting

March 8, 1977

Director be reprimanded to the effect that in future acts of misconduct would not be tolerated and would cause for removal. Mr. Ziegler then made a motion to the above statement with motion seconded by Mary Dixon with two for, one not voting three absent, motion carried and quorum present.

Mr. Abraham Langdeau, Jr. who had been present for the session stated that as Planning Director, the overall assessment has been moving to a personal status. I have experienced in the past that it starts with a personal status and have referred this subject before. This is the sort of thing that should not exist. I am referring to the C.E.T.A. Project Problems. It always seems easy for me to criticize; my input comes from experience and I appreciate the Council for listening to this problem.

The other portion of this input is that I am Planning Director of the S.D.A. Planning Grant and Director of the employee's under this Planning Grant Program. Incidentally, the Council has never recognized me as overall Planning Director. I am referring to these greivances before the Council since it has been presented to the Council before but never identified in the minutes. When I speak to the Council, I am authorized and what I say should be stated in the minutes.

Mr. Hicks stated that after hearing the audit report by Mr. Wilson, I might add that the Bureau may be able to assist the Tribe in sending staff members down from the Aberdeen Area Office to assist present Tribal Bookkeeping Staff in working out a one (1) system management with contracts under another. And also, the Bureau can send help for Office Management. The Chairman asked the Council how they felt on this subject. After a short discussion, Mary Dixon made a motion to have the Bureau assist the Tribe in Office Management and accounting systems. The motion was seconded by William Ziegler with three for none against three absent, motion carried and quorum present.

NEIL CLARKE LAND AGREEMENT - Mr. Sibley, Realestate Agent out of Pierre, South Dakota came before the Tribal Council and presented a tentative agreement by Neil Clarke, to the Lower Brule Sioux Tribe. After the agreement had been read and presented to the Council a tentative agreement by Neil Clarke to the Lower Brule Sioux Tribe. After

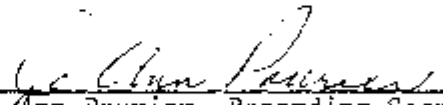
the agreement had been read, Mr. Hicks recommended to the Tribal Council adopt a resolution stating, 1) it is the interest of the Tribe, depending on the availability of funds, to propose a purchase or sale of land by Neil Clarke, and 2) authorize the Tribal Attorney, William Srstka, to assist the Tribe in negotiating the agreement. The motion was then made by William Ziegler seconded by Mary Dixon with three for, none against three absent, motion carried and quorum present.

The Chairman then asked Mr. Langdeau if he would take the agreement to Mr. Srstka's office and go over it with him. Mr. Langdeau agreed to do so.

ADJOURNMENT - A motion was made by Kay Gourneau to adjourn meeting with motion seconded by Mary Dixon with three for, none against three absent motion carried and quorum present.

CERTIFICATION

The foregoing is true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council with quorum present on the 8th day of March, 1977.

  
JoAnn Poirier, Recording Secretary

The continuation of the regular meeting of the Lower Brule Sioux Tribal Council was not held on the 3rd, as scheduled, but postponed to the 7th due to weather conditions. The meeting was reconvened at 10:00 a.m. on the 7th day of March, 1977, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman

Absent: John Estes

J.W. Thompson

Mary Dixon

Michael Jandreau

Kay Gourneau

Bill Ziegler, arrived after roll call.

(1)

GENERAL COUNSEL CONTRACT - Mr. Srstka, Tribal attorney, had not submitted a bill for approximately the past year. This was called to his attention and he now submits a 12 month bill for payment. Michael Jandreau made a motion to approve payment for four months at this time. The motion was seconded by J. W. Thompson and carried with four for, none opposed and two absent.

(2)

ENROLLMENT - Birth certificates and applications for enrollment were submitted for the following: Jessica M. Wilson, Ernie Bird Necklace, Albert Wright and Vincent Gallagher. Kay Gourneau made a motion to approve the children for enrollment. The motion was seconded by Mary Dixon and carried with four for, none opposed and two absent.

(3)

EDUCATIONAL GRANT - An application for an education grant was submitted for Bernard Long. J. W. Thompson made a motion to approve this. Kay Gourneau seconded by the Motion and it carried by a vote of four for, none opposed and two absent.

(4)

RENEWAL OF STORE LEASE - Orville Langdeau, Sr. submitted a request to renew the lease on the store. Mary Dixon asked the amount he owes on his loan and lease and this information was given to the Council. The Council was also informed that the Tribe pays for the electricity and fuel also. Mary Dixon stated she didn't think the lease should be renewed until he gets at least half of past due lease paid. Bill Ziegler stated if the Tribe foreclosed, they wouldn't get anything, and that maybe the Tribe should give him a year's lease provided he can pick up at least half of the back rent. He stated he was against renewing for five years. Mary Dixon stated if he didn't make enough two years ago to pay lease, how will he do it now. After further discussion. Bill Ziegler made a motion to grant renewal of the lease for a one year period, provided Orville attempts to pay at least one-half of the back lease payments. The motion was seconded by Michael Jandreau and carried with three voting for, one against (M.Dixon), one not voting (K.Gourneau) and one absent (J.Estes).

(5)

HEARING FOR TONY LAROCHE, JR. - Tony LaRoche, Jr. requested a hearing because he was suspended by the Director who also recommended that he be terminated. Mr. LaRoche gave his explanation and concluded by stating he wanted his job back but would never work with her (Mrs. Bolman). Michael Jandreau asked if he was issuing an ultimatum to the Council? He answered that he did want to work but not with Mrs. Bolman. The Director, Mrs. Bolman, stated she was acting in the capacity she was hired for and would continue to act that way to her employees, to see that they do what they were hired to do. Some questions were asked by the Council. The Director explained the function of the Ambulance Service. The Council discussed the ambulance service problems. Michael Jandreau made a motion that, provided Tony LaRoche can follow direction as outlined by his supervisor, that he be allowed to go back to work. He further stated that he would

not support anyone who wanted someone fired just so they could go back to work. The motion was seconded by J. W. Thompson and carried with five for, none opposed and one absent.

(6)

BUS DRIVER FOR ELDERLY NUTRITION PROGRAM - Applications for this position were reviewed. A recommendation was made by the Project Council to hire George Tracks. The Council stated they would like to select by secret ballot. Lawrence LaRoche was selected by Secret ballot. Other applications were from Gary Crowe, Jasper Eagle Star, John Flute, Dallas Michalek and George Tracks.

(7)

RODEO COMMITTEE - Applications for SDRA & NRCA had been approved but prize money, dates of rodeo, etc. have not been decided upon and a committee should be established for this. Kay Gourneau made a motion that Michael Jandreau, Del LeCompte and Patricia Madsen be asked to serve as the Rodeo Committee, and to request that the purses be the same as last year. The motion was seconded by J.W. Thompson and carried with five for, none against and one absent.

RECESS - A recess was called to 11:50a.m. The meeting is to reconvene at 1 p.m., with the auditors holding their exit conference. The Directors of Programs were requested to be present. No Council action will be taken during this portion.

(8)

HEAD START PROGRAM - Patricia Madsen, Head Start Director, came before the Council to request their support for the program and a commitment from them for a larger facility for the program. Funds are available if she can find a place or facility that is larger. She asked if the the program could move back into the Neighborhood Center when the new high school is completed. Kay Gourneau made a motion that the Council go on record supporting this request and making a commitment to provide permanent facility for the Head Start Program. The motion was seconded by J. W. Thompson and carried with four for, none against and two absent.

(9)

FARM MANAGER POSITION - William Fox declined the job unless he could get a three year contract at \$20,000 a year without the incentive portion offered. Abe Langdeau informed the Council that Mr. Hanke was named as alternate. The director was requested to contact Mr. Hanke with the job offer.


(10)

RENEWAL OF CONTRACT FOR ATTORNEY - The Area Office notified the Tribe that the contract renewal is not in order and will have to be re-written. J. W. Thompson made a motion to refer this to the attorney for re-writing as per the Area Office recommendation. The motion was seconded by Michael Jandreau and carried with five for, none against and one absent.

RECESS FOR EVENING - There is still further business to conduct and the Chairman asked if the meeting could be recessed until 1 p.m. on the 8th day of March. The Council so moved.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 7th day of March, 1977.

  
Connie Boyd, Recording Secretary



REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

March 2nd, 7th and 8th, 1977

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 2nd, 7th and 8th days of March, 1977, and was called to order by the Chairman, on the 2nd, with roll call as follows:

Present: Richard Thompson, Chairman  
Bill Ziegler  
Mary Dixon  
Kay Gourneau  
Michael Jandreau, arrived after roll call

Absent: J. W. Thompson  
John Estes

The meeting was opened with the Lord's prayer, led by Kay Gourneau, in the absence of the Chaplain.

(1)

MODIFICATION OF J.P. & E.S. CONTRACT - The Superintendent, Mr. Hicks, and Harrison Fields of Community Services were present for this portion of the meeting. There is approximately \$11,300 in the JP & ES Contract which, if the Tribe so requested, could be used to hire a full time prosecuting attorney who could also update the code. What is needed is a resolution from the Tribe requesting a modification of the contract to include this. Kay Gourneau made a motion to adopt a resolution requesting modification of the contract, to provide funds for a prosecuting attorney. The motion was seconded by Bill Ziegler and carried with three for, none against and three absent. Mr. Fields will write the proposal to submit to the Bureau for this.

(2)

LEAA APPLICATION FOR FY 78 - Mr. Fields presented the budget for funding of the Manpower and Equipment program for the law enforcement program. The present grant expires June 1st. Mr. Fields requested a resolution from the Tribe to support the proposal, and also to include a request for waiver of matching funds. Kay Gourneau made a motion to adopt a resolution to support the contract and to request the waiver. The motion was seconded by Bill Ziegler and carried with three for, none against and three absent.

(3)

BIA HOUSING - Mr. Fields requested that the Council explore the possibility of giving three police officers tribal housing due to the high cost of BIA housing which amounts to approximately \$300 a month, including utilities. The excess housing cost inhibits recruiting for positions here on the reservation. This is a matter to be considered by the Housing Authority, and there is a clause in there now that does make them eligible. The Chairman asked if a formal resolution from the Council requesting a lowering of BIA rentals would help. The Superintendent stated it would. Kay Gourneau made a motion to adopt a resolution requesting that the evaluation be reconsidered by the Bureau making it comparable to tribal housing, as it is desirable for the police officers to live in the community. The motion was seconded by Mary Dixon and carried with three for, none against and three absent.

(4)

CONTRACTS & GRANTS - (Michael Jandreau entered meeting at this time) Joyce Estes, Administrative Officer for the Agency, reviewed the contracts and grants the Tribe needs to take action on for FY 77. The first reviewed was the pact with the State Game, Fish and Parks. The purpose of this pact was to develop a bilateral agreement with the State

on licensing and working with management of DOR. There is approximately four to five thousand left in the contract that has not been expended. The funds are to pay the expenses of working out this agreement with the State, it includes attorney fees in working on the negotiations and for attending meetings to accomplish the agreement. The funds need to be expended by the end of May.

There is approximately 14,000 to be used to establish some type of personnel system and improve our financial system. The funds could also be used to revise the constitution and bylaws. This has to be expended before the end of the fiscal year. There is no action needed by the Council, but the Tribe should begin to implement the program.

There will be 2,000 available for another youth clean-up program in the spring, used to clean up the community. Michael Jandreau made a motion to adopt a resolution accepting this contract. The motion was seconded by Bill Ziegler and carried with three for, none against and three absent.

There is approximately 2,800 to contract for in tribal government, and a 28,000 grant. The proposal for the 28,000 must be in the area office by March 15th. Michael Jandreau asked if the funds could be used to employ two or three people to study the administration procedures of the Bureau, to analyze and study what procedures are being used to implement programs. It was stated the funds could be used for anything that involved improving tribal operations, or could be used for a business manager; the Tribe is at the point where they need someone to keep abreast of budget items and finances, keeping the Council aware of all that is going on. There would also be a possibility of hiring an administrative aide to the Chairman. The funds are grant money under PL 638 and the proposal would have to be directed toward the Tribe getting further into 638 contracting or written in that vein. The Tribe also needs a standard personnel system for all programs. Joyce Estes suggested the possibility of computerizing the financial system, this would speed up the process of payroll and tax reports. She also stated that in hiring someone you need a person knowledgeable of tribal government and tribal business, how we operate and how we are funded. Michael Jandreau made a motion to adopt a resolution requesting to contract for the amount of \$2800. The motion was seconded by Mary Dixon and carried with three for, none against and three absent.

Michael Jandreau made a motion to adopt a resolution supporting our proposal for the 638 money, in the amount of \$28,000. The motion was seconded by Mary Dixon and carried with three for and three absent.

(5)

RURAL HOMESITES - The Tribal Council had requested that the Bureau stake out all rural homesites. They have informed the Tribe that this cannot be done because they are without a licensed engineer. They could furnish a general description, but the Tribe would have to waive the legal survey. The total amount of acreage allowed for a rural homesite was discussed. It was the opinion of the Council that 5 acres is too much, and that this should be reduced to 2.5 acres. Bill Ziegler asked if the boundary of the community is two mile radius and was told yes, but there are some homesites within this radius. The Superintendent presented a Proposed Procedure for Handling Rural Homesites, as follows: 1) Applicant makes application to Council giving approximate site. 2) The Council will notify Agency with Resolution for application. 3) Agency will check to see if land is available and make recommendations. 4) Agency will notify Council and applicant. 5) A standing resolution will be made to lease the homesite for 25 years, with a 25 year option; the agency will write the leases. 6) The rural homesites will be based on a description of the lot in terms of legal subdivisions and in accordance with existing zoning laws; this will include the two mile radius and any other zoning laws. (#5 and #6 were written by the Tribe.) Michael Jandreau made a motion to adopt a resolution encompassing all six points of the procedure, to include that from this date forward that all homesites be limited to 2.5 acres. The motion was seconded by Bill Ziegler and carried with three for, none against and three absent.

(5)

REQUEST TO HOLD A PUBLIC DANCE - The Recreation Director, Nathan Middleton received a letter from the Tribal Court in regard to a dance he wanted to hold. They informed him he was to give at least a week's notice for a public dance. Bill Ziegler contended that since it was being held at the Recreation Center it was not a public dance. Michael Jandreau answered that since admission was being charged, it is a public dance. The letter from the Judge was dated approximately two weeks previously and Mr. Middleton did have enough time to comply. There was no action taken by the Council.

(7)

UPDATE ON COBLE LAND SALE - Abstracts have been hand carried to Aberdeen to be reviewed by Mr. Dunker. Mr. Hicks reported on a problem with the land sale, involving land off the reservation. There are four quarters off the reservation that will have to be handled separately; this could be done through a land trade, a separate loan to buy the land or to exclude this portion. It was the Chairman's opinion that this not be excluded as it breaks up the tract of land. Mr. Jandreau stated that in talking with the FHA representative, that the land could be purchased if a proposal is submitted in dealing with those lands in no less than 6 months after our transaction is complete, however, it will take an addendum to our original application as to whether or not and how we are going to use those lands.

(8)

REQUEST FROM ORVILLE LANGDEAU - Orville Langdeau asked to address the Council. He stated, my purpose in being here today, is I feel it was brought on me. I didn't feel it was necessary myself. For the past two months, and I found that it has to come from individuals on the Council. There is no other way that I know of that such opposition could be created, it had to be from the Council. There is opposition from the Council in me getting a grant, but I have no idea who. I thought it wouldn't be necessary for me to come over. I just want a straight answer. I feel now that tribal politics has reared its ugly head and is fighting against me and six members of my family. I am here today to represent my family as a family head, they are all members of this Tribe, and I am requesting of the Council to give me an answer as to whether they will help me or not. On a one-to-one basis with anyone here, I can take about anything and walk away from it, but when it is aimed at my family then determination within me makes me take only one route. If it happens to my family, it can happen to others. Whenever I tried to do anything for myself, I would do it for others. My intentions were to help the people of the reservation to right something wrong. Irregardless of your answer, I have no alternative but to go forward in my search to right things which I know are wrong for the people of our community. I will put forth every effort to bring about constructive change in the dealings with people, to see that they are adequately approached by each and every tribal council member, or by the Bureau if they are involved. I want to see that the people of the Lower Brule Sioux Tribe will adequately benefit. I mean all of the people, not just a portion. I am sorry I have to speak in these terms, but it was forced on me, didn't think there was a need for me to come here. I put in for a grant and asked for assistance from the Tribe and it has been two months. Today I don't know if I am getting a cent or getting kicked in the face. No one has to be strung out like that. I now have no alternative but to do what I have to do. I guess what I would request, formally, flat out approval for assistance. Everyone here knows my predicament. I don't want no preaching from you. You know me well enough. Do I deserve it? Do I qualify? Or do you feel I should be rejected? If so, then I will exercise whatever options I have.

Chairman - What help are you talking about, the \$5,000? Yes.

Chairman - Don't know what is taking place now, but I do know he applied for a loan. This is the extent of my knowledge of this, outside of today's discussion. What is taking place on his grant?

Superintendent - Orville came to see us 2-3 months ago and asked if he was eligible for a grant under the Bureau's program. We indicated he would be eligible. This would be

his second grant, provided he could submit an application that could comply with rules and regulations. As you know, the grant cannot exceed 45% of the loan money. We assisted in preparing an application, seeking a larger amount than it is now, but based on previous indebtedness, etc. This was then submitted to the Area Office for review. In the mean time, the Council agreed to loan him \$5,000, but made the provision that it would be loaned when funds were available. The Area Office questioned what this meant. If the grant were approved it would still be conditional on getting the \$5,000. His application is now back up there with a copy of the minutes and a copy of the resolution. I am confident at this point that it will be approved for \$1600.

O. Langdeau - Actually, I am eligible for \$3200.

Superintendent - Yes, based on getting the \$5,000. But with the funds remaining and if Lawrence Thompson is approved, then the amount would be \$1600.

O. Langdeau - If money is available, why does an individual have to wait until another applicant determines it is time to submit. It was explained to me by the Area Director that they do not set aside funds for anyone until applications come in. That is the point I am trying to make.

Superintendent - Funds are not set aside. He had application in first, therefore, had a commitment from the Tribe first to support him.

O. Langdeau - Yes, and now there is a conflict of interest.

B. Ziegler - What do you owe the Tribe?

O. Langdeau - \$4400 loan. If the Tribe wants to liquidate me, they could probably get money back on equipment I have.

B. Ziegler - If an operator owed the Tribe, they would keep him in business until the Tribe is paid.

O. Langdeau - Yes, I think that has been the case, not a written policy, but the feeling of different Councils over the years. I don't have any fight with that up to a point. I always fought to try and make other Council members aware of it. There was always a great need for substantial support in commercial development. It was always too one sided. Couldn't understand how they justified helping just a portion. I could never feel right about it because, to me, with people getting into commercial business were, in my estimation, started out with a very small amount, no chance to make a living. Cattle operators on the other hand were given substantial loans and units to operate on without any collateral at all. Not so with businessmen. It was always stressed you had to have collateral. I do not have a fight with cattle operators.

B. Ziegler - Agree, people setting up a business couldn't get started with the small amount of money they were given. Cattle operators can get other assistance, like disaster money and stuff like that. I fought for a grant for years, couldn't get one because I was a BIA employee, then because I lived off the reservation. It is good for operators to get help, but others need it too.

M. Jandreau - I would hate to see this get one sided. I do agree that commercial business has taken the blunt end of things, but I would not like to see this discussion come to the point that it begins to destroy what the cattlemen have accomplished through hard work. They bear a great responsibility in payment of their leases and repayment of loans. And, let me point out that the cattle operators are not making an excessive amount of money by any chance. I have been in the business for 7 years and you can take a look at my tax statements - it is tough for us also, especially now with the drought and what cattle prices are. I will concede that commercial industry has not received the same emphasis in accord with the financial status of the reservation, emphasis is much greater today because the reservation can support a business today - it couldn't before. But Indian agriculture is the backbone of the Tribe's resource system. I think the criticism that they receive all the money and breaks is very unfair. I believe that commercial business must be treated with the same ideals, but please, don't do it at the expense of the cattlemen. He is in business to make a living for himself and family too.

B. Ziegler - I was not picking on operators or cattle business, but would like to see commercial business get fair treatment.

Chairman - A difference that I see, in making loans for cattlemen, you have your money right there. If you sell a cow you get your dollar back. In a commercial business,

you buy groceries, sell them and they are gone, then you need another loan. The Tribe has no control over income off of that. If you loan money to buy land, then you hold the land as mortgage. That is the difference in the cattle and commercial business. But getting back to Orville, what have we done to bring this on?

O.Langdeau - I came today because I feel that a member or members of the Council have leaned on the Superintendent and created opposition to my efforts to get a grant. With the Bureau, that is the way it goes.

Superintendent - There are no personal feelings - I weigh the wishes of the Tribal Council.

Chairman - Do you feel the Bureau could go ahead with the grant?

O.Langdeau - From what the Superintendent said and his reaction, there should be no question in my mind. I am very open and sure about checking things out. I feel someone is working against me. I check out things first and then I try to do something. I've been sitting here two months and I'm still trying to get it straight. I'm coming to the Council because I feel opposition has come from here. I just want an answer. Do you intend to help me or not?

Chairman - You were on the Council when your resolution was passed, did you understand that it was made if money was available?

O.Langdeau - I have no idea in what shape the Tribe is in financially.

Chairman - You are asking us to give you \$5,000 we don't have.

O.Langdeau - I realize that. What I am asking for in front of the Superintendent is, will the Tribe help me when it is available? All I want from you today is your feelings on whether or not I warrant assistance. I am asking the Superintendent if he can get a determination from the Council while I am here so that I can get a grant.

B.Ziegler - What is the deal on the \$5,000, when it was available he would be eligible? Yes.

Chairman - Do you want to stand by this decision from the other Council?

M.Dixon - Will you stock up the store?

M.Jandreau - He's wanting to know if the Tribe wants to continue to support him in getting immediate grant funds he is eligible for.

B.Ziegler - If the \$5,000 was approved only if available, then only other thing is to deny it.

M.Jandreau - I think he is asking two things, whether they will receive our support and whether the Bureau will approve the grant funds.

Superintendent - They did approve it.

Chairman - If you said when funds are available, what did you mean, when there is \$5,000 in the general fund or \$5,000 in the treasury?

M.Jandreau - When there were funds available for commercial business.

O.Langdeau - Now, I am asking when.

Superintendent - We don't care when, but how. Next time you amend budget, next time you have it in general fund, or what? Then we can go ahead with the \$1600 grant.

O.Langdeau - When I first went to you, you stated L.Thompson had support, but for a certain amount. Since that time that amount has changed. Do you take the first figure or an amended figure. I didn't think I was hurting anyone. But this is the reason I am here to see if I can get an answer.

M.Dixon - One thing against you is the way you manage your store. Look at all those empty shelves. There are slow times and good times, but we have to stay in business too.

O.Langdeau - Don't you think I feel foolish keeping open?

M.Dixon - As long as you have been in business, there is no excuse for running a place like that.

Chairman - We can all understand the struggle it takes to survive.

B.Ziegler - One thing I am wondering about is the grant. His application is complete but is being held up because of another grant?

Superintendent - L.Thompson was approved at one figure, but if the conflict of interest is cleared up, then it will be higher.

M.Dixon - Give him a certain amount of time, if he can't, then cancel.

Superintendent - We did give him a deadline, but I don't know if he complied yet or not.  
O.Langdeau - You said he would be in on Thursday. In talking with the Area Director, he told me the Superintendent has the authority to approve the grant and the Area Office just sends out money.

Superintendent - The conflict of interest has to go before an ethics committee. We have made a commitment, and whether we are in trouble or not, we did it.

M.Jandreau - Mr. Hicks, could you call?

O.Langdeau - Why, I only need to know if I should be supported any longer, and if I am going to get the grant. Whole setup on grant system is twisted out of line. It all ties in. One thing is holding the other up. I don't think that is right, no one is getting the money.

Chairman - A motion is in order as to when the Tribe can honor their resolution.

M.Jandreau - If the 3200 were available to you, to immediately utilize, could you operate until regular budget time and give the Tribe time enough to try to develop into our budget, a line item for commercial loans, could you operate? Yes.

M.Jandreau - Mr. Chairman, I would then make a motion that we develop, in our regular budget, a line item for commercial loans, and that the commitment to Mr. Langdeau be honored out of that line item and be deposited therein; and, that we request of the Bureau to fund immediately those grant funds for which he is totally eligible. The motion was seconded by Bill Ziegler and carried with three for, none against and three absent.

RECESS - The meeting reconvened at 1:30 p.m., with the same members being present except for Kay Gourneau.

(9)

REPORT ON FARM MANAGER - Abe Langdeau, Tribal Planning Director, Jim Legg and Ed Riehle were to negotiate terms and wages with the Farm Manager, to come to some agreement for a contract to be presented to the Council. Mr. Langdeau reported that Mr. Fox requested an increase in the base wage from one to fourteen thousand a month, and a decrease from 10 to 6 percent of net profits as incentive. The manager is to begin work on the 14th, if the above change is approved. Bill Ziegler made a motion to hire Mr. Fox at the figures discussed. The motion was seconded by Mary Dixon and carried with three for, none against, and three absent.

(10)

DISCUSSION OF OPERATING CAPITAL FOR FARM - To implement operation of the farm, the Council discussed withdrawal of industrial development money, now invested in time certificates of deposit, to use as operating capital. Mr. Langdeau suggested also the possibility of borrowing operating capital from bank and depositing the CD's directly to the bank. Michael Jandreau stated that adequate background work was not done in projecting or working toward a low capital outlay. He stated it would be devastating to the finances of the Tribe to withdraw almost the entire amount of the Tribe's investment. He asked if a lease-purchase agreement had been looked into; this cost may be picked up by the Indian Action Team Program also. There is also a possibility of using AVT funds for some of the wages. Mr. Langdeau stated the figures were not final. Michael Jandreau made a motion to withdraw \$100,000 of industrial development funds. The motion was seconded by Bill Ziegler and carried with three for and none against, three absent.

(11)

PROPOSED LAND SALE - N. CLARKE - Mr. Sibley from the Real Estate Agency and Mr. Butt, Mr. Clarke's CPA, were in to discuss the proposed sale of the Clarke land to the Tribe. There was a long discussion held on a tax shelter proposal for Mr. Clarke, explained by Mr. Butt, whereby he would not be receiving income from a sale but would be an actual exchange of land or "like kind" property. In order to do this, the Tribe would still be required to put up a certain amount of earnest money. No final action was taken and no decisions made.

RECESS FOR EVENING - The Chairman informed the Council that there is further Tribal business, but asked for adjournment, to continue the meeting the following day at 10:00 a.m. Michael Jandreau made a motion to recess for the evening, seconded by Mary Dixon; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 2nd day of March, 1977.

  
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Connie Rae Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

March 14, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 14th day of March, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson  
John Estes  
Michael Jandreau  
Mary Dixon

Absent: Bill Ziegler  
Kay Gourneau

FARM BOARD MEETING

William Fox declined the irrigation farm manager position; contract negotiations could not be agreed upon. The alternate, Mr. Tom Hanke was contacted and accepted contingent upon contract negotiations. Determinations of salary and percentage base was then discussed. Mr. Hanke agreed to a monthly salary of \$1,000/month plus a percentage of the gross income of the farm operation. Project costs and land charges will be deducted. This will be specifically spelled out in the contract, a copy of which will be on file at the Tribal Office and in the Planning Department.

Mr. Hanke requested a one year contract with an option to renew; he proposed to develop a long range project plan of 5 years and was agreeable to sign another contract after one year. The date of the contract to be effective March 14, 1977. The contract will be drawn up at Mr. Srstka's office with Mr. Abe Langdeau delegated to get this accomplished.

Miscellaneous items discussed - developing more land outside of Phase I and/or winter crops. Mr. Hanke was of the opinion that this would not be a problem and the Farm Board will be kept informed of his operation and plans.

Mr. Boes, agricultural consultant with Benjamin, Kasl and Associates was present to give information on their services for technical input on the project. Michael Jandreau made a motion to leave this to the discretion of the Farm Manager. The motion was seconded by J. W. Thompson and carried with four for, none against and two absent.

J. W. Thompson made a motion to officially hire Mr. Tom Hanke as the farm manager. The motion was seconded by John Estes and carried with four for, none opposed and two absent.

Electrical installation at the project site was discussed. Connections at the main pump will be done by West Central. At each pivot, a pole will be placed with the connection to be done by the contractor - this is part of their contract. Abe Langdeau stated that he had informed the engineer from West Central that there is occasional voltage reduction now and this should be documented so the Tribe will not be liable for a condition that already exists. Mr. Langdeau will keep a record of such occurrences.

A discussion was then held on our application for a rural water system. This proposal was done by Benjamin, Kasl and Associates, to be reviewed by EJA for local public works funding. It was rejected for environmental reasons and the consultants stated this was an improper reason as the water system would not have an environmental effect.



Separate allocations are being made for Indian projects which will then have to compete nationally for funding. An alternative would be to protest the original rejection based on the project not being environmentally unsound. Michael Jandreau made a motion that the Tribe indicate to the consultants that we want them to carry forward with the proposal for funding thru EDA. The motion was seconded by John Estes and carried with four for, two absent and none opposed.

This concluded the Farm Board business. The meeting was recessed, to reconvene for Tribal Council business at 1:30 p.m.

The meeting was called to order by the Chairman, with the same members being present as for the Farm Board meeting; Bill Ziegler was present for the afternoon portion of the meeting.

(1)

APPROVE PAYMENT - Benjamin, Kasl & Associates, consulting engineers for the Irrigation Project submitted a bill for approval of payment. Michael Jandreau made a motion to approve payment. The motion was seconded by John Estes and carried with five for, none opposed and one absent.

(2)

LEASE RENEWAL - The Realty Office, BIA, notified Ms. Vera Candt of a lease that was due for renewal, lease #21-002-313, consisting of approximately 40 acres. J. W. Thompson made a motion to renew the lease. The motion was seconded by Michael Jandreau and carried with five for, none opposed and one absent.

(3)

REQUEST FROM GILBERT BIG EAGLE - The Tribe is leasing Mr. Big Eagle's house for use as the Day Care Center. He is now requesting that the Tribe buy this house. Michael Jandreau made a motion that the Tribe request an appraisal on the building and to explore the possibilities of funds to purchase the house; he also stated that the Tribe will have to have concurrence from the children in order to do this. The motion was seconded by Mary Dixon and carried with five for, none opposed and one absent.

(4)

DELEGATION OF AUTHORITY - This meeting had been called to specifically discuss delegation of authority for the Tribal Council. Bill Ziegler, the present Secretary-Treasurer wanted this clarified and the Chairman thought this could best be done with the Council members present. Mr. Ziegler stated that, as he read the delegation of authority, there was conflict and that he wanted his position defined; there was too much responsibility placed on the Secretary-Treasurer. It was explained that when the plan of operations was written, the Secretary-Treasurer was not a member of the Council and if you inserted Finance Officer where you read Secretary-Treasurer it would clarify this. Mr. Ziegler stated he did not want to get in any trouble as far as signing checks if the Finance Officer can do this also. Michael Jandreau stated that if the prime concern on Mr. Ziegler's part was that he is alone in his responsibility, then he would make a motion to adopt a resolution to amend this and appoint the Finance Officer as Assistant Secretary-Treasurer and specifically delegate these responsibilities to her. The motion was seconded by Mary Dixon and carried with five for, none opposed and one absent. There was further discussion on this, but officially off the record.

(5)

POSITION FOR CETA PROGRAM - A position entitled Personnel Director/Counselor/Receptionist had been advertised and applications were now presented for review. The Chairman asked if the Council wished to go along with the Director's recommendation and the consensus was to vote by secret ballot. By secret ballot Helen Thompson received

three votes and Maria Estes received two - selecting Helen Thompson for the position. The Director of the program will be notified.

(6)

HEARING FOR GERALDINE HICKEY - The Director of the CETA Program, Lorna Smith, had notified Geraldine Hickey by letter that she was terminated from the program. Ms. Hickey requested a hearing, with Wanda Estes and Julia Yellow Robe accompanying her. The Council first listened to Geraldine without Lorna Smith being present. The Council then asked Lorna Smith to give her reasons for terminating Ms. Hickey. After both sides were heard, the Chairman asked the Council their verdict, whether they would go along with the Director's recommendation or not, stating this was the reason for having directors, to let them run their programs. It was suggested that she be placed on probation, allowing her a time period in which to comply with rules, etc., since she is the sole support of herself and children. J. W. Thompson asked if the Council would have a hearing everytime someone got fired. He stated the Council should support the directors, because employees run to the Council and they are put back on the payroll. It was stated that the Tribe needs to set up a grievance committee to hear problems such as these. Mary Dixon commented that if the Council is going to do the hiring and firing, what is the use of having directors. John Estes made a motion to go along with the Director's recommendation of terminating Ms. Hickey. The motion was seconded by J. W. Thompson but did not carry - voting was two for and three against. Michael Jandreau then made a motion to allow Ms. Hickey to go back to work provided she can follow direction and that she be on a 30 day probationary period, to allow the director to provide adequate documentation as to whether she can perform the job. The motion was seconded by J. W. Thompson who stated he would like to include that the Director be required to keep a log of time and attendance and performance of directives. On call for a vote, the motion carried with five for, none opposed and one absent.

(7)

MISCELLANEOUS - Bill Ziegler asked if would be allowed to lease one-half of the Tribe's storage area - the tin building for his commercial fishing business. He stated he would be willing to pay \$75 to \$100 dollars a month, and this was to store ice only, not fish, and that he would agree to pay any electrical costs over and above what the Tribe pays for that building now. He was asked what would happen if there were complaints from the community, and he answered that there wouldn't be any. Michael Jandreau made a motion to leave this to the discretion of the Chairman and Vice-Chairman to negotiate a lease for the Tribal building. The motion was seconded by Mary Dixon and carried with four for, none opposed, one absent and one not voting.

(8)

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion was made by Michael Jandreau, seconded by Mary Dixon; there were no objections.

#### CERTIFICATION

The foregoing is a true and correction transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 14th day of March, 1977.

  
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Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

March 21, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 21st day of March, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson, Vice-Chairman  
Bill Ziegler, arrived after roll call.  
Michael B. Jandreau  
John Estes  
Mary Dixon

Absent: Kay Gourneau

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

APPROVE PAYMENT TO MORRIS IRRIGATION - Mr. Abe Langdeau, Planning Director, presented a bill for approval of payment, in the amount of \$213,301.58. He was asked if the bill had been reviewed by the Farm Manager and answered yes. The Work Progress Schedule was attached. The note for interim financing of the project was paid off one week ago. J. W. Thompson made a motion to approve the payment of the bill to Morris Irrigation. The motion was seconded by Michael Jandreau and carried with five for, none opposed and one absent.

(2)

COMPLAINT FROM ANNIE FLUTE - (The following will be transcribed verbatim due to the nature of the item - by Secretary) The Chairman stated Annie Flute had something to discuss with the Council; and would take it up now.

A.Flute - I want to see the Council about my daughter. I made a complaint and they never picked him up. They put him in the Half-way house. I had a daughter die like that. It was Monday, sometime after 12. Everett and some boys kicked the door open, knocked her husband around and took my daughter to the boat ramp and bruised her body up. They treated her like a . . . (never finished). I took her to the doctor. First they were going to throw her in the river, but they brought her back and threw her out at my sisters.

Chairman - Who?

A.Flute - Everett, Pat Wilson, Harlan Small and the other Wilson boy - don't know what you call him, Merle, I think.

Chairman - Who made complaint?

A.Flute - I did.

Chairman - To who?

A.Flute - The cops.

Chairman - Which ones?

A.Flute - That Taylor. I went to the judges and told them and made complaint, but nothing was done. He's in the Half-way house, didn't do nothing. He did it before. Knocked hell out of her husband and nothing was done. Reported it but nothing was done. They all raped her. She came back without clothes, bruised all over the side, bitten all over.

B.Ziegler - Didn't they take the complaint or what?

A.Flute - No, they didn't do anything. He should be in jail.

M.Dixon - Did you take her to the doctor?

A.Flute - Yes.

M.Dixon - Did he give you a statement?

A.Flute - Yes. Took statement to doctor, yesterday or day before, Maybe Friday.

B.Ziegler - When did this take place?

A.Flute - Tuesday, early, after midnight on Monday. I took her to the doctor Tuesday morning, saw Mrs. Marsh and she advised me to take her to hospital right away, and I did too.

A.Flute - Reported it to one of the Council before, Mike was chairman then. Everett was running for Council then. He's not fit to be my Council. He could've killed her if he had found an open spot in the river, but it was all froze over. Her husband is crippled and couldn't do anything. I reported to the cops but didn't pick him up.

Chairman - What should we do, ask for investigation?

B.Ziegler - I think the Chairman should get in touch with the Police Department, see what they are doing about it.

Chairman - Form of a Motion?

J.W. Thompson - I will make that a motion, ask for report from the P.D.

J. Estes - Second it. Vote - 5 for, 1 absent, 0 against.

A.Flute - He is loose. They're scared to go back up there. He is a dangerous man. When my nephew gets in trouble, they put him in jail right away and make him wait for the federals.

M.Dixon - I make a motion that this character be terminated from his job. It is a disgrace to have someone working for the Tribe like that.

B.Ziegler - I'll second that.

Chairman - Any questions?

M.Jandreau - Realizing that the indications and implications of crime committed are very strong, I would request that the maker of the motion state to read that if the individual is found guilty or is charged with the crimes that have been indicated he has committed, that such action be taken.

Chairman - My reason for seconding the motion was more to do with it while he is being confined. I would like to see it from his past absences from work before. No director can properly run a program when he is confined, regardless of whether he is convicted or not. From past working habits. He was gone 2-3 days from his job because of alcohol problems. It happened before.

A.Flute - I know Mike and Kay are for him but if you don't want to do anything about it I'll call Pierre to do something about it. My daughter was killed and nothing done about it. Thought I would come to the Council and nothing is ever done.

Chairman - Mary, do you accept amendment to your motion?

M.Dixon - No.

Chairman - Terminated as of today?

B.Ziegler & M.Dixon - Now, immediately. Yes.

A.Flute - You didn't do anything for all the crimes he committed, breaking into Headstart too, you didn't do nothing.

Chairman - Questions? Vote - John Estes, Mary Dixon, J.W. Thompson & Bill Ziegler voting for. Michael Jandreau voting against. Kay Gourneau absent.

At this time, J. W. Thompson reported that he had contacted the P.D. in regard to someone shooting Grassrope's horse, and did not think that anyone looked into it. This looked to have happened Sunday or Sunday night, and the police have not done anything, apparently.

Abe Langdeau addressed the Council at this time, stating he would like to testify, if the Council would accept it. "I took a young man to the hospital on two different occasions and the P.D. Everett was charged with beating him up and nothing was done on two occasions. Took him to the P.D. and then to the hospital. Apparently, this young

man has two strikes against him and is afraid to fight back. Maybe this is why he imposes violence without being testified against. I know he isn't afraid of anyone. He is afraid of losing his liberty. I am sort of in fear myself, but can look after myself, but someone else may be in danger.

RECESS - A short recess was called to allow the Chairman to have a discussion with Clarence Thompson, and Keith and Kay Johnson; they did not wish to address the entire Council.

Captain Hill and Verle Taylor entered the meeting.

Chairman - The reason we called you in, a lady came to the Council and said she made a complaint to the P.D. and couldn't see that anything was done.

Captain - This was A. Flute, right?

Chairman - Yes.

Captain - We explained to her this morning, the procedure we have to follow on federal cases. First of all the agents have been in Sioux Falls on court cases, so are absent. We cannot open a case without the State's attorney authorization, and this cannot be done until the agents can come in, and there will be one back today. Before arrest can be made, we have to have authorization from the State's attorney for a warrant. We have to show probable cause before we can do this. As far as I can go, following procedures, we are through. The agent is talking to her now. We will then call the attorney this afternoon and, on the evidence we now have he may authorize. The biggest problem we now have on cases like this, is that it should be reported right away. This case was reported three days after it happened. It is the same with the doctor's report; with what we have, it may end up as simple assault. We cannot arrest someone on federal offense unless it is authorized by the US attorney, and the FBI agent has to get the authorization.

B. Ziegler - She reported this on Tuesday?

Captain - The first report was dated three days after it happened. The same day it was reported, I talked to the people involved. That is where it is sitting now.

Chairman - When did this happen?

Captain - It was stated it happened late Sunday, after 12, so therefore it would be early Monday morning. They reported it Wednesday, three days later.

V. Taylor - She went to the Judges and reported it, she didn't come to us; the judges called me.

Captain - The doctor put down bruises he could find, and no other injury. And, yes, they are still walking around but we do not have the right to arrest them.

B. Ziegler - Why couldn't they be arrested on tribal complaint?

V. Taylor - They could, but then you wouldn't be able to charge them with a federal offense then. If they were found drunk at someone's house on a police call, then we could arrest them. Also, if they had called us the same night we could have arrested them on a D.C. charge.

Captain - It has to be reported right away. We do have a doctor's statement now, but it is a week late. If a federal warrant is authorized, then we will pick them up.

Chairman - According to the story we heard, the timing is different.

Captain - If she reported it earlier to someone else, I don't know about it.

V. Taylor - A federal complaint has to be followed through.

Captain - One of the problems we have been having; people go to the Court House to file a complaint, tribal, and you lose your case on a federal complaint.

M. Jandreau - Has the court been calling you and talking to you about it?

Captain - Yes, but at times, they have already signed tribal complaints, but I think we have it straightened out now so they will notify us before a complaint is signed.

B. Ziegler - If agents aren't around, what can you do?

Captain - A special officer can only gather information and submit it to the FBI Agent.

On the incident of someone shooting a horse, the Captain reported that it is not a federal offense, but the P.D. did go up there and due to ground conditions could not get in. J. W. Thompson stated he thought some very definite tire impressions could be obtained. The Captain stated that since this is only a tribal offense - malicious mischief, all the evidence gathered would not make a difference unless someone reports it or confesses to it. The Captain also stated that with the problem of drugs, if you suspect someone you still can't do anything about it unless you have proof or a signed complaint. He thought the fines and bonds imposed were too light. There were no further questions asked of the Captain.

(3)

DRAFT OF GRAZING RESOLUTION - Jim Legg presented a draft of a grazing resolution he wished adopted by the Council. Michael Jandreau stated that since all the cattle operators will be effected by what is proposed in this instigative resolution, he made a motion that a meeting be scheduled to review this resolution with the cattle operators, sometime in mid April. The motion was seconded by John Estes and carried with five for, none against and one absent. Meeting will be on the 14th of April.

(4)

APPROVAL OF CONTRACT FOR FARM MANAGER - The Contract was prepared at the Tribal attorney's office, with this duty delegated to Mr. Abe Langdeau. The contract was read for comment from the Council; there were no points of difference, except for two typographical errors noted. On the subject of expenditures, it was resolved to approve the budget, and by so doing you will except the manager to stay within this budget. Also, by approving the budget, the Council is authorizing him to make necessary expenditures. Mr. Hanke was asked to keep financial records for strict accounting of the project. Mr. Hanke will be authorized to do his own hiring and firing, but requested to use local help as much as possible. Mr. Hanke stated money from the project will be placed in an interest bearing account, that the project has to be a success initially to create money and to create jobs. On the length of the contract, Mr. Hanke requested that the contract be for one year with the option to renew. He stated he planned on working here a maximum of three years, that money was not important to him, that the project itself was a challenge. There is alot at stake and will mean more than just money; Mr. Hanke continued that management will be a key factor in whether this is a successful project or not. He stated that he hoped that there is no interference due to tribal politics, and that he would not allow politics to interfere with the development of the farm. Michael Jandreau made a motion to enter into the contract with Mr. Thomas Hanke. The motion was seconded by J. W. Thompson and carried by a vote of five for, none opposed and one absent.

(5)

APPROVE 8TH PIVOT SYSTEM - Mr. Abe Langdeau informed the Council that this topic was not discussed with the engineer or EDA, however, he felt something should be done to initiate the plans and design for the 8th pivot system. The Chairman asked what action was needed from the Council, and was told that approval by resolution is requested. Michael Jandreau made a motion to adopt a resolution approve the design and construction of the 8th pivot system, if funds are available in the contingency fee to cover the cost of this. The motion was seconded by Mary Dixon and carried with five voting for, none opposed and one absent.

(6)

LETTER FROM A.I.N.B. - The American Indian National Bank, by letter, informed the Chairman that funds are available to loan for irrigation projects. If the Tribe wants to develop the other phases, it would be appropriate to initiate procedure to get the funds now. Mr. Wong of UST will be contacted to assist the tribe in developing a financial package and statement to present to AINB. J. W. Thompson made a motion to this effect, seconded by Michael Jandreau and carried with five for, none opposed and one absent.

Special Meeting

March 21, 1977

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. He informed the Council that Mr. Wong will be contacted and a meeting held on the 24th of March to discuss our application to AINB. J. W. Thompson made a motion to adjourn, seconded by Michael Jandreau; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held on the 21st of March, 1977, by the Lower Brule Sioux Tribal Council.

  
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Connie Boyd, Recording Secretary

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SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

April 1, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 1st day of April, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: Richard Thompson, Chairman  
J. W. Thompson, Vice-Chairman  
Bill Ziegler  
John Estes  
Michael Jandreau  
Kay Gourneau  
Mary Dixon

Absent: None

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

COBLE LAND PURCHASE - There was serious concern on the part of everyone as to the delay in completing the land transaction with Mr. Coble. FHA set a date for closing and there does not seem to be anything that can be done to speed up the process. The loan has been approved. The money will be here in 2-3 weeks. In the mean time, assignment of income for the loan must be designated. The lease payment was pledged as income to repay the loan, but this would not meet the full payment. They are therefore asking for additional assignment of income. Kay Gourneau made a motion to pledge the assignment of income as requested, the description of which will be on file at the Tribal office. The motion was seconded by Michael Jandreau and carried with six for and none against. In further discussion, FHA could not loan money to the Tribe to purchase lands outside the boundaries of the reservation, the acreage on this land is approximately 660 acres; Mr. Coble was in agreement with the appraisal price of the land as deducted from the total purchase price of the land. The lease will be adjusted accordingly.

There was no further business. Ways and means to possibly speed of transaction were discussed but no definite action taken.

(2)

ADJOURNMENT - There being no further business, John Estes made a motion to adjourn, seconded by J. W. Thompson. There were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a Lower Brule Sioux Tribal Council meeting held, with quorum present, on the 1st day of April, 1977.

  
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Connie Boyd, Recording Secretary



SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

March 24, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 24th day of March, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: Richard P. Thompson, Chairman  
Bill Ziegler  
John Estes  
Mary Dixon  
Kay Gourneau, arrived late

Absent: J. W. Thompson  
  
Michael Jandreau

(1)

APPLICATION PREPARATION FOR LOAN - At a meeting on the 21st, the Council took action to initiate procedure for application of a loan thru the American Indian National Bank. Mr. Wong of UST is present today to prepare a financial package to be presented to AINB. He explained that he has never prepared a financial statement for a group such as the Tribe, generally working with individuals. But, that he would explore all possibilities in securing some financial information for the Tribe in the future developments of the irrigation project. There was no action taken.

(2)

SUPPORT IBDP APPLICATION FOR B. ZIEGLER - Jack Belkham was present to request support from the Council to accompany an application for an IBDP grant for Bill Ziegler. The amount is \$4,000. Bill Ziegler stated that if his fishing enterprise is established it will employ 4 to 7 Indian people. He also stated that he had a contract ready to sign with Ft. Thompson for commercial fishing. In the discussion, the location of the Industrial Park was brought up, that it might have to be moved from the present location. Mr. Ziegler stated that the site of the industrial park will have a big effect on his business, that it would have to be down here, instead of being moved to a new location. On discussing the commercial fishing enterprise, it was brought out that the Tribe, under D.O.R., has a commercial fishing project and that the Tribe agreed to support Mr. Ziegler only if his project did not interfere with the Tribe's operation. Mr. Ziegler asked why he had to pay for a commercial fishing license from the State, when the Tribe doesn't have to, when they would be running the same operation. He stated his operation would not interfere with that of the Tribe, and that there would be no game or sport fishing done at all. It was stated that, maybe by getting a commercial license that the project has already been interfered with. Mary Dixon made a motion to support Mr. Ziegler's IBDP grant application. The motion was seconded by Kay Gourneau and carried with two voting for, none opposed, two not voting and two absent. At this time Mr. Ziegler also stated he would need a 5 Acre lot, and would like to have it north of the rodeo grounds. He was asked to go through the planning department for this request first.

(3)

SUPPORT FOR PIERRE INDIAN LEARNING CENTER - A representative from the Pierre Indian Learning Center requested support from the Tribe in their request for JOM funds. Kay Gourneau made a motion that the Tribe support them, if this does not interfere with the JOMB funds for the Lower Brule Reservation. The motion was seconded by John Estes with the same stipulation. On call for vote, the motion carried with four voting for, none opposed and two absent.

(4)

J. W. THOMPSON IRRIGATION EQUIPMENT - The Chairman asked if the Council had approved purchase of the pivot system owned by J. W. Thompson. Mr. Hanke was told the Tribe was

going to purchase it, and Mr. Hanke had no plans for using it. Kay Gourneau made a motion to advise J. W. Thompson that the Tribe does not have the funds to purchase this. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.

(5)

EDUCATION GRANTS - It was requested that this be made a matter of record, that the balance of funds available for education grants is obligated and, therefore, the Tribe will not be able to accept any new applications. This will effect any not approved prior to 1/1/77.

(6)

BUFFALO & ELK PASTURE - Kay Gourneau made a motion to go on record as receiving the letter from the Superintendent in regard to over-grazing this pasture. The motion was seconded by Mary Dixon and carried with four for, two absent and none against. The letter will be referred to D.O.R. and brought up at a later meeting.

(7)

UPDATE OF CENSUS - The method of determining degree of Indian blood was discussed at previous meetings and once again brought up. Determination of Lower Brule enrollees blood degree is made on the Lower Brule Sioux portion only. The contention was that, in the future, this could be very detrimental to tribal members who must prove Indian blood degree for various reasons. Bill Ziegler made a motion to request that the Bureau of Indian Affairs update the Tribal census, to show the degree of Indian blood of both parents, even when enrolled in another Tribe. The motion was seconded by Mary Dixon and carried with four for, none opposed and two absent.

(8)

P.C.A. APPLICATION - Mr. Tom Hanke introduced the representative from PCA. He is in the process of establishing a line of credit for the irrigation farm and will do it through PCA if possible. Mr. Kost could not give any recommendations at this time since Tribes have never been granted a loan thru PCA: he is awaiting word from their district office.

(9)

REQUEST FROM BILL ZIEGLER - Bill Ziegler asked the Council's approval to use the pole building at the Half-way house for storage in connection with his fishing enterprise. He stated that maybe the clients there could work for him. He stated he would be willing to pay rental on the building. Kay Gourneau suggested that he contact the AA Commission first for their approval. He then asked if he could get tribal approval now, on condition that the AA program did own the building. Mary Dixon made a motion to grant this approval. The motion was seconded by John Estes and carried with three for, one against, and two absent.

(10)

ADJOURNMENT - Kay Gourneau made a motion to adjourn, seconded by Mary Dixon; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a Lower Brule Sioux Tribal Council meeting held with quorum present on the 24th day of March, 1977.

  
Connie Rae Boyd, Recording Secretary

REGULAR MEETING

LOWER BRULE SIOUX TRIBAL COUNCIL

April 12, 1977

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 12th day of April, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson  
Bill Ziegler  
John Estes  
Michael Jandreau  
Kay Gourneau

Absent: Mary Dixon

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

COBLE LAND PURCHASE UPDATE - Completion of the land purchase has been very slow. The 22nd of April is the date set for closing. This will be at Mr. Srstka's office at 1:30 p.m. The superintendent suggested the Chairman call the regional and Washington office. This was done during the noon recess, with the conclusion being that the closing date could not be changed. FHA Form 442.11 was reviewed at this time. Section 7 of the document was amended (as per resolution file). Kay Gourneau made a motion to adopt the resolution as amended. The motion was seconded by J. W. Thompson and carried with five for, none against and one absent.

(2)

PROSECUTING ATTORNEY - Modification of the JP & ES Contract was requested to use funds to employ a prosecuting attorney. The Tribal attorney, Mr. Srstka, was contacted and he indicated he would be available twice a week.

(3)

PURCHASE OF HEIRSHIP LAND - Trustees of Norman Wilson were contacted in regard to purchase of his inherited land interests. They concurred with the stipulation that the Tribe purchase all of his inherited interests, which involves four different tracts. J. W. Thompson made a motion to request an appraisal of these tracts. The motion was seconded by John Estes and carried with five for, none against and one absent.

(4)

INDIAN CLAIMS - The statute of limitations for the filing of lawsuits by the U.S. Government for Indian tribes and individuals for monetary claims is July 13, 1977. The Superintendent brought this up for consideration by the Council, to see if Lower Brule had a possible claim. The lease fees from submarginal lands went to the U.S. Treasury and the Tribe was not credited for this. This would be a possible claim, and worth pursuing. Kay Gourneau made a motion to adopt a resolution stating the Tribe's intent, that they feel funds are due from use of L.U. land and request to enter a claim for same. The motion was seconded by John Estes and carried with five for and none against.

(5)

CLARIFICATION OF ON OR NEAR RESERVATION - This subject has been discussed almost annually for PHS and the Council has repeatedly designated on or near the reservation to mean within a radius of 30 miles from the exterior boundaries of the Lower Brule Sioux

Clarification is request for use by Social Services at this time. Kay Gourneau made a motion that the same clarification be given, within a radius of 30 miles from the exterior boundaries of the reservation. The motion was seconded by Michael Jandreau and carried with five for and none against.

(6)

RECREATION PROGRAM - There is concern among the education people that this position and contract is not functioning within the scope of our proposal, and is not coordinated thru the education department. Funding of the contract is thru education. There is no communication between the program and the contract officer (EPA). It will be necessary to have a meeting with the Contract Officer, the Tribe and the individual. If not, the Tribe will not be able to contract for the position again. Monthly reports and accounting of program must be made. John Estes had volunteered to talk with the individual, to see if some accounting could be set up; Mr. Estes stated if the Tribe started checking on him he would just quit. The Superintendent suggested if the recreation center was self-sustaining, then the Tribe should drop the Contract. Bill Ziegler stated the money made at the center would not pay a living wage - from the machines, etc. The BIA wants the Tribe to comply with the contract, something to support the program to justify a request for future funding. The Tribe does not even know what is being taken in or paid out. A meeting was called to discuss this with Mr. Middletent.

(7)

DRY FARM LAND - The Tribe is now in control of this and should be making a decision concerning it, whether it be farmed, leased out, or whatever. The Chairman stated the lease with J. W. Thompson is still not complete yet. The land not included in Phase I could be subleased, almost too late now, however. Our lease with J. W. Thompson runs for only 5 years and there is no option to renew. The Tribe is only developing land for him. J. W. Thompson stated he took the bottom figure on this land, and didn't lease it for appraised value. Michael Jandreau stated the Tribe took action in January to advertise this land for lease, and asked if it was advertised. Jim Legg stated no it wasn't, didn't know anything about it, etc., but was told a resolution was adopted to this effect and he helped write it. After further discussion, Michael Jandreau made a motion to negotiate a lease on all farm land not in Phase I, to be farmed under a negotiated permit this year and then advertise for a four year permit for the rest of the term. The motion was seconded by Kay Gourneau and carried with five for, none against and one absent.

(8)

PAYMENT OF PERFORMANCE BOND - Michael Jandreau made a motion that payment of the performance bond be authorized for payment out of Industrial Development funds. The motion was seconded by J. W. Thompson and carried with five for and none against.

(9)

WITHDRAWAL OF TREASURY FUNDS - Funds, now in a time certificate of deposit, are needed to continue tribal operations, as per approved budget. Kay Gourneau made a motion to adopt a resolution to withdraw these funds. The motion was seconded by J. W. Thompson and carried with five for and none against.

(10)

INDIRECT COST PROPOSAL - The Indirect cost rate must be established again and a contract requested to fund the indirect cost rate audit. Kay Gourneau made a motion to adopt a resolution to enter into a contract with the Bureau of Indian Affairs to develop and fund an indirect cost rate proposal. The motion was seconded by J. W. Thompson and carried with four for, none against, one absent and John Estes (BIA Employee) not voting.

(11)

TRIBAL WATER CODE - A deadline for development of a Tribal water code had been set by the Department of the Interior, and it was suggested that an extension be requested, at

least until Phase I of our water inventory study is completed. J. W. Thompson made a motion to this effect. The motion was seconded by Michael Jandreau and carried with five for and none against.

(12)

APPROVE PAYMENT OF MORRIS IRRIGATION - When this was presented, the Superintendent and Jim Legg voiced their concern of what is happening with the Tribal irrigation project, and that the engineering firm was not being fully honest with the Tribe. There were errors made in surveying and these costs should not be taken out of the project. A statement was made that the EDA Regional office was called. This was an unauthorized call made by the Bureau, as this was tribal business, and the Chairman and/or Tribe had not been contacted. Jim Legg stated that one line was as much as 150 ft. off. The inspector of the project is an employee of the firm. After discussion, Bill Ziegler made a motion that approval of payment be withheld until a meeting is set up with the engineers, contractor and the Tribe to get these matters clarified. The motion was seconded by J. W. Thompson and carried with five for and none against.

(13)

SD-EPA CONTRACT - Mr. Abe Langdeau presented a contract to be signed by the Tribe, which outlines the purposes of the 208 funds. Michael Jandreau made a motion to enter into the contract and authorize the Chairman to sign the document. The motion was seconded by John Estes and carried with five for and none against.

(14)

REQUEST BY BILL ZIEGLER - Bill Ziegler asked that the Tribe support his request for a 3.2 license, both on and off sale, to be placed on his land which is located East of the Half-way house. The Tribe has never had to support anyone trying to get a license before. J. W. Thompson made a motion to give approval. Kay Gourneau stated she didn't care for beer and wouldn't second the motion. Michael Jandreau stated he did not approve of the proposed location, right by the Half-way house. He stated that regardless of what people think of the AA Program, they are attempting to work with people. Mr. Ziegler said he would withdraw his request until the next meeting.

(15)

4-STATE INDIAN HEALTH BOARD - Kay Gourneau made a motion to designate Bessie Estes as Tribal representative to sit on the board. The motion was seconded by Bill Ziegler and carried with four for, none against and two absent.

(16)

LAKOTA TB-ASSOCIATION - Mrs. Estes presented a draft of a resolution prepared by the Lakota TB Association, if adopted by the Council, this would lend support to the goals of their program. Kay Gourneau made a motion to adopt the resolution. The motion was seconded by J. W. Thompson and carried with four for, none against and two absent.

(17)

MENTAL HEALTH FACILITY - The 4-State Health Board sent a request asking the Tribe's recommendation as to the site for the proposed Mental Health Facility. By verbal roll call, Sioux Falls was the unanimous choice for the site.

(18)

ENROLLMENTS - Birth certificates and applications for enrollment were received for Phyllis (Hudson) Estes, Theresa Roebuck and Naomi Sawalla. Kay Gourneau made a motion to enroll those listed above. The motion was seconded by J. W. Thompson and carried with four for, none against and two absent.

(19)

HOME SITES - There were two requests for rural homesites, received from Maria Patterson

and Blanche (LaRoche) Hansen. J. W. Thompson made a motion to grant the request for the homesites. The motion was seconded by Kay Gourneau and carried with four for, none against and two absent.

(20)

SELECTION OF TWEF SUPERVISOR - The Chairman stated he recommended that Councilman Bill Ziegler fill this position. J. W. Thompson asked if he had applied for the job and was told no. Kay Gourneau and Michael Jandreau stated they had no objections to the Chairman's recommendation.

(21)

NEOPOTISM CLAIM - Helen R. Thompson was selected by the Council to fill a CETA position; when the Denver office learned who the individual was, they informed the CETA Director of the neopotism clause and therefore, she was not put on as an employee. At this time, there was discussion of jobs in general for Council members. Bill Ziegler stated he could not live on his Council salary and didn't know how other members did it. Kay Gourneau stated she never ran for a Council position for the money, but to help people.

In getting back to the CETA position and hiring Helen Thompson - the neopotism clause is law. Michael Jandreau further stated that he felt personally responsible since it was put out that he and another council member were doing everything possible to keep Helen out of the job. He talked to Mr. Berryhill and it is specifically stated that the Prime Sponser cannot utilize a position to benefit family members. He asked what would happen if the Tribe would place her in that position anyway and Mr. Berryhill stated he would jerk the money. He was scheduled to be here but couldn't make it today. The Tribe tried to get a waiver in the past, when Altwin Grassrope was Director and when Julia Yellow Robe was director, and it was never granted. Michael Jandreau stated again that he wanted it clearly stated in the minutes that he had nothing to do in holding Helen R. Thompson from this position.

(22)

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. Kay Gourneau made the motion to adjourn, seconded by Bill Ziegler; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held, with quorum present, by the Lower Brule Sioux Tribal Council on the 12th day of April, 1977.

  
Connie Rae Boyd, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

May 5, 1977

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 5th day of May, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: Richard P. Thompson, Chairman

Absent: None

J. W. Thompson

Bill Ziegler

John Estes, arrived after roll call.

Michael Jandreau, arrived after roll call.

Mary Dixon

Kay Gourneau

The meeting was opened with the Lord's prayer, led by Kay Gourneau in the absence of the Chaplain.

(1)

APPROVAL OF MINUTES - The minutes for the month of March were read. J. W. Thompson made a motion to approve the minutes as presented. The motion was seconded by Kay Gourneau and carried with four for, none against and two absent.

(2)

APPROVAL OF HOMESITES - The following presented requests for rural homesites: Rose and Ted McCauley, Garfield Grassrope, Diana Langdeau and Everett and Wilma Wilson. Kay Gourneau made a motion that these requests be granted. The motion was seconded by John Estes and carried with six for and none against. Michael Jandreau requested that the motion include that the assignment of homesites be made under a 25 year lease; all concurred.

(3)

LOAN FOR IRRIGATION FARM EXPENSES - The Farm Manager, Mr. Hanke, has recommended that a loan be made for farm expenses. Both PCA and the American Indian National Bank have been contacted. A resolution is needed to authorize negotiations for a loan. J. W. Thompson made a motion to adopt a resolution authorizing the Chairman to negotiate a loan through either PCA or the American Indian National Bank, whichever is more acceptable. The motion was seconded by Michael Jandreau and carried with six for and none against.

(4)

POPULATION STATISTICS - The Planning Department has compiled statistics relating to population and categorized under various subject identification, such as population labor force according to sex and age, unemployment rates, income, trades, etc. Mr. Langdeau stated all figures are documented. These stats will be used as a basis for justification in proposals and program writing to all agencies. Kay Gourneau made a motion to approve the report. The motion was seconded by John Estes and carried with six for, none against.

(5)

PROPOSAL FOR PHASE I OF WATER INVENTORY STUDY - Mr. Abe Langdeau stated that Mr. Gellhaus appeared before the Council outlining his intent to complete the study and was to present a cost proposal to the Council. This is now complete and represents a total

cost of \$6,413, a very low cost considering the amount allocated. The Council appointed a committee to study the proposal and make recommendations. Their report is that he should be approved to do the study. Kay Gourneau made a motion to approve Mr. Gellhaus' proposal as outlined by Mr. Langdeau. The motion was seconded by J. W. Thompson and carried with six for and none against.

(6)

EDA INTERN PLANNER - Mr. Langdeau reported that Pat Spears was selected to this position after being approved by EDA. Kay Gourneau made a motion to support the action taken by Mr. Langdeau. The motion was seconded by Bill Ziegler and carried with six for and none against.

(7)

5TH PLANNING DISTRICT - The 5th planning district has requested tribal representation. For future funding, they are required to have minority representation. Previously, EDA prohibited participation due to conflicts but these are now cleared. In the past, in order to have a vote, you were required to pay dues; this is no longer a requirement. Mr. Abe Langdeau stated he would have no objections to representing the Tribe in this district planning. Michael Jandreau stated they will be providing an OEDP for five reservations and Lower Brule has their own, and asked if development of our own would be effected. Mr. Langdeau answered that he would not participate in any areas of conflict but that he would recommend that the Tribe join but without Council action until such time as the Tribe receives identification; this would therefore be on an informal basis.

(8)

PLANNING REPORT - Mr. Langdeau informed the Council that the Regional Office staff were here to monitor the department, with a review of the bookkeeping and program activities. Their approval of the new grant program is expected soon. While they were here, the questions of a salary increase for the bookkeeper was taken up. It was their recommendation that a request be made for a budget modification for this. Kay Gourneau made a motion to adopt a resolution requesting a budget modification for the EDA Planning Grant program. The motion was seconded by John Estes and carried with six for and none against.

(9)

ENROLLMENT - An application for enrollment and birth certificate were presented for Valerie LaRoche. Michael Jandreau made a motion to enroll the child. The motion was seconded by J. W. Thompson and carried with six for and none against.

(10)

REQUEST FROM BERNADETTE KING - A letter was read from Bernadette King in which she requested to buy a tribal trailer since she was refused a homesite; she stated she was told she had to be married to apply for one. Kay Gourneau made a motion to grant this request if a trailer is available. The motion was seconded by J. W. Thompson and carried with six for and none against.

(11)

LPW PROGRAM - Both Mr. Abe Langdeau and Michael Jandreau gave information on the status of this program, and the possibilities of Lower Brule being funded. We have two programs in that are to be considered. Michael Jandreau made a motion to request that the Planning Department investigate the possibility of developing an application for Local Public Works program, relating to our irrigation project and if they find it feasible to proceed with development of it. The motion was seconded by Kay Gourneau and carried with six for and none against.



(12)

LEASE OF LITTLE BEND LAND - Pat Feeney came before the Council to present his proposed leasing of land in the little bend area that is not in our irrigation project this year. He was asked to submit a bid with the Bureau. This will be discussed further.

(13)

UST MEETING - Lois Fallis came to inform the Council of the July UST Meeting which will be held in Rosebud on the 1st and 2nd of July, in conjunction with a rodeo and celebration there on the 3rd and 4th. In order to raise money for this, UST is printing a brochure in which the individual Tribes can buy ads.

RECESS FOR LUNCH - The meeting was reconvened at 1:30 p.m. with the same members being present.

(14)

NEW HIGH SCHOOL - Bid opening on the new school will be May 10th. Construction should start within 60 days after bid opening. However, all construction is being reviewed by the Office of Management & Budget in Washington. Congressional people should be contacted to push for release of these funds.

(15)

LEASE NEGOTIATIONS WITH COBLE - The agreement made with J. Coble in purchasing his land was that he would lease it from the Tribe at a pre-arranged price. He is now requesting that \$3600 be deducted from the lease rate; his reasoning is that this is the amount he saved the Tribe due to the delays in completing the land purchase. The lease still has not been written. In the discussion, the subject of income from lease was raised, and if the tribe would generate enough income to make payments. J. W. Thompson stated the Tribe should establish an operating budget and then take action to raise the animal unit price accordingly to get operating expenses for the Tribe. He also stated that he held from the beginning that the Tribe should lease land for a good price to generate income. Discussion then led to writing the lease as agreed and getting Mr. Coble to live up to his contract. The cost of legal fees would lie with the Bureau's responsibility to protect. Michael Jandreau made a motion that the lease be written at the agreed price. The motion was seconded by Mary Dixon and carried with four for, one not voting and one absent. The Chairman asked what the alternative would be if he would not agree to this. Michael Jandreau then made a motion that if Mr. Coble refuses to enter into lease, that he be sued for breach of contract, and to hold all assets currently on range. The motion was seconded by Mary Dixon and carried with three for, one against, one not voting and one absent.

(16)

APPROVE PURCHASE OF LAND - Approval to purchase Johnson, Eagle Thunder and Quilt lands was not done by resolution, only in the minutes. The lands will be purchased with FHA funds. J. W. Thompson made a motion to adopt a resolution to formally approve purchase of the land. The motion was seconded by Bill Ziegler. On call for discussion, Michael Jandreau asked if the rate charged on these lands would remain the same or be assessed according to what is needed to pay for the land. Joyce Estes answered that when the Tribe establishes different rates, one rate should be established for all. On call for vote, the motion carried with five for, none against and one absent.

(17)

I.P.A. REPRESENTATIVES - Clarence Skye and two other representatives from the Denver Intergovernmental Personnel Agency were present to discuss their scope of work in giving assistance to tribal governments in development of a comprehensive personnel management system. They will be obtaining personnel assessments which will enable them to project a system that would be workable for the Tribe. Bill Ziegler made a motion to authorize

them to make the personnel assessment. The motion was seconded by John Estes and carried with five for and none against.

(18)

PAYMENT OF INSURANCE PREMIUMS - The Tribe's financial status makes it mandatory that insurance coverage be cut to the minimum. The premium's are too high with the present coverage. The insurance agent, Mr. Farnsworth, was present to review all insurance coverage with the Council. After review, it was agreed that the Tribe would pay for the coverage up to now and thereafter, to pay for coverage on Workmen's Comp, the bonds and liability for the vehicles. J. W. Thompson made a motion to approve this. The motion was seconded by Michael Jandreau and carried with five for and none against.

(19)

PRESENTATION MADE TO COUNCIL MEMBER - Mr. Lyle Peterson requested time before the Council. At this time he made a presentation to J. W. Thompson instating him in the Diplomatic Corps of the State of South Dakota.

(20)

REPORT FROM ENGINEER - Mr. Kasl gave a report on the irrigation project, on two items that were not in compliance with the plans. These have not been corrected, but will possibly cause further delay in getting water to the crop. The 8th pivot system has been approved by resolution.

(21)

APPROVE ASSIGNMENT OF INDUSTRIAL PARK LOT - Marlene Crowe presented her application for a lot in the industrial park to establish a food drive-in. According to availability this will be Lot #9. Michael Jandreau made a motion to approve her request. The motion was seconded by John Estes and carried with five for, one absent and none against.

(22)

LEAA APPLICATIONS - Our application for LEAA funds was rejected. It was proposed that we request an audience with the Governor to get a more favorable review. J. W. Thompson made this a motion. The motion was seconded by Bill Ziegler and carried with five for and none against. A resolution is also needed to support our LEAA application for a prosecuting attorney. J. W. Thompson made a motion to adopt such a resolution. The motion was seconded by John Estes and carried with five for and none against.

(23)

CONVERTING 10 HOMES TO OWNERSHIP - In our present proposal to HUD, there will be 40 new homes. Due to the number of applications for ownership, Michael Jandreau requested that 10 of the low rent units be converted to ownership. J. W. Thompson made a motion to adopt a resolution requesting this. The motion was seconded by John Estes and carried with five for and none against.

(24)

LETTERS OF COMPLAINT - Two letters of complaint in regard to the CHR program were read. Michael Jandreau made a motion to refer them to the Health Committee. The motion was seconded by John Estes and carried with five for and none against.

(25)

ROAD REPAIR - Bill Ziegler made a motion to adopt a resolution requesting that the BIA establish priority on road maintenance, as the roads are unsafe for travel. The motion was seconded by J. W. Thompson and carried with four for, John Estes not voting and none against.

(26)

REQUEST DEFERMENT THRU A.S.C.S. Michael Jandreau made a motion to request a deferment

thru ASCS of the land in the Little Bend area outside of Phase I of the irrigation project. The motion was seconded by J. W. Thompson and carried with five for and none against.

ADJOURNMENT - There being no further business the Chairman entertained a motion to adjourn. The motion was made by Mary Dixon and seconded by Michael Jandreau; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council with quorum present on the 5th day of May, 1977.

\_\_\_\_\_  
Connie Boyd, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

June 1, 1977

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 1st day of June, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson  
Bill Ziegler  
John Estes  
Michael B. Jandreau, arrived after roll call.  
Mary Dixon  
Kay Gourneau

Absent: None

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

APPROVAL OF HOMESITES - Requests for rural homesites were received from Janice Brouse, Sharon Brown, Bernard Glasford, Barbara (Jandreau) Page and Virgil Flute. John Estes made a motion to approve the requests. The motion was seconded by Mary Dixon and carried with five for and none against.

(2)

ENROLLMENTS - Applications for enrollment and birth certificates were received for Nancy Lee and Dulcy Eagle Star; Trisha Marie Flute; Torin F. Crowe; Kimberly Fisherman and; Jerauld Jerome Jandreau II. Mary Dixon made a motion to enroll the children. The motion was seconded by John Estes and carried with five for, none against and one absent.

(3)

HOUSING AUTHORITY BOARD - The housing Director informed the Council of the board members and their terms, for Council approval. They are as follows: Mike Jandreau, 3 year term, expiring 9/4/80; Delmar Smith 3 year term, expiring 9/4/80; Ted McCauley 3 year term, expiring 9/4/80; Vera Gandt 4 year term, expiring 9/4/81 and Carl Johnson, 5 year term, expiring 9/4/82. The Chairman posted an advertisement for anyone who wished to serve on the board, but none were submitted. J. W. Thompson made a motion to approve the Housing Authority Board Members and their terms, as listed. The motion was seconded by John Estes and carried with five for and none against.

(4)

ESTABLISH ACCOUNT WITH A.I.N.B. - J. W. Thompson made a motion to adopt a resolution to set up an account with the American Indian National Bank. The motion was seconded by John Estes and carried with five for and none against.

(5)

IAT PROGRAM FOR FY 78 - Kay Gourneau made a motion to adopt a resolution to support the Indian Action Team Program and request funding for FY 78. The motion was seconded by John Estes and carried with five for, none against and one absent.

(6)

COMMUNITY DEVELOPMENT BLOC GRANT - Kay Gourneau made a motion to adopt a resolution in support of the Community Development Bloc Grant and to request funding. The motion was seconded by J. W. Thompson and carried with five for, none against and one absent.

(7)

REQUEST SEPARATION FROM CROW CREEK FOR PUBLIC HEALTH SERVICES - It was proposed by the Health Planner and stated by the Chairman that Lower Brule adopt a resolution requesting that we separate Public Health Services from that of Crow Creek. Kay Gourneau asked if this included the SUB unit, and if so, then we should also request more funding because it will cost more. J. W. Thompson made a motion to separate from Crow Creek for Public Health Services. The motion was seconded by Mary Dixon and carried with five for, none against and one absent.

(8)

PROSECUTING ATTORNEY - Harrison Fields informed the Council that our LEAA application for a full time prosecuting attorney was approved. Therefore, the budget modification request on the JP & ES Contract will not be needed for this. We will be able to advertise for an attorney after the Statement of Grant Award is made or received. Kay Gourneau made a motion that Mr. Fields initiate the action to get an attorney hired. The motion was seconded by Mary Dixon and carried with four for, none against, one absent and one not voting.

(9)

JP & ES Contract - Since the modification of \$11,000 will not be needed for the prosecuting attorney, it was recommended that salaries be paid with these funds, at least those under the Manpower & Equipment grant that will not be picked up by the Bureau, and that an additional amount be requested for per diem and travel for judges training. Kay Gourneau made a motion to adopt a resolution to request a second modification of the JP & ES Contract, as requested. The motion was seconded by Michael Jandreau and carried with five for, none against and John Estes not voting.

Some ordinances and amendments to the Law & Order code were presented for Council approval. After a lengthy discussion, J. W. Thompson made a motion that these proposed ordinances be written up and brought back for action. The motion was seconded by Mary Dixon and carried.

(10)

DETENTION OFFICER - Applications were presented. The Captain was asked what the duties were - maintain jail forms, defend prisoners against harming themselves, handle radio and telephone, dispatch all calls, search prisoners, log in arrest book, make incident reports as they come in and is responsible for prisoners property. This selection was tabled until the afternoon session.

(11)

RENEWAL OF GENERAL COUNSEL CONTRACT - Kay Gourneau made a motion to renew the tribal attorney (Mr. Srstka) contract. The motion was seconded by Michael Jandreau and carried with six for and none against.

(12)

INTERN PLANNER - Planning Director, Abe Langdeau, introduced Pat Spears who stated he was happy to be a part of the planning office and that he hoped to do his best in the future to be of some benefit to his tribe. He thanked the Council for the opportunity to work.

(13)

REPORT ON IRRIGATION PROJECT - Mr. Al Kasl was present to give an up to date report on the project, stating that he turned down some intake structure pipe. Morris Irrigation promised again Monday that they will start on the intake structure. Completion date from that point would be three weeks at minimum.

(14)

EMERGENCY DROUGHT PROGRAM - This program is funded through EDA and may give us the opportunity to apply for the 2nd and 3rd Phase of our irrigation project. A complete

application will be submitted in detail by Wednesday. Lloyd Benjamin was present to cover the details of Phase II and III. He reviewed the procedure for submitting a program up to letting it for bid. J. W. Thompson wanted to know if he had a contract for Phase I only and was told that Benjamin, Kasl and Associates have a contract for total development of the Little Bend area. Mr. Benjamin stated if the Tribe was not happy with their work then they didn't want to work for the Tribe. J. W. Thompson stated they would have to admit to mistakes being made in Phase I, things that could be seen with the naked eye. Mr. Benjamin responded yes there were mistakes and these were paid for by the consultants. There was then general discussion of specific errors made and where the fault lies for the delay, etc. Mr. Langdeau reminded the Council he wanted support for the proposal to complete Phase II and III. J. W. Thompson made a motion to adopt a resolution requesting funds for the project. The motion was seconded by John Estes and carried with five for, none against and one absent.

RECESS - The meeting recessed for lunch and reconvened at 1:10 p.m., with J. W. Thompson being absent and the other members present.

(15)

ADOPTION OF ORDINANCES - Two amendments to the Law & Order code were proposed by Harrison Fields and Captain Hill, 1) Section 67, Assault on a Police Officer and 2) Section 50, Marijuana or Other Controlled Substances; they also proposed three ordinances to be adopted, 1) to incorporate use of radar on the reservation, 2) Non-Indians to go through Tribal Court on all minor offenses, and 3) to extend the city limit signs on all three roads coming into Lower Brule. Michael Jandreau made a motion to adopt the amendments and ordinances as presented. The motion was seconded by Mary Dixon and carried with five for, none against and one absent.

(16)

DETENTION OFFICER POSITION - Some discrepancies noted were the outdated applications and the fact that the POB stated the minimum age was 18 yrs., which the Captain denied. Mary Dixon made a motion to hire Helen Thompson as detention officer. The motion was seconded by Bill Ziegler and carried with six for and none against. Michael Jandreau made a motion that the Captain's recommendation be named as alternate. The motion was seconded by Kay Gourneau, but did not carry, with three for and three against; the Chairman would not vote to break the tie but proposed that a new motion would be in order. Mary Dixon made a motion to nominate Levi Flute as the alternate. The motion was seconded by Bill Ziegler and carried with six for and none against.

(17)

RETAINING OF CONSULTANT FIRM - Michael Jandreau made a motion to retain Benjamin, Kasl and Associates as the consulting firm. The motion was seconded by John Estes and carried with four for, none against and one not voting.

(18)

AMENDMENT OF MINUTES - The minutes for the April meeting were reviewed. Bill Ziegler requested that statements he made be stricken from the minutes, in Item 21 of the April 12th meeting. He made this in form of a motion, seconded by J. W. Thompson and carried with four for, one against and one not voting. Michael Jandreau stated he would clarify why he voted against - if you are going to do this then go into executive session because anything brought out at a Council meeting should be recorded.

(19)

REQUEST MODIFICATION OF CRIMINAL JUSTICE PLANNING CONTRACT - A proposal was made by the Finance Officer to modify the Criminal Justice Planning Contract to re-budget funds due to salary savings. Michael Jandreau made a motion to adopt a resolution requesting the modification. The motion was seconded by Mary Dixon and carried with five for and none against.

(20)

IRRIGATION FARM LOAN - J. W. Thompson made a motion to adopt a resolution approving a loan for the Irrigation Farm expenses. The motion was seconded by Mary Dixson and carried with six for and none against.

(21)

AMBULANCE DRIVER/ATTENDANT - Two positions were open. Applications were reviewed. The Council elected to select by secret ballot. On the first ballot Milo Buffalo was selected, with a four-way tie for the other position, as follows: Rocky Thompson, Bertrand Carpenter, Sharon Brown and Johnny Flute. After two more ballots, Johnny Flute was selected. M. Jandreau made a motion to name Sharon Brown as alternate. The motion was seconded by Mary Dixson and carried with six for and none against.

(22)

PAYMENT FOR CLEARING OF ABSTRACTS - A bill was received for payment for clearing of abstracts on the Coble land. The Superintendent stated there was some question as to who was liable for payment. He will check with the attorney and the Area Office. Kay Gourneau made a motion to authorize the chairman to pay for the abstracts out of the FHA funds. The motion was seconded by Michael Jandreau and carried with six for and none against.

At this time Kay Gourneau brought up the two other individuals who will be paid out of the FHA fund. She asked what could be done to get this accomplished. They were promised payment in March and we still haven't done it. They were told the Tribe is holding this up when it isn't fact. The Superintendent stated the Bureau and the Chairman would get with Freesman to get this done.

(23)

MISCELLANEOUS - Update of information on school construction: Congressman Yates, Chairman of House Appropriations Committee, has requested certain information from the Bureau before he would pass on releasing of funds. This has been done with the letter hand carried by Acting Commissioner.

(24)

NEIL CLARKE LAND SALE PROPOSAL - Mr. Clarke was present to discuss this personally with the Council. He would like an indication from the Council if they are interested. After discussion the Council decided to have an attorney review the proposed agreement and to contact Mr. Freesman (FHA) in regard to funding.

(25)

OTHER LAND TRANSACTIONS - The Chairman informed the Council that Mr. Sylva wants to sell a quarter of his land to the Tribe; there is no appraisal available but he is asking \$85 an acre. J. W. Thompson stated this land is locked in and we should deal with it that way. It is isolated and without fencing or water. We should spend our funds on Indian land. We could go a step further and tell him what we will give him, we don't even have to give him the appraised value. If we are going into the real estate business, then we should get more firm in a business-like manner. Michael Jandreau stated he agreed, especially since we have to borrow the funds to buy land.

The Chairman stated he wanted to make a request to buy 40 acres of Tribal land, at the appraised value. The land description is as follows: SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Section 2, T 109 N, R 77 W. J. W. Thompson made a motion to request an appraisal on this land. The motion was seconded by John Estes and carried with five for, none against and one absent.

Bill Ziegler made a motion to request an appraisal on the land Mr. Sylva proposes to sell to the Tribe. The motion was seconded by J. W. Thompson and carried with five for, none against and one not voting. A motion was made by J. W. Thompson to authorize

the Chairman to negotiate with Mr. Sylva on the purchase price. This was seconded by Bill Ziegler and carried with five for and none against.

(26)

MEETING - There will be a Special Meeting on June 8th, at 1:30 p.m., with the Livestock Operators to obtain their input for the proposed grazing resolution.

(27)

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion was made by Michael Jandreau, seconded by Mary Dixon; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 1st day of June, 1977.

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Connie Boyd, Recording Secretary



SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

June 15, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal office on the 15th day of June, and was called to order by the Chairman, Richard P. Thompson with roll call as follows:

Present: Richard Thompson, Chairman  
J. W. Thompson, Vice Chairman  
Bill Ziegler  
John Estes  
Michael B. Jandreau  
Mary Dixon  
Kay Gourneau

Absent: None

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

PROSECUTING ATTORNEY - Mr. Harrison Fields introduced Mr. Paul Mueller who is interested in the prosecuting attorney position. He was interviewed by the Council. No points of conflict were met. His intention of setting up a private office would not interfere with his first obligation, which is to the Tribe. The salary was discussed and he stated it would be more than satisfactory. J. W. Thompson made a motion to employ Mr. Mueller as the prosecuting attorney. The motion was seconded by Bill Ziegler and carried with six for and none against. There are funds in the contract to hire a part time secretary and Michael Jandreau made a motion that the attorney advertise and hire the secretary. The motion was seconded by Bill Ziegler, and carried with six for and none against.

(2)

PLANNING - The Planning Director, Mr. Abe Langdeau gave current information to the Council concerning the proposal to secure funds through the drought emergency profile. Lower Brule will be considered under Round 11 of the Local Public Works program. Final allocation will be made the 16th or 17th.

(3)

INTERNATIONAL TREATY COUNCIL - Pat Spears requested funds from the Tribe to transport interested members to Wakpala SD to attend the International Treaty Council, and also asked support from the Council as to the intent and goals of the Treaty Council. Mary Dixon made a motion that the Tribe support this organization. The motion was seconded by J. W. Thompson and carried with six for and none against. J. W. Thompson made a motion that Pat Spears and John Estes be delegated to represent the Tribe at this Treaty Council. The motion was seconded by Mary Dixon and carried with six for and none against. They also requested use of a mini-bus from the BIA. The superintendent was present and stated he would look into this, but saw no problem in securing one for them.

(4)

701 PLANNING GRANT - Kay Gourneau made a motion to adopt a resolution approving the modification of budget for the 701 Planning Grant. The motion was seconded by Michael Jandreau and carried with six for and none against.

(5)

DELAY OF LAND SALE - Bertha Fire Cloud has had a land sale approved which the Tribe

will purchase with FHA funds. Payment to her and another tribal member has been delayed. She is requesting a statement from the Tribe to present to the bank that she indeed has money coming from a land sale. Kay Gourneau made a motion that the Chairman be authorized to sign this statement for her. The motion was seconded by J. W. Thompson and carried with six for and none against.

(6)

TERMINATION OF E.P.A. - The Lower Brule EPA, Mr. Milo Buffalo received notice of termination. The School Board submitted a resolution to retain Mr. Buffalo and asked the Tribe's support by resolution. The Superintendent was present and stated the most recent development was that a letter has been submitted requesting a medical retirement in lieu of outright termination. In his statement to the Council, the Superintendent explained the reason for the action and that the Council has been aware of his problem. The Area Office set up treatment for him last summer. In the past six months Mr. Buffalo has done a tremendous job and has not been off duty due to drinking. The Chairman asked for the Council's decision and Kay Gourneau made a motion to adopt a resolution in support of the School Board's request. The motion was seconded by Mary Dixon and carried with five for, none against and John Estes not voting.

(7)

GRAVEL CONTROVERSY - The Chairman requested that this be brought before the Council. He asked the Superintendent to comment, and he stated that the problem brought to their attention involved a gravel pit, which also involves the Chairman because he is the adjacent land owner, and it appears that a permit was issued by the BIA in an area where the pit was not located. For sake of clarification, a map was made of the layout of the land. This is on the 40 acres the Chairman requested to purchase and on which an appraisal has been requested. The State of South Dakota requested a permit in 1976 and it was written in March of 1976, between Bill Thompson and the State. They proceeded to open up the pit, but were looking at the entire quarter, as it is listed in the Atlas, as belonging to Bill Thompson, and they presumed a permit was issued on the entire quarter. It has now been brought out that a substantial part of the gravel pit is on tribal land, and a quick survey indicates we do have a problem. It has been proposed that a comprehensive survey be done to establish boundaries, overlay of pit and then compute the amount of gravel taken from each tract. The Superintendent stated that there will be 2-3 alternatives to take once the State completes the survey - they admit they made a mistake. The Chairman stated monthly reports were to have been made. The Superintendent reported they were to make the check out to them, but they didn't. He stated if he had known the pit was not on the Chairman's land he would not have given him the check. The Chairman then reported that he has been accused of stealing the gravel and asked if this was also the Bureau's opinion. The Superintendent answered in his opinion, the State made the mistake, there were other errors but the State made the biggest mistake because they didn't remove the gravel from the area for which the permit was issued. Officially, it is the Bureau's position that the State took gravel off Tribal land without authorization. The Chairman stated he told them specifically that he did not own that 40 acres of land. Mary Dixon asked what the beef was about, because the check was made out to the Chairman or what. The Chairman answered that a federal agent was in his office and stated he had been accused of embezzling tribal funds. Mrs. Dixon stated so what, that has been going on for years. The Superintendent made a final comment, summarizing the Bureau's position. There were no further statements made.

(8)

ABSTRACTS ON COBLE LAND - A bill was received for payment of abstracts on the Coble land. The Superintendent does not think the Tribe is liable for payment but to expedite the matter, the Tribe should pay the bill to get the abstracts cleared, then try to collect from Coble. The agreement specifically stated that the abstracts were to be

brought current. Michael Jandreau made a motion that the Tribe pay the bill, and demand that the Area solicitor be charged with getting our money back. The motion was seconded by Bill Ziegler and carried with five for and none against, with Kay Courneau not voting.

(9)

HIGH SCHOOL CONSTRUCTION - The Superintendent reported the funds have not yet been released. The Bureau has forwarded all information requested but to date no action has been taken. John Estes made a motion to make contact with congressional delegation to get support to move on this. The motion was seconded by Mary Dixon and carried with six for and none against.

(10)

NEIL CLARK LAND PURCHASE PROPOSAL - The Chairman asked the Council's decision on this proposal. Michael Jandreau stated it would be economically unsound to think about purchasing this land unless it was substantially lower than the appraisal price, and if we had a commitment from someone who could lease it at a price to balance out the payment of the loan and interest. If we don't then the burden of repayment will be with the Indian cattle operator and will drive them out of business. It hasn't been explored enough. John Estes made a motion to table this matter, seconded by Kay Courneau and carried with six for and none against.

(11)

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. Kay Courneau made the motion, seconded by John Estes; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 15th day of June, 1977.

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Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

June 29, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 29th day of June, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: J. W. Thompson, Vice Chairman, presiding	Absent: Richard Thompson
Bill Ziegler	Mary Dixon
Michael Jandreau	Kay Gourneau
John Estes	
Kay Gourneau, arrived after roll call	

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

CONTRACTING OF HIGH SCHOOL - A Special Meeting was called to discuss the possibilities and/or feasibility of contracting the high school. Area Office staff, BIA Education Staff and School Board members were present. No definite action was taken until the School Board could meet to study the feasibility of contracting. They will report back to the Council and if contracting is desired, then a referendum will be called to obtain the voice of the people.

(2)

PLANNING BUSINESS - The Planning Director, Mr. Abe Langdeau, presented information on the Drought Relief Program. Our proposal has been accepted and will be considered. Lower Brule has received approval to participate in the Local Public Works program and will be funded for an Outdoor Recreation Facility Development Project in the amount of \$322,550. Michael Jandreau made a motion to proceed with the ORPD application. The motion was seconded by Bill Ziegler and carried with four for, none against and two absent.

(3)

IRRIGATION PROJECT - Construction is not complete. It has been proposed that an auxiliary system be installed in order that the entire crop not be lost. The intake structure is not going according to engineer's plans. The Farm Manager proposes to install one motor which will operate two pumps at 4200/gallons per minute. The cost may be recovered by remarketing themotor. J. W. Thompson asked how things were going according to the time schedule and Mr. Hanke reported that according to engineers, they probably won't even make the contract date of August 12th. Mary Dixon made a motion to approve the purchase of the auxiliary water system. The motion was seconded by Michael Jandreau and carried with four for, none opposed and two absent.

(4)

GAME, FISH & PARKS PACT - This contract was extended once and now is about to expire. Mr. Hicks asked if the Council would authorize the Chairman to change the scope of the contract in order to benefit from the funds. Michael Jandreau so moved. The motion was seconded by Bill Ziegler, and carried with four for, none against and two absent.

(5)

APPROVE CHANGE ORDER - John Estes made a motion to approve the change order and to approve payment as invoiced by Morris Irrigation. The motion was seconded by

Mary Dixon and carried with four for, none against and two absent.

(6)

REQUEST SEPARATE PUBLIC HEALTH SERVICES - Health Planner, Phyllis McCommon asked the Council's support in trying to get separate Public Health Services for Lower Brule. Mary Dixon so moved. John Estes seconded the motion, which carried with four for, none against and two absent.

(7)

MISCELLANEOUS - Two letters were read at the Council meeting, one from Isabel Flute and one from Annie Flute. There were no comments. Michael Jandreau made a motion that both letters be made a part of the minutes. The motion was seconded by Mary and carried with four for, none against and two absent.

(8)

INTERNATIONAL TREATY COUNCIL - Pat Spears, Intern Planner, reported on attending the Council. He gave the Tribal Council copies of information he received at the meeting. Six members of the community attended, plus John Estes, Duane Goodface and himself.

(9)

CETA PROGRAM - John Estes requested information and a decision on this program and the Director. He was informed that the Director had been called in and problems were discussed with the Chairman and his administrative assistant. A letter of reprimand was sent also.

(10)

ADJOURNMENT - There being no further business, John Estes made a motion to adjourn, seconded by Bill Ziegler; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held on the 29th day of June, 1977, by the Lower Brule Sioux Tribal Council; a quorum was present.

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Connie Boyd, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

July 6, 1977

The Regular meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 6th day of July, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present:	Richard Thompson, Chairman	Absent:	John Estes
	J. W. Thompson, Vice Chairman		Kay Gourneau
	Bill Ziegler		
	Mary Dixon		
	Michael Jandreau, arrived after roll call		

The meeting opened with the Lord's prayer, led by Mary Dixon in the absence of the Chaplain.

(1)

IRRIGATION FARM REPORT - Three pivots are pumping at present. The main intake still not complete. Mr. Hanke requested the balance of the Industrial Development Funds for farm operating expenses due to delay in the loan applications. J. W. Thompson made a motion to draw down the money. The motion was seconded by Mary Dixon. On call for discussion, Michael Jandreau stated he did not believe in utilizing all the remaining money for the project. He felt there was not enough done to borrow outside money. The Chairman stated this project has been in the planning stage and the Council should have known by now that the expense would be high. J. W. Thompson stated his idea was to lease the total project out, then we would have our money and not the worry. A discussion was then held on using the crop as silage. On call for a vote, to withdraw the balance of the Industrial Development funds, the motion carried with three for, one against and two absent.

(2)

OUTDOOR RECREATION FACILITY DEVELOPMENT - \$322,000 was made available through Local Public Works funds for the Lower Brule ORFD Project. Expansion of the Buffalo pasture is one of the main features of the project. The Planning Director, Mr. Abe Langdeau, requested authorization from the Council to direct the architectural firm of Benjamin, Kasl and Associates to prepare the final design on the project. J. W. Thompson stated he did not think the project would be a success, giving examples of Crow Creek and Standing Rock projects. When this is built, it will have to be maintained and repaired which will mean more expense to the Tribe. Mr. Langdeau answered that he was not in a position to sell the project to the Council, the idea has been a part of the CEDP of this reservation for many years; however, management money is a tribal matter that will have to be faced. J. W. Thompson made a motion to authorize the final design on the project. The motion was seconded by Michael Jandreau and carried with four for, none against and two absent.

(3)

HEALTH FACILITY - PL 93-638 funds provided the Tribe the means to develop a plan for a health facility. An architectural-engineering firm will be selected to design the facility. Before this can be done, it is necessary to have the Council's action on whether the project should be Bi-Indian or placed on the open market. Michael Jandreau made a motion to advertise for an AE firm on the open market. The motion was seconded by Bill Ziegler and carried with four for, none against and two absent.

(4)

MENTAL HEALTH PROPOSAL - Mr. Goldsmith of the Inter-Community Human Service Center presented a proposal whereby the Indian youth will benefit through a mental health - drug abuse counseling program. The Center is located in Chamberlain. They are asking support from the Tribe. Michael Jandreau made a motion to adopt a resolution in support of the proposal. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.

(5)

GRAZING RATES - A higher rate must be established to meet the increasing costs of Tribal operations and to repay loans made for purchase of land. However, the proposed rate made by the Bureau of Indian Affairs would put the Indian operator out of business. The matter was tabled until the afternoon meeting.

(6)

DIRECT EMPLOYMENT PROGRAM - United Sioux Tribes is requesting a resolution of support to contract this program for Indian benefit. Michael Jandreau stated he would like to see the Tribe contract for this. It would create maybe two positions. A good portion of the funds go for administration money. This will be table to enable the secretary to attain information on the feasibility of contracting this program here.

(7)

MISCELLANEOUS - Edward Johnson was denied approval to sell his land. Bill Ziegler stated he wanted to appeal this decision. J. W. Thompson made a motion that the Tribe support his appeal. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.

(8)

REQUEST TO GAME, FISH & PARKS - There are portions of water front on the Lake Sharpe reservoir that have been declared a Water Fowl Refuge, and some are not. To better control hunting within the boundaries of the reservation, it has been proposed that Lower Brule request that the entire water front of the Lake Sharpe reservoir be declared Water Fowl Refuge. Mary Dixon so moved. The motion was seconded by Bill Ziegler and carried with three for, none against, two absent and one not voting.

(9)

ENROLLMENT - Applications for enrollment and birth certificates were received for Anitra Beth and Sharon LaRaye Long Fox, and for Lewis James and Loretta Joy Grassrope. J. W. Thompson made a motion to enroll the children. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.

(10)

USE OF STARTING GATE - J. W. Thompson made a motion to approve lease of the starting gate to Ted Rouillard, whereby the first year's cost will be the repair of the gate and addition of two more gates and to put on races for the Tribe during our fair. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.

(11)

CRISIS INTERVENTION PROGRAM - This program was funded through the Office of Native American Programs (formerly CAP) and will provide assistance to families who were not able to pay their fuel bill or who paid but were handicapped by the increased costs of fuel. Discussion was held on the appropriation of the funds. Michael Jandreau made a motion to authorize the Chairman to enter into the Crisis Intervention Program agreement. The motion was seconded by Bill Ziegler and carried with four for, none against and two absent.

(12)

LEASE TO HOUSING AUTHORITY - It has been proposed that a cluster homesite be developed West of the Lower Brule community. J. W. Thompson made a motion to grant a 25 year lease of land to the Lower Brule Housing Authority, for approximately 40 acres. The motion was seconded by Michael Jandreau and carried with four for, none against and two absent. The land description will be available at the Tribal Office.

(13)

APPROVAL OF MINUTES - J. W. Thompson made a motion to approve the minutes of May and June, as published. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.

(14)

APPROVAL OF HOMESITE - Michael Jandreau made a motion to grant approval for a rural homesite to Justin Grassrope. The motion was seconded by J. W. Thompson and carried with four for, none against and two absent. The land description is as follows:  
E2SE4NE4NE4 Section 18, T 108 N, R 73 W.

(15)

SCHOOL SUMMER FOOD PROGRAM - J. W. Thompson made a motion to authorize negotiation of a loan to continue the School Summer Food Program. This will be reimbursed with State funds. The motion was seconded by Mary Dixon and carried with four for, none against, and two absent.

(16)

HOME IMPROVEMENT PROGRAM - Bill Ziegler stated that Noah and Jeff Grassrope have registered complaints about home repair. This will be referred to the HIP Committee.

(17)

LAND SALE - The abstract bill is owed by Joe Coble and in conferring with his attorney, it was found that he will pay it. The bill will be hand carried to him by Mr. Hicks, then taken up to get abstracts cleared. Michael Jandreau made a motion to do the above, and if not possible, then to have Mr. Hicks obtain a check from the Tribe to clear the abstracts and take these to the FHA office in Chamberlain. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.

(18)

SCHOOL CONSTRUCTION - The appropriations committee maintains the Bureau of Indian Affairs has not provided them the required information and therefore, have not released funds to construct the new high school. They are requesting that GSA be involved in the plan, design and construction of all new projects. They will hold hearings on this in Washington. A telegram will be sent to the Department of Interior and copies sent to our congressional delegation and to Congressman Yates, requesting that the Department of the Interior provide the necessary information as required.

(19)

REQUEST FOR SURVEY - J. W. Thompson made a motion to request that the Bureau of Indian Affairs conduct a survey of all cattle operations on the reservation, to include a livestock count, machinery inventory and the means by which the individuals are operating, and the livestock count must be identified according to ownership. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.



(20)

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion was made by Mary Dixson, seconded by Michael Jandreau; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 6th day of July, 1977.

\_\_\_\_\_  
Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

July 12, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 12th day of July, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: Richard Thompson, Chairman  
J. W. Thompson, Vice-Chairman  
Bill Ziegler  
Michael Jandreau  
Kay Gourneau

Absent: John Estes  
Mary Dixon

The meeting was opened with the Lord's prayer, led by Kay Gourneau in the absence of the Chaplain.

(1)

REVIEW OF BUDGET - A Special Meeting was called to review the budget and to get an idea of projected costs. Also, if Industrial Development funds are withdrawn the budget will have to be amended. J. W. Thompson made a motion to modify the Tribal Operating Budget for FY 77. The motion was seconded by Bill Ziegler and carried with three for, none against and three absent.

(2)

PCA LOAN - Kay Gourneau made a motion authorizing mortgage of crop, as required by PCA. The motion was seconded by J.W. Thompson and carried with four for, none against and two absent.

(3)

ADJOURNMENT - Kay Gourneau made a motion to adjourn, seconded by J. W. Thompson; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council on the 12thday of July, 1977.

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Connie Boyd, Recording Secretary

LOWER BRULE SIOUX TRIBAL COUNCIL

Lower Brule, South Dakota

A Special Meeting was held at the Tribal Office at 10:00 a.m., on the 15th day of July, 1977 at 1:00 p.m. and called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: Richard Thompson, Chairman  
J.W. Thompson, Vice-Chairman  
William Ziegler, Secretary/Treasurer  
Kay Gourneau, Member  
Michael Jandreau, Member-

Absent: Mary Dixon  
John Estes

Meeting was called to order with quorum present.

(1)

ROSEBUD RACING COMMISSION - The Rosebud Racing Commission was present to submit a time slot into the Annual Fair and Rodeo, scheduled for August 12th, 13th & 14th, for setting up a Calcutta Horse Race. They had also asked the Tribal Council if it were permissible to sell an alcoholic beverage (beer) the day of the racing (Friday, August 12th). A short discussion was held with the Tribal Council. Mr. Thompson then made a motion to adopt a resolution supporting the Rosebud Racing Commission in their effort. Motion seconded by William Ziegler with three for, none against motion carried and quorum present.

(2)

PLANNING DEPARTMENT - Mr. Abraham Langdeau, Jr., from the Planning Department was present with Patrick Spears, Assistant Planner, to discuss matters pertaining to the Outdoor Recreation Project Area. Mr. Langdeau stated that it had appeared that the Council had approved two homesite in the area of the designated E.D.A. Project area where it had already been assigned for. Mr. Langdeau then requested action by the Council to hold the two homesites requests in that area. Kay Gourneau made a motion to adopt a resolution to state that the homesites in the proposed area for the Outdoor Recreation Project have no preference over a Tribal Project. Motion was seconded by William Ziegler with three for, none against motion carried and quorum present.

Lower Brule Sioux Tribe  
Special Meeting  
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Planning Department (continued) - Mr. Langdeau then referred to another matter in reference to the Winrock International Livestock and Research Training Center. We need support by resolution to state the Tribes interest in researching the possibilities of a Tribal Cattle Feeding Operation and also, to concur that Mr. Tom Hanke, Farm Manager, be representative by the Tribal Council to attend a meeting in Morrilton, Arkansas with the Winrock International Livestock Research and Training Center. Mr. Thompson made a motion to adopt a resolution for a feasibility study into a Tribal Cattle Feeding Operation and concur by letter to have Mr. Tom Hanke represent the Tribal Council at this meeting. The motion was seconded by William Ziegler with three for none against motion carried and quorum present.

Mr. Langdeau stated a visit from Mr. Floyd Taylor was set up for Monday, July 18, 1977 at 10:00 a.m., has been cancelled because Mr. Taylor will not be able to attend. This was to review the application for the Outdoor Recreation Project.

Also on July 22, Dr. Sullivan, who is working for E.D.A. will be present to go over the development of an Economic potentials in the area of the Drought Related Irrigation Project. He will also be covering the topic of Indian Cattlemens Association, of long term loans with low interest rates.

Mr. Langdeau then made reference to the 208 Water Quality Meeting held in Pierre as to what has been happening with the Tribes of South Dakota. This was reported on by both Mr. Langdeau and Mr. Spears.

(3)

FINALIZE GRAZING FEES - The Chairman at this time had asked the Council for their final decision for the resolution of the grazing fees. After a short discussion by the Tribal Council members, Mr. Jandreau made a motion to adopt a resolution to make the Tribal land permit at \$32.00 per unit and delete portion of pertaining to the horses. Motion was seconded by Mr. Thompson with three for none against motion carried. Mr. Jandreau then made a motion to adopt a resolution requesting that the Bureau of Indian Affairs consider the same rate for allotted lands. Motion seconded by Mr. Thompson with three for none against quorum present and motion carried.

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(4)

JERRY NOONAN, STUART NOONAN AND ASSOCIATES - Mr. Jerry Noonan, of Stuart Noonan and Associates of Sioux Falls, S.D., presented a report to the Tribal Council concerning setting up a centralized accounting system. He then went into the costs, training involved and breakdown of the system his firm had set up. Mr. Jandreau made a motion to have the Tribal Chairman enter into an agreement with Mr. Noonan and firm for a Centralized Accounting System for the Lower Brule Sioux Tribe. Motion seconded by Mr. Thompson with three for none against motion carried quorum present.

(5)

ADJOURNMENT - No further discussions. Mr. Ziegler made a motion to adjourn seconded by Mr. Thompson with three for none against motion carried and quorum present.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of the Special Meeting held at the Tribal Office with quorum present on the 15th day of July, 1977.

Jo Ann Pourier, Recording-Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

August 18, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 18th day of August, 1977, and was called to order by the Chairman, Richard P. Thompson, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson  
William Ziegler  
Michael Jandreau, arrived after roll call  
Mary Dixon

Absent: John Estes  
Kay Gourneau

(1)

CHARTER FOR FARM BOARD - Tribal Attorney, Mr. Srstka, was present to review a draft of the Farm Board charter. This will be a tribally chartered corporation. First board of directors will be appointed to serve until the first annual meeting. All stock will be owned by the Tribe. Purpose is to manage the irrigation project. A recommendation was made that the majority of the directors be outsiders, with the entire Council as non-voting members. The Council would, after final charter is drawn up, pass an ordinance adopting the charter. Bill Ziegler suggested that 50% of the employees be taken from Tribal membership. An objective of the corporation is to train and educate tribal members, and eventually end up with an Indian owned and operated project. The Planning Director, Abe Langdeau, asked if the board would be involved in planning and was told it is for management purposes as it pertains to the irrigation project. The directors will not be salaried but will receive compensation for meetings.

(2)

COMPLETION STATUS OF IRRIGATION PROJECT - Mr. Srstka was contacted on July 25th concerning the rights which are extended to the Tribe on behalf of an agreement with EDA and contractor, and whether we have suffered a loss due to lack of water service to the irrigation system, or what our position is relative to claiming damages. Mr. Hanke reported the following: The deadline was August 12th. It was never operable. On the 11th, there was a leak in the line. On August 12th an attempt was made to start the pumps. On the 16th a transformer blew. He stated the engineers were trying to get him to say the system was operable. Mr. Srstka recommended that he review the contract and establish a position for the Tribe. He advised not to accept the project, but to run it to determine whether it is operable and acceptable.

(3)

SIGNING OF RELEASE FOR STATE - Mr. Dave Bergren from the State's attorney office presented a release to be signed, from the State of South Dakota, for some gravel removed from Tribal land. Michael Jandreau made a motion to authorize the secretary to sign the release. The motion was seconded by Mary Dixon. Mr. Hicks stated they still had to reseed the site. J. W. Thompson stated the State never did have a contract with the Tribe to open a gravel pit or remove any from tribal land. He also stated the price offered was too low, should at least ask for 25. Michael Jandreau then retracted his motion. J. W. Thompson made a motion to have our attorney, Mr. Srstka, handle this matter and to ask for a fair price. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.

(4)

JURISDICTION OVER NON-INDIANS - The Council passed an ordinance to prosecute non-Indians in Tribal court. Michael Jandreau asked if this went into effect immediately; he was

concerned about a specific case involving a non-Indian that was being delayed due to the ordinance not being enacted. Mr. Srstka stated that the validity of this particular ordinance would be effected by a test case due to be processed next year. By enacting the ordinance now, the Tribe would be open to civil liability if the test case goes against jurisdiction over non-Indians on the reservation. Michael Jandreau then stated that a double standard of justice exists, as an Indian individual is liable to federal prosecution if assault and battery is committed on a Bureau employee.

EXTRADITION - The Tribe presently honors an extradition process with the State, whereby they can extradite an Indian from the reservation for prosecution. However, the State does not honor tribal extradition. Bill Ziegler made a motion to adopt a resolution rescinding the extradition portion of the Law & Order code. The motion was seconded by Michael Jandreau and carried with four for, none against and two absent.

(6)

EDA PLANNING GRANT - Mr. Langdeau, Planning Director, informed the Council that \$43,000 is available for the FY 78 Planning Grant. J. W. Thompson made a motion to adopt a resolution requesting these funds, for FY 78. The motion was seconded by Michael Jandreau and carried with four for, none against and two absent.

(7)

CORPORATION BY-LAWS - J. W. Thompson made a motion to authorize the attorney to draw up the by-laws of the corporation. The motion was seconded by Bill Ziegler and carried with four for, none against and two absent.

(8)

RESCIND LB-77-B - Bill Ziegler made a motion to rescind ordinance LB-77-B which is the Assault & Battery of Police Officers. The motion was seconded by J. W. Thompson and carried with three for, none against and three absent.

(9)

RESIGNATION OF I.A.T. DIRECTOR - A letter of resignation from Thomas D. Skye was read. He is resigning his position as IAT Director to accept a job in Albuquerque. This is effective August 26, 1977. J. W. Thompson made a motion to accept the resignation and to advertise the position for 30 days, both locally and in publications. The motion was seconded by Bill Ziegler and carried with four for, none against and two absent.

(10)

ADJOURNMENT - J. W. Thompson made a motion to adjourn, seconded by Michael Jandreau; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 18th day of August, 1977.

  
\_\_\_\_\_  
Connie Boyd, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

August 3, 1977

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 3rd day of August, 1977, and was called to order by the Chairman, Richard Thompson, with roll call as follows:

Present: Richard Thompson, Chairman  
J. W. Thompson, Vice-Chairman  
Bill Ziegler, arrived after roll call  
John Estes  
Michael Jandreau  
Mary Dixon  
Kay Gourneau

Absent: None

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

LEASE OF BAR - Ron Potter informed the Council he wishes to relinquish his lease to his brother. In order for them to get financing, they must have a 10 year lease. Mary Dixon made a motion to increase the lease; the motion died for lack of a second. Michael Jandreau made a motion to adopt two resolutions, 1) to grant a 20 year lease and trader's license to Carl W. Potter and, 2) to notify the County that the Tribe wants the tax referred back to them as the County does not provide any services on the reservation. The motion was seconded by Kay Gourneau and carried with five for, none against and one absent.

(2)

EXTEND TERM OF FARM BOARD - J. W. Thompson made a motion to amend the resolution No. 75-131, adopted the 31st of March, 1976, extending the term of the Farm Board for 60 days. The motion was seconded by Kay Gourneau and carried with six for and none against.

(3)

ESTABLISH CHARTER FOR FARM BOARD - J. W. Thompson made a motion to adopt a resolution directing our attorney to establish a charter for the Farm Board. The motion was seconded by Michael Jandreau and carried with six for and none against.

(4)

ESTABLISH FARM BOARD AS CORPORATION - J. W. Thompson made a motion that the Farm Board be incorporated. Membership was discussed but no definite action taken; one or two Council members would sit on board. The motion was seconded by Michael Jandreau and carried with six for and none against.

(5)

FEELOT PROPOSAL - To finance this operation, a loan application will be filed with the American Indian National Bank. In order to do this, a general corporate resolution must be passed by the Tribe (standard requirement of AINB). The motion was made by J. W. Thompson to adopt the general corporate resolution and seconded by John Estes; the motion carried with four for, one opposed and one absent. Michael Jandreau requested that the Council be kept abreast of all that is going on, that the proposal sounded like a lot of speculation and was not well thought out. Mr. Hanke asked for discussion and clarification on this. The speculation point was then discussed, but no changes were made in the above resolution. A land trade between J. W. Thompson and the Tribe was



proposed by Mr. Hanke, for Phase II development, however, it was suggested that this be tabled and referred to the Farm Board for their recommendation.

(6)

TECHNICAL ASSISTANCE CENTER - Mr. Ed Riehle informed the Council that the Economic Development Administration intends to fund an institution of higher learning to provide a technical assistance center. He asked if the Council wanted the service from South Dakota State University, then a resolution would be in order for this. Kay Gourneau made a motion to adopt a resolution requesting SDSU be established as the Technical Assistance Center. The motion was seconded by Michael Jandreau and carried with six for and none against.

(7)

PERSONNEL MATTER - Fyvonne Rekow and Orville Langdeau came before the Council to request that Miss Rekow be allowed to resign so she could receive severance pay; she had been terminated from her position. She was told there were no severance benefits. Bill Ziegler stated since she was a temporary appointment, she could be terminated at any time. After further discussion, Kay Gourneau made a motion to authorize the Chairman to write a letter to Miss Rekow stating her temporary appointment has ended. Bill Ziegler stated if we do this for her then we should do it for everyone, and that this is taking over the authority of the Directors. The motion was seconded by Michael Jandreau and carried with six for and none against. Kay Gourneau then made a motion that all temporary appointments made concerning law and order personnel be filled immediately after closing date, and that the Chairman be informed of all temporary appointments made. The motion was seconded by Michael Jandreau and carried with six for and none against.

Richard Thompson, Jr. then came before the Council to protest unfair practices concerning wages and his job on the Irrigation Farm. He was hired at \$3 an hour, and a 40 hr. work week. Then he worked as many hours as possible but was cut back on his mileage. He was then told he would get \$150 a week with a six day work week and using his own car. He felt he was being discriminated against because he was a student. He wanted the Council to understand why he quit and is applying for another job.

(8)

HOUSING PRACTICES - Wanda Fields came to protest a letter sent by Mrs. Fletcher from the Housing Authority, informing her and Harrison that they would have to move out because his wages were too high. Mrs. Fields stated she is not a BIA employee and is not married, they have recently divorced. She stated this came about due to a personal conflict that developed when Miss Rekow was fired. Mary Dixon stated that as long as rent is being paid, she saw no reason for her to move out. After further discussion, J. W. Thompson made a motion that the directive be disregarded and that Wanda Fields should stay in her house. The motion was seconded by Mary Dixon and carried with four for, one against and one not voting. Michael Jandreau then suggested if the Council doesn't want a Housing Authority then they would have to handle all housing problems and business - he then made this a motion but retracted it.

RECESS - The meeting recessed for lunch and reconvened at 1:45 p.m., with the same members being present.

(9)

LIBRARY SERVICES - Mr. Kitto requested approval of the Council to open the library at night, between 6:30 and 9:30 so that community members and school children would have the benefits of the library. He proposed that a CETA position be established for this. The Chairman informed him that this would have to be worked up with the CETA Director.

(10)

FILLING OF POSITIONS - The Council voted to select all positions by secret ballot. Police Clerk - the following applied: Patricia Ness, Janet Pease, Beverly Wilson, Lana Rencountre, Brenda Estes, Norma Grassrope and Sandra Byington. Patricia Ness was selected.

Detention Officer - Three positions to be filled, with the following applying: Clevia Running Horse, Cheryl Bad Horse, Linda Thompson, Richard Thompson, Jr., Richard St. Cloud, Victor Grassrope, Ethel Quilt, Ruth Flute, Tim Estes, Karil Harmon, Leonard Metcalf, Jeff Claymore, Beverly Wilson, Tony LaRoche, Gwen Jandreau, Norman Provincial, and Wanda Estes. Richard Thompson, Jr., Ruth Flute and Tony LaRoche were selected.

Police Officer - the following applied: Gene Wilson, Leonard Metcalf, Carl Miller and Calvin Hollow Horn Bear. Carl Miller was selected.

(11)

MISCELLANEOUS - Bill Ziegler requested that the following statement be made part of the minutes. They are saying that he is responsible for turning off the water on the West hill. He does not have a key and doesn't know anything about this.

(12)

CLEARING OF ABSTRACTS - Bertha Fire Cloud was in again asking when they would be receiving their money for her land sale. Mr. Hicks stated a discrepancy was found concerning the last half of '76 taxes. It should be taken care of within the next two days and if so, she should have the money by the first of next week.

(13)

CURFEW & AGE LIMIT - Mr. Bill Ziegler presently owns a business establishment in which 3.2 beer is sold, but which was also intended to be a recreation center. He discussed with the Council the problem of age limit and curfew concerning his business. J.W. Thompson made a motion that the age limit for curfew be lowered to 16 years of age, and that anyone younger be allowed to frequent the establishment for recreation purposes only. The motion was seconded by Michael Jandreau and carried with four for, none opposed, one absent and one not voting.

(14)

TWEP CONTRACT - Joyce Estes, administrative officer, informed the Council there will be a savings in the line item for supervisor, and payment to participants has been expended. She suggested the Tribe request a budget modification. Michael Jandreau stated he so moved. The motion was seconded by Bill Ziegler and carried with three for, none against and one not voting.

(15)

638 GRANT MONEY - Michael Jandreau made a motion to request an extension on this grant, and also to change the scope of the contract. The motion was seconded by J. W. Thompson and carried with three for, none against, one not voting and two absent.

(16)

J.P.&E. CONTRACT - There is a savings of \$11,000 in this contract which may be used for salaries for the detention and police officer. However, this is not in the scope of the contract and will not carry the payroll until October 1st. J. W. Thompson made a motion to authorize the Chairman to change the scope of the contract and to request supplemental funding in the amount of \$5,000. The motion was seconded by Bill Ziegler and carried with two members for, one not voting and three absent.

(17)

CONTRACT COORDINATOR POSITION - The Tribe has been allocated a total of \$14,200 in 638 money which has not been utilized as yet. It was suggested that a position be developed to work strictly with contracts and grants, namely a contract coordinator, for reports and bookkeeping. Michael Jandreau made a motion to develop a resolution to utilize this grant money. The motion was seconded by J. W. Thompson and carried with three for, none against, one abstaining and two absent.

(18)

CHILDREN IN BARS & LIQUOR STORES - According to the tribal code, children under age are not allowed in bars or in liquor stores. Bill Ziegler stated that the laws should meet the needs of the community. J. W. Thompson made a motion to permit children in and out of the bar and liquor store, prior to curfew. The motion was seconded by Bill Ziegler and carried with four for, and one not voting.

(19)

LIQUOR LICENSE - Bill Ziegler made a motion that one-half of the license fee paid to the State be turned back to the Tribe, or that you pay one-half directly to the State and one-half to the Tribe. The motion was seconded by J. W. Thompson and carried with five for and none against.

(20)

SD INDIAN COORDINATOR - Michael Jandreau made a motion that the Tribe support Phil Byrnes' application for State Indian Coordinator. The motion was seconded by John Estes and carried with four for, none against and one not voting.

(21)

CHK BUDGET FOR FY 78 J. W. Thompson made a motion to approve the CHK budget for FY 78. The motion was seconded by Michael Jandreau and carried with four for, none against and one not voting.

CHR POSITION - There were two applications for this position, Brenda Estes and Rose Eagle Star. By secret ballot Rose Eagle Star was selected.

TWEP SUPERVISOR - Mark Estes was selected by secret ballot to fill this position. Others applying were - Francis Ziegler, Iverett Goodface, Sr., Maria Patterson, Harry Crane, Marie Charger, Virgil Flute, Darrell Middletent, Herbit Goodlow, Merle Wilson, Richard St. Cloud, Mary Thompson, Lawrence Goodlow, Jr., and Victor Grassrope.

ONAP DIRECTOR - There was a tie between Roy Ziegler and Michael Jandreau and on re-balloting, Michael Jandreau was selected for this position. Others applying were Gene Wilson, Harlan Rus and Altwin Grassrope.

(22)

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion was made by Michael Jandreau and seconded by Bill Ziegler; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 3rd day of August, 1977.

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Connie Rae Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

July 18, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 18th day of July, 1977, and was called to order by the Chairman, Richard Thompson, with roll call as follows:

Present: Richard Thompson, Chairman  
Bill Ziegler  
John Estes  
Kay Gourneau

Absent: J. W. Thompson  
Michael Jandreau  
Mary Dixon

A Special Meeting was called specifically to pass a resolution authorizing the engineering firm to proceed with Phase II of the Lower Brule Irrigation Project. Kay Gourneau made a motion to adopt this resolution. The motion was seconded by John Estes and carried with three for, none against and three absent.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 18th day of July, 1977.

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Connie Boyd, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

September 14, 1977

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 14th day of September, 1977, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman  
Bill Ziegler  
John Estes  
Mary Dixon  
Michael Jandreau, arrived after roll call.

Absent: J. W. Thompson  
Kay Gourneau

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

POSITION SELECTIONS - Ballots were given to each Council member present; three positions are to be filled. The following were selected: Bessie Estes as CHR Coordinator; Anita Grassrope as a CHR; and Robin LaRoche as Ambulance Driver/attendant. The Chairman informed the Council he had received a resignation from Bessie Estes as WIC Coordinator which was turned in with her application.

(2)

NATIONAL AMERICAN INDIAN CATTLEMEN ASSOCIATION - Michael Jandreau made a motion to become an affiliate member of this organization, paying dues of \$50/year, and to adopt a resolution supporting the NAICA application for drought assistance. The motion was seconded by John Estes and carried with four for, none opposed and two absent.

(3)

NCAI MEMBERSHIP & CONVENTION - The National Congress of American Indians will be holding their 34th Annual Convention in Dallas Texas, September 19 thru the 23rd. A resolution is needed for membership and to name a voting delegate and alternate to attend the convention. Membership dues will be \$60, based on enrollment, which will authorize 110 votes. Michael Jandreau made a motion to adopt this resolution for membership and to name the Chairman as the voting delegate and John Estes as the alternate. The motion was seconded by Bill Ziegler and carried with four for, none opposed and two absent.

(4)

ENROLLMENTS - Applications for enrollment, with birth certificates, were received for the following: Rosita Rae Goodlow, Beverly June Goodlow, Vanessa Lorraine Grassrope, Candice Lorraine LaRoche, Francis Peck, Sylvester Peck, Lloyd Peck, Floyd Peck, Jerauld James Rekow, Michael Bruce Small Jumper, Gregory Lynn Ross, Terri Lynn Smith, Traci JoAnn Smith, Craig Allan Sully, Jr., Hillary Jean Thigh, Jacqueline Theresa Thompson, and Henry Robert Bradshaw. Mrs. Julia Peck was present to question previous denial of enrollment, citing cases wherein blood degree, residence, etc., was the same as her own and who were enrolled. After some delay in which blood degree records were checked, Michael Jandreau made a motion to enroll all the above listed. The motion was seconded by Mary Dixon and carried with four for, none opposed and two absent.

(5)

DISCUSSION OF POSSIBLE LEGAL SUIT - Mr. Srstka was present to discuss documentation of facts concerning the possibility of entering a suit for damages against Morris Irrigation. There were only verbal agreements and nothing in writing where they agreed to complete

(9)

HEALTH PLANNING & FACILITY DEVELOPMENT - The Comprehensive Health Planning position will be advertised. Ms McCammon resigned and her resignation was accepted by the Chairman and approved by the Council. A resolution is required to approve the Architectural/Engineering Firm selected to complete the design of the Health Facility. The Council authorized a committee, consisting of the Planning Director, the 701 Planner and the Chairman, to select a firm. Meese, Peterson & Foss, Inc., of Huron SD was selected. Mary Dixon made a motion to adopt a resolution approving this selection. The motion was seconded by Bill Ziegler and carried with two for, one opposed and three absent.

(10)

BUS DRIVER FOR ELDERLY NUTRITION PROGRAM - The Project Council for the Elderly Nutrition voted on their recommendation for this position and Dallas Michalek was selected. Mary Dixon made a motion to approve this recommendation. The motion was seconded by Bill Ziegler and carried with three for, none against and three absent.

(11)

REQUEST FOR RURAL HOMESITE - James Jandreau was present to request approval of a rural homesite. Michael Jandreau made a motion to approve the request. The motion was seconded by Mary Dixon and carried with three for, none against and three absent.

(12)

WATERFOWL MANAGEMENT PROGRAM - This is a project developed by the DOR Manager. Duane Goodface stated the salary will be paid by DOR for two weeks and thereafter, the salary will be paid thru a percentage of the intake from the Waterfowl Management Program to be opened in the Little Bend area. He stated the only person he would recommend for this was Alvin Grassrope, stating no trainees in the Conservation Element of IAT are qualified or are able to be trained to handle this. After discussion, Bill Ziegler made a motion to approve hiring of Alvin Grassrope and that the arrangements for the agreement for compensation be worked out between Duane Goodface and Alvin Grassrope, with no actual salary to be paid, only for two weeks, and then a percentage of gross intake from the project. Michael Jandreau seconded the motion provided that when the individual is hired, that an agreement between the instructor, the Chairman, and the individual be written and signed by all concerned. The motion carried with three voting for, none opposed and three absent.

(13)

FUNDS FOR ADDITIONAL PIVOTS - Jim Legg, BIA Economic Development officer informed the Council that the Bureau of Reclamation turned over some funds to the BIA which can be used for irrigation development. He presented a resolution in which the Tribe requests funds for three additional pivots. The funds will be obligated in November. Michael Jandreau made a motion to adopt the resolution requesting these funds. The motion was seconded by Bill Ziegler and carried with three for, none opposed and three absent.

(14)

LEAA GRANT - Business cannot be completed today and the meeting will reconvene on 9/15. Michael Jandreau stated he may not be present and wanted to bring up the obvious discrepancies involving LEAA grant funds for the prosecuting attorney, in regard to Mr. Mueller's attitude to the Tribe and functions provided to our Court System. He asked that the Council request the Chief Judge be present when this is discussed. She will be notified.

(15)

RECESS - The meeting was recessed for the evening and reconvened at 9:30 a.m., on the 15th day of September, 1977, and was called to order by the Chairman. Those present were as follows: Richard Thompson, Chairman; Bill Ziegler; John Estes; Michael Jandreau; and Mary Dixon. Absent - J. W. Thompson and Kay Gourneau.

(16)

IAT PROGRAM - Pat Spears, acting IAT Director, gave a financial report of the program. The account is overdrawn but funds are expected soon. He then discussed the employment practices used by the past director, stating he had some changes but hesitated putting them in practice because he is only acting. He then gave information on the process of the IAT Program getting bonded to serve as the minority contractor for the ORFD Project. The DOR Manager position was discussed. Since he also serves as the Conservation Instructor, John Estes made a motion that he be placed under the direction of the IAT Director. The motion was seconded by Mary Dixon and carried with three for, none opposed and three absent.

(17)

EXPIRED LEASES - Michael Jandreau made a motion that all leases becoming available or that are available be posted for 30 days to be renewed at the \$5 rate. The motion was seconded by Bill Ziegler and carried with four for, none opposed and two absent.

(18)

LAND USE TRADES - The Medicine Creek Grazing Association is proposing a land use trade to block up some sections of land, stating it would be of benefit to all concerned. On discussion, it was brought out that this trade would only be beneficial to them, not the Tribe. It was stated that a more beneficial and equal land use trade agreement is needed and one should be developed.

(19)

AMBULANCE SERVICE PROPOSAL - The Ambulance Service Proposal and Budget for FY 78 was reviewed and discussed. There will be an increase in contract funds, therefore positions for a director and four driver-attendants were written up in the proposal and budget. Michael Jandreau made a motion to adopt a resolution approving the FY 78 Ambulance Service Contract and to request funding of same. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.

(20)

RENEWAL OF CONTRACTS - Budgets for all bureau contracts have not been worked up but it is necessary to request renewal of all contracts for FY 78. Bill Ziegler made a motion to adopt a resolution requesting renewal of the following contracts: Home Improvement Program, Homemaking Service, Tribal Work Experience Program and Judicial, Prevention and Enforcement Services.. The motion was seconded by Michael Jandreau and carried with

(21)

MODIFICATION OF WATER INVENTORY CONTRACT - Jim Legg presented a resolution to request modification of the Water Inventory Contract. Michael Jandreau made a motion to adopt this resolution. The motion was seconded by Mary Dixon and carried with three for, one not voting, none opposed and two absent.

(22)

APPROVAL OF GIFT DEED - Alvin Thompson is requesting approval of a gift deed of his inherited interests, to be given to his sister, Iva Jeanne Bolman. Michael Jandreau made a motion to grant this request, by resolution. The motion was seconded by John Estes and carried with four for, none against and two absent.

(23)

MISCELLANEOUS REQUESTS - Hilda Small is seeking approval to sell her house. Michael Jandreau made a motion to approve this, seconded by John Estes and carried with four for and none against.

Willie Fire Cloud requested that he be allowed the use of the vacant lot adjacent to his house. John Estes made a motion to approve this request, seconded by Michael

Jandreau and carried with four for and none against.

Carolyn White Shirt asked approval to rent a tribal trailer. This was referred to the HIP committee.

Jeff Grassrope wrote a letter complaining that his home repair was never completed and asked if the Council could get this done. The TWEF Supervisor will be notified to complete this.

(24)

IRRIGATION FARM REPORT - Tom Hanke, Farm Manager, gave a report on the Little Bend Irrigation Farm, and proposals he is developing to sell the crop. No action taken.

(25)

CAREER DEVELOPMENT CONCEPT - The Director of the Alcoholism Program, Mr. Joe Blacksmith presented a Career Development Concept proposal for information purposes and input. This concept would deal with program clients and staff by furthering their career development, when they have completed a certain sobriety period, to place them in outside jobs. No action was required.

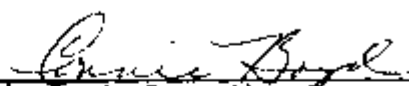
(26)

APPROVAL OF MINUTES - Michael Jandreau made a motion to approve the minutes for July and August, as published. The motion was seconded by John Estes and carried with three for, two absent and Bill Ziegler voting against but not requesting a correction of any portion.

\*Item (27) - See below.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council with quorum present on the 14th and 15th days of September, 1977.

  
\_\_\_\_\_  
Connie Boyd, Recording Secretary

(27)

ADJOURNMENT - Mary Dixon made a motion to adjourn, seconded by Michael Jandreau; there were no objections.



SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

September 8, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 8th day of September, 1977, and was called to order; the following were present:

Bill Ziegler  
Michael Jandreau  
Michael Jandreau  
Mary Dixon

The Chairman and Vice-Chairman were out of town on tribal business; they were contacted by phone on the following matter. The special meeting was called to adopt two resolutions, authorizing a loan to cover payroll for Title I and JP&E employees, until the draw down is received, which should not be more than 30 days. Mary Dixon made a motion to adopt the two resolutions. The motion was seconded by Michael Jandreau and carried with four for, none against and two absent.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 8th day of September, 1977.

  
\_\_\_\_\_  
Connie Boyd, Recording Secretary

the project ahead of the contract schedule. It was the attorney's opinion that the Tribe could not win a suit in court. The case could not be tried in Federal court. There was further discussion on potential loss, documentation and proof for liability of damages. Actual completion date was also reviewed, with Mr. Al Kasl of the engineering firm stating there was substantial completion on August 12th. EDA interprets completion as the day it can be put on service and used. Mr. Srstka stated that the Tribe could hold Morris Irrigation responsible, in going over the completion date, for a total of eight days at the most. Al Kasl did not agree. Final recommendation from Mr. Srstka was that the Tribe hold negotiations on the 10% withheld for the total project, but to have the manager try and document potential crop loss. He also recommended the Tribe present something in writing for the negotiation meeting with Morris Irrigation. Tentative date is 10/5/77. The Tribe will pay any amount due less the 10% of the total project.

Mr. Srstka then reviewed some incomplete topics he was asked to handle. On the gravel release from the State, he reported that a meeting will be held by the Department of Transportation on the 21st and our request will be acted on at that time. The Neal Clarke land sale proposal will be closed for now - the Tribe is not financially able to negotiate a land sale at this time.

On the law suit filed by Bernard LaRoche against the Tribe, he reported that a summons has not been issued. He advised the Council to let it stand as is unless a summons is issued.

RECESS - The meeting recessed for the noon break and reconvened at 1:35 p.m., with the same members present and Michael Jandreau arriving late.

(6)

WEST CENTRAL DISCUSSION - Two representatives from West Central Electric Cooperative were present to discuss any questions the Council had, although they were not authorized to act officially. The Tribe paid for a full crop growing usage for power and this was not used until August. This matter will have to be discussed with the cooperative board. The matter of the transformer blowing out was brought up; this cost will be borne by the Manufacturer. Relocation of power lines was presented. Mr. Byre completed a drawing of the proposed relocation in which they will re-span the poles to locate them outside of the pivot area. This was caused by an error in staking when the survey was done. Payment for relocating the poles will be between Benjamin, Kasl and Associates and West Central, and will not be at any cost to the Tribe, as stated by Al Kasl of the firm.

(7)

PLANNING DEPARTMENT BUSINESS - Mr. Abe Langdeau was present to review Planning Business. The Overall Economic Development Plan (OEDP) is ready for final approval and Mr. Langdeau requested input and final approval of the OEDP as to priorities as proposed. Priorities are specifically followed and noted by EDA when projects are presented for funding. A resolution in support of the OEDP and priorities was requested. John Estes made a motion to adopt this resolution as requested and without change. The motion was seconded by Mary Dixon and carried with three for, none opposed and three absent.

(8)

ORFD PROJECT - Mr. Abe Langdeau informed the Council on proceedings of development of the Outdoor Recreation Facilities Development grant of \$322,000 approved thru EDA, Round II of the Local Public Works program. There is a clause in the arrangement wherein 10% of the total funding must go to a minority business (contractor). They are undertaking action to have the Indian Action Team bonded in order that they may serve as the minority contractor.

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

September 26, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 26th day of September, 1977, and was called to order by the Vice-Chairman, with roll call as follows:

Present: J. W. Thompson, Vice-Chairman, presiding  
Bill Ziegler  
Michael Jandreau  
Mary Dixon

Absent: Richard Thompson  
Kay Gourneau  
John Estes

The meeting was opened with the Lord's prayer.

(1)

EMERGENCY DROUGHT ASSISTANCE - The Council adopted a resolution requesting funds for additional pivots on the irrigation project. Jim Legg now informed the Council that a contract must be entered into with the Bureau for these funds. Michael made a motion to adopt a resolution requesting a contract for funding thru Part 219 of the 1976-1977 Emergency Drought Assistance & Deferments. The motion was seconded by Mary Dixon and carried with three for and none against.

(2)

PAYMENT TO MORRIS IRRIGATION - A revised bill was submitted for payment to Morris Irrigation. This is the amount due less the 10% withheld for negotiation purposes. Mr. Abe Langdeau stated that the engineering firm has approved this billing.

(3)

TRESPASS OF LEASED LAND - J. W. Thompson reported he had under lease a strip of Corp land. When the Tribe leased land for irrigation, he was deprived use of this land. He was advised to make a formal complaint on this but, if possible, he did not want to go the legal route. He asked repayment for what he put into it, and that he would accept \$200 as payment for trespass and damages. Bill Ziegler made a motion that the Tribe pay the \$200 for trespass and damages. The motion was seconded by Mary Dixon and carried with two for, Michael Jandreau voting against, and three absent.

(4)

TITLE VI OF CETA PROGRAM - Title VI will be overdrawn and a loan will be necessary to make payroll. The status of the general fund cannot stand the burden of interest payments at this time. It was suggested that the people employed under Title VI be laid off until the money is received. Michael Jandreau stated this is an administrative decision, to be made by the Director, and not the Council; The Council should only take action if the Director fails to rectify this. It was therefore recommended by the Council members present to lay off the Title VI employees until the money is received, which will be approximately 30 days.

(5)

CURFEW - The following ordinance was adopted through a motion by Bill Ziegler, a second by Mary Dixon and a vote of two for, Michael Jandreau opposed and three absent.

Every unmarried person who is under the age of 15 years shall be subject to the curfew regulations within the Lower Brule Indian Reservation. The curfew regulation shall be in effect from the hours of 10:00 p.m. to 6:00 a.m., every day of the week, except where

there is direct supervision by a parent, guardian, or some adult person so appointed for meetings, dances, or gatherings. Any parent, or guardian, or appointed person whose children shall fail to obey the curfew regulations shall be deemed guilty of an offense and upon conviction thereof shall be sentenced to labor for a period not to exceed thirty (30) days, or to a fine not to exceed \$50.00 or to both such imprisonment and fine with costs.

(6)

IRRIGATION FARM REPORT - Tom Hanke reported on disposing of the corn crop. It is being hauled to Redfield for storage. The silage will be advertised for bids, and the bids will be opened 10/14/77. Final status report should be compiled by 10/5/77.

(7)

ADJOURNMENT - There being no further business, Mary Dixon made a motion to adjourn, seconded by Bill Ziegler; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council with quorum present on the 26th day of September, 1977.

  
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Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

September 28, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 28th day of September, 1977, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman

Absent: John Estes

J. W. Thompson

Bill Ziegler

Mary Dixson

Kay Gourneau

Michael Jandreau, arrived after roll call.

(1)

CETA DIRECTOR - The resignation of Lorna Smith as CETA Director was read. Kay Gourneau made a motion to accept the resignation, seconded by Mary Dixson and carried with five for and none against. It was recommended that Alfreda LeCompte be appointed as acting CETA Director, and to advertise the position for 30 days. Mary Dixson made a motion to approve the request. The motion was seconded by J. W. Thompson and carried with five for and none against.

(2)

ALLOCATION OF RANGE UNITS - The livestock loans were reviewed with Jim Legg and Mark Sweeney present. J. W. Thompson asked if they had completed the survey of all cattle operations. He had requested a complete report and that the Bureau assist the Tribe, he requested this as a Council member and a member of the Tribe; now, he stated, the Bureau is sitting here trying to get the information from our records. The Tribe offered a member of the Council to help with the report and the Bureau did not contact anyone. He asked Jim Legg if they could compile this and bring it back at a later date; on the Rehab Cattle Program the Bureau provided assistance. It is the Bureau's responsibility to keep the Council up to date on these matters, especially if the Tribe is going to be a lending agency, it is mandatory that the information be accurate and up to date.

All Livestock loans were reviewed. The information given was from Tribal records, as to the original loan amount, number of cattle purchased and machinery and equipment purchased, and the balance remaining and the payments made, if any. This information will be on file at the Tribal office; those reviewed were Lawrence Thompson, Clarence Thompson, Jr., Kay Johnson, Michael Jandreau, Kay Gourneau, Debra Isburg and Linda Ducheneaux.

Jim Legg reported Kay Johnson owns no cattle at present and that she did not intend to hold her unit. Michael Jandreau requested an additional eight quarters and a letter is attached from the bank showing they will finance the buying of more cattle. Debra Isburg owns no cattle, she sold out but no payment was made to the Tribe. Debra and Andrew did not apply for a range unit. Debra Isburg and Joyce Estes have requested 300 a. around there home site but do not want an operating unit. Linda Ducheneaux sold livestock but payment was never made to the Tribe; Michael Jandreau stated he had some knowledge of this matter but would only express it in a closed session. Actual physical counts were not done on all operators. J. W. Thompson stated the Bureau should check on Debra Isburg and Kay Johnson's loans and operations to see what happened to the cattle and the money. He contended that there seems to be a violation if mortgaged property was sold, it is illegal.

On this year's allocations, Jim Legg presented a draft resolution and had a map defining the units as allocated. Unit numbers were changed. Richard Thompson will retain existing unit. Pat & Mike Durkin want to hold their's as is, they run an operation together. The Langdeau's will break up unit to run separate operations. Patty Madsen will have the same allocation and is operating under a lease, she requested eight additional quarters. Michael Jandreau will retain the same and requested eight additional quarters. Patty Ness operates under a current lease and requested additional land for a 300 head operation. Fay Jandreau unit is in poor condition and requested his same unit and additional scattered quarters in the Medicine Creek area. J. W. Thompson requested five quarters and has leased lands and land in Little Bend. Andrew Estes' unit is available to be broken up or to establish a new operator. Requests from Fay Jandreau and Patty Ness were made for some of this. Baunita Ness will retain same unit. Alfred Zieglers unit will need to be blocked up. Vera Gandt will retain the same. Tribal pasture, as is. The Jandreau Estate will run operation into January and February and then will relinquish entire unit. Kay Gournau will retain the same and requested additional land on South side of road. Clarence Thompson has not made application for allocation, but assume he intends to. He stated there is room to develop a unit in Ft. Hale, since the operators down there do not have it stocked (this was stated by J. Legg). Kim Thompson requested a unit but needs to prove residency. Larry Ness requested a 50 head unit and has documentation he can purchase this amount.

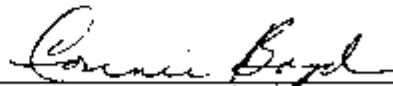
It was asked if units were to be given only to adult tribal members. Jim Legg stated the age should be 21 years. Michael Jandreau stated the Tribe took action to set the age requirement at 16. Requests were made by Lawrence Thompson and the Bolmans to run someone else's cattle, but Jim Legg stated they should have 100% ownership. By air count Clarence Thompson has 244 head and 127 horses, and also is running A. Lafferty cattle. Jim Legg stated Mike Durkin needs to provide proof of ownership; this will only be a matter of paperwork as he runs operation with Pat Durkin.

No Action was taken on range unit allocations. Tentative approval was made on the above allocations.

RECESS - The meeting recessed for noon break and reconvened at 1 p.m. Recording Secretary was changed and the afternoon session was recorded by JoAnn Pourier.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council with quorum present on the 28th day of September, 1977.

  
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Connie Boyd, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

October 7, 1977

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 7th day of October, 1977, and was called to order by the Chairman, with roll call as follows:

Present:	Richard P. Thompson, Chairman	Also present:	Jim Legg
	J. W. Thompson, arrived after roll call.		Orville Hicks
	Bill Ziegler		
	John Estes		
	Michael Jandreau		
	Kay Gourneau		
	Mary Dixon, arrived after roll call.		

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

PERMIT FOR DIRT REMOVAL - The Superintendent presented a permit for approval, allowing the construction company for the high school to remove a particular kind of dirt from Tribal land. This will be near the sanitary land fill site. The permit is to obtain 3200 sq. yd., will remove top soil, take amount needed and return top soil. Price rate was checked and 8-10 cents. Need Council action to approve permit and the price rate of 12¢. Kay Gourneau made a motion to approve the permit, and price. The motion was seconded by John Estes and carried with four for and none against.

(2)

RANGE UNIT ALLOCATIONS - Clarence Thompson and Kay Johnson presented copies of registered brands and are requesting their existing units, now No. 4, 3 and 3A. 3A was taken out of their unit and Kay Johnson asked when this change was made. Council did not act on this, it was suggested by Jim Legg and Mark Sweeney. Clarence Thompson claimed they did not receive applications for allocation and are never notified of meetings. He also asked where Kim Thompson would get cattle to stock a unit and that Bolmans run someone elses cattle, they don't have their own. He denied owning 127 horses. Jim Legg contends they were counted, and that they have range not being utilized. Clarence Thompson answered that they own all cattle there and they intend to sell the horses. Mary Dixon made a motion that they be allocated their same range units, which will no be No. 4, 3 and 3A. The motion was seconded by John Estes and carried with six for and none against. Kay Johnson is to show proof of ownership.

Ted & Jeanne Bolman - Jeanne Bolman stated they are requesting additional land; that the cattle belonging to her Father were purchased by them from other heirs. The brand was transferred to her name. Jim Legg stated they have grass for 51 AU. Ted Bolman stated they were not informed that the Jandreau Estate unit would be available. He charged that the Bureau has created more conflict in the Ft. Hale area. Jim Legg stated they want additional carrying capacity and can allow 77 for 6 months, and that a management process can be worked out for this. Ted Bolman stated 300 head is needed to run an economically sound operation. The Ellis cattle on their unit have been purchased. Ted Bolman stated Jim Legg informed him he would have first chance at the tract north of the Jandreau Estate. He re-stated they are requesting a 175 head unit if land is available. He stated that their financial arrangements are private but because of insinuations made he presented a letter from their Superintendent. It was proposed that the Jandreau Estate land coming available will stock 158. The Chairman requested that

a land committee be appointed to work out an arrangement in conjunction with the Bureau and the interested parties and then bring this back to the Council. Kay Gourneau made a motion to appoint J. W. Thompson, John Estes and Michael Jandreau as the land committee, seconded by Mary Dixson and carried with three for, none against and three not voting.

## (3)

PHS DISCUSSION - Dr. Leach, Alan Allery, Dr. Austria and Gen Doran were present to discuss location of the service unit because of space problems, they intend to move the Service Unit to the Tri-County building when it is available. This came about due to Crow Creek requesting that the unit be moved to Ft. Thompson as they have a large building available. Dr. Leach stated it is not economical to have a three-way split but it is unfair to make a decision without involving all who will be effected. Medical economics point to a centralized unit, but neither Crow Creek nor Lower Brule is adequate for this. Chamberlain is because of the hospital there. Dr. Leach stated that speaking as a health professional, it doesn't make sense to split it up, but, at the same time, we cannot centralize it unless all agree. If either Tribe would not agree, and so stated, they would be forced to continue as things are now. Michael Jandreau asked if it would be possible to make a study on the dollar figures in regard to separate units vs. a centralized one.

Kay Gourneau stated a meeting was held with representatives from Crow Creek and they said then that they wanted to move the service unit to Crow Creek. Lower Brule told them then they would not agree to this, if it is going to be moved, then the Tribe would want it here. Having the doctor on the reservation and the hospital in Chamberlain does not make sense. There would be no added benefits moving the unit to Crow Creek.

Dr. Leach stated that the health service delivery is being effected by the costs. He was asked how funds are allocated for service units and stated is according to service population, that budget allocations are made according to the RAC document, taking into consideration things such as population, distance, area, etc.; Lower Brule is in the top four as unmet needs. Abe Langdeau, Planning Director stated that centralizing the health unit is being based more on economic reasons than on health service reasons. The two doctors in Chamberlain have received approximately 120,000 from PHS for Contract Care. It was stated that, like it or not, we have to use the Chamberlain hospital. Dr. Leach gave information on cost of hiring a P.A. for each reservation. Kay Gourneau stated she would rather have the P.A. than have the service of the two doctors in Chamberlain.

In closing Dr. Leach stated he will complete a cost study. He informed the Council that additional funds have been allocated for unmet surgical needs, but this will be administered very strictly to demonstrate to the congressional people that PHS does not utilize funds for other purposes than what they were allocated for.

## (4)

GOOSE HUNTING - Pat Durkin stated the DOR Manager came to him and complained about the price he was charging for goose hunting (\$10), when the Tribe only charges \$6. The Chairman explained that Pat Durkin will manage his own operation, not the Game Warden and that the \$10 fee is established for the Ft. George area. Pat Durkin stated he will make a financial report at the end of the season. The agreement made with our Water Fowl Manager will not apply to the Ft. George area.

RECESS - The meeting was recessed for the day, due to payroll and homecoming, and will reconvene on Tuesday, 10/11/77.



The meeting was reconvened and called to order by the Chairman on the 11th day of October, 1977, with the following present: Richard Thompson, Chairman; J. W. Thompson, Bill Ziegler, John Estes, Michael Jandreau, Mary Dixon and Kay Gourneau.

(5)

PROSECUTING ATTORNEY CONTRACT - Harrison Fields was present to discuss the problems with the prosecuting attorney. Mr. Mueller did not agree with the LEAA decision that he either spend full time here or be paid on an hourly rate. The rate was set by prorating the annual salary out over a 26 payperiod, and therefore is quite low for an attorney. He thinks the Tribe violated the terms of the contract. Michael Jandreau stated we violated LEAA terms by paying him for hours that he was not here. Mr. Mueller has not been acting as prosecuting attorney for two weeks now. Mr. Fields will set up a meeting with Mr. Mueller, the LEAA people and the Council to come to some kind of agreement or decision on this.

(6)

PIERRE INDIAN LEARNING CENTER - A request was received from PILC asking the Tribe's support in their efforts to obtain funds for staff housing. Kay Gourneau made a motion to adopt a resolution supporting them. The motion was seconded by John Estes and carried with six for and none against.

(7)

ENROLLMENTS - Applications for enrollment and birth certificates were received for the following: Daryl Dean Russell, Theodore Richard Rouillard, Jacqueline Rae Johnson, Calvin Lee Johnson and Crystal Dawn Johnson. All applicants were eligible. Michael Jandreau made a motion to approve the requests for enrollment. The motion was seconded by Mary Dixon and carried with six for and none against.

(8)

MISC. REQUEST - Annie Flute wrote a letter requesting she be given permission to place an outside toilet in her yard because her sewer is stopped up and has been for some time. Someone will be contacted to repair her sewer line.

(9)

PLANNING BUSINESS - Final payment to Morris Irrigation - Abe Langdeau, Planning Director, stated he had three topics to discuss with the Council, the first being final payment to Morris Irrigation. Request for final inspection was made last week. Mr. Hanke reported on this inspection, the system was turned on and all was o.k. J. W. Thompson, Abe Langdeau and Tom Hanke made the inspection. Mr. Hanke asked if there were any possibility of the Bureau constructing a chain link fence around the intake structure and Jim Legg answered yes, they could probably do something. Final payment to Morris was discussed. The Council took action to withhold the 10% for negotiating purposes. Michael Jandreau asked the Planning Director if they were now recommending that the 10% be paid and that there were no violations and Mr. Langdeau stated that damages were caused by Morris not living up to their word but not the contract. He stated he is not backing off from his recommendation to the Council, and that his understanding is that the 10% could be used for negotiating because they did go over the contract period. He added that this would be a contract change and he will discuss with the engineers. In discussion with Morris Irrigation and the engineers in closing the account, Mr. Langdeau had asked Morris to provide a waiver of lien and a sworn statement for any possible labor claims against the Tribe. Michael Jandreau suggested approving the final payment subject to negotiations and that the Chairman, the Planning Director and our attorney hold the negotiation meeting with Morris Irrigation. He asked if a projected amount of loss has been determined and Mr. Hanke stated this was difficult to do because it would only be speculation. Kay Gourneau stated it would not make sense to approve payment and then try to negotiate; she made a motion that we negotiate before approving final payment. The motion was seconded by Michael Jandreau and carried with six for and none against. Mr. Langdeau will set up the meeting.

Expansion of Little Bend Irrigation Project - Abe Langdeau introduced the basic development practices initiated through Planning, the Farm Manager and the Bureau, with the Chairman being informed, concerning expansion of the irrigation project. They have taken the initiative in getting an engineer to survey the project site so the contractor will be properly informed in placing the facility in relationship to section and quarter lines. They contacted Leo Wooster of Trident Engineering to do this, and they will accompany him to the project site. There is also the problem of clearing the Crazy Bull land. An exchange is being prepared by the Bureau. Halverson is leasing the land but is willing to relinquish it in exchange for some other farm ground. Council representative will negotiate with Gilbert Crazy Bull. If the exchange is made with Halverson and Mr. Crazy Bull is willing to lease to the Tribe, the rate will be \$40/A. for irrigable land and \$9/A. for other land. The lease and agreement will be brought back to the Council for final approval. Kay Gourneau made a motion to this effect. The motion was seconded by Michael Jandreau and carried with six for and none against.

Outdoor Recreation Facilities Development - A meeting was held on October 5th with all grantees in the West River area to discuss guidelines of the Local Public Works projects. Lower Brule had a special meeting there to determine type of project we should undertake here. The following were present for this: Planning Staff, Michael Jandreau, Lloyd Benjamin, Mr. Wilson, Mr. Waggoner, John Vogel of The Big Outdoors company, and Lawrence Thompson of PHS. There is a clause that 10% of the total project must go to a minority contractor and the contractor must show the 10% in his bid arrangement that it does. John Vogel of the Big Outdoors company offered to be the prime contractor with the Tribe providing part of his bid bond. Benjamin, Kasl and Associates will have the final plans by November 1st. Bid letting will be December 1st. Mr. Langdeau presented a lay out of the dome building and gave information on costs. IAT Program will be the subcontractor and the Tribe's IRS number will be used. PHS will be involved in supplying water and sewer facilities which was then further discussed. Don Conroy of PHS verbally committed PHS funds for use to extend the community water line and to build another lagoon. PHS is supportive because of planned public housing in that area. He asked that the Council go on record requesting PHS support for community development first and the ORFD project second. Michael Jandreau asked that a meeting be set up with the PHS Staff as to the availability of funds prior to asking their support, because, he feels, it will cost from 100 to 200,000 to develop adequate water and sewer facilities, and the Tribe needs to get written documentation as to their intent.

RECESS - The meeting was recessed for lunch and reconvened at 1:30 p.m., with the same members being present.

(10)

MISC. REQUEST - Maggie Bad Horse asked the Tribe to aid in getting her furnace repaired. Farmers Union will be contracted to do this and it will be paid for out of MIF funds.

(11)

SELECTION OF POSITIONS - There were four positions to be selected and the Council members present requested ballots. All four positions were placed on one ballot and one given to each Council member for voting purposes. The positions and applicants were as follows: Ambulance Director - Quentin Estes, Lawrence St. John, Don Larson and Sharon Brown. IAT Director - Pat Spears and Bill Dixson. WIC Coordinator - Phylliss Wright, Shirley Flute, Dorothy Jones, Maria Estes, Marie LeCompte, Beverly Wilson and Debra Sees The Elk. Health Planner - Maria Estes and Helen Silk.

Voting was as follows: Sharon Brown for Ambulance Director receiving three of six votes. Bill Dixson as IAT Director receiving five of six votes. Helen Silk as Health Planner receiving four of six votes. There was a tie for WIC Coordinator between Shirley Flute and Debra Sees The Elk and on the second ballot, Debra received four of six votes.

(12)

PHS 538 FUNDS - Lower Brule has received a grant for \$1,470 to be used for training of health personnel. The 701 Planner, the Health Planner and the Planning Director will be charged to prepare a proposal to utilize these funds.

(13)

FARM BOARD - Kay Gourneau made a motion to appoint Michael Jandreau and J. W. Thompson to the Farm Board. The motion was seconded by Mary Dixon and carried with five for and none against, one not voting.

(14)

CONTRACT FOR CROP DEVELOPMENT - A proposal was submitted to request contract funds from the Bureau of Indian Affairs, in the amount of \$6,500, to study crop development. These funds will be used to pay the salary of the Farm Manager. A resolution is needed to enter into the contract and to request advance payment. Kay Gourneau made a motion to adopt this resolution. The motion was seconded by Mary Dixon and carried with five for, none opposed and one not voting.

(15)

HIP COMMITTEE - J. W. Thompson requested he be removed from the HIP Committee. Michael Jandreau made a motion that John Estes, Mary Dixon and Abe Langdeau be appointed as the HIP Committee. The motion was seconded by Mary Dixon and carried with five for, none against and one not voting.

(16)

RANGE UNIT ALLOCATION - Those present to further discuss range unit allocations were: Jim Legg, Ted & Jeanne Bolman, Andrew Estes, Mit Ness and Rod Ness. Andrew Estes stated he will relinquish some of his unit but wants to retain two fields West of Myers, the alfalfa pasture, plus hay, and would like to retain the river front, South of the House up next to Karlin and the land lying West of Schaefer's which is two quarters. Fence placed by Andrew Estes will have to be left. J. W. Thompson made a motion to approve Andrew Estes allocation, as requested. The motion was seconded by John Estes and carried with four for, one against (Michael Jandreau) and one not voting. Michael Jandreau stated he would give his reason for voting against; it is unfair because individuals were led to believe that they were going to get some of this land, and their requests were tentatively approved. A suggestion was made to work out an agreement of who got what and where. In all fairness to other applicants, he could not vote one member over another.

Mit Ness requested a decision on the Jandreau Estate land, North of homesite. J. W. Thompson of the Land Committee reported that four individuals were requesting more land, and it was pointed out this area would be difficult to fence so the committee figured out the carrying capacity at 240 head for 6 months. Therefore, they suggested that Mit Ness, The Bolman's, Larry Ness and Kim Thompson work out an agreement to run together and that they decide on the number each would run. Jim Legg asked how this was worked out. Mit Ness stated this may be difficult, due to bulls, etc., and asked if they would have to cut back when they returned to their unit. Jim Legg stated a seasonal pasture arrangement can be made. It was asked if you get credit for feed and Jim Legg answered no. Mit Ness stated he would be agreeable to try this for a year to see if it could work. Ted Bolman stated he was willing to do this also. Kim Thompson was approved to run 25 head, Larry Ness 50 and the balance to be decided between Mit Ness and Ted Bolman. Michael Jandreau stated as long as they were mutually agreeable to work out this arrangement, he made a motion to accept this allocation. The motion was seconded by J. W. Thompson and carried with six for and none against. Jim Legg stated he would figure the total AUM, with all four being considered and they can take the figure and work it out. They could be charged quarterly and each will be billed for so many AUM.

Rod Ness stated one quarter he requested was given back to Andrew. Jim Legg said Fay lost some land also, and J. W. Thompson requested one field on the hill. The Chairman asked if Andrew Estes has to make proof of ownership and was told yes, his allocation will be contingent on this. There was further discussion on this, but no action was taken. Jim Legg then reported that due to computer problems, leases may not be paid out by Christmas.

RENEWAL OF FARM LEASES - Ted Bolman requested renewal of a farm lease that will expire the 30th. Michael Jandreau made a motion that the farm lease be renewed and that he be allowed to stipulate removal of fence if they place it in. The motion was seconded by Kay Gourneau and carried with six for and none against. Mr. Bolman asked, if land becomes available, that their request be considered.

Kay Gourneau made a motion to approve renewal of a farm lease to Patty Madsen. The motion was seconded by Michael Jandreau and carried with six for and none against.

TWEP - Bill Ziegler made a motion to request the minimum wage for TWEP workers. The motion was seconded by J. W. Thompson and carried with six for and none against.

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. This was made by John Estes and seconded by Mary Dixon; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council with quorum present on the 7th and 11th days of October, 1977.

  
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Connie Boyd, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

November 2, 1977

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 2nd day of November, 1977, and was called to order by the Secretary-Treasurer, with roll call as follows:

Present: William Ziegler, Secretary-Treasurer, Presiding  
Mary Dixon  
Michael B. Jandreau  
Kay Gourneau

Absent: Richard Thompson, Chairman  
J. W. Thompson, Vice Chairman

The meeting was opened with the Lord's prayer.

(1)

LEASE OF GILBERT CRAZY BULL LAND - Lease of Gilbert Crazy Bull land was discussed for extension of the Irrigation Project, as the land used must be controlled by the Tribe. Mr. Crazy Bull was approached to discuss the possibility of leasing his land and an agreement was arrived at. Michael Jandreau made a motion to adopt a resolution approving the lease as negotiated, and to authorize the Secretary-Treasurer to sign all documents in the absence of the Chairman. The motion was seconded by Mary Dixon and carried with a vote of three for, none against and three absent.

(2)

DONATION TO GIRL SCOUT ORGANIZATION - A letter was received from Barbara Rudolph, Girl Scout Leader, requesting a donation of \$74 to help with membership fees, etc. A motion was made by Michael Jandreau to grant this request, seconded by Mary Dixon and carried with a vote of three for and none against, three being absent.

(3)

PAYMENT OF ATTORNEY INVOICE - A motion was made by Michael Jandreau to approve payment to William Srstka in the amount of \$2,534.73, which was an 11 month billing. The motion was seconded by Mary Dixon and carried with a vote of three for and none against.

(4)

ENROLLMENT - Applications for enrollment and birth certificates were received for Robert L. Brokofsky, Bradford Wayne Thompson, and Curtis Wayne Banks. All were eligible for enrollment. A motion was made by Mary Dixon, seconded by Michael Jandreau to approve the enrollments. The motion carried by a vote of three for and none against.

(5)

JOM CONTRACT - A motion was made by Kay Gourneau and seconded by Mary Dixon to adopt a resolution to approve the JOM contract for FY 78. The motion carried by a vote of three for and none against.

(6)

WITHDRAWAL OF RANGE UNIT - Kay Gourneau informed the Council that she had received a verbal request from Andrew Estes to turn back Range Unit No. 14A, 104 cow units, and that he be allowed to keep the original 320 acres, alfalfa field and a quarter of land West of Schaeffers. Michael Jandreau made a motion to adopt a resolution to grant his request. The motion was seconded by Mary Dixon and carried with a vote of three for and none against, three being absent.

(7)

EXCHANGE ASSIGNMENT - Wilbur & Lucille Thompson - Michael Jandreau made a motion to adopt a resolution to reassign the exchange assignment of Wilbur and Lucille Thompson to the rightful heirs, namely: Ella James, Jean Bolman, Kim Thompson, Carla Brugh, Phyllis LaDue; Rex Allen, Russell Kye and Ronald W. Thompson. The motion was seconded by Mary Dixon and carried with a vote of three for and none against, three being absent.

(8)

REQUEST SOLICITOR TO RENDER OPINION - Michael Jandreau made a motion to write a letter to the Superintendent requesting the Solicitor to render an opinion on the George Anderson case as it applies to the Lower Brule cattle operators. The motion was seconded by Kay Gourneau and carried with a vote of three for and none against.

(9)

FINANCE OFFICER - Michael Jandreau made a motion to give Lisa Estes a raise to a GS-8-1 level, to be included in the budget. The motion was seconded Mary Dixon with a vote of three for, none against and three absent.

(10)

BUREAU OF RECLAMATION - Representatives from the Bureau of Reclamation were present to give their findings on the study done of the Grass Rope Irrigation Project. This study was an update of the feasibility study for irrigation development of the entire Little Bend area to discuss the possibility of getting it funded as an Indian Irrigation project. A complete report will be on file at the Tribal Office.

(11)

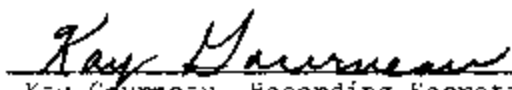
OUTDOOR RECREATION FACILITIES DEVELOPMENT - John Vogel and Lloyd Benjamin were present to review the final design of the ORFD project, lodge, cabins and buffalo fence. Due to cost, it was suggested by Lloyd Benjamin that the buffalo fence be considered a deductible alternate. However, Michael Jandreau stated this was a priority in the planning of the project. Water facilities were discussed. Mr. Benjamin stated they would put in water lines and plumbing at the immediate project site, but that they would not extend the water line beyond the immediate project site. He reported that this matter was discussed with the PHS staff and they agreed to bring water to the South side of the project using PHS funds for this. Michael Jandreau made a motion to approve the plans as reviewed and revised, and to advertise for bids. The motion was seconded by Mary Dixon and carried with three for, none against and three absent.

(12)

ADJOURNMENT - There being no further business, Mary Dixon made a motion to adjourn, seconded by Michael Jandreau; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council on the 2nd day of November, 1977.

  
Kay Gourneau, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

October 28, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 28th day of October, 1977, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson  
Bill Ziegler  
Michael Jandreau  
Mary Dixon  
Kay Gourneau

Absent: John Estes

The meeting was opened with the Lord's prayer.

(1)

REQUEST MODIFICATION OF CONTRACTS - The Indirect Cost Rate of 18.1 has been approved by the Department of Interior, Office of Audit, for the Lower Brule Sioux Tribe. A resolution is needed to formally accept this rate and to request this rate for all contracts. Kay Gourneau made a motion to adopt a resolution accepting the rate and to request modification of all contracts for this rate. The motion was seconded by Mary Dixon and carried with five for and none against.

(2)

GRAVEL CONTROVERSY - The Tribal Council authorized our attorney, Mr. Srstka, to negotiate with the State of South Dakota to procure a fair price for gravel removed from Tribal land. They have not authorized signing of a release for the State until this was completed. It is the attorney's recommendation that the Tribe charge the State with trespass and creating unauthorized damage to Tribal land. Michael Jandreau made a motion to adopt a resolution stating this charge. The motion was seconded by J. W. Thompson and carried with five for and none against.

(3)

TRIBAL OPERATING BUDGET FY 78 - The Finance Officer and Assistant Finance Officer presented the proposed FY 78 budget for Council input, change and final approval by resolution. The following changes were made: Michael Jandreau made a motion to increase the mileage rate from 10¢ per mile to 17¢ per mile. The motion was seconded by Mary Dixon and carried with five for and none against.

Michael Jandreau made a motion to give the Chairman a cost of living increase of 8%. The motion was seconded by Mary Dixon and carried with five for and none against.

After final review and discussion, Kay Gourneau made a motion to adopt a resolution approving the Tribal Operating Budget for FY 78 as presented with the changes as made by motion. This motion was seconded by J. W. Thompson and carried with five for and none against.

(4)

DELINQUENT NOTE - A letter was read from Pierre National Bank in regard to a delinquent note which the Tribe guaranteed for William & Mary Dixon. Michael Jandreau stated that they are in the process of working on this and the Tribe shouldn't have to do anything. Mr. Dixon has an income now and they will be able to make arrangements. Michael

Jandreau made a motion that they be given time to work out arrangements with the bank. The motion was seconded by J. W. Thompson and carried with five for and none against.

(5)

CLARKE LAND SALE PROPOSAL - The Superintendent, Mr. Hicks, was called to attend this discussion. Neil Clarke and his real estate agent, Dr. Sibley, were present to ask the Tribe's decision on their proposed sale of land to the Tribe. Contingent upon our decision they will go to IRS for an advanced ruling on the trade agreement and tax shelter. They proposed that the Tribe put up 1% of the asking price which will go into an escrow interest bearing account, pending the ability of the Tribe to get their money and a favorable ruling from IRS. The Council went into executive session and their final decision was to make Mr. Clarke a counter-offer of \$1,135,000.00, depending on whether the Tribe can get the money. Mr. Clarke was informed of this and that this amount is what the Tribe can afford to pay for his land. Mr. Clarke asked for time to consider this and that they will submit a letter to the Tribal Chairman on their decision.

(6)

APPROVAL OF HOMESITE - Barbara Jandreau Page requested and approval was given for a different homesite. She has now decided to keep the one she has. Kay Gourneau made a motion to rescind the resolution approving her last request. The motion was seconded by Michael Jandreau and carried with five for and none against.

(7)

SALE OF BUFFALO - The Superintendent informed the Council that a party is interested in purchasing 10 buffalo, at \$1.25 a lb. carcass weight. J. W. Thompson made a motion to approve sale of 10 buffalo, with the proceeds to go against the note DOR owes. The motion was seconded by Mary Dixon and carried with three for, none against and three absent.

(8)

MISC. - J. W. Thompson made a motion to request a study be made by the the Bureau as to the feasibility of contracting Facilities Management and using this in conjunction with our HIP funds for an on-going maintenance program. The motion was seconded by Michael Jandreau and carried with three for, Bill Ziegler opposed and two absent.

(9)

ADJOURNMENT - There being no further business, Kay Gourneau made a motion to adjourn, seconded by Mary Dixon; there were no objections. (12:10 p.m.)

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 28th day of October, 1977.

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Connie Boyd, Recording Secretary



SPECIAL MEETING  
: LOWER BRULE SIOUX TRIBAL COUNCIL

October 25, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 25th day of October, 1977, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson  
John Estes  
Michael Jandreau  
Mary Dixon  
Kay Gourneau

Absent: Bill Ziegler;

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

WITHDRAWAL OF TREASURY FUNDS - Kay Gourneau made a motion to adopt a resolution to withdraw treasury funds for tribal operations, and that this amount be a part of the FY 78 budget. The motion was seconded by John Estes and carried with five for and none opposed.

(2)

MISC. ITEM - Phil Byrnes stated that although he did not get the State Coordinator's position, he wished to thank the Council for their support.

(3)

RANGE UNIT ALLOCATIONS - Alfred Ziegler said someone divided up his pasture, said he was overstocked so he cut down, and it seemed like someone was doing his business and thinking for him. He has proof he can stock his range. He said this is our own land and the Bureau is telling us what we can do with it. He did not turn any of his land back. J. W. Thompson stated he went to the Bureau office to look at a map to see what land was available and after waiting half a day, he was told Alfred Ziegler was letting some go, so he requested all that he was giving up. He continued that this places him in a bind because he bought his cattle to stock the land already and they will be here November 1st. He stated he put in a fence and if he losses the land he will remove the fence. The Bureau told J. W. Thompson that Alfred Ziegler only made application for an allocation to pasture 119 head. He felt not enough consideration is being given to the operators who sold out due to economics and the drought, they now have the means to re-stock. He suggested that the Council should do the allocations all over again. Michael Jandreau stated he agreed, time is a factor, but that is the only way to do it, there is too much dissatisfaction. The people in the Bureau are supposed to be specialists but Michael Jandreau felt some of the stocking arrangements are not correct. There is more grass now than ever before, but still some were cut back. The draft resolution was never adopted, only tentatively approved. Jim Legg stated that, for the record, Alfred Ziegler signed an application for only 119 head.

Kay Gourneau made a motion to this effect, to let Ray Jandreau use his feed, as justification, or to compensate for the lack of grass; to leave the carrying capacity as it was from previous years; and to approve all allocations as presented with the changes as recorded; that the allocations are contingent upon payment of range unit permits being paid 30 days after billing and the range stocked with the permittees own stock by May 1st. The motion was seconded by John Estes and carried with five for and none opposed, one absent.

(4)

APPROVAL OF HOMESITES - Barbara Jandreau Page was granted a homesite but could not get permission to cross Grassrope land, and is now requesting one North of Vernon Rekow Jr. J. W. Thompson objected to this, as it is in some leased land he has, and other homesites have been placed there. He also wants a refund on these acres that he paid lease for; it would be 7.5 A. for 3 years. Mary Dixon is also requesting a new homesite, next to the new school area. J. W. Thompson made a motion to approve a homesite for B. Page next to the Rekow and Jones sites, and to approve M. Dixon's as requested, and to refund his money. The motion was seconded by John Estes and carried with four for and none against.

(5)

RENEWAL OF LEASE - J. W. Thompson requested renewal of a lease on the land where the lookout is located, leaving out the garden and homesites. Michael Jandreau made a motion to approve this, seconded by Kay Gourneau and carried with four for and none against.

(6)

ORFD PROJECT - There has been difficulty getting the IAT Program bonded as a contractor. The company looks on this as IAT and the Tribe being one and the same. Mr. Abe Langdeau, Planning Director, informed the Council they are proceeding with the application to SBA who will support 90% of the bonding, along with SIBDO, and the Tribe's name will be on the application. This was to inform the Council only.

Mr. Langdeau then gave a report on the meeting in Denver with EDA and HUD; no definite decisions were arrived at.

(7)

NEGOTIATIONS WITH MORRIS IRRIGATION - Mr. Abe Langdeau, the Chairman Richard Thompson, Tom Hanke and our attorney Mr. Srstka met with Morris Irrigation for negotiations. The negotiations were began at \$62,000, changed to \$30,000 but in the afternoon meeting Morris Irrigation refused to negotiate. The final offer was presented by the Tribe as approximately \$19,000. The attorney was to notify them by letter. Morris Irrigation responded, stating they wouldn't consider this unless they were given the contract to install the equipment for expansion of the project. This was refused by the Council.

Page 2

Spears suggested the Council follow some type of guidelines in the future. Michael Jandreau stated that it is also an unwritten policy that anyone applying for a position and is already employed must resign before they apply. Pat Spears thanked the Council for their time and asked that in the future, he be considered for any position he is qualified for. A petition was presented to this effect, signed by approximately 40 people. It was duly noted by the Council without comment being made.

REQUEST APPRAISAL - Owen Goodface made a request to sell his interests in some land. J. W. Thompson made a motion to request an appraisal on this. The motion was seconded by Michael Jandreau and carried with four for and none against.

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion was made by Mary Dixon and seconded by J. W. Thompson; there were no objections.

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

November 15, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 15th day of November, 1977, and was called to order by the Chairman, with roll call as follows:

Present:	Richard P. Thompson, Chairman	Absent:	None
	J. W. Thompson, Chairman		
	William Ziegler		
	John Estes		
	Michael B. Jandreau		
	Mary Dixon		
	Kay Gourneau		

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

PLANNING BUSINESS (#1) - Angler Products Inc., a firm that manufactures bait, made a business offer to the Tribe. Representatives of the firm, the Planning Department and Bill Ziegler, Tribal Council member met to review their proposal. They would maintain control of marketing and sales, while the Tribe provided the manufacturing. If they develop a business on a reservation, a tax shelter would be available for them. Possibilities of funding would be thru SBA. Kay Gourneau made a motion to have the Planning Department obtain more information on this and to report back to the Council at the next meeting. The motion was seconded by John Estes and carried with six for and none against.

(#2) - Another business offer was from Duane Miller of Pukwana for a feed pellet processing plant. Lower Brule was considered as possible site due to proximity of the irrigation project. He does not have the funding to develop a plant here, and would have to make application to SBA; if the Tribe were to support his application he would stand a better chance of getting the funds. The Council felt there was not sufficient background given to make a decision and asked why the Tribe should back him; he isn't providing any benefits to us, only using the Tribe to get funding. John Estes made a motion to have the Planning Director set up a meeting to discuss this with Mr. Miller. The motion was seconded by Bill Ziegler and carried with four for, none against and two absent.

(#3) - Correspondence was received concerning the amount owed to Morris Irrigation. Mr. Abe Langdeau requested input as to how this should be handled. J. W. Thompson stated it was from an audit and it should be verified as an accounts receivable. John Estes made a motion to have our attorney answer this. The motion was seconded by Kay Gourneau and carried with six for and none against.

(2)

RESOLUTIONS FOR BUREAU OF RECLAMATION - The Bureau of Reclamation completed part of a study on the Grass Rope Irrigation Project. If we want them to continue, they are requesting two resolutions, one to designate this as an Indian Irrigation Project for funding, and to designate the type irrigation system for construction costs. Drafts of the resolution were reviewed. Kay Gourneau made a motion to adopt both resolutions. The motion was seconded by Michael Jandreau and carried with six for and none against.

(3)

INDIRECT COST RATE - A memorandum was received from the area office indicating the allocation for Indirect Costs (contract support funds) will meet only 46% of the needs. This will damage the Tribal operating budget to a great extent. After discussion, it was suggested that we contact congressional people, the Office of Management and Budget, the Department of Interior and other Tribes to present a united force to get full allocation for administrative costs. Bill Ziegler made a motion to adopt a resolution directed to the Area Director, stating this is in violation of PL 638 and to request a joint meeting of all area chairman to address the problem. The motion was seconded by Michael Jandreau and carried with five for, none against and one absent.

(4)

LAW ENFORCEMENT - Bill Ziegler addressed the Superintendent on the conduct of the Acting Captain, concerning incidents that occurred off the reservation. Mr. Hicks stated he was never officially charged, however, the issue is not closed. Mr. Randail will be acting status for 2-3 more weeks.

(5)

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion was made by Kay Gourneau, seconded by Michael Jandreau; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council on the 15th day of November, 1977.

  
\_\_\_\_\_  
Connie Boyd, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

December 1, 1977

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 1st day of December, 1977, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman J. W. Thompson, Chairman William Ziegler John Estes Michael Jandreau, arrived after roll call. Mary Dixon Kay Gourneau, arrived after roll call.	Absent: None
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The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

REMOVAL FROM TRIBAL ROLLS - Mr. Kenneth Charging requested that his daughter, LaVina Charging, be taken off the Lower Brule Tribal rolls. J. W. Thompson made a motion to rescind her enrollment, and to include in the motion that anyone taken off tribal rolls will not be accepted for re-enrollment. The motion was seconded by Bill Ziegler and carried with four for, none against and two absent.

(2)

BURIAL EXPENSE - Bill Ziegler suggested that a policy change be made in the burial expense grant. As it is now, only the family of an enrolled member is eligible to receive this. He made a motion that the Tribe approve the burial expense grant for infants up to six months of age, if the parent(s) are enrolled. The motion was seconded by J. W. Thompson and carried with four for, none against and two absent.

(3)

LAND EXCHANGE - Wayne Smith requested a land exchange with the Tribe. The trade involves other parties, therefore, J. W. Thompson made a motion to table this until we contact all parties concerned. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.

(4)

PLANNING BUSINESS - Travel regulations: Mr. Abe Langdeau reported that EDA has increased their mileage rate from 15¢ to 17¢ per mile. He requested concurrence from the Council before this rate is applied here. J. W. Thompson made a motion to approve the increase. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.

Senior Citizen Building: Planning Director, Abe Langdeau, presented a proposal wherein funds are available thru the State to purchase a building to be used as a Senior Citizen Center. The history of our Elderly Nutrition Center will be considered with respect to the intent to purchase that building as the center. The building has been used for the past three years without any compensation made to the owner. The owner now wishes to sell the property and the Planning Director began searching for resources to purchase the building. The program is Title V of the Older Americans Act with the State receiving the allocation and therefore application made thru them.

The State requires a letter of intent from the Tribe if we are going to participate and submit an application. J. W. Thompson made a motion to authorize the Planning Director to submit a letter of intent. The motion was seconded by Mary Dixon and carried with three for, Bill Ziegler voting against, and two absent (M. Jandreau and K. Gourneau).

(5)

CHOTEAU CREEK CONSULTANTS PROPOSAL - Mr. Leonard Hare and John Keller, Choteau Creek Consultants, introduced a proposal to establish a tribal construction company. Copies of the proposal were given to each Council member. They are TA consultants and their fee is contingent upon funding of the project, except for travel expenses incurred in getting the project approved. The basic concept would be to establish a construction company using key personnel already employed under the IAT program. They answered questions from the Council and then left so the Council could discuss this further. J. W. Thompson stated he was not ready to make a decision on this today. Mary Dixon made a motion to go along with the consultants; the motion died for lack of a second. Michael Jandreau made a motion to send the proposal to our attorney, Mr. Srstka, for his opinion, and to table this until we have a report back from him. The motion was seconded by J. W. Thompson and carried with five for, none against and one absent.

(6)

BONDING FOR O.R.F.D. PROJECT - Mr. Abe Langdeau reported that Indian Action could not be bonded as a construction company. The prime contractor, John Vogel, must provide a performance and bid bond. He is willing to furnish a bid bond, provided he doesn't have to secure the entire performance bond. It was suggested that the Tribe request an irrevocable letter of credit for approximately 71% of the total project; the insurance agency would then support Vogel for a 100% performance or surety bond. Mr. Langdeau asked the Council to adopt a resolution requesting the letter of credit. Mary Dixon asked why the Tribe should help a private contractor secure bonding. Michael Jandreau stated there would have to be some type of legal agreement because if the Tribe provides the letter of credit and should anything go wrong, it should not come out of the Tribe's share of bond; without this agreement, the Tribe would actually be responsible for the entire performance bond. J. W. Thompson made a motion to adopt a resolution requesting a letter of credit from a financial institution and to authorize Michael Jandreau to negotiate in the name of the Tribe. The motion was seconded by John Estes and carried with five for, none against and one absent. Michael Jandreau then made a motion to enter into a legal agreement with the bonding company and J. Vogel, that any damages whatsoever be covered by his (Vogel's) bond and not be taken from the Tribe under the irrevocable letter of credit. The motion was seconded by Mary Dixon and carried with five for, none against and one absent.

RECESS FOR LUNCH - The meeting reconvened at 1:15 p.m., with three members present, Mary Dixon was absent for the afternoon session, and Kay Gourneau and Michael Jandreau arriving late.

(7)

PHASE II OF IRRIGATION PROJECT - Planning Director, Abe Langdeau, informed the Council that in order to proceed with development of Phase II of the Little Bend Irrigation Project, he would ask for Council approval to began proceedings with EDA for a 50% matching grant. This will develop three more pivots, involving approximately 540 acres. J. W. Thompson made a motion to proceed with the proposal for a 50% matching grant through EDA. The motion was seconded by Bill Ziegler and carried with three for, none against and three absent.

(8)

INDUSTRIAL DEVELOPMENT (#1) - Duane Miller was present to review his proposal to establish a Feed Pellet operation on the reservation. This operation was proposed to

create a viable market for an alfalfa crop which could be raised on the Tribe's irrigation farm. The operation would only employ three people at the most. Locating on the reservation would enable Mr. Miller to qualify for a 90% guaranteed loan and would provide him a tax shelter. Further discussion followed and there were objections made to adopting a resolution pledging the tribe's support and the crop for this operation. J. W. Thompson then made a motion to adopt a resolution stating only that the Tribe has no objection to his locating on the reservation. The motion was seconded by John Estes and carried with three for, none against, two not voting and one absent.

(#2) - Fish Bait manufacturing plant was discussed at a previous meeting and the Council had requested additional information. There would be immediate employment but the Tribe would have to come up with \$30,000 immediately to get into this. They are also in contact with Pine Ridge and no guarantee was made by the company. No action was taken.

(9)

PAYMENT OF ENGINEERS (Benjamin, Kasl & Associates) - Planning Director, Mr. Abe Langdeau presented a bill received from Benjamin, Kasl & Associates, in the amount of \$15,892.90. Mr. Langdeau stated that their claim infringes on funds budgeted for the audit and for funds that should be administered here. They did not refer to line items and therefore it is difficult to apply their claim to the budget. He recommended approval, but only after audit is complete and based on their findings. Kay Gourneau made a motion to approve payment to the engineers, based on the audit findings. The motion was seconded by Michael Jandreau and carried with five for and none against, one being absent.

(10)

FINAL PAYMENT TO MORRIS IRRIGATION - The Tribe had withheld payment of the 10% total contract amount, in an effort to negotiate for damages sustained due to delay in completion of the irrigation project. However, the negotiations have seemingly failed due to lack of response from Morris Irrigation. J. W. Thompson made a motion to pay Morris Irrigation since negotiations have failed and the attorney's recommendation that we not go to court. The motion was seconded by Michael Jandreau and carried with five for, none against and one absent.

(11)

PAYMENT TO SULLY BUTTES IRRIGATION - Sully Buttes irrigation were awarded the contract to construct the three additional pivots for the Little Bend Irrigation Project. The Planning Director requested approval for payment of their bill when received. They are in advance of completion schedule. Michael Jandreau made a motion to approve payment of their bill. The motion was seconded by Bill Ziegler and carried with four for, none against, one absent and one not voting.

(12)

TRANSFER OF FACILITY MANAGEMENT FUNDS - Superintendent, Mr. Hicks, asked for approval from the Council to transfer facility management funds from one line item to another. An error was made and the allocated funds cannot be expended where they are, as plant management services will not be needed until school is built. Kay Gourneau made a motion to approve the change. The motion was seconded by Michael Jandreau and carried with four for, none against, one absent and one not voting.

(13)

PROPOSED PAYMENT FROM THE STATE - The Council refused to authorize a gravel release to the State of South Dakota and voted to request higher rate of payment for the gravel removed by the State from Tribal land, because the removal was not authorized. Based on gravel prices in the area, the State did not agree to pay the Tribe's asking price. A resolution was passed requesting the Area Solicitor collect the damages on this. Mr. Hicks suggested the Tribe delay their decision until the response is re-

ceived from the solicitor. Michael Jandreau made a motion to this effect. The motion was seconded by J. W. Thompson and carried with five for, none against and one absent.

(14)

REPORTS FROM THE SUPERINTENDENT - The status of the Reclamation Program report was given. There were no questions and no action needed.

The Superintendent then reported on the appeal filed by M. Karlen concerning the cancellation of his lease. This has been upheld and the next step is to pursue the collection of damages for unauthorized cutting and removal of hay. The cost figure must be developed and this will take time. Persons with first hand knowledge of what amount was cut and removed must be contacted and be willing to testify for the solicitor's brief. Michael Jandreau gave five names of people he knew of that had this information.

(15)

PROPOSED LAND SALES (#1) - A letter from Brost & Brost, attorneys, was read, offering the Wynia land for sale to the Tribe. Michael Jandreau made a motion to offer them \$150/acre for the land. The motion died for lack of a second. J. W. Thompson stated he thought this was too low and they would reject it and sell to M. Karlen. He then made a motion to offer them \$200/acre. The motion was seconded by Kay Gourneau and carried with five for and none against, one being absent.

(#2) - Neil Clark - This has been discussed several times in the past. Mr. Hicks reported that he had talked to Mr. Freesman of FHA on the equipment that is included and in his opinion, FHA would not finance this portion which would be about \$170,000. Kay Gourneau made a motion to inform Mr. Clark that our previous offer is all we can do. The motion was seconded by John Estes and carried with five for, none against and one absent.

(16)

RESOLUTION FOR GRAZING HORSES - There have been numerous complaints about horses running loose, in the community and on the reservation. It is now proposed to place them all under a fee pay permit, then if they don't take care of them, the Tribe could sell them or something. Michael Jandreau made a motion to adopt a resolution regulating the grazing of horses. The motion was seconded by J. W. Thompson. On discussion, the cost of the fee was brought up; operators pay \$39 a year to graze a horse and this only proposes a fee of \$10. At this rate, what will keep the cattle operators from turning their horses loose, or what will prevent them from only paying \$10. This applies to horses not included in authorized range unit. J. W. Thompson then raised the fee to \$30 and asked that it be included in the motion. On call for a vote, the motion carried with a vote of five for, none against and one absent.

(17)

LAW ENFORCEMENT PROGRAM - A Tribal policeman was concerned that he would be demoted to detention officer because of re-instatement of a Bureau policeman. In discussion, it was pointed out that Bureau positions do not effect tribal employees. The charge that this happened due to the Community Services officer being warned for speeding was discussed. Mr. Hicks stated that Government employees are to abide by tribal law and are not to be treated any differently than anyone else.

J. W. Thompson asked who checks and signs time sheets for law enforcement personnel and was told that the clerk did and then were signed by the acting captain. Complaints have been made that an employee in the police department was given leave prior to the 90 day probationary period; that this person was given leave and being paid for days they were not there and didn't call in. Mr. Fields stated this would be looked into



and he would see that the Captain keeps a close watch on this to keep it from happening again.

(18)

PROSECUTING ATTORNEY GRANT - The LEAA grant for the prosecuting attorney is not being utilized since resignation of Mr. Mueller. Mr. Fields asked the Council if they wanted this re-advertised or to check with our attorney, Mr. Srstka, on the legal aspect of not hiring Mr. Mueller back. Michael Jandreau made a motion to re-advertise the position after we receive Mr. Srstka's opinion on this. The motion was seconded by Kay Gourneau and carried with five for and none against.

(19)

REQUEST FOR LEASE - Kay Gourneau requested lease on a parcel of land described as the W $\frac{1}{2}$  Section 16, T 106 N, R 72 W, containing 320 acres, more or less. J. W. Thompson made a motion to grant the request. The motion was seconded by John Estes and carried with five for and none against.

(20)

HOME IMPROVEMENT PROGRAM - The HIP Committee has advertised for a foreman who will use CETA workers to complete the home repairs. Kay Gourneau made a motion to accept this recommendation. The motion was seconded by J. W. Thompson and carried with five for and none against.

(21)

VACANCY ON HOUSING BOARD - Michael Jandreau made a motion that this vacancy be posted in the community, asking that interested persons sign up with the Administrative Assistant who will then present the names to the Council for selection. The motion was seconded by John Estes and carried with five for and none against.

(22)

WITHDRAWAL OF TREASURY FUNDS - J. W. Thompson made a motion to withdraw treasury funds when the time certificate of deposit is mature for the Revolving Land Payment. The motion was seconded by John Estes and carried with five for and none against.

(23)

TRIBAL GRAZING PERMIT - Michael Jandreau stated the grazing permits and billings issued may be in error and made a motion that the Administrative Assistant get this clarified with the Bureau. The motion was seconded by J. W. Thompson and carried with five for and none against.

(24)

APPROVAL OF MINUTES - Kay Gourneau made a motion to approve the minutes as presented. The motion was seconded by John Estes and carried with five for and none against.

(25)

HOSPITAL BOARD OF DIRECTORS - Community Bailey Hospital Board of Directors would like someone from Lower Brule to serve on the board. Kay Gourneau made a motion to appoint John Estes as our representative. The motion was seconded by Bill Ziegler and carried with four for, one absent, one not voting.

(26)

SOLAR HEATING PROJECT - Pat Spears asked for Council approval to initiate plans for obtaining funds for a solar heating project. Michael Jandreau made a motion to grant approval as long as this does not delay the start of construction on the next housing project. The motion was seconded by J. W. Thompson and carried with five for and none against.

(27)

ENROLLMENT - Applications for enrollment and birth certificates were received for two Spears children. John Estes made a motion to approve the enrollments. The motion was seconded by Michael Jandreau and carried with five for and none against.

(28)

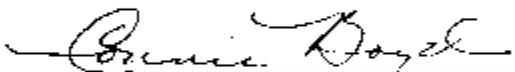
PHASE II OF HIGH SCHOOL CONSTRUCTION - John Estes made a motion to adopt a resolution requesting funds for completion of the high school, contacting Bureau and congressional people for support. The motion was seconded by Bill Ziegler and carried with five for and none against.

(29)

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn, made by John Estes, seconded by Michael Jandreau; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council on the 1st day of December, 1977.

  
\_\_\_\_\_  
Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

December 14-15, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 14th and 15th days of December, 1978, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman

William Ziegler

John Estes

Kay Gourneau

Michael Jandreau, arrived after roll call.

Mary Dixon, arrived after roll call.

Absent: J. W. Thompson

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

PROPOSED GRANT - Bill Ziegler made a motion to give each enrolled member of the Tribe, living on the reservation, a \$50 grant for Christmas. He was asked where the Tribe would get the money. After discussion of the total figure involved, Mr. Ziegler withdrew his motion, changing it to read that the Tribe work on a program in the coming years to give the tribal members a Christmas grant. The motion was seconded by Mary Dixon. On call for discussion, Michael Jandreau suggested that this be brought before the people, that they be made aware of how it would effect long range benefits. Bill Ziegler stated maybe when the irrigation farm becomes a money making project. John Estes asked if these would be for off-reservation members too and Bill Ziegler answered no, just on-reservation. On call for a vote, the motion carried by a vote of five for, none opposed and one absent.

(2)

MISCELLANEOUS - Ferlin Grassrope entered the meeting and was asked if he had anything for the Council. He wanted to know about the Home Improvement Program, who directs it, how it is run, etc. He was informed that the Housing Authority, with Mary Dixon, made up the HIP Committee; that Bill Ziegler was the foreman and used CETA workers for the labor. Ferlin Grassrope thought his utilities could be taken care of out of the HIP fund; his plumbing will be repaired but other utilities will be his responsibility.

(3)

PHASE II OF HIGH SCHOOL CONSTRUCTION - Mr. Bill Schmidt, EPA (acting), was present to discuss the problems ahead to secure completion of the high school. It took correspondence, phone calls and close contact with congressional people to attain the funding for the present phase of school construction. They have now moved Phase II construction funds to FY 79 which will delay completion of the school by at least two years. Phase II includes housing which is vital in recruitment of qualified teachers; it also includes the gymnasium and addition to the elementary school. All we are getting now is classrooms for the high school. Strategy was discussed as to who to contact and where to go to bring attention to the needs in Lower Brule. Mr. Schmidt felt that there is an attempt here to force the Tribe to contract either a portion or all of the school, and it is a poor time to do this as the needs should be placed on the Band in order to have a complete staff without relying on district or title funds. Lower Brule has been planning and working for 10 years to get what we have now. This has not been possible without being demanding. Plans were made to first contact the Area Office, only as a formality, and proceeding to Albuquerque and Washington, working

through our congressional delegates. Mr. Schmidt suggested that the Tribe contact Congressman Abdnor as soon as possible to set up a meeting the latter part of January. The Chairman and Council members, members of the School Board, Mr. Schmidt and the Superintendent personally petition every available source to get the high school completed as soon as possible.

## (4)

RANGE UNIT PROBLEM - Milton Ness appeared before the Council to question his grazing permit. There is a discrepancy between what the Tribe approved and what was written up by the Bureau. He received a permit for five months but the billing is for one year. He wants the permit year round. Michael Jandreau made a motion that a letter be directed to the Superintendent stating the understanding of the Council at the time the resolution was passed, was that in Range Unit #14, it was the Council's understanding that Jean Bolman was given 42 AU year long, Baunita Ness 42 AU year long, Larry Ness 50 AU year long and Kim Thompson 25 AU year long, and that any variation from this on the part of the Bureau should be brought back to the Council for approval; that it is our understanding that this is being attempted by the Bureau and the Tribe did not allocate in the method they are writing up the leases. The motion was seconded by John and carried with five for and none against. Mr. Ness thanked the Council for their time and consideration.

## (5)

RENEWAL OF LEASE - Lloyd Langdeau is requesting renewal of a lease, to be made out in the name of Abe Langdeau & Sons. Kay Gourneau made a motion to approve the renewal. The motion was seconded by John Estes and carried with five for and none against.

## (6)

REQUEST FROM NAICA - The Native American Indian Cattlemen's Association is asking a donation of \$200 to help defray costs of the All Indian Rodeo held in Tulsa. Kay Gourneau stated the loss was due to poor management, and since the Tribe can't afford to give money to their own members, she made a motion to deny the request. The motion was seconded by Bill Ziegler and carried with five for and none against.

## (7)

REQUEST FROM HEAD START DIRECTOR - Mrs. Madsen, Head Start Director requested use of the Memorial Building as a permanent facility for head start; if approval is given she will be able to apply for funds to remodel the interior of the building for this. Kay Gourneau made a motion to approve the request. The motion was seconded by Michael Jandreau and carried with five for and none against.

## (8)

SUPPORT MR. SCHMIDT FOR E.P.A. - The School Board requested a resolution in support of Mr. Schmidt for EPA at the Lower Brule Agency. Kay Gourneau made a motion to this effect, seconded by Bill Ziegler and carried with five for and none against.

RECESS - The meeting recessed for lunch and reconvened at 1:30 p.m., with the same members present and Michael Jandreau arriving late.

## (9)

KARLEN LAW SUIT - The Court upheld the Tribe's right to cancel Karlen's lease. The Superintendent, Mr. Hicks, suggested that the Tribe start proceedings now to recover damages resulting from violation of lease agreement. Kay Gourneau made a motion to adopt a resolution requesting the Area solicitor enter suit on behalf of the Tribe for damages. The motion was seconded by Michael Jandreau and carried with five for and none against.

(10)

DISCUSSION ON PERMITS - With Mr. Hicks present, the Council discussed the problems that have come about concerning the grazing permits and leases. The Bureau is asking for documentation from the Tribe when the grazing resolution has already been passed and approved. Mr. Hicks was informed the Council discussed this in the morning session.

(11)

OUTDOOR RECREATION FACILITIES DEVELOPMENT - LPW Project No. 05-51-20976 - Bid Opening  
The following were present for the bid opening on the ORFD Project: Mr. Lloyd Benjamin of Benjamin, Kasl & Associates; John Vogel of JMF Construction of Pierre, South Dakota; Planning Director, Mr. Abe Langdeau. Mr. Benjamin was asked to examine bids and present them to the Council. There was only one bid, from JMF Construction, for total construction of the project at \$386,092.35, with deductible alternates given. A discussion was held on the involved matter of the bid bond, letter of credit, etc., for the project. This was for information only and was off the record.

The Council then went into executive session to discuss the bid costs, going over each line item, as the bid exceeded the grant amount. The only decision reached was to ask the Planning Department, the Engineers and Mr. Vogel to negotiate portions of the contract. Michael Jandreau made a motion to table the final decision until morning, and to recess the meeting for the evening to reconvene at 10 a.m. on 12/15/77. The motion was seconded by Mary Dixon and carried with five for, none opposed and one absent.

RECESS - The meeting was recessed for the evening and reconvened at 10 a.m. on 12/15/77, with the same members present and J.W. Thompson absent.

(12)

ORFD PROJECT - Awarding of Bid - The Planning Director and the Engineer were to discuss awarding a partial contract to JMF Construction with IAT as subcontractor. The engineer stated the contract could be let in part and the Tribe would not lose their grant. The following alternatives were presented for decision by the Council.

- 1) To use \$233,204.00 as the total cost of the project; with the exception that the lodge be only a shell with the in-floor plumbing, and the cabins be deleted altogether.
- 2) To contract the amount of \$168,004.00 removing the lodge and cabins from the contract, and to revise the cabins and lodge - redesigning them in log cabin style.

After discussion, John Estes made a motion to proceed with Alternative #2, awarding a portion of the contract and asking for redesign of lodge and cabins.

(13)

HOSPITAL SURVEY - Community Bailey hospital engaged a professional fund raising firm to conduct a survey of businesses in the area to determine what amount of financial support could be expected to assist them in building a new facility. In summary, it was the consensus of opinion that Community Baily Hospital was negligent in meeting Indian health care needs; that a new facility is needed but would not enhance Indian health care needs per se; that the Tribe was not financially able to pledge any support; and, until the Tribe met with the hospital administrator and board to voice the Tribe's needs and concessions are made, nothing definite can be done.

(14)

DISCUSSION ON ORFD PROJECT - Mr. Langdeau informed the Council that as a result of the bid letting, the following transactions will take place: 1) The contractor will



receive documents for signature. 2) Since this is only a portion of the bid, the letter of credit will be reduced to amount the IAT will contract. 3) The draw down will have to be decreased to amount of contract let. The engineer will be directed to proceed with the original design of the lodge and cabins. Mr. Vogel requested that any funds drawn from Ft. Pierre National Bank, payable to JMF Construction, be made out to both the bank and JMF Construction. Kay Gourneau stated she so moved, seconded by John Estes. The motion carried with a vote of five for and none against.

(15)

SENIOR CITIZENS CENTER - Planning Director, Mr. Abe Langdeau, requested authorization to prepare an application for acquisition of a Senior Citizens Center with Title V funds, through the State Social Services Department. There will also have to be an Affirmative Action Statement adopted as a requirement. Michael Jandreau made a motion to adopt the Affirmative Action Statement and to file the application. The motion was seconded by John Estes and carried with five for and none against.

(16)

EMERGENCY FAMILY SHELTER HOME - A letter was read from the State Welfare Department. Funds are available to reservations to establish an Emergency Family Shelter Home. The funds will provide an annual salary to a family that qualifies in caring for foster children. A motion was made by Michael Jandreau to request that an application be filed for Lower Brule, seconded by Bill Ziegler and carried with five for and none against.

(17)

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion to adjourn was made by Kay Gourneau, seconded by John Estes; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a Special Meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 14th and 15th days of December, 1977.

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Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

December 14-15, 1977

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 14th and 15th days of December, 1978, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman William Ziegler John Estes Kay Gourneau Michael Jandreau, arrived after roll call. Mary Dixon, arrived after roll call.	Absent: J. W. Thompson
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The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

PROPOSED GRANT - Bill Ziegler made a motion to give each enrolled member of the Tribe, living on the reservation, a \$50 grant for Christmas. He was asked where the Tribe would get the money. After discussion of the total figure involved, Mr. Ziegler withdrew his motion, changing it to read that the Tribe work on a program in the coming years to give the tribal members a Christmas grant. The motion was seconded by Mary Dixon. On call for discussion, Michael Jandreau suggested that this be brought before the people, that they be made aware of how it would effect long range benefits. Bill Ziegler stated maybe when the irrigation farm becomes a money making project. John Estes asked if these would be for off-reservation members too and Bill Ziegler answered no, just on-reservation. On call for a vote, the motion carried by a vote of five for, none opposed and one absent.

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(17)

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion to adjourn was made by Kay Gourneau, seconded by John Estes; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a Special Meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 14th and 15th days of December, 1977.

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Connie Boyd, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

January 4, 1978

The Regular Meeting of the Lower Brule Sioux Tribal Council was held on the 4th day of January, 1978, and was called to order by the Chairman, with roll call as follows:

Present: Richard Thompson, Chairman  
William Ziegler  
Mary Dixon  
Kay Gourneau  
John Estes, arrived after roll call.  
J.W. Thompson, arrived after roll call.  
Michael Jandreau, arrived after roll call.

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

STORE FOR LOWER BRULE - A request was received from Mr. & Mrs. Toupal inquiring about how to go about getting a lease to manage the store in the community of Lower Brule. The Tribal Council informed Mr. Toupal that they would consider their offer but would have to look into the lease as to when it expires, and would get back with them in one week. Something should be done considering the community is in need of a grocery store. It is only fair we get with Mr. Langdeau and ask him to vacate the premises.

(2)

LAND SALE - A request was received from Maria Patterson to sell her land. JW Thompson, made a motion to get a land appraisal. The motion was seconded by Kay Gourneau and carried with four for and none against.

(3)

INDIAN ACTION TEAM PROGRAM (Zero Based Budgeting) - A report was read to the Tribal Council by the Recording Secretary under the direction of the Tribal Chairman on regulations concerning the Zero Based Budgeting for the Indian Action Team Program. The report included resolutions passed at the Central Regional Office requesting that the Lower Brule Sioux Tribe initiate "Zero Based Budgeting", for the Indian Action Team Program. J.W. Thompson made a motion to adopt a resolution to support Zero Based Budgeting for the Indian Action Team Program. The motion was seconded by Mary Dixon and carried with four for and none against.

(4)

ENROLLMENT - Requests for enrollment were received from the parents of Wanda Grace Fields, and Smokey James Jandreau. Kay Gourneau made a motion to approve the enrollment of Wanda Grace Fields. The motion was seconded by Mary Dixon and carried with four for and none against. A motion was made by Kay Gourneau to deny the enrollment of Smokey James Jandreau because of the blood degree requirement. The Motion was seconded by J.W. Thompson and carried with five for and none against.

(5)

REQUEST TO BE WITHDRAWN FROM LOAN - A request was received from Phil Burns asking the Lower Brule Sioux Tribe to remove the lien on his land. A motion was made by J.W. Thompson to deny his request. The motion was seconded by Kay Gourneau and carried with five for and none against.

(6)

LAND SALE - Frank Brost - J.W. Thompson made a motion to approve purchase of the land at the appraised value. The motion was seconded by Michale Jandreau, but only because he realizes the importance of acquiring the property; he disagreed with the appraisal, that it was biased, and that it was an estimate and not a true and correct statement. The Tribe is getting taken. On voting the motion was carried with four for, none against and none not voting, quorum present.

(7)

CETA POSITIONS - Two openings were available under the CETA Program. The CETA Director and Receptionist positions. By secret ballot Wanda Fields was selected to fill the position of CETA Director and Beverly Wilson was selected to fill the Receptionist Position.

(8)

HOUSING BOARD SELECTION - A vacancy on the Lower Brule Housing Board was acted upon by the Lower Brule Sioux Tribal Council. Clark Zephier was selected to fill the position.

(9)

MEED & ABONOR BILL TO BE PRESENTED TO CONGRESS - A small discussion was held by the Lower Brule Tribal Council concerning the Meed Bill presented by the Representative of Washington, submitting to Congress on Jurisdiction. After the discussion Mr. Thompson made a motion to pass a resolution to support the cause to investigate exploring the bill. Also, to approve contributing \$1,000.00 to the NCAI for their effort in confronting the situation.

(10)

PLANNING DEPARTMENT - Mr. Langdeau came before the Tribal Council and presented an extensive report concerning an update of the irrigation project; (1) New Irrigation Proposal; (2) Feasibility Study on Proposed Feedlot Operation; (3) Operation of the Farm Lot; (4) Report concerning the Closing Out of the Irrigation Farm. Mr. Langdeau, also requested support in looking into a Feedlot Program which would have to be studied first. Other matters discussed with the Tribal Council was new information on the Irrigation Project. A motion was made by Michael Jandreau that the Tribal Chairman be allowed to start negotiations for the next Irrigation Season. The motion was seconded by Mary Dixon and carried with five for and none against.

RECESS - The meeting recessed for lunch and reconvened at 1:30 p.m., with the following being present:

Present: Jim Legg  
J.W. Thompson  
William Ziegler  
John Estes  
Orville Hicks

Richard Thompson  
Abraham Langdeau  
Kay Gourneau

(11)

IRRIGATION - Jim Legg presented a report to the Tribal Council concerning potential agriculture development on the Lower Brule Reservation. Other areas discussed were the development of the Grassrope unit and the design concerning the next phase. A motion was needed by the Tribal Council concerning the Engineers for the development of the Grassrope Irrigation Project, whether or not the Council would find Benjamin, Kasl & Associates acceptable to proceed in the area. A motion was made by Michael Jandreau that if anyone has not been dissatisfied with Benjamin, Kasl & Associates that the Chairman be allowed to contact Benjamin, Kasl & Associates, the cost to come out of the contingency fund, the motion was seconded by William Ziegler and carried with five for and none against.

Mr. Langdeau, and Mr. Orville Hicks requested support from the Tribal Council concerning the financing of the proposed study of the feedlot operation, also support to explore this area; the Council has no objections.

A survey was presented by Mr. Langdeau, which the Planning Office has been instructed by the Tribal Chairman to complete, concerning the population broke down in age groups. The Planning Department would like to request support from the Tribal Council concerning the total figures which are presented in this report. Also requested permission from the Tribal Council to use those figures in future reports; there were no objections from the Tribal Council on this matter.

(12)

JP&E CONTRACTS - Additional funds are needed in order to carry out the JP&E Contract for the next three quarters. Kay Gourneau made a motion to adopt a resolution requesting additional monies to cover the salaries under the JP&E Contract. The motion was seconded by William Ziegler and carried with four for and none against.

(13)

TRIBAL STORE - The Chairman asked the Tribal Council how they should proceed in contacting Mr. Langdeau about the store as we do need a store in the community. J.W. Thompson made a motion to call in Mr. Langdeau at the next meeting. The Motion was seconded by William Ziegler and carried with four for and none against.

(14)

REQUEST AUDIT - A motion was made by Kay Courneau to request audit for the Tribe. The motion was seconded by Michael Jandreau and carried with four for and none against.

(15)

ADJOURNMENT - There being no further business the Chairman entertained a motion to adjourn. The motion was made by John Estes, seconded by William Ziegler; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of the Regular Meeting held by the Lower Brule Sioux Tribal Council, with quorum present on the 4th day of January, 1978.

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JoAnn Poirier, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

February 1 & 3, 1978

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 1st and 3rd days of February, 1978, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson, Vice Chairman  
William Zielger  
John Estes  
Michael Jandreau  
Mary Dixon

Absent: Kay Courneau

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

DRAINAGE PROJECT FOR TOWN SITE - A draft resolution was presented for review and adoption by the Tribal Council to establish the Drainage Project as their first priority for funding through HUD. J. W. Thompson made a motion to adopt the resolution, seconded by John Estes. The motion carried with five for, none against and one absent.

(2)

HUNTING REGULATIONS - The DOR Manager presented the proposed hunting regulations for 1978. They were essentially unchanged from the previous year. After review and discussion, the opinion was that some changes should be made. John Estes made a motion that this be tabled and to request the DOR Manager for a more complete plan which should also include the Big Game Hunts. The motion was seconded by Bill Ziegler and carried by a vote of five for and none opposed.

(3)

DOR NOTE - A note is now due for payment at Tri-County State Bank. Michael Jandreau made a motion to adopt a resolution authorizing the Chairman to re-negotiate the note, and to approve payment by DOR of the accrued interest and partial payment on the principal. The motion was seconded by John Estes and carried with five for and none against.

(4)

DATES FOR FAIR & RODEOS - Discussion was held to determine dates for the fair and rodeos for this year, and to approve affiliation of rodeo associations. J. W. Thompson made a motion to approve the dates and associates as follows: (1) The Annual Fair & Rodeo will be held the 11, 12, and 13 of August. (2) Approve affiliation with the Great Plains Indian Rodeo Association and sponsor an all Indian rodeo one day on either the 11th or 12th of August. (3) To contact the Rosebud Racing Commission to conduct horse races during the Fair, for one and possibly two days. (4) To approve affiliation with SDRA & NRCA associations and sponsor a one day rodeo July 3rd. This motion was seconded by John Estes and carried with five for and none against. J.W. Thompson also suggested the Tribe contact people at Crow Agency for the possibility of conducting pari-mutuel betting for the horse racing; there were no objections. Further discussion was held to obtain better advertising for all events; efforts will be made to advertise at least a month or two in advance of the dates.



(5)

FHA LOAN APPLICATION - Ron Freesman was present to discuss the pending application to FHA to secure the 50% matching funds to complete Phase II of our irrigation project. EDA has been contacted and Floyd Taylor will be present Friday for further information on this. Requirements to secure the loan were reviewed. Phase II would include approximately 540 acres with a total dollar amount of approximately \$350,000. Michael Jandreau made a motion to adopt a resolution authorizing submission of an application to EDA for the 50% matching grant. The motion was seconded by J. W. Thompson and carried with five for and none against.

(6)

ENERGY CONSERVATION PROPOSAL - Planning Director, Mr. Abe Langdeau, reported on the possibility of securing funds under an Energy Conservation Proposal through EDA. Mr. Langdeau explored the possibility of utilizing this program to improve the Neighborhood Center. Meese, Peterson & Foss, an AE Firm, were requested to set up the engineering requirements for the proposal. The improvements to the Center would reduce maintenance costs by about \$8,000 - this is the objective of the program. The application can be finalized on Friday and will be hand carried to Denver. Mr. Langdeau requested three resolutions for the Energy Conservation Proposal. J.W. Thompson made a motion to adopt a resolution to submit an application to EDA for a 100% grant for the Energy Conservation Proposal. The motion was seconded by Michael Jandreau and carried with five for and none against. John Estes then made a motion to adopt a resolution designating the Neighborhood Center as an Energy Conservation area. The motion was seconded by Michael Jandreau and carried with five for and none against. To finalize the application requirements, John Estes made a motion to adopt two resolutions, to secure Interim Financing and to request a force account procedure for the Energy Conservation Project. The motion was seconded by J. W. Thompson and carried with five for and none against.

(7)

LPW PROJECT - Planning Director, Mr. Abe Langdeau, presented a verbal report on the status of the LPW Project and the bills submitted for payment in regard to this project. When money is received the bills submitted will be taken care of. This will be another area to be looked into when the meeting is held in Denver. These are engineering and contract costs. Mr. Langdeau also reported that the engineers have been given documentation to proceed with the redesign of the hunting lodge and cabins, in a log cabin type structure.

(8)

INDIAN CATTLEMEN'S CREDIT CONSORTIUM - J.W. Thompson made a motion to adopt a resolution in support of the Articles of Incorporation for the Indian Cattlemen's Credit Consortium. The motion was seconded by Mary Dixon and carried with four for and none against.

(9)

SUPPORT FOR PILC - J.W. Thompson made a motion to adopt the resolution submitted by Pierre Indian Learning Center for new facilities. The motion was seconded by Mary Dixon and carried with four for and none against.

(10)

NATIVE AMERICAN TREATIES & RIGHTS ORGANIZATION - A proposed organization to unite Tribes to combat legislation that will be harmful to the American Indian is being formed by the Navajo Nation. They are asking for support and naming of a delegate for a meeting. J.W. Thompson made a motion to adopt a resolution supporting NATRO and to delegate the Chairman to represent the Tribe. The motion was seconded by Bill Ziegler and carried with five for and none against.



(11)

REQUEST FOR LOAN - Ferlin Grassrope presented a request for a loan in the amount of \$2500, stating his grandfather consented to put up his land as collateral for the loan. He was informed the Tribe was not financially capable to make any type of loan at the present time.

(12)

RENEWAL OF LEASE - Michael Jandreau made a motion to approve renewal of a lease to Saunita & Mit Ness for a period of five years (N<sub>2</sub> Sec. 19 107 75). The motion was seconded by John Estes and carried with five for and none against.

RECESS - The meeting recessed for lunch and reconvened at 1:15 p.m., and was called to order by the Chairman with Michael Jandreau and Kay Gourneau noted as absent.

(13)

APPROVAL OF LEASE - J.W. Thompson requested lease of the land the Tribe purchased from T. Brost, requesting a three year lease. John Estes made a motion to grant him the lease, seconded by Bill Ziegler; vote was four for and none against with two being absent.

(14)

CETA DIRECTOR POSITION - Wanda Fields notified the Tribe that she has taken another position which will create a vacancy in the CETA Director position. A motion was made, seconded and carried unanimously to readvertise the position.

(15)

SELECTION OF POSITIONS - By secret ballot, Lena Estes was selected for the CHR position; and Ferlin Grassrope for the Ambulance Driver/attendant.

(16)

ENROLLMENTS - Letters of request and applications for enrollment were received from the parents of Loretta and Marion Zephier and Jeremiah D. Hall. All were eligible for enrollment. Mary Dixon made a motion to approve the enrollments. The motion was seconded by Bill Ziegler and carried with four for and none against.

(17)

At this time the Farm Manager, Tom Hanke, introduced members of the Farm Board. They were Mr. Ben Reifel, Mr. Harold Shunk and Mr. Claude Fly. Each expressed their appreciation for the privilege of serving on the Farm Board. Mr. Reifel also made some comment concerning the importance of running the project in an organized and business-like manner, and the problems created in letting tribal politics interfere with the operating of the farm.

(18)

JP&E SERVICES - Mr. Hicks, Joyce Estes, Harrison Fields, Jack Belkham and Police Captain Romero were present. Mr. Hicks introduced Mr. Romero to the Council. The JP&E Contract was only funded for one quarter, the program is now in the red and additional funds are needed to continue operation of the detention facility. No supplemental funds are available at the area level. Some possibilities are to use program funds from the agency level and a savings available through our Criminal Justice Planning grant. What is proposed now is that the Tribe adopt a resolution stating it was to be a Bureau function and they were expected to fund this, and that the Tribe has explored all possibilities for funding of the program. Our only alternative would be to close the detention center which would put seven people out of work. The Area office has been aware of our situation for two years. Bill Ziegler

made a motion to adopt a resolution requesting modification of the JP&E Contract and to request use of savings and to reprogram other monies available. The motion was seconded by J.W. Thompson and carried with four for and none against, John Estes not voting (BIA employee).

(19)

MODIFICATION OF ALL CONTRACTS - Bill Ziegler made a motion to adopt a resolution requesting modification of all contracts in order that all carry over funds from FY 77 be transferred to FY 78 contracts. The motion was seconded by Michael Jandreau and carried by a vote of four for and none against.

(20)

LAW SUIT - The possibility of filing suit against Merrill Karlen to collect for damages resulting from violation of his lease was discussed. The Tribal Council has already adopted a resolution requesting the Area Solicitor do this.

(21)

GRAVEL CONTROVERSY - Both the Area Solicitor and the Tribal attorney have recommended that the Tribe accept the offer of 20¢ a ton made by the State. Therefore, Michael Jandreau made a motion to notify the State of this decision. The motion was seconded by Bill Ziegler and carried with four for and none against.

(22)

PHASE II CONSTRUCTION OF SCHOOL - The Superintendent informed the Council that the money programmed for the '79 budget, to complete Phase II of the school, was for 3.5 million. It has been learned that the total estimated cost is now 4.5, and that this is the figure Albuquerque is using to complete the design and costs. Letters should be submitted to Facilities Management in Albuquerque stating the amount should be 4.5, as committed. They should be able to advertise for construction in August.

(23)

STORE LEASE - The Chairman stated that Orville Langdeau was requested to meet with the Council concerning his lease on the store, since it has not been open for business for some time. Inquiries have been received at the Tribal office asking his intentions about the store. Orville Langdeau asked if he was being singled out because he should not be in there or for what reason is this being brought up. He was told that the people in the community are stating their needs for a store. Mr. Langdeau then stated that opening of the store would depend on the commitment made by the Council over a year ago (a loan of \$5,000) and asked why this was not fulfilled. Funds for the loan were to be budgeted, however, this was not done. J.W. Thompson stated he made the motion to loan him \$5,000 more if and when the Tribe had funds available. At that time, he thought with a new permit period the leases would be raised and with a higher AC price the interest from the revolving cattle loans would be available to help. It was stated again that the people in the community need a store. Orville Langdeau stated he could not argue with this, that it only creates ill feelings. He felt his situation stands out more because it is here in town and that he was being singled out because of who and what he was. He further stated that there doesn't seem to be a balance in the way things are done around here - the Tribe needs to develop a strong community thing as well as the cattle business. It was stated that the Tribe denied a request for a loan of \$2500 so they certainly couldn't grant him a \$5000 loan. Mr. Langdeau stated if he could not get the loan from the Tribe he would have to give up his lease on the store; in this case, if the lease is cancelled, he would request 30 days to close things up. After Mr. Langdeau left the meeting, each Council member present was asked, in turn, what their opinion was; all agreed that there was no way the Tribe could make a loan now. The utility bills and rent payments were noted as not having been paid for some time. J.W. Thompson stated the Tribe should start billing everyone in arrears in payment to the Tribe, a loan of

any kind, including cattle operators, and ask them to show cause why they haven't been making payments; he then made this a motion. The motion was seconded by Bill Ziegler and carried with four for and none against. Bill Ziegler then made a motion to inform Orville Langdeau that he has 30 days to restock the store and open it, or to turn the building back to the Tribe, as the Tribe cannot loan him any money at this time. The motion was seconded by J.W. Thompson and carried with four for and none against.

(24)

MINUTES OF COUNCIL MEETING - J.W. Thompson made a motion to approve the minutes, as presented, for the 14th and 15th of December. The motion was seconded by Bill Ziegler and carried with four for and none against. J.W. Thompson then made a motion to start sending out the minutes again. The motion was seconded by Bill Ziegler and carried with four for and none against.

(25)

HOMEMAKER SERVICES - A letter was read from Geraldine Ziegler, who is employed under the Homemaker Service Contract. She presently receives 15¢/mile mileage and requested that it be raised to 17¢/mile. J.W. Thompson made a motion to request a modification of the Homemaker Service Contract to pay mileage rate of 17¢/mile. The motion was seconded by Mary Dixon and carried with three for and none against, one not voting. This will take effect when the modification is approved.

RECESS - The meeting was recessed for the evening, to reconvene on Friday, the 3rd of February. At 9:50 a.m., 2/3/78, the Chairman called the meeting to order with the following noted as present: J.W. Thompson, B. Ziegler, M. Dixon, K. Gourneau, J. Estes and M. Jandreau were absent.

(26)

JOM CONTRACT - A letter was read from the Superintendent of Lyman County School District requesting that the JOM funds be used for a Summer Program. Bill Ziegler made a motion to adopt a resolution requesting modification of the JOM Contract. The motion was seconded by J. W. Thompson and carried with three for and none against.

(27)

INDIAN ACTION TEAM PROGRAM - A proposal prepared by the IAT Director, Bill Dixon, was reviewed by the Council members present. A copy of the proposal will be on file at the Tribal Office. The subjects included management of DOR, starting a tribal construction company, charging for services done in the community and to obtain the services of a consulting firm. He also requesting a resolution in support of action taken at Regional IAT meetings. Mary Dixon made a motion to pass the resolution, seconded by Bill Ziegler and carried with three for, none against and three absent. After further discussion, it was included in the motion and agreed upon by all present to include approval of the entire proposal.

(28)

PHS - Service Unit Director, Gen Doran, and Bessie Estes were present to discuss the hospital bills that were denied payment by PHS contract services. In some cases, they were IHS referrals with Dr. Austria as the admitting and attending physician. The report from the Area Office is that there will be no supplemental funding. The approximate total of unpaid services is \$140,000. As contract service funds stand now, only emergency patients can be admitted. Emergency determinations are made by the PHS Doctor. Mrs. Doran will submit a letter giving the total amount of outstanding bills, by vendor. This subject will be discussed at a meeting in Aberdeen to be attended by the Service Unit Director. J.W. Thompson made a motion to contact UST to

call an emergency meeting to discuss this issue, as this problem is area-wide. The motion was seconded by Mary Dixon and carried with three for and none against.

(29)

EXPANSION OF IRRIGATION PROJECT - Those present for this discussion with the Council were: Planning Director, Abe Langdeau; EDA representative, Floyd Taylor; Farm Manager, Tom Hanke; and Abe Repine BIA. At the first day of the regular meeting the Council took action to submit an application to EDA for a 50% grant to construct Phase II of the irrigation project. FHA was here and the Tribe will submit a loan application for the matching portion of these funds. However, in discussion with the Farm Manager, he indicated funds are needed for grain storage and equipment, and also operating money, and it was Mr. Taylor's opinion that chances for getting this funded are good. Mr. Hanke also stated that the Tribe needs to make a decision as to whether or not they plan on going with the Bureau of Reclamation for completion of the irrigation development in the Little Bend area. If they are then they should not proceed with this EDA proposal to develop the next phase, but to go in for funding for equipment, grain storage and operating costs now and maybe submit a proposal for '79 funds in the fall of '78. J.W. Thompson stated, in the event the Bureau of Reclamation would not approve of further development, that the Tribe request portable equipment to be used in the Little Bend area for Phase II, and when Reclamation does come through with their project it could be moved. Mr. Taylor stated that after the Tribe has developed a track record, the chances of getting funds through EDA are better. Even if the project is authorized, it will be five years or more before construction would start. Mr. Hanke stated that even with EDA funds for Phase II, you would not have a crop in 78. Mr. Abe Langdeau stated the Council had passed a resolution on the 1st to request a 50% grant from EDA for construction of Phase II. If the Tribal Council now feels that the request should be equipment and grain storage facilities, then another resolution is needed. It was agreed to do this but to indicate we would be coming in with a request this fall. J.W. Thompson made a motion to adopt this resolution. The motion was seconded by Bill Ziegler and carried with three for and none against.

\*The following excerpt should have been included as part of Item #5.

Development of Irrigation on Flat - Mr. Abe Repine, BIA office, presented a study for future irrigation development West of the community on the flats. There are approximately 25 quarters that are feasible for development. He presented a soil status map. As to land ownership, only three quarters are not owned by Tribal members. The Council agreed that this would be a good area for development.

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion was made by Bill Ziegler and seconded by J.W. Thompson; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 1st and 3rd days of February, 1978.

  
Connie Boyd, Recording Secretary

REGULAR MEETING

LOWER BRULE SIOUX TRIBAL COUNCIL

March 1 & 2, 1978

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 1st and 2nd days of March, 1978, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson, Vice-Chairman  
Bill Ziegler  
John Estes  
Michael B. Jandreau  
Kay Gourneau  
Mary Dixon, arrived after roll call.

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

SUMMER FOOD PROGRAM - Correspondence has been received in regard to the Summer Food Program. An application and delegated representative for the Tribe must be submitted. The Program provides breakfast and lunch to all school age children. Kay Gourneau made a motion to adopt a resolution to support the application and to designate Mr. William Schmidt as the administrator of the program. The motion was seconded by Bill Ziegler and carried with five for and none opposed.

(2)

RESIDENTIAL TRAINING & COUNSELING PROGRAM - A resolution is needed to authorize the Housing Authority to contract with the Bureau of Indian Affairs for this program, which will employ three people and will be administered by the Housing Authority. Bill Ziegler made a motion to adopt the resolution to this effect. The motion was seconded by Michael Jandreau and carried with five for, none opposed and one absent.

(3)

REQUEST TO SELL LAND - Edward Johnson was denied approval to sell his land. After his request for appeal and investigation, it was established that if a legal agreement was entered into to assure the BIA that the proceeds would be directed for the benefit of Mr. Johnson, and would designate a co-signee for the expending of money, that the Bureau would approve the sale of the land. This will have to be done before he re-submits his application for sale of land.

(4)

REQUEST STUDY OF SECOND IRRIGATION UNIT - Preliminary studies have been accomplished for irrigation development on the land West of the Lower Brule Community, designated as the flats. The study will be done by the Bureau of Reclamation and the first process is to request a feasibility study for irrigation development. J.W. Thompson made a motion to adopt a resolution requesting the study be done and to designate the area, or unit, officially as the Kaspapi Unit. The motion was seconded by Michael Jandreau and carried with five for and none against.



(5)

JP&E SERVICES - In the continuing process to try and secure funds to maintain JP&E Services on the Lower Brule Reservation, the following resolution was adopted. The motion to adopt a resolution to request re-programming of funds was made by Michael Jandreau, seconded by Bill Ziegler and carried with four for, none against and one not voting. This resolution is to request that - (1) Direct employment funds be utilized for JP&E Services. (2) That the On-Going Child Welfare allocation be used for the probation officer position, pending release of these funds at the Washington level. This will fund all positions including the detention officers, one police officer, the clerk and probation officer. This will necessitate a decrease in pay for the detention officers but is the only alternative. A new budget will have to be re-submitted.

(6)

REQUEST TO EXTEND CONTRACTS - Some contracts have expired in which there were savings. Kay Gourneau made a motion to adopt a resolution requesting that the contracts be extended through June 30. The motion was seconded by Bill Ziegler and carried with six for and none against.

(7)

PURCHASE ORDER FOR FENCING MATERIALS - The Tribe received a purchase order in 1976 for fencing materials and supplies that was only recently submitted for invoicing. In the mean time purchase orders for drought assistance money were also being administered by Mr. Legg. The drought money was over expended and the BIA requested the \$5,000 in fencing materials and supplies be used for payment of a well that was drilled. However, the Tribe can show proof of purchase of more than \$5,000 in fencing materials and supplies. Therefore, the payment for the well will have to be taken care of in another way. Mr. Legg suggested that the Tribe explore the possibility of paying this out of the Water Resource Contract, since there will be a savings there. He outlined a proposed budget for this, including a plan to complete Phase II of the Water Resource project, such as retaining a D.C. based law firm to keep the Tribe informed on matters concerning water rights. Travel and per diem costs for water resource development can be charged to this contract also. He also informed the Council that the Department of Agriculture may have grants available for rural development systems which would be on a 75% basis. the Tribe may wish to develop the Kaspapi unit in this manner.

(8)

ROADS PRIORITY - Since the allocation for 1978 roads money is inadequate to meet even basic needs of construction and maintenance, the Tribe must establish priorities for use of the money. Although the South road is in very bad repair, the Little Bend road has been a priority of the Tribe for the last 10 years, and has always been postponed. The amount of funds will not complete the road, it will be widened and re-aligned, and given a good gravel base. The irrigation project makes improvement of the Little Bend road very necessary. Kay Gourneau made a motion to adopt a resolution listing the priorities as follows: (1) Little Bend Road. (2) South Road. (3) West Road. The motion was seconded by Michael Jandreau and carried by a vote of four for, Bill Ziegler opposed, and John Estes not voting. Mr. Hicks stressed the importance of having a tribal representative at the Areas roads meetings. Bill Ziegler stated he thought the South road should be our first priority as it is the main access road.

(9)

638 GRANT FOR '79 - The allocation for 638 grant funds will be \$30,248.00. The Tribe needs to submit a proposal and request for the funds, to be used for Tribal administration. Kay Gourneau made a motion to adopt a resolution to submit a proposal and request the grant. The motion was seconded by Bill Ziegler and carried with five for and none against.

(10)

LAND TRANSACTIONS - On the Wilson land, the Tribe needs to go ahead and get the money transferred from the savings account to the checking account in order that the check can be made out by Mr. Freesman. The Dorman land sale has gone to the attorney for review of title opinion. On the Larson land trade they are asking for abstracts but the Tribe can only provide title status. On the Brost land, Michael Jandreau asked who would be responsible for the abstracts being brought up to date, and Mr. Hicks stated the seller pays for them; when it is turned over to the Tribe it will be clear. Mr. Hicks further stated that they will insist that they bring the titles current, and an effort will be made to make the best deal for the Tribe.

(11)

SOCIAL SERVICES - Bill Ziegler requested to discuss with Mr. Hicks present, a problem in the Social Service Office, that children who have special education needs are being denied assistance by Mr. Griffith, when at the same time he is helping others. Mr. Hicks stated that the new Assistant Secretary has directed that they must remain within their budget, and at present they are already overspent. One of the biggest expense is the cost of sending these children to these homes. Bill Ziegler commented that when it is a medical opinion and the opinion of the teacher, Mr. Griffith is still denying these children. If he can't do anything for them thru this agency, then he should do everything possible to get assistance through other agencies. Mr. Griffith should have contacts to do this. Mr. Hicks agreed it is his responsibility to go to other sources. Bill Ziegler stated the children need help now, and if it takes a resolution or motion from the Tribe, he would make a motion to direct Mr. Hicks and Mr. Griffith to get something done on this right now. The motion was seconded by Michael Jandreau and carried with six for and none against.

(12)

SELECTION OF E.P.A. - The Tribe adopted a resolution in December selecting Mr. Schmidt as EPA. Mr. Hicks stated that the agreement made in personnel matters was that anyone of the five key positions would go through the Council. The resolution was premature in that the Council did not review all the applicants and pre-selecting in jobs could create problems. The applications were reviewed. Kay Gournau made a motion to select Mr. Schmidt as EPA. The motion was seconded by Mary Dixon and carried by a vote of four for, none opposed and two not voting (J.W. Thompson and John Estes).

(13)

ORDINANCE - Tribal Court presented a draft of an ordinance to commit dangerously ill and mentally ill patients for care. This will establish a legal process for commitment but at the same time safeguard the protection of the patient. Michael Jandreau made a motion to adopt the ordinance and the motion was seconded by John Estes. However, Bill Ziegler requested time to review this further and the vote was postponed until the p.m. session.

(14)

COMPLAINT ON HORSES - Alfred Ziegler was present to voice his complaints on the problem he is having with the ponies and horses running loose on the reservation. They are a nuisance and now, have caused financial damage, getting in hay. He was informed of the resolution passed on this - that the animals will be rounded up, identified and those that want to keep horses will have to pay a permit and those unidentified or if the owners request, will be sold.

(15)

FINAL BILLING ON IRRIGATION PROJECT - Abe Langdon, Planning Director, introduced the next item for Council action, the final billing for payment presented by Benjamin, Karl and associates, on the Little Bend Irrigation Project. Approval had been withheld until the final audit report was available to determine the amount available for

payment, as the billing was not itemized but totaled the balance of funds. The amount is over and above funds available by \$1,359.84. The over run was incurred due to inspection fees caused by the delay in completing the project. Lloyd Benjamin and Al Kasl were present to explain the over run and answer any questions the Council had. Michael Jandreau stated since the engineers were part of this development from the beginning, it was his opinion that the engineering costs should have fallen within the amount allocated for the purpose of engineering and inspection, and if they were not, then the Council should have been notified sooner than the final bill. Bill Ziegler stated he though the engineers should have seen to it that the project was built on time, but the engineers stated they were not authorized to do this. The over run was then explained. After further discussion, the engineers agreed to accept the amount remaining in the balance, leaving off the over run of \$1,359.84.

Farm Manager, Tom Hanke then asked who would be responsible for payment of the cathodic protection device and the engineers answered the Tribe will not be billed for this, that Morris Irrigation had paid Caldwell to do this. Also, the power poles have not been moved. The engineers explained that this will be done by West Central but they are reluctant to move on it because they heard the Tribe will be using Bureau power.

Benjamin, Kasl & Associates also presented a bill on the LPW project, 90% of the design fee in the amount of \$26,388.00. However, there will be an additional cost because the preliminary design of the lodge and cabins was changed to the dome design, but due to construction costs, the Tribe requested re-design back to the original plan, a log cabin style. Cost items for the project were reviewed and the cost for redesign will come out of construction costs.

Michael Jandreau made a motion to approve payment of \$3,497.77 to JMP Construction and the 90% design fee to Benjamin, Kasl & Associates on the LPW project. The motion was seconded by Bill Ziegler and carried with six for and none against.

Kay Gourneau made a motion to approve the final payment on the irrigation project and payment of the audit. The motion was seconded by John Estes and carried with six for and none against.

RECESS - Prior to Item #15, the meeting was recessed for the noon hour and reconvened at 1 p.m., with the same members present, and Michael Jandreau arriving late.

(16)

REQUEST FOR INDUSTRIAL PARK LOT - Vernon Rekow was present to request a lot to establish a drive-in cafe since the other people were not able to come up with financing. However, Bill Ziegler stated their main lending source did come through. In view of this, Mr. Rekow withdrew his request and thanked the Council for their time.

(17)

HOUSING REQUEST - Michael Jandreau presented a request from the Housing Authority, asking the Tribe to adopt a resolution stating they will not apply for additional housing until 1979, with the allocation to be made in FY 80. The reason for this being the Housing Authority is presently \$26,000 in arrears in rent collection, and this period will be used to make collections and stabilize accounts receivable. A list of all owing rent and the amounts were reviewed by the Council. Michael Jandreau stated that renewed efforts for collection will begin soon, and that meters will be taken out if efforts are not made to make payment on a regular basis and that the Court will be issuing eviction notices. Michael Jandreau made a motion to adopt a resolution, as above. The motion was seconded by Kay Gourneau. On call for discussion, it was stated



that the delay in construction of houses will not improve collection of rent. The motion carried by a vote of three for, none opposed, but three not voting.

(18)

BURIAL INSURANCE - Rick Baysinger of the John Hancock Insurance Company presented a proposal for burial insurance to cover tribal members. The cost would be approximately \$14,400 a year. This was for Council information and consideration; no action was taken at this time.

(19)

PROPOSAL TO LEASE LITTLE BEND AREA - Carl Smith presented a proposal to the Council to lease and develop irrigable lands in the Little Bend area. No action was taken.

RECESS - The meeting was recessed for the evening at 4:31 p.m. On March 2, 1978, the meeting reconvened at 10 a.m., with the same members being present, Mary Dixon arriving late.

(20)

PAYMENT OF D.O.R. NOTE - The Council authorized the Chairman to re-negotiate the DOR note at Tri-County and to pay the interest and as much of the principal as possible. A check for \$290 was written to Tri-County from the IAT account. This was brought to the Tribe's attention by bank officials. This will be taken care of by the Chairman, with the payment to be made from the DOR account.

(21)

IAT BUSINESS - IAT Director, Bill Dixon presented a written request to pay an individual \$5500 as seed money to secure funds to establish a Lower Brule Construction & Development Company. The Council questioned this as to whether this was approved by ITAC and if a formal agreement was entered into with Mr. Johnson; he has not entered into a written agreement. Mary Dixon stated she thought this had been approved at the last meeting. Mr. Dixon requested permission to review this with ITAC.

(22)

REQUEST FOR RURAL HOME SITE - Mary Dixon presented a request for Marlene Crowe who wants a rural homesite. After review of the two land descriptions, it was found the sites were in allotted land. A motion was made by J. W. Thompson to send her to the Realty Office to choose another site, seconded by John Estes and carried with six for and none against.

(23)

REQUEST FOR LOT IN INDUSTRIAL PARK - Violet Sekow presented a request for Lot #2 in the Industrial Park. This was given to Tony LaRoche, Jr. However, he has not followed through on this; a renewal must be made every 90 days if construction of the business has not begun. The Lot will be used for a drive-in cafe. Kay Gournneau made a motion to allocate Lot #2 in the Industrial Park to Vernon & Violet Sekow. The motion was seconded by John Estes and carried with six for and none against.

(24)

LEASE RENEWAL - The Bureau of Indian Affairs is requesting renewal of the lease on their office building. J. W. Thompson made a motion to renew the lease at \$500 a month, plus \$175 for utilities. The motion was seconded by Mary Dixon and carried with six for and none against.

(25)

LEASE OF LITTLE BEND AREA - After reviewing the proposal made by Carl Smith, J. W. Thompson stated he was not satisfied with it, that the Tribe should offer the total Little Bend area for lease, that the Tribe should advertise and take bids on it to see what we can get. In this way, the Tribe could realize an income off this and be able to pay off land loans and buy more land. He stated the Tribe should go ahead with this years operation and advertise for 1979 crop season. J. W. Thompson then made a motion to advertise a lease of the Little Bend area for bids on irrigation farming and development. John Estes stated this was the best solution he has heard to begin making money for the Tribe, and seconded the motion. The Bureau will be requested to advertise this nation wide, beginning in June, for the 79 crop season. On call for a vote, the motion carried by a vote of six for and none opposed.

(26)

GENERAL COUNSEL INVOICE - Invoices for payment were submitted by Mr. Srska, for a total of 10 months. J. W. Thompson made a motion to approve payment. The motion was seconded by Kay Courneau and carried with six for and none against.

(27)

SIoux FOR CHRIST RADIO PROGRAM - Bill Ziegler made a motion to make a donation of \$25 to the Sioux For Christ Radio Program. The motion was seconded by J. W. Thompson and carried with six for and none against.

RECESS - The meeting was recessed for the noon hour and reconvened at 1 p.m. with the same members present except for Mary Dixon.

(28)

CHARTER FOR CONSTRUCTION COMPANY - Bill Dixon requested a resolution approving a charter for the Lower Brule Construction & Development Company. However, a draft of the resolution was not available for review. Michael Jandreau made a motion to authorize the IAT Director to contact the Tribal attorney to draw up the charter, which will be brought back to the Council for adoption; this will be paid for by IAT. The motion was seconded by Bill Ziegler and carried with four for, none against and two absent.

(29)

FOUR-STATE BOARD MEETING - Bessie Estes reported she will be attending a 4-State Health Board Meeting and they are requesting a letter of support from the Tribe on the intent they wish to accomplish. Kay Courneau made a motion to write a letter to this effect. The motion was seconded by Michael Jandreau and carried with four for, none opposed and two absent.

(30)

8-PLEX FOR ELDERLY - Bessie Estes stated there are objections being made in regard to young people living in the apartments and wished the Council could do something about this. Michael Jandreau stated this would be brought to the attention of the Housing Authority and asked if she had names of the elderly that wanted to move in there; she stated she did and would give them at that meeting.

(31)

SAFETY PROGRAM - The CHR Coordinator informed the Council of a safety program and the need to designate a safety officer for the reservation. This individual would identify safety hazards in homes, schools and businesses. J. W. Thompson made a motion to have the coordinator assign a CHR for this. The motion was seconded by John Estes and carried with five for and none against.

(32)

HUMANITIES PROGRAM - The Humanities Program was developed to establish better relationships between the communities of Chamberlain, Fort Thompson and Lower Brule. This is being done through the Mental Health Center in Chamberlain. There will be lectures and programs held that will focus on family life and communication. This was for information only. Mrs. Estes also stated she will be taking two students to a family planning workshop, to get young people involved in tribal projects. Mrs. Estes also addressed the Council on selecting CHR and ambulance positions, stating the people should be dedicated and willing to put in over time to give services.

(33)

SELECTION OF POSITIONS - Ambulance Director, Robin LaRoche, submitted a recommendation to hire Bim Estes and Violet Rekow to fill the two ambulance driver/attendant positions. Michael Jandreau made a motion to approve the recommendation. The motion was seconded by Kay Gourneau and carried with three for, two opposed and one absent.

Bessie Estes, CHR Coordinator, submitted a recommendation to select Jeanette LaRoche to fill the CHR vacancy. Michael Jandreau made a motion to go along with the recommendation. The motion was seconded by J. W. Thompson and carried with five for and none against.

(34)

LEAA APPLICATION - A proposal and application are being drawn up to submit to LEAA. This will be to fund the salary of the Probation Officer, one detention officer and the clerk. J. W. Thompson made a motion to adopt a resolution supporting the application. The motion was seconded by Bill Ziegler and carried with four for and none against.

(35)

APPROVAL OF MINUTES - Kay Gourneau made a motion to approve the minutes as presented for January and February. The motion was seconded by John Estes and carried with five for and none against.

(36)

BURIAL GRANT - Ellen Wright requested and received a loan to help with burial expenses of her baby. The child was not enrolled. The Tribe has since adopted a policy to cover infants who are eligible for enrollment. Bill Ziegler made a motion that the \$50 loan be written off as a grant. The motion was seconded by John Estes and carried with five for and none against.

(37)

ENROLLMENTS - Applications for enrollment and birth certificates were received for the following: Melvin K. LaRoche, Ezra Shane Baade, Beatrice C. Ferguson, Rollin I. Lauinger and for Lawrence and Sha'ree Jandreau. All were eligible for enrollment. John Estes made a motion to approve the enrollments. The motion was seconded by Michael Jandreau and carried with five for and none against.

(38)

APPROVE SALE OF LAND - Richard P. Thompson requested to purchase 40 acres of tribal land and an appraisal was requested. The appraised value is \$5,000 and he still wants to purchase the land. J. W. Thompson made a motion to adopt a resolution approving the sale of land to Richard Thompson. The motion was seconded by Kay Gourneau and carried with four for, none opposed and one not voting.

(39)

ORDINANCE - A motion was made and seconded to adopt the ordinance for Commitment of Mentally and Dangerously Ill persons. Bill Ziegler had requested time to review it

before he voted. On call for a vote, the ordinance was adopted by a vote of four for, Bill Ziegler voting against and one absent.

(40)

SENIOR CITIZENS CENTER - Planning Director, Abe Langdeau, reported the Lower Brule has received official notice of grant award funded through Title V, to purchase the Elderly Nutrition Center as the Senior Citizens Center. He stated there is some work to be done before the building is acceptable; two bathrooms are needed. This proposal is contingent on support of some Tribal program.

(41)

HISTORY OF LOWER BRULE - Mr. Abe Langdeau reported a history of the Lower Brule Sioux Tribe was submitted by a Mr. Gross; he asked for approval by the Tribe. Michael Jandreau made a motion that the Planning Director write a letter to Mr. Gross stating that this history is not the most accurate account of our Tribe and that we did not appreciate this. The motion was seconded by Bill Ziegler and carried with five for and none against.

(42)

PLANNING BUSINESS - The Intern Planner gave a report on his trip to Billings to attend an Environmental Protection Agency workshop, reporting on rules and regulations for use and control of pesticides.

(43)

RESOURCE POOL - Michael Jandreau made a motion that the Council support the Planning Office and direct all programs to cooperate with the planning office in development of a needs assessment profile. This would aid in computation of statistical data, development of the CEDP and other programs. The motion was seconded by Bill Ziegler and carried with five for and none against. Mr. Langdeau stated that this latest motion is one that will have a great direct effect on the relationship of the programs and the Council, and will be a great benefit, enabling the Planning Office to become aware of problems or items before it becomes a matter for the Council to act upon.

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion to adjourn was made by Kay Gourneau and seconded by Bill Ziegler; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 1st and 2nd days of March, 1978.

  
Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

March 29, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 29th day of March, 1978, and was called to order by the Chairman, with roll call as follows:

Present:	Richard P. Thompson, Chairman	Absent:	None
	J. W. Thompson, Vice-chairman		
	Bill Ziegler		
	John Estes		
	Michael B. Jandreau, arrived after roll call.		
	Mary Dixon		
	Kay Gourneau		

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes

(1)

LOWER BRULE CONSTRUCTION COMPANY - Kay Gourneau made a motion to adopt a resolution to establish an account for the Lower Brule Construction Company, and to designate the Chairman and Secretary-Treasurer as the officials authorized to sign checks for this account. The motion was seconded by Bill Ziegler and carried with five for, none opposed and one absent.

The construction company will pay 4.32/hour for labor on the LPW project. The work will be accomplished by the IAT trainees who will be paid this wage only when working on the project; if regular IAT work is being done they will receive the regular stipend for that work. This wage rate is part of the LPW guidelines. Mr. Abe Langdeau and John Vogel of JMF Construction were present and a discussion was held on the method to be used to submit invoices for payment.

Jim Legg presented a map and proposal for layout of the buffalo pasture boundaries. The boundaries of the pasture have been set and approved by EDA. Any change would require a modification and this would cause a delay in completing the project. The change would provide Mr. Karlin 3¼ miles of fence. Mr. Legg stated the Bureau would provide the materials for fencing the portion to be changes, approximately 1-1½ miles. Planning Director, Abe Langdeau, stated this is a legal problem - EDA documents must have attorney signature and a letter from the Superintendent attesting to the fact that this is tribal land; private land cannot be fenced with EDA funds. Michael Jandreau stated when you indicate to EDA you are setting up a project, one of the main concerns is that the Tribe must control the area within the project. Mr. Langdeau stated that anything done now would have to be in a very tactful manner since the project is already approved and we are expecting 40% payment by the end of the month.

On the LPW project, Mr. Vogel informed the Council of two change orders requested; these will have to be approved by the Engineers before the Council can act on them. In further discussion of the IAT trainees doing the labor, Kay Gourneau stated that if the Chairman is willing to certify the payroll sheets and statement of compliance and thinks it is o.k., then the Tribe can pay the 4.32/hour out of construction funds for this; the Chairman agreed to this. This will be further clarified through ITAC.



## (2)

EMERGENCY DROUGHT ASSISTANCE - A meeting has been called to be held in Bismarck. The Superintendent stated only Tribal Chairman were invited, to discuss the Emergency Drought Assistance money. The allocation has already been broken down by Agency. The Tribe will contract this under 638. A plan must be submitted by the Tribe. The funds are for feed and range deferment, but other types of assistance may be developed. The meeting may clarify these things. The meeting is not sanctioned by the Bureau; Ken Fredricks had tried to set one up and this is another way of getting it done, by having the Standing Rock Chairman set it up. The Superintendent suggested chartering a plan to go there and back in one day, as it will be to the Tribe's advantage to have representation there. The Chairman, J.W. Thompson, Michael Jandreau and the Superintendent will attend.

## (3)

CITIZEN PARTICIPATION MEETING - The 701 Planner informed the Council of a Citizen Participation Meeting to be held Monday, April 3rd, to discuss Community Development projects, as required by HUD. The Council was informed of the 701 program status of funds. There will be a delay in getting the draw down as the signature cards were returned and had to be re-submitted. There are outstanding bills and payroll to be met. A loan for the program was requested. Michael Jandreau made a motion to authorize the Chairman to negotiate a loan to be placed in the CD bloc grant account, based on the information presented, with the loan to be repaid from the draw down. The motion was seconded by J. W. Thompson and carried with five for and none against.

## (4)

DISCUSSION OF LOAN - Bill Ziegler received a statement on the loan he has with the Tribe. He presented minutes of a meeting wherein he was to do some work on manholes in payment of the loan. He stated he did do the work. Michael Jandreau informed him that all his loan papers are gone from the office, but the audit shows the loan still outstanding. It was stated that this was when the Bureau redid the streets; this was a Bureau project and Bill Ziegler was a Bureau employee at the time. It was suggested that Joyce Estes be contacted for more specific information on this. Bill Ziegler was asked if he was saying he did not owe the money and he answered yes. Kay Gourneau stated the Tribe made about two payrolls for Bill Ziegler and that was what the loan was for, and it was to be repaid when he got the money from the contract with the Bureau. The subject was tabled until more information is received from the Bureau office.

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion was made by Kay Gourneau and seconded by Michael Jandreau; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 29th day of March, 1978.

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Connie Boyd, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

April 5, 1978

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 5th day of April, 1978, and was called to order by the Chairman, with roll call as follows:

Present:	Richard P. Thompson, Chairman	Absent:	None
	J. W. Thompson, Vice-Chairman		
	Bill Ziegler		
	John Estes, arrived after roll call.		
	Michael Jandreau		
	Mary Dixon		
	Kay Gourneau		

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

LOWER BRULE FARM CORPORATION - Attorney, Herb Sundall was present to review the Articles of Incorporation for the Lower Brule Farm Corporation. At the organizational meeting officers were elected, as follows: Richard P. Thompson, President; Bill Ziegler, Vice-President; Michael Jandreau, Secretary-Treasurer. Mr. Ben Reifel is the Chairman of the Board of Directors. Guidelines under which the Corporation would operate were then reviewed. The Tribe is the sole share holder. An Executive Committee was formed and will function as the local committee, consisting of the President of the Corporation, Vice-President, Secretary-Treasurer and the Farm Manager. If approved by the Council, Mr. Sundall requested certification of the corporation, by resolution, and authorization for the officers to sign all documents. Kay Gourneau made a motion to adopt a resolution to this effect. The motion was seconded by J. W. Thompson and carried with six for and none against.

Mr. Sundall presented another resolution which would ratify all action taken by the Farm Board. Kay Gourneau made a motion to adopt such resolution. The motion was seconded by John Estes and carried with six for and none opposed.

A short recess was called while the documents were signed.

(2)

CLEAN-UP DAY - The Superintendent submitted a request to the Chairman to hold a community Clean-Up Day. It was suggested that a poster contest be held to advertise this, offering cash prizes, that the project be coordinated between the BIA and the Tribe and that the Council designate someone from the Tribe to head up the project. Michael Jandreau made a motion to set April 21st as clean-up day and to designate Bill Ziegler to coordinate. The motion was seconded by J. W. Thompson and the motion carried with five for and Bill Ziegler voting against.

(3)

LAND FILL - The Superintendent discussed with the Council the problem with the dump, that it needed to be cleaned up. He suggested that the Bureau take the front-end loader, repair it and use it specifically for this purpose. The Council agreed to this action.

(4)

EMERGENCY DROUGHT ASSISTANCE PROGRAM - The funds were approved and allocations made agency-wise. The funds are for land deferment and supplemental feed. Rules and regulations have not been published yet, but funds are available to the Tribe under a 638 contract. A draft of a plan of operation to utilize the money and a resolution requesting a 638 contract were reviewed. Indirect Costs are allowable out of the allocation, and the rate was discussed. J. W. Thompson made a motion to establish the indirect cost rate out of the land deferment portion at 10%, and to adopt the resolution presented and the plan of operation for the Rangeland Deferment & Supplemental Feed Program. The motion was seconded by Michael Jandreau and carried by a vote of four for, and two opposed (Bill Ziegler and Mary Dixon).

(5)

COMPLETION OF SCHOOL CONSTRUCTION - Information was reviewed on the status of this subject and the results of correspondence and telephone calls regarding an audience with Congressman Yates to petition for funding for completion of the school. Due to the schedule of hearings, it may be necessary to testify at the budget hearing; will await return call from Congressman Abdnor's staff assistant.

(6)

GRASSROPE IRRIGATION PROJECT - Michael Jandreau made a motion to approve location of pivots as presented by the Bureau of Reclamation - this is needed to complete the design. The motion was seconded by Kay Gournau and carried with six for and none opposed.

(7)

WATER RESOURCE INVENTORY STUDY - Planning Director, Abe Langdeau, presented a bill from the Francis, Meador, Gellhaus Engineering Firm for completion of Phase I of the Water Resource Inventory Study. In approving this, it would also approve their study as submitted for Phase I; the bill is in the amount of \$6,473. Michael Jandreau made a motion to approve the study and payment to the engineers. The motion was seconded by Kay Gournau and carried with six for and none against.

It was suggested that the Tribe request a modification of the Water Resource Inventory Study contract to include legal services and travel expenses. Michael Jandreau made a motion to modify the contract. The motion was seconded by Kay Gournau and carried with five for, none opposed and one absent.

(8)

NATIONAL AMERICAN INDIAN HOUSING COUNCIL - Ms. Coyle of the National American Indian Housing Council, based in Washington, requested time with the Council to review the Housing program, the purpose and goal of a housing authority, and the relationship of the Housing Authority and the Tribal governing body. There was no action needed or taken, and Ms. Coyle thanked the Council for the opportunity to make the presentation.

(9)

TERMINATION OF EVERETT WILSON - Tom Barnett, Legal Aid Services, represents Everett Wilson and requested time to address the Council in regard to his termination from employment. It is their contention that the Council failed to follow the procedure established by ONAP in firing Mr. Wilson, and he was denied a hearing. It is the policy of Legal Aid to settle claims outside of court and on an amicable basis when possible. He requested (1) that if the Council feels they were correct in their decision that he be advised now; (2) that if the Council has had second thoughts, then negotiations should be entered into to recover monetary damages inflicted on Mr. Wilson. Mary Dixon made a motion, at this point, to drop the whole thing and give him his job back. Mr. Barnett stated he was not opposed to accepting re-employment, however, this would not compensate him for loss of wages. Michael Jandreau asked, if he were



re-instated, would be forego recovering lost wages. Tom Barnett stated this was not discussed with his client and Mr. Wilson stated he had not thought about this. Michael Jandreau then stated he is currently in Everett's position, but would second Mrs. Dixon's motion if this would close the subject. Bill Ziegler requested a copy of the minutes when this action took place. The Council then went into Executive Session. It was concluded that the Tribal attorney will be contacted and asked to be present at a meeting to be held on the 14th, to convene at 10 a.m., to resolve this matter. Mary Dixon withdrew her motion.

RECESS - The meeting was recessed for the noon hour and reconvened at 1:30 p.m., with the same members being present.

(10)

LAND SALE - Maria Patterson requested to sell her and her children's interests in their land. Appraisals were reviewed. A question was brought up as to the legality of her selling her children's interests. The Agency office was contacted and they will get an opinion from the Area Office on this. The subject will be continued at that time.

(11)

PLANNING BUSINESS - Bill Ziegler made a motion to accept the resignation of Pat Spears as the Intern Planner and to advertise the position. The motion was seconded by J. W. Thompson and carried with five for and none against.

Mr. Langdeau explained the situation of his secretary-bookkeeper in carrying an increased work load without compensation. The Farm Board and Farm Manager have agreed to supplement her pay by 1.25/hour. This was discussed with the EDA office who have approved this. The Planning Director was asked if he recommended this and he stated she has been carrying this work load without compensation for a year now and is entitled to wages. Michael Jandreau made a motion to concur with the Planning Director in working this out to give the secretary-bookkeeper a pay increase. The motion was seconded by Mary Dixon. On discussion, J. W. Thompson asked if the planning office has a work load for a full time secretary, and was told yes. He stated some of the people that work in this office have a certain work load and get similar pay as someone with half of the work load. He continued that he could not afford to keep anyone employed that didn't have a full work load. These people put in full time but don't have to put out any work. Michael Jandreau stated that this and the incident discussed this morning would not be if the Tribe had an established personnel policy and procedure; it would also control these individuals not putting in a full days work and are getting paid. On call for a vote, the motion to approve the pay increase carried with six for and none against.

Semi-Annual Report - EDA requires a standard document from the planning office be submitted, the Semi-Annual Report. Each Council member was mailed a copy. J. W. Thompson made a motion to adopt a resolution approving the report. The motion was seconded by Kay Gournau and carried with five for, none opposed and one absent.

(12)

INDIAN PREFERENCE FOR CONSTRUCTION OF HUD HOMES - Kay Gournau made a motion to adopt a resolution to go Indian Preference for the construction of the next addition of HUD homes. The motion was seconded by Mary Dixon and carried with four for, two opposed with J. W. Thompson and Bill Ziegler voting against.

(13)

MISCELLANEOUS REQUEST - A written request was received from Jeff Grassrope to have the Tribe buy him a house now located in Fort Thompson and have the house moved here. J.W. Thompson made a motion, due to the number behind in rent and the previous action taken, that we wait until someone is evicted and give Jeff Grassrope the first vacancy. The motion was seconded by John Estes and carried with six for and none against.

(14)

PLAN FOR PESTICIDE USE - J. W. Thompson made a motion to adopt a certification plan for control and use of pesticides on the reservation. The motion was seconded by Bill Ziegler and carried with six for and none against.

(15)

SOLAR HEATING - 701 Planner requested support from the Council to take action in developing a proposal for solar heating or alternative energy projects on the reservation. This will be to seek funding and technical assistance to set up a pilot project. Bill Ziegler made a motion that the Council support this project. The motion was seconded by John Estes and carried with five for and none against.

(16)

HOUSING SURVEY - The 701 planner and the Chairman hired two people to conduct a housing survey. This should take only 1-2 days and their wages will be paid out of the 701 planning grant.

(17)

701 PLANNING GRANT - Due to work load and the absence of a 701 planner, Pat Spears requested the Council to adopt a resolution to extend the grant period for 60 days. This will enable him to expend funds and not have to turn any back. J. W. Thompson made a motion to adopt this resolution. The motion was seconded by Bill Ziegler and carried with five for and none against.

(18)

CERTIFICATION OF CITIZEN PARTICIPATION MEETING - A resolution is needed to document that two meetings were advertised and held to discuss the CD bloc grant. Michael Jandreau stated only the meeting of April 3rd was advertised to the public for this, the regular meeting was not, and therefore the Tribe couldn't certify to this. J. W. Thompson made a motion to adopt a resolution to conform to the guidelines as set forth in the Federal Register. The motion was seconded by Bill Ziegler and carried with six for and none against.

(19)

CD PRIORITIES - The Council adopted a resolution to specify drainage as the priority in use of CD funds. Since that time, Housing Authority adopted a resolution to request that rehabilitation of HUD homes be established as the priority. Michael Jandreau stated there is a drainage problem but not of the degree the BIA contends; that by the engineer's own admission our problem would be solved using approximately \$85,000; the Tribe is assuming BIA responsibility; we are now talking about tying up \$450,000 of CD funds for three years - this will put alot of people in jeopardy, lower the quality of living standards and jeopardize the solvency of the Housing Authority. Michael Jandreau further stated the Bureau developed a project to solve a problem that should have been addressed by them a long time ago - this drainage project should have been made a part of the present school project. He stated if this resolution for drainage is going to be used, then he would feel obligated, as a Council member, to go to HUD with substantial evidence that will cause problems with that whole funding process, as too much of the BIA responsibility is being pushed onto the Tribe. Jack Belkham was present

to present the Bureau's position and to outline how the project will be presented. He suggested the Tribe apply for a basic grant rather than a comprehensive. J. W. Thompson made a motion to make the proposal as submitted by Mr. Belkham. The motion was seconded by Mary Dixon. Further discussion was held, with Mr. Belkham stating that with this project and the money from the Bureau, there will be adequate funds for a total project. On call for a vote, the motion carried with three for, two opposed (Michael Jandreau and Kay Gourneau) and one absent.

(20)

PROSECUTING ATTORNEY CONTRACT - Paul Mueller was present to review a contract for prosecuting attorney services. After it is approved and entered into, the State Commission must act on it. This is an alternative to the basic grant for full time services. Michael Jandreau asked if the Tribe approves this, would Mr. Mueller be responsible for requesting and justifying extension of the grant period, and he answered yes, it would be important to show what has already been done. Michael Jandreau made a motion to enter into the contract with Mr. Paul Mueller as the prosecuting attorney. The motion was seconded by Bill Ziegler and carried with five for and none against.

(21)

LAND SALE - The Area Office informed the Tribe that Maria Patterson must present guardianship papers, thereby accepting responsibility for sale of her children's land. J. W. Thompson suggested she request to sell only her interests and to defer the children's until later. He made a motion to this effect, which was seconded by Kay Gourneau and carried with five for and none against. This will authorize the Tribe to purchase LB-625. J. W. Thompson also suggested that the Realty Office be directed to proceed with this immediately.

(22)

SELECTION OF POSITIONS - By secret ballot, Debra Isburg was selected as the CETA Director and Don Larson as the ambulance driver-attendant.

(23)

AUTHORIZATION OF KASPAPI UNIT - A letter was received from Senator McGovern in response to our request to have a feasibility study begun on the Kaspapi Unit by the Bureau of Reclamation; he suggested that the Tribe consider including non-Indian water development projects along with the Kaspapi Unit in our request. Part of this discussion was off the record, with the Tribe's decision being they do not want to include non-Indian projects with this; formal action was not taken.

(24)

UNAUTHORIZED LEAVE BY TRIBAL EMPLOYEES - J. W. Thompson stated that anyone taking unauthorized leave, or who takes it without doing it properly, should receive a letter of reprimand that will be made a part of their work-record. Then if the time should come and we need to relieve them of their job we will have a file on them. He then made this a motion which was seconded by Bill Ziegler and carried with three for, one against (Michael Jandreau) and two absent.

(25)

QUALIFICATION OF P.S. BYRNES TO RUN FOR OFF-RESERVATION REPRESENTATIVE - Mr. Phil Byrnes presented a letter to the Tribe and copies of letters from the State Attorney General and the clerk of courts of Hughes County and the Circuit Court, contending that he was unjustly disqualified for candidate as off-reservation representative on the Council in the 1976 election. After review of the letters and the actual letter sent by our Election Board, the following action will be taken. A letter will be sent to Mr. Byrnes informing him that the people who investigated his background maintain they still have a file on him, or evidence to disqualify him to run for Council, and if he

wants to prove otherwise, he will have to release his files for review, as the Chief Judge will not do this without his permission. The election board did not state he was actually convicted of a felony but was involved with dishonesty with money. A copy of the letter will be sent to Attorney General Janklow.

(26)

MISCELLANEOUS - Mrs. Judy Whitney requested that the Council consider moving the Buffalo pasture fence as it is directly behind and too close to her house. She was informed that this would be almost impossible as a legal survey was done to establish the present boundaries of the pasture and was approved by EDA, the funding source for the project.

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion to adjourn was made by Mary Dixon, and seconded by Kay Courneau; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 5th day of April, 1978.

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Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

April 14, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 14th day of April, 1978, and was called to order by the Vice-Chairman, J. W. Thompson, with roll call as follows:

Present:	J. W. Thompson, Vice-Chairman, presiding	Absent:	Richard P. Thompson,
	Bill Ziegler		Chairman
	John Estes		
	Michael Jandreau		
	Mary Dixon		
	Kay Gourneau		

The meeting opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

COMPREHENSIVE HEALTH PLANNING GRANT - Kay Gourneau made a motion to adopt a resolution in support of the 1978 Comprehensive Health Planning Grant. The motion was seconded by Mary Dixon and carried with five for, none opposed and one absent.

(2)

RESCIND ENROLLMENT - A written request was received from Dallas Charging that he be removed from the Lower Brule Sioux Tribal rolls so he would be eligible for enrollment at Ft. Berthold. Kay Gourneau made a motion to adopt a resolution to rescind his enrollment. The motion was seconded by Michael Jandreau and carried with five for and none against.

(3)

RE-INSTATEMENT OF N.A.P. DIRECTOR - The purpose of the meeting today was to have our attorney present to discuss the allegations made by Everett Wilson and his attorney. The above items were taken care of while waiting for the arrival of the Tribal attorney Mr. Srstka. The Chairman called for an Executive Session to discuss the charges made at the time Everett Wilson was terminated and reviewed the stipulations proposed by his attorney for re-instatement. The following agreement was adopted by Council action, with Mary Dixon making the motion, a second by Kay Gourneau and the motion passed by a vote of five for and none opposed.

AGREEMENT - This agreement is entered into this 14th day of April 1978, between the Lower Brule Sioux Tribe and Everett Wilson. The parties agree as follows:

- (1) Everett Wilson is re-instated as Executive Director of the Native American Program effective April 17, 1978. The incident of March 21, 1977, will not be made a part of his work record and his performance will be judged prospectively.
- (2) The Tribal Council will acknowledge in its minutes that Wilson's employment was improperly terminated.



- (3) Wilson will be credited for his sick leave and annual leave during the time he was off the job.
- (4) Both Parties agree that no further proceedings will be brought concerning the incident of March 21, 1977, and both Parties give each other a full release of all claims that they may have arising out of the March 21, 1977 incident.

Michael Jandreau requested that a letter be written to him officially notifying him that his temporary appointment was abolished. Bill Ziegler asked if Michael Jandreau intended to sue the Tribe for loss of his job. Michael Jandreau requested it be stated in the minutes that he had no intention of bringing suit against the Tribe, and that he accepted the temporary appointment based on the fact that he realized in the event Everett tried to be re-instated, indications were strongly in his favor. He further stated he personally accepted the terms of the above agreement and released the Tribe of any claim due to cancellation of his temporary appointment.

(4)

PRESENTATION OF PETITION - Earl Silk presented a petition, signed by approximately 164 Tribal members and members of the community, for the removal of Robert Ducheneaux from the reservation police force. The following is the presentation made by Earl Silk:

"Members of the Lower Brule Sioux Tribal Council, I come before you with a petition stating 'The Removal of Robert Ducheneaux from the Lower Brule Sioux Reservation Police Force'. Although I'm not a member of this Tribe, I feel that it is of great importance that I come before you with the representation of the following members and nonmembers that support this petition. We the people will be dealing directly with Aberdeen bureaucrats in an attempt that we may attain our objective which is, the removal or resignation of one peace officer, Robert Ducheneaux, from the Lower Brule Police Force. We strongly feel that, if the Tribal Council supports us with a resolution pertaining to this current issue, the impact will be much greater when it reaches Mr. Harley Zephier in Aberdeen. As far as statements concerning this issue, they are presently being compiled, along with a year's information which Legal Aid in Ft. Thompson under Mr. Tom Barnett claims to have. However, Mr. Barnett isn't at liberty to say or state to what effect it is as of yet. Mr. Barnett has stated to me that I should go ahead and follow through with this petition, dealing directly with Aberdeen, and only then, if Aberdeen requests evidence, it shall be produced.

"I remarked with even going as far as the Governor or Senators of this State for aid in this issue. Mr. Barnett's reply was only if Aberdeen fails to respond in ten (10) days and then we will notify them that we will be going over their heads to see that the Welfare and well being of the people are met.

"In conclusion, we the supporters of this petition, strongly feel that until this matter is resolved, we are not free to come and go without fear of being incarcerated and physically abused."

Michael Jandreau stated that as far as he was concerned this thing with Bob is not a personal thing. It is something that he has been read off several times for, and he knows he is screwing up. Being a police officer you are submitted to a lot of pressure. When we met the other day, it was brought out very strongly that the administrative forces that we have are simply not doing their job. We would not have incidents occurring that have occurred if they were doing their jobs. From this standpoint, I would make a motion that the Tribe submit this to the Superintendent and request from

him what action is being taken by his office on the recommendations we made in regard to the total department. Bill Ziegler seconded the motion. The Chairman asked that the statement made by Earl Silk be made a part of the minutes; this was included in the motion. The motion carried with four for and none against, John Estes not voting.

## (5)

REQUEST FOR INDUSTRIAL PARK LOT - Janice Brouse submitted a request to be assigned lot #4 in the Industrial Park. Michael Jandreau stated there is something that should be made known, that plans are being formalized now in the Planning Office for heavy industry and construction to move to the new industrial park that is being planned, when this is completed. It was suggested that everyone be made aware of this. Kay Gourneau made a motion to adopt a resolution to approve Mrs. Brouse request, the motion was seconded by John Estes and carried with five for and none against.

## (6)

STORE LEASE - A letter was read from James A. Cain requesting to lease the store building to establish a grocery business. The Council was then made aware of the situation existing due to SBA holding a lien on the furnishing and equipment in the store. The Tribe must buy out the lien against the store and must have permission from Orville Langdeau to this effect. J. W. Thompson stated there are 2-3 others, tribal members, interested in operating the store. It was suggested that our attorney be contacted and asked for an opinion as to the legality of mortgaging property that didn't belong to him. If we do not attain a release, this will effect anyone trying to secure financing for this. The Tribe should write to SBA and formally request the status on this, and advise them that this is Tribal property and shouldn't have been mortgaged. Bill Ziegler made a motion to write the letter to our attorney and to table Mr. Cain's request until we get an answer. The motion was seconded by John Estes and carried with five for and none against.

RECESS - The meeting was recessed for the noon hour and reconvened at 1:10 p.m. with the same members being present except for Mary Dixon who was absent for the afternoon session.

## (7)

LPW PROJECT - The Engineering firm of Benjamin, Karl & Associates were present to review the final design on the lodge and cabins for the LPW Project. The plans and specifications of the rustic design lodge and cabins were reviewed by the Council, with the engineering firm explaining details of the buildings. Discussion was held on getting water to the site. The town water line will be extended and a storage tank and pressurization will be necessary. The only alternative to this would be a well close to the site. Bid letting date should be set in about 30 days. Michael Jandreau made a motion to accept the plans as presented. The motion was seconded by Bill Ziegler and carried with four for and none against. Kay Gourneau made a motion to set the bid letting date for May 18. Mr. Benjamin stated he would advertise for bids, a copy of which will be sent to the Planning Department. Deductible alternates for cabins will be included. The motion was then seconded by John Estes and carried with four for and none against.

Mr. Abe Langdeau then requested approval of billings on the LPW project now under construction. The billings were for a survey carried out by the State archaeological office which is included in the project budget, and to JMF construction which were approved by the engineers. Bill Ziegler made a motion to approve payment, seconded by Michael Jandreau and carried with three for and none against.

(8)

MISCELLANEOUS - Noah Grassrope requested the cabin at the Half-way house and asked if the I&T Program could move it for him. John Estes made a motion to grant the request, seconded by Michael Jandreau and carried by a vote of three for and none against.

(9)

WATER STUDY - The Planning Director requested support from the Council to investigate a proposal for a rural water system, based on recent enforcement of water quality in the State with respect to drinking water standards. This may be accomplished with financing from another agency other than EDA. John Estes made a motion to allow the Planning Director to proceed with the investigation, seconded by Michael Jandreau and carried with three for and none against.

(10)

EXPANSION OF INDUSTRIAL PARK - The Planning Director requested support from the Council for a new area or site for an industrial park. This is in the planning stage but must be made part of the agreement in assignments of any lot so that the Tribe can request they move when the expansion is complete. This will be for heavy industry. Michael Jandreau made a motion to this effect, seconded by John Estes and carried with three for and none against.

(11)

ADJOURNMENT - There being no further business the presiding officer entertained a motion to adjourn; the motion to adjourn was made by Michael Jandreau, seconded by John Estes and carried without objection.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council with quorum present on the 14th day of April, 1978.

  
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Connie Boyd, Recording Secretary



SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

April 29, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 29th day of April, 1978, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson, Vice Chairman  
Bill Ziegler  
Kay Gourneau

Absent: John Estes  
Michael Jandreau  
Mary Dixon

(1)

LPW PROJECT - Mr. Langdeau reported that the location of the fence for the buffalo pasture is not clear and a survey was not done. He contacted Benjamin, Kasl and Associated and was told they were not obligated to conduct the survey but would respond if requested and for an additional charge. The question of a tribal coordinator on the project was also discussed with Mr. Langdeau stating he was not designated as the coordinator or contact person. J. W. Thompson asked that when the application was made whether or not the boundaries were indicated on a map, if EDA approved it, and that the Tribe had to have documentation from our attorney that it was not going to interfere with ownership of land. Mr. Langdeau answered yes to all questions. BIA stated they were responsible for staking out the boundaries and will take the responsibility for fencing the land. Later in the meeting it was suggested that the Tribe protect itself by adopting a resolution to state the BIA will be responsible for the boundaries of the fence to insure that they do not infringe on any land not controlled or owned by the Tribe. J. W. Thompson made the motion to adopt the resolution, to request the BIA to stake out the original boundaries, that all responsibility will be theirs and they will stand all costs if anything develops from this. The motion was seconded by Kay Gourneau and carried with three for and none against.

(2)

701 PLANNING - J. W. Thompson made a motion to adopt a resolution to request funding for the CD Block Grant and planning set aside. The motion was seconded by Bill Ziegler and carried with three for and none against.

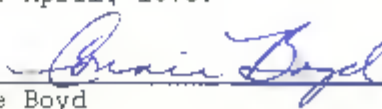
(3)

GAME, FISH & PARKS PACT CONTRACT - Mr. Langdeau reported that negotiations are in progress with a Mr. Charles Blair to complete the guidelines of the Game, Fish & Parks contract. This is to establish a pact with the State Game, Fish & Parks Department; in addition, he will work on a program for DOR to give the Tribe the potential of establishing funding for the operation of the DOR program. The contract will be used to pay for initial services and he will be requested to seek funding as part of program development. He will make a presentation personally.

Kay Gourneau made a motion to adjourn, seconded by J. W. Thompson; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council on the 29th day of April, 1978.

  
Connie Boyd

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

May 3 & 5, 1978

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 3rd and 5th days of May, 1978, and was called to order by the Vice-Chairman, J. W. Thompson, with roll call as follows:

Present: J. W. Thompson, Vice Chairman, Presiding	Absent: R. P. Thompson,
Bill Ziegler	Chairman
John Estes	
Michael Jandreau	
Mary Dixon	
Kay Courneau	

The meeting opened with the Lord's prayer, led by the Chaplain, John Estes.

(1)

PRAIRIE DOG CONTROL - James Legg requested a resolution from the Council for Prairie Dog Control. John Estes made a motion to adopt the resolution for Tribal land and grazing units if deemed necessary or required. The individual permittees will be contacted. The motion was seconded by Michael Jandreau and carried with three for, none opposed and two absent.

(2)

MITIGATION OF LANDS - James Legg reported on the mitigation or replacement of lands lost in the Laking area. The Corps of Engineers has prepared a draft for the Lake Sharpe area. They are buying lands up and down the reservoir for mitigation purposes. The Tribe received compensation but not for loss of timber, wildlife habitats and other natural products. The door is open for the Tribe to regain control of these lands. The Corps buys the land and turns it over to the State, but it could be turned over to the Tribe. The Tribe can now raise a whole series of questions and have input in this matter. These lands could then be established as wildlife habitat development. It was suggested that the Tribe retain an attorney to raise questions on this. Bill Ziegler made a motion that a letter be prepared for the Chairman's signature going on record to express their interest in obtaining lands from the Corps under mitigation purposes. The motion was seconded by John Estes and carried with four for, none opposed and two absent.

(3)

RANGELAND DEFERMENT PROGRAM - Further information has been received on this. The program is for deferment only, will not cover fencing, water development, etc. The contract will not only include this summer but will run to 10/31/79, so you can take advantage of the program next year. Abstracts will be prepared on the Feed Grain Program and money will be allocated on that basis. Deferment will be based on current authorized stocking rates.

(4)

GAME, FISH & PARKS CONTRACT - Michael Jandreau made a motion to adopt a resolution requesting modification of the Game, Fish & Parks Pact Contract, to allow the Tribe to subcontract with Charles Blair. The motion was seconded by Bill Ziegler and carried with four for and none against.

(5)

SOCIAL SERVICE FUNDS - Mr. Griffith was present to discuss the funding shortage in Social Services. He requested that the Tribe modify the contracts to turn back unexpended funds so they can be reprogrammed. This would effect Homemaker Services and the TWEP program. He was told the TW Program is needed as the Tribe operates garbage collection with these funds. The service's shortage in funds may necessitate a cut back in general assistance payments. Michael Jandreau made a motion to modify the Homemaker contract and turn back 77 funds to the Bureau. The motion was seconded by Kay Gourneau and carried with three for, Bill Ziegler voting against and John Estes not voting.

(6)

ON-GOING CHILD WELFARE PROGRAM - Mr. Griffith proposed that a portion of funds from this program be used to establish a Protective Services Worker at \$4/hour. He presented a job description for approval. Kay Gourneau made a motion to adopt a resolution to amend the contract to include the position. The motion was seconded by Michael Jandreau and carried with four for, none opposed and John Estes not voting.

(7)

TRIBAL BUDGET - A time certificate of deposit is due to mature and Council action is needed to either withdraw or re-invest the funds. However, information was given as to the status of the Tribe's operating budget - this may have to be modified. The presiding chairman suggested that the Tribe have a budget review meeting to determine what the Tribe's needs will be. The meeting was set for Friday morning at 10 a.m., 5/5/78.

(8)

PHASE II SCHOOL CONSTRUCTION - The Superintendent reported that the Albuquerque office is preparing a draft bid on the completion of the school, and may be here in two to three weeks to review this with the Tribe. Hopefully, it will be a continuous project.

(9)

BIA REORGANIZATION - Mr. Hicks will be attending an Area Superintendent's meeting the 4th and 5th, and one the 13th and 14th with Central office staff, and stated he would be able to present any comments on the Reorganization. Michael Jandreau stated he could only feel that this reorganization is taking a direct approach to dismantling the Bureau, and if this is allowed to happen and go through, it will be a very short time to experiencing a cut back in Bureau services and the assumption of many services by State organizations. There are no positive aspects in this reorganization movement for the future of Indian people. Mr. Hicks commented that the statement does not apply itself to specifics; doing away with the Area Office is not made clear. A high level opinion is needed.

(10)

SELECTION OF INTERN PLANNER - Kay Gourneau made a motion to accept the recommendation of the Planning Director to hire Elvis Grassrope. The motion was seconded by Michael Jandreau and carried with five for and none opposed.

(11)

PAYMENT OF INVOICES - Michael Jandreau made a motion to approve payment of invoices presented out of LPW funds. The motion was seconded by Kay Gourneau and carried with five for and none against.

(12)

REPORT ON MEETING - Mr. Langdeau attended a meeting in Aberdeen relating to activities in development of a Health Center, specifically as it relates to design. Dr. Leach Area Health Director, reviewed the programs and function of a facility if one should be constructed. Completion of a design will aid in securing funds for construction. There may be a possibility of considering this in the 3rd round of LPW projects. A site must be selected so the A/E firm can proceed. This was tabled for the Friday meeting. The facility could house the following - Health Planning, Detox Center, CHR Program, Ambulance Service, WIC, Alcoholism program and health records.

(13)

ENERGY CONSERVATION PROGRAM - The Neighborhood Center will receive the benefits of the Energy Conservation Program, funded through EDA, Project #05-11-01770.60. A Pre-construction conference was held in Denver on April 25th.

(14)

URBAN MASS TRANSPORTATION ACT - This is a contract between the Tribe, State and Federal agency to provide transportation for elderly and communication equipment. The State is closing out the contract and money is available for a base station. This will be installed Saturday.

(15)

REQUEST TO SELL LAND - Michael Jandreau made a motion to allow Owen Goodface to sell his land to Fay Jandreau, who will pay the appraised value of the land. The motion was seconded by John Estes and carried with five for and none against. Along with this, Kay Gourneau stated that he wants to buy this for purposes of trading for some land by his present place. Kay Gourneau made a motion to approve the trade when FHA makes the appraisal. The motion was seconded by Michael Jandreau and carried with five for, none opposed and one absent. The land involved is approximately 160 acres.

(16)

HOSPITAL BOARD MEETING - John Estes attended two meetings of the Hospital Advisory Board in Chamberlain. PHS will not assist them in building a new hospital. He reported on the complaints people had regarding their treatment at the hospital. He stated board members were not aware of this.

(17)

CHR PROGRAM & BUDGET FOR FY 79 - The CHR Program and budget for FY 79 was reviewed. This must be submitted by the 15th. Kay Gourneau made a motion to adopt a resolution approving the FY 79 CHR Program. The motion was seconded by Mary Dixon and carried with five for and none opposed.

(18)

LEASE REQUESTS - Three requests for lease were reviewed. Clarence Thompson requested lease of the following described land - S $\frac{1}{2}$ NE $\frac{1}{4}$  Section 31, 106, 71 and the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 31, 106, 71. Bill Thompson and Earl Christenson requested lease of the following described land.- SW $\frac{1}{4}$  (less 7.50 acres taking area) Section 5, 107, 74. Michael Jandreau made a motion to approve a lease to Clarence Thompson and to Bill Thompson. The motion was seconded by Kay Gourneau and carried with five for and none opposed.

(19)

ENROLLMENTS - Applications for enrollment and birth certificates were received from the following: Teresa Grace Belmares, Bonita Brokofsky Jones, Sharon Brokofsky Lewis, William D. Brokofsky, John G. Brokofsky, James L. Brokofsky, Jera L. Brouse, Kenneth J. Cadwell, Dennis F. Felicia, Ginger R. Russell Cinko, Cynthia L. Thompson, Baunita K. Weddle. John Estes made a motion to approve enrollment for the above named. The motion was seconded by Mary Dixon and carried with five for and none against.



(20)

DETENTION OFFICER POSITION - Kay Gourneau made a motion to accept the recommendation of the Captain (Wayne Romero) to hire Don Larson in this position. The motion was seconded by Mary Dixon and carried with four for, none against and two absent.

(21)

APPROVAL OF MINUTES - Minutes for March and April were read. There were no changes or questions. Mary Dixon made a motion to approve the minutes as published. The motion was seconded by John Estes and carried with five for and none against.

RECESS - The meeting recessed for lunch at 11:30 a.m. The presiding officer asked that the meeting reconvene at 1 p.m., with early adjournment due to a funeral. Any unfinished business will be taken up on Friday, 5/5/78. The meeting did reconvene with the same members being present.

(22)

N.A.P. LEASE - N.A.P. Director, Everett Wilson requested that the lease the program has be re-written for share crop. This is for approximately 254 acres. Kay Gourneau made a motion to modify the lease as requested. The motion was seconded by Mary Dixon and carried with four for and none against.

(23)

ANNUAL FAIR & RODEO - John Estes again suggested that the Pow Wow Committee, the Rodeo Committee and the Racing Commission from Rosebud meet to finalize plans in order that the Annual Fair and Rodeo can be organized and advertised. Michael Jandreau reported that the stock contractor would put on the rodeo for the same price as last year but would like two days instead of one; the Council had no objection to this. A date of 5/12 was set for the meeting of the committees, to begin at 10a.m.

RECESS - The meeting recessed for the evening, to reconvene at 10 a.m. on the 5th of May. The meeting reconvened at 10 a.m. on the 5th day of May, with the following being present: Richard P. Thompson, Bill Ziegler, John Estes, Michael Jandreau. The following were absent: J. W. Thompson, Kay Gourneau and Mary Dixon.

(24)

ATTORNEY CONTRACT - Mr. Srstka submitted a contract for approval, with increase in mileage, retaining fee and hourly rate. After review, John Estes made a motion to approve the contract. The motion was seconded by Bill Ziegler and carried with three for and none against, three being absent.

(25)

AMBULANCE PROGRAM - There are two position vacancies for driver/attendant. The Director recommended that Earl Silk and Velma Langdeau be hired to these positions. John Estes made a motion to accept the recommendation. The motion was seconded by Michael Jandreau and carried with three for and none against.

(26)

LOCATION OF HEALTH FACILITY - This subject was discussed on the first day of the meeting. Comment was made that ample space for expansion and growth must be considered. Michael Jandreau made a motion that the area adjacent to the clinic be designated for the site. The motion was seconded by Michael Jandreau and carried with three for and none against.

(27)

MISCELLANEOUS - The Planning Director presented a request to build a gate in the buffalo pasture fence that was not in the original plans. This will give better access on the hill. In addition, he asked approval to improve the dam, using the IAT Program. Michael Jandreau made a motion to approve both requests. The motion was seconded by John Estes and carried with three for and none against.

(28)

DOCUMENTATION OF PLANNING COMMISSION - Michael Jandreau made a motion to adopt a resolution to document the Planning Commission for the Lower Brule Tribe. The motion was seconded by Bill Ziegler and carried with three for and none against.

(29)

APPROVAL OF PAYMENT - Michael Jandreau made a motion to approve payment for advertisement of bids on the ORFD Project. The motion was seconded by John Estes and carried with three for and none against.

(30)

LPW PROJECT - A change order to use 30 gal. barrels instead of 55 gal. was not approved because it was not of any benefit to the Tribe nor did it reduce the cost. However, the Tribe can request the change order at a 20% price reduction. Michael Jandreau made a motion to request the change order approval in the manner described. The motion was seconded by Bill Ziegler and carried with three for and none against.

(31)

HEALTH PROFESSION RECRUITMENT PROGRAM - Helen Silk, Comprehensive Health Planner, requested the Council's decision to participate in the program. Bill Ziegler made a motion to participate in the Health Profession Recruitment Program. The motion was seconded by John Estes and carried with three for and none against.

(32)

BUDGET MODIFICATION - At the discussion of the Tribal Operating Budget, it was brought out that Joe Coble was not billed for, and did not pay his lease for this year. It was to be paid in advance to collect interest. Two Council members, Mr. Coble and the attorney's were present when this agreement was made. If the lease was written otherwise, then the Bureau is at fault and should be held responsible for billing immediately. Mr. Hicks was out of town but contacted by phone and Michael Jandreau reported that according to Mr. Hicks, Mr. Brost, attorney, wrote a letter in regard to the way the lease was written. However, there is correspondence from the Bureau and Dunker's office, so even if the payment schedule is incorrect, the lease does say there will be an annual installment.

Further information in regard to the budget, the Bureau is working out the mechanics of paying past due indirect costs to the Tribe. This was reported from Mr. Hicks.

(33)

MISCELLANEOUS REQUEST - Bernard LaRoche asked approval to lease the back part of the store building to establish a gas station type business. He was asked to submit a written proposal to the Council for review.

RECESS - The meeting was recessed for the lunch hour and reconvened at 1 p.m. with the same members being present

(34)

BUREAU PERSONNEL - Michael Jandreau stated that there was no excuse for the mistake made in the Coble lease. When they (the Bureau) jeopardize Tribal income and the Tribe has to seek legal opinion to collect rents on land that belongs to the Tribe because of a mistake on the part of the Bureau, the individuals filling those positions should not be there. The second individual is Mark Sweeney; we sat and went through alot that cost the Tribe money on this pony situation because he didn't fulfill his responsibility. At the same time we are pasturing animals owned by Sweeney and Belkham that have never been paid for and for which they are not billed, and they are in buildings and land owned by the Tribe. They are within the confines of the reservation and therefore should be regulated by the same rules as tribal members are. The third individual, Jack Belkham is supposedly responsible for Housing operations and should inspect all HIP housing; there has been no activity on his part for this or for expansion of housing. Michael Jandreau then stated that, due to the stated complaints, he asked that a resolution be passed requesting the removal of the three individuals named - James Legg, Mark Sweeney and Jack Belkham - and that when the positions are filled the Tribe be accorded their right for selection. He then made this a motion, that this action be taken and submitted to the agency and area office with the utmost expediency. The motion was seconded by Kay Gourneau and carried with three for and none against, John Estes not voting due to BIA affiliation.

It was further stated that the Superintendent must develop communication between the Chairman and the Administrative Officer; the Tribe has to sit looking like fools because they have withheld information from the Tribe when the information withheld deals with Tribal assets.

(35)

AMENDMENT TO GRAZING REGULATION - Past grazing resolution stipulated 75% ownership by permittees. Kay Gourneau made a motion to change the grazing regulations to read as it did before, to allow pasturing of cattle other than your own but staying within carrying capacity. The motion was seconded by Michael Jandreau and carried with four for and none against, two being absent.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council assembled in Regular Session with quorum present on the 3rd and 5th days of May, 1978.

  
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Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

May 18, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 18th day of May, 1978, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson, Vice Chairman  
Bill Ziegler  
Michael Jandreau  
Kay Gourneau

Absent: John Estes  
Mary Dixon

1. Bid Opening - This meeting was called specifically for the opening of bids, as follows:

Project: Lower Brule Outdoor Recreation Facility  
Lower Brule, SD

Owner: Lower Brule Sioux Tribe

Architect - Benjamin, Kasl & Associates

Mr. Lloyd Benjamin announced the bids were for the second stage of the ORFD Project, lodge, cabins and water facility for the project. As engineer of the project, he opened and reviewed the bids. There were two bids, the first from JMF Construction of Pierre, South Dakota - total bid price was \$281,100. The second bid was from Hayen Construction of Trenton, Nebraska - total bid price was \$144,875. The bid price included water installation with pipe line, storage facility and booster pump. Mr. Langdeau asked if costs related to the project, such as the audit, were included. It was his opinion that there is a fine line drawn and the Tribe may run into a deficit. Interim financing must be secured for the project also. Bill Ziegler made a motion that the Tribe accept the low bid and award the project to Hayen Construction of Trenton, Nebraska. The motion was seconded by Michael Jandreau and carried with four for, none opposed and two absent. Mr. Benjamin stated the necessary documents and papers will be prepared and sent to Mr. Abe Langdeau for the chairman's signature.

2. ORFD Project - A change order was submitted by John Vogel to change the size of the garbage cans from 55 to 30 gal. However, since the change order was not submitted properly it had been disapproved; there should have been a 20% reduction in the construction figures. Also, a gate was added to the fence. Therefore the dollar amounts should be reflected as a decrease in one item and an increase in the other. Also, in regard to the fence, the engineer stated that it looked like they would have to tie back into the fence at the North end of the pasture. They requested a representative to accompany them to the site on this.



3. Development Plan for Narrows Area - Mr. Abe Langdeau, Planning Director, and Elvis Grassrope, Intern Planner, presented plans drafted by Mr. Grassrope for lots in this area. The Corps is in the process of turning over control of land, and the Tribe needs to take advantage of this by developing a use plan for the area. The land will not be transferred to private ownership. Michael Jandreau made a motion that the plans be approved on basis that it will be revised and presented to the Bureau for support and then submitted to the Corps. The motion was seconded by Bill Ziegler and carried with four for, none opposed and two absent.
4. Consolidation of Planning Programs - Mr. Abe Langdeau addressed the Council on, what he termed, a delicate situation, to consider problem areas, and asked for guidance and support from the Council. Due to conditions of office procedures not being operative, problems area created with respect to activities of the various planning programs. There has been an area of an honor system that was acceptable for years, but we are beyond this point now. Tribal operations have increased and our business involves intense activity and individuals are violating certain procedures of tribal office practice. Lower Brule is well thought of in their business practices and we must always try to improve our status with respect to our public image. Mr. Langdeau continued, saying that the problem did not have to be dealt with harshly and requested that the intra-organization be restructured to better inform the Council of important areas where Council transactions are involved. He suggested setting up a Program Planning Commission, made up of the various planning programs, that would operate separate but under the Council. He thought this would aid in a response to their responsibilities, rather than a head-office type situation. Mr. Langdeau also suggested inviting directors for input in handling problems related to personnel policy. Michael Jandreau made a motion to approve Mr. Langdeau's participation in consolidating the planning programs placing Mr. Langdeau in the position as their direct supervisor. The motion was seconded by Kay Gourneau and carried with four for, none against and two absent.
5. Miscellaneous - The Lower Brule 4-II Club requested and was granted permission to use the Memorial Building to hold fund raising dances on the 27th of May and the 3rd of June.
6. Emergency Drought Program - It was proposed that the Council request a contract on this. Michael Jandreau made a motion that the Tribe stay with the original plan of operation for this. The motion was seconded by J. W. Thompson and carried with four for and none against.
7. Alcoholism Commission - William Ziegler volunteered to sit on this commission as the Tribal Council representative.
8. Support Standing Rock Tribal Resolution - Michael Jandreau made a motion to adopt a resolution to support one passed by the Standing Rock Tribal Council opposing OMB's intent to cut back welfare payments. The motion was seconded by J. W. Thompson and carried with four for and none against.

9. Adjournment - There being no further business, the Chairman entertained a motion to adjourn. The motion was made by Kay Gourneau, seconded by J. W. Thompson; there were no objections.

CERTIFICATION

The Foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 18th day of May, 1978.

  
Cumie Byrd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

May 25, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office, on the 25th day of May, 1978, and was called to order by the Chairman, with roll call as follows:

Present:	Richard Thompson	Absent:	J.W. Thompson
	William Ziegler		Kay Gourneau
	John Estes (arrived after roll call)		
	Michael B. Jandreau		
	Mary Dixon		

Also Present: Orville N. Hicks, Superintendent

1. Mr. Hicks reported on a meeting held at the Area Office in regard to indirect cost funds and roads. Additional funds are being sought for road repairs. A representative from the Area Office will be down to make inspection. Michael Jandreau made a motion that the Area Office make any additional funds available to the Tribe immediately, and in the same motion, authorize movement of funds within the Agency to meet our needs. The motion was seconded by William Ziegler and carried with three for, none opposed and three absent.

2. PHASE II OF HIGH SCHOOL - Mr. Hicks reported that \$3.5 million has been approved for Phase II construction of high school. This does not include the pool and cottages, this will be submitted in 1978. Prior to this time, they intended to request the Engineers to revise the design of the cottages; the cost figures are very high and may be over-designed.

Drought Money - The allocation should be in the mail. This would include the supplemental fund portion.

3. TEEN CENTER - The Lower Brule Sioux Tribe requested a modification of their J.P.& E. contract to include the On-going Child Welfare Program funds to be used for the balance of the Probation Officer's salary and Protection Service workers in Social Services. Since that time, the Lower Brule Men's club has decided to sponsor a Teen Center and requested a salary for the Teen Center Director; for supervised recreation and of teenagers in the community. Michael Jandreau made a motion to request the modification and approve the proposal. The motion was seconded by William Ziegler and carried with four for, none opposed and two absent.

4. GRAIN STORAGE FACILITY - Mr. Abe Langdeau reported that Mr. Hanke had expressed the urging in developing the proposal for the Grain Drying and Storage facility. The will be meeting next Tuesday with F.H.A. on the possibility of support for the 50% match portion for the E.D.A. Grant.

5. PATENT FEE LANDS - Mr. Langdeau reported action the Council on the three areas offered by the Bureau of Reclamation concerning the fee title lands and a separate type of agreement to the Fish and Wildlife Department. The Tribe should request one also as the three allotment offered are not viewed as appropriate by the Council, and that a more equitable plan must be submitted since all other lands inside of project are given the same services. The Bureau of Reclamation is trying to break these lands out and treat them as not being part of the project. The cost of the designated development of these lands should be on them and not the tribe. The Tribe should not be obligated through a cash settlement concerning cost of delivering water services to the patent fee lands. J.W. Thompson made a motion to adopt these reasons with motion seconded by Michael Jandreau and carried with four for, none opposed and two absent.

6. SENIOR CITIZEN CENTER - Mr. Langdeau reported that some objectives have been raised by the Elderly Citizens concerning the purchase of the building as the Senior Citizen Center. Michael Jandreau requested that the Council table this matter until everything is available and the people who are in disagreement with the plan and process developed by the Council, present these oppositions if such oppositions are there. Mr. Langdeau stated his purpose in informing the Council was as a past member of the program. The subject was tabled and other matters were taken up, then the discussion continued. Mr. Langdeau stated the Council took action to purchase the building to do some renovation and the problems as related to this. Michael Jandreau stated Mr. Langdeau was to present this in writing. Mr. Langdeau objected to this interruption. Michael Jandreau continued that legally the Tribe has already purchased the building and set up stipulations to meet compliances in reference to the restrooms. Mr. Langdeau stated objectives are not based on this but on the house itself. Michael Jandreau stated that the Council had considered this about two months before any action was taken. It should have been brought to the people then. The Tribe has taken action as the people's representative by consummating a business transaction with the owner. Mr. Jandreau continued that "crying foul" after everything is done is something not documented should not lead to a discussion at this time. The opposition should be brought forth in writing to the Chairman. Mr. Jandreau then stated this was petty but if Mr. Langdeau recommended the Council to rescind this action, then maybe it should be done. Mr. Langdeau denied making a statement that he was dissatisfied with the present arrangement

on the restrooms, that he was only conveying the feelings expressed to him as a member of the elderly committee. He further stated that not being a Council member, he wished to protect himself and his rights. Michael Jandreau stated he did not dispute his rights in expressing his opinion. Mr. Langdeau again stated his position as a member of the elderly committee. William Ziegler stated he raised questions on this when it was first brought up, and that the elderly should have been informed there was no alternative. There was no action taken at this time.

7. NEIGHBORHOOD CENTER - Mr. Langdeau addressed the Council concerning the occupancy date and getting the weatherization project underway. He wrote to the Superintendent requesting the date of June 8th, for the B.I.A. to vacate the building. The engineers for the weatherization project will be here tomorrow.

8. PROSECUTING ATTORNEY - LEAA CONTRACT - Mr. Paul Mueller was present to report to the Tribal Council on the hearings held by the 5th District in Spearfish. The Tribes prosecuting attorney contract was awarded an extension and modification to contract between the Tribe and a law firm instead of an individual. It was also suggested that for the coming year, the Tribe might consider sharing a prosecuting attorney with the Crow Creek Sioux Tribe. The Contract will be drafted and resubmitted for approval. The Commissioner authorizes the Tribe to revise and budget and reprogram unused funds; however, a letter from the L.E.A.A. office only stated that unexpended funds will go back to L.E.A.A. Some of the funds will be used for company equipment in the program reports, then will be prepared and submitted.

9. BUILDING FOR GARAGE - Bernard La Roche requested a statement from the Tribal Council that there would be a building available for his business (garage and gas pump) to accompany his loan approval. William Ziegler made a motion to approve this request provided his loan is funded that a place will be made available for him to lease. The motion was seconded by J.W. Thompson and carried with four for, none opposed and two absent.

SPECIAL MEETING


May 25, 1978

10. POLICE CLERK POSITION - By secret ballot, Brenda Estes was selected to fill the position of police clerk. The others applying were Elaine Thompson, Julie Brinkmeyer, Wanda Estes and Veronica Rekow.

11. ADJOURNMENT - There being no further business, Michael Jandreau made and motion to adjourn. Motion seconded by William Ziegler. None opposed.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 25th day of May, 1978.

  
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Connie Boyd, Recording Secretary



REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

June 7, 1978

A Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 7th day of June, 1978, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson  
William Ziegler  
John Estes  
Michael B. Jandreau  
Kay Gourneau  
Mary Dixon

Absent: J.W. Thompson

1. APPROVAL OF MINUTES - Kay Gourneau made a motion to approve the minutes, as written, for two Special Meetings in April and the Regular meeting in May. The motion was seconded by Mary Dixon and carried with five for, none opposed and one absent.
2. PAYMENT OF MILEAGE - Michael Jandreau made a motion to approve payment of mileage for the Chairman. The motion was seconded by Mary Dixon and carried with five for, none opposed, and one absent.
3. WEATHERIZATION PROJECT - Kay Gourneau made a motion to adopt a resolution requesting interim financing for the Neighborhood Center weatherization project and to authorize the Chairman to sign all documents for the same. Motion seconded by William Ziegler and carried with five for, none opposed and one absent.
4. GRAIN DRYING AND STORAGE PROJECT - Kay Gourneau made a motion to approve the selection of Ron Gibbardt as the Engineer for the grain drying and storage facility. The motion was seconded by John Estes and carried with five for none opposed and one absent. The agreement will be on a contingency basis.
5. COBLE LEASE - This lease was discussed among the Chairman, Michael Jandreau and the Superintendent. Joe Coble did not pay lease for this year due to an error on the part of the Bureau in writing up the lease. It was stated it would be impossible to collect due to the error. However, the original agreement signed by the Tribal Officers and Mr. Coble and his attorney was found which stated he would agree to pay a years lease in advance on the closing and one in December of 1977. The amount of lease is \$47,000.00 and the Tribe has not yet received it. This amount was included in the Tribal Operating budget also. Jim Legg insisted the Tribe had instructed him to write the lease as the first payment being due December, 1978. This

5. COBLE LEASE CONTINUED - was not true and the agreement very clearly states so. Superintendent, Mr. Orville Hicks said it was sent to the Area Solicitor, Mr. Dunker, for an opinion, but he does not have it yet. Mr. Brewer of the Realty Office received one and instructed Mr. Hicks that this was an agency problem not for the Area Office and that it was up to the Superintendent to collect this lease. This was tabled until the Superintendent could be present.

6. ENROLLMENT - A birth certificate and application for enrollment was received from Robert G. Mills. Mary Dixon made to adopt an enrollment resolution. The motion was seconded by Kay Gournau and carried with five for, none opposed and one absent.

7. MISCELLANEOUS - Mr. Alvin Johnson addressed the Tribal Council concerning his job. He stated he had been fired by the Administrative Assistant. This was not the case, he was only asked to park the Tribal pickup and turn in his keys because he was drinking. This was attempted to be explained to him but he stated that he quit. Upon termination of a job without due notice, you are not eligible to be paid for any annual leave. He was told this and now appealed to the Council. Kay Gournau stated that this was an Administrative problem and decision and that the Council should support this action.

8. HUNTING REGULATIONS AND SEASON - Duane Goodface was present to discuss rules and regulations for the coming season. At the same time to request to buy a buffalo. After review, Kay Gournau made a motion to approve the proposal with the following changes:

There will be two guided hunts, five bulls and four cows; two elk and a buffalo will be donated for the pow-wow in Lower Brule, and only 10 upland game licenses will be sold.

The motion was seconded by Mary Dixon and carried with five for, none opposed and one absent.

9. CONTINUED ON COBLE LEASE - The Superintendent was present to continue the discussion on the Coble Lease. The matter reviewed is to the closing transaction dates and set of lease payment. The error in the set of payments was not caught when the lease was signed. The Superintendent stated the payment set was written in error and modified lease was sent out September 26, 1977, which was not signed or returned by Coble. A bill was then sent in January which was ignored. A letter was then written indicating he was delinquent in payment. Mr. Hicks stated the signed agreement is clear in stating there would be two payments made in 1977 and each year thereafter. Mr. Coble also contends he saved the Tribe money from the first of the year through May,



9. COBLE LEASE CONTINUED - However, he still had use of the land during this period. A legal opinion has not been received from Mr. Dunker. All information and correspondence has been sent to his office. It was stated again that the agreement was very clear on this and that Mr. Jim Legg wrote of the lease the way he wanted it, ignoring the Tribe, and the Tribe isn't being assisted in any way by what Jim Legg says and does. Mr. Hicks stated the official position in that it is the Bureau in error and the responsibility of the Bureau of Indian Affairs. Michael Jandreau stated the Tribe is beyond the point of admitting error and the Tribal operating capability depends on this payment. Mr. Hicks suggested waiting for a legal opinion, then inviting Coble and his attorney for a discussion. The Tribe does have the primary threat of cancelling the lease, but this would only hurt the Tribe. The Council recommended that the Superintendent act on the problem of Jim Legg, suggesting suspension; the error reflects on the Tribe and not on the Bureau and he is not doing any good in his position. Mr. Hicks suggested that all information be sent to the Tribal Attorney also for his opinion with the obligation of costs going to the Bureau of Indian Affairs. Mr. Hicks also stated he did not know the process but that the B.I.A. is obligated to pay the Tribe's F.H.A. interest money. Michael Jandreau stated this would only jeopardize another program. The payment was cancelled as part of the budget, with Jim Legg being present giving a negative response on this. He was reminded of the resolution passed to dismiss three Bureau employees; he answered, that the position will probably be cut, and that it takes time to work out a transfer. He also stated he hoped the discussion on this related to Leggs job performance and was told that it was.

10. UTILITIES AND LAND FILL - The Superintendent informed the Council that the Bureau will maintain the dump site and he was told the Tribe does not have the money to pay for this. A revised method of billing for water was discussed. Kay made a motion to explore the possibilities of going to advanced billing for water. Motion was seconded by Mary Dixon with four for none opposed and two absent.

RECESS - The meeting recessed for lunch and reconvened at 1:30 p.m. with the same members present except for Michael B. Jandreau.

11. GRASSROPE IRRIGATION PROJECT - A letter was received from the Bureau of Reclamation in regard to the time schedule of the project. John Estes made a motion that a letter be sent stating the Tribe's position and that the schedule to too drawn out. The motion was seconded by William Ziegler and carried with four for, none opposed and two absent.

12. TRANSFER OF B.I.A. EQUIPMENT - Kay Gourneau made a motion to adopt a resolution requesting B.I.A. equipment for the soil conservation service. The motion was seconded by John Estes and carried with four for, none opposed and two absent.

13. PROPOSAL TO RETAIN ATTORNEY - Mr. Hicks informed the Council that funds are available in the Water Inventory Contract that could be used to retain an attorney in Washington to oversee and pursue the Tribe's interest in water rights bills and our irrigation project. William Ziegler made a motion to have the Chairman explore the possibilities of this proposal. The motion was seconded by Mary Dixon and carried with four for, none opposed and two absent.

14. INDIAN ACTION TEAM PROGRAM - The Indian Action Team Director, William Dixon asked the Council's approval to enlarge the Indian Action Program lot. Mary Dixon made a motion to approve the request. The motion was seconded by John Estes and carried with four for, none opposed and two absent.

Kay Gourneau made a motion to support the revised Indian Action Team Budget as present. The motion was seconded by Mary Dixon and carried with four for, none opposed and two absent.

A motion was made by Kay Gourneau and seconded by John Estes to leave the old buffalo pasture vacant. The motion was carried with four for, none opposed and two absent.

15. GRAIN STORAGE FACILITY - Planning Director, Mr. Abe Langdeau, reported on the Grain Drying and Storage Facility. There have been conflicts in meetings and the Farm Manager has not been unavailable to meet and get the profile for the project drawn up. There is a deadline to meet and Mr. Langdeau requested authorization to proceed with the profile and set up the budget. Kay Gourneau made a motion to grant this authorized. The motion was seconded by William Ziegler and carried with four for, none opposed and two absent.

On the same subject, Mr. Langdeau reported that going through F.H.A. for the match portion of the funds would take about 60 days. It was suggested that they would go through a bank for support on this. Kay Gourneau made a motion to approve this action. The motion was seconded by John Estes and carried with four for, none opposed and two absent.

16. POSITIONS FOR NEIGHBORHOOD CENTER WEATHERIZATION PROJECT - William Ziegler stated that some people were told by the Planning Director that anyone applying for one of the jobs could not be involved in Tribal politics, and this kept some men from applying. Mr. Langdeau answered that E.D.A. was contracted in regard to a Council member applying for a position and they have not responded; it may be that a Council member will not be allowed to participate in any Council action in regard to the project, but there was nothing in the guidelines to keep a Council member from applying. William Ziegler insisted that this information was given to three people and this kept them from applying, even though they would have been qualified. The Intern Planner was called into the meeting to verify the statement but acknowledged that he could not do so. Mr. Langdeau stated the Council had the alternative to advertise the position or make an appointment; if it is a technicality involving the Planning Department then it should be put in writing that the people were mis-informed. Kay Gournneau stated she felt the positions were properly advertised and if people wanted to apply they could have; she requested to hear Mr. Langdeau's recommendations. Michael B. Jandreau was the only applicant for the Superintendent position and was qualified for the job. He recommended Altwin Grassrope for the Project Coordinator and Lana LaRoche. Kay Gournneau made a motion to accept Mr. Langdeau's recommendations. Motion was seconded by Mary Dixson and carried with three for, two absent and William Ziegler voting against, stating it was only against the selection of the Superintendent position based on information received.

17. MISCELLANEOUS - William Ziegler requested that P.H.S. be contacted about the sanitary condition of the small dam by the school construction site. He felt this was unsatisfactory for swimming. P.H.S. will be contacted on this.

18. COMMUNITY DEVELOPMENT BLOCK GRANT - The 701 Planner informed the Council that Lower Brule was invited to make an application in the original amount requested. The Planning priorities were named as 1) Drainage, 2) Rehab, 3) Plotting of town site. John Estes made a motion to adopt a resolution for designation and assurances for the Community Development Block Grant; this is required by law. The motion was seconded by Kay Gournneau with three for, none opposed and three absent.

19. SOCIAL SERVICES OFFICER - William Ziegler stated for the record that there are numerous complaints from people in regard to Roy Griffith, that he is not providing the services and assistance to many who need help. after further discussion, William Ziegler made a motion to adopt a resolution requesting Roy Griffith to be replaced. The motion was seconded by Mary Dixson and carried with three for, none opposed and John Estes not voting.

REGULAR MEETING

June 7, 1978

20. APPROVAL OF REQUEST - Kay Gourneau made a motion to request an appraisal on the Jame E. Mateicka. The motion was seconded by William Ziegler and carried with four for, none opposed and two absent.

21. ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion to adjourn was made by Mary Dixon and seconded by John Estes and carried with four for, none opposed.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 7th day of June, 1978.

  
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Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

June 20, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 20th day of June, 1978, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson  
J.W. Thompson  
William Ziegler  
John Estes  
Kay Gournneau

Absent: Michael B. Jandreau  
Mary Dixon

1. DROUGHT MONEY - Funds are expected by Friday. The Chairman requested Council action concerning individuals who have loans with the Tribe: Should their allocation be paid out, held for payment or request some payment on the balance they owe. William Ziegler made a motion to request a payment of those with loans and are receiving drought funds. The motion was seconded by J.W. Thompson and carried with four for, none opposed and two absent.
2. APPROVAL OF LEASE - J.W. Thompson stated he was contacted by the B.I.A. to request a lease on the Larson land; it is already in crop. Kay Gournneau made a motion to approve a three year lease to J.W. Thompson. The motion was seconded by John Estes and carried with four for, none opposed and two absent.
3. LARSON-WILSON LAND TRADE - There is an error on the land description. J.W. Thompson made a motion to amend the resolution to correct the error. The motion was seconded by Kay Gournneau and carried with four for, none opposed and two absent.
4. MISCELLANEOUS - The Chairman informed the Council he received payment from the State for the closing of the gravel pit on his land. He asked if there was any question on it before he cashed the check. J.W. made a motion to approve the Chairman's acceptance of the check. The motion was seconded by William Ziegler and carried with four for, none opposed and two absent.
5. REQUEST EXTENSION FOR OUTDOOR RECREATION FACILITIES DEVELOPMENT - John Vogel of J.M.F. Construction requested, by letter, a 60 day extension to complete the O.R.F.D. Project. The Engineering firm must decide whether he is extended on this or not. J.W. Thompson made a motion to table this until a determination is made by the engineers. The motion was seconded by William Ziegler and carried with four for, none opposed and two absent.



6. BILLINGS FOR O.R.F.D. PROJECT - Mr. Langdeau presented a billing for approval of payment, in the amount of \$22,000.00, which is more than the balance of the account. Mr. Benjamin suggested that the Tribe approve partial payment. John Vogel is agreeable if the Tribe would stand the difference with him in accepting partial payment for the Construction company. The other billing on this prjeoct is from the Engineering firm for the cost of redesigning in the amount of \$7,041.58. J.W. Thompson made a motion to approve partial payment to J.M.F. Construction. The motion was seconded by Kay Gourneau and carried with four for, none opposed and two absent. Mr. Langdeau then informed the Council that the Tribe cannot apply for the balance of payment until we can show 40% has been paid out. The engineers advised the Tribe to continue approving billings until 40% is reached. However, Mr. Langdeau did not feel that E.D.A. would comply. He suggested that the Chairman appeal directly to E.D.A. for release of funds, explaining that our progress is more than 40% of construction. According to L.P.W. guidelines there is a statement that the funded agency will be supported according to their need, but this has not been stressed enough by the engineers. Mr. Langdeau informed the engineers the Tribe would have no resources but to borrow money for interim financing to reach the 40% goal, or to refuse any payments until the engineering firm confirms their position by appearing in person and account for why they are not supporting the Tribe adequately. John Vogel has not been submitting his claims. There is also excess material which will have to be accounted for in the audit; this may be used to extend the pasture fence. Kay Gourneau made a motion that the excess materials be kept and used to expand present pasture providing the area is approved by the Council and permission obtained from the Corps. of Engineers. The motion was seconded by John Estes and carried with four for, none opposed and two absent. The billing from Benjamin, Kasl & Associates was tabled. Kay Gourneau asked Mr. Langdeau if funds are going to be needed before July 12th and was told yes if it cannot be obtained through the power of the Council. Kay Gourneau then made a motion to try and get the funds by approaching E.D.A., and if this cannot be done, then to seek interim financing from the bank. The motion was seconded by J.W. Thompson and carried with four for, none opposed and two absent.

7. GRANTING OF EASEMENT - Mr. Hirtz presented a request for an easement to run irrigation pipe across Tribal Land. He had permitted a tribal member to the same courtesy and J.W. Thompson stated it would only be fair to grant his request. The Superintendent was called in for advise on this. He stated the easement can be granted for any length of time the Tribe dictates, and any condition can be placed on it as desired by the Tribe. Kay Gourneau made a motion to grant Mr. Hirtz an easement, and if he sells land or it goes out of his control, the easement will be terminated and to request

120 day notice for cancellation. The motion was seconded by J.W. Thompson and carried with three for, William Ziegler opposed and two absent.

8. LAND PURCHASE REQUEST - Leo Duckenfort is in real estate and contacted the Tribe to sell @360 acres of land north of Oacoma. It was the opinion of the Council that since the land is located off the reservation, they were not interested.

9. ROADS MAINTENANCE AND REPAIR - Duane Storley, from the Area Office and Jim Kor of the Agency Road Department, were present to discuss the road situation. The Superintendent stated a personal inspection was made. Funds for adequately repair and maintenance have never been available. The Tribe's #1 priority is the road north to Little Bend. There are two alternatives to realignment of this; one is, to go across corner of Noah Grassropes land and through the Lyle Peterson field and behind house. The other alternative is to go behind Noah Grassrope, west of Noah Grassrope and stay on section line. Going through Peterson land would eliminate the highest hill.

Mr. Storley suggested the Tribe propose a three part proposal to utilize what funds are available and bring the roads at least to a minimal degree of repair. It was to grade and gravel the west road and grade and gravel the south road and last of all, oil the entire repair. However, Mr. Hicks stated it was very important to have the Council representation at the Area Roads meeting. The Tribe did pass a resolution to move funds within the agency programs to place in roads maintenance. The next roads meeting is the 27th and 28th of June and with Council representation, the B.I.A. will prepare the three part proposal and be present to give jurisdiction and needs for it. It was stated that before the B.I.A. takes a stand to construct more roads they should provide maintenance funds for the ones we have. William Ziegler stated there was very poor planning on the part of the B.I.A. resulting in lack of funds for the barest maintenance and manpower. William Ziegler stated John Estes should be delegated to represent the Tribe at this meeting at the Area Office.

10. HOME IMPROVEMENT PROGRAM - John Estes inquired if there were funds available to put in bathrooms promised to certain people needing them. He was told there were no funds and this would have to be taken care of with next years H.I.P. funds. William Ziegler stated that no less than \$2,000.00 should be spent on materials alone on each house; no definite action was taken.

SPECIAL MEETING

June 20, 1978

11. ADJOURNMENT - There being no further business, William Ziegler made a motion to adjourn, seconded by John Estes; there were no objection.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 20th day of June, 1978.

  
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Connie Boyd, Recording Secretary



SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

June 27, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 27th day of June, 1978, and was called to order by the Chairman, who dispensed with roll call, noting the following present.

Present: Richard P. Thompson  
J.W. Thompson  
William Ziegler  
Michael B. Jandreau  
Kay Gournneau  
Mary Dixon

Absent: John Estes

1. AUDIT OF LITTLE BEND IRRIGATION PROJECT: There was information lacking on the audit, and Broeker-Hendricksen will supply this information to the Central Office audits. Mr. Langdeau gave this as information only, no action needed.
2. GRAIN DRYING AND STORAGE FACILITY: Mr. Langdeau reported that Ron Gibhardt refused the job as engineer of project. Lynn Meese, of Meese, Peterson & Foss, was contacted and said he would take the project. According to E.D.A. guidelines the engineer fee cannot exceed \$2,500.00 for the erection of the project, and the balance will be on an hourly basis of inspection of the project. Mr. Meese agreed to proceed with this understanding. There is a time factor involved in ;that we have been given 90 days to complete the project. J.W. Thompson made a motion to approve Meese, Peterson and Foss as the Architect-Engineers for this project. The motion was seconded by Kay Gournneau with five for, none opposed and one absent.
3. SUPPORT 50% GRANT - E.D.A.: The match portion of the funds will be secured through the bank, until such time as re-financing can be secured through either F.H.A. or B.I.A. Discussion was held on number of storage bins, capacity etc., with Mr. Langdeau giving information. Michael B. Jandreau asked how the loan for matching funds will be repaid. It will be set up on a budgeted repayment out of funds, one 7 years, @ 7.5-9% interest. \$25,000.00 will be available through ASCS after the facility is completed. Kay Gournneau made a motion to adopt a resolution to support the application to E.D.A. The  $\frac{1}{2}$  motion was seconded by William Ziegler and carried with five for, none opposed and one absent. J.W. Thompson made a motion to go force account on the project. The motion was seconded by Kay Gournneau and carried with five for, none opposed and one absent.

4. LOCATION OF FACILITY - Discussion was held on the location of the above project being considered to place it west of the community. However, the final site will have to be approved by the engineers; the Council can review their findings when they are completed.

5. MOVING SERVICE UNIT - The Crow Creek Sioux Tribe is still trying to get the Service Unit moved to Ft. Thompson from Chamberlain. The move would not provide any increases in service or benefits to either Crow Creek or Lower Brule. They based their request on misrepresentation of facts. It is still the opinion of this Tribe that if the Service Unit has to be moved, then we would want it here; Crow Creek has informed I.H.S. that we were in agreement with them on their proposal and this was not true. J.W. Thompson made a motion to adopt a resolution stating our opinion, that we do not want the Service Unit moved unless it is moved here. The motion was seconded by Michael B. Jandreau and carried with five for, none opposed and one absent.

6. COBLE LEASE PAYMENT - Joe Coble still maintains he will not pay a lease for December, 1977, and will only comply with the payment schedule as the lease was written up. Mr. Dunker did not receive any of the correspondence on this as the Superintendent has stated. It is the solicitor's opinion to stick to the agreement and that Mr. Hicks has the right to cancel the lease; also, has the right to trespass him.

7. INDIAN CATTLEMEN'S CONSORTIUM - Michael B. Jandreau gave information on this. Lower Brule members are the only ones current in repaying to the consortium. The consortium has to take some action on this or E.D.A. may freeze money. Each individual Tribe should have been given the responsibility of handling their portion of the funds. J.W. Thompson made a motion to adopt a resolution to withdraw our portion of funding, that we will collect any funds that are outstanding under the program and create some stabilization for ourselves since Lower Brule is the only Tribe whose members paid up 100% of their obligation. The motion was seconded by William Ziegler and carried with five for, none opposed and one absent.

8. DROUGHT MONEY - The funds have been received for this contract. Only one half of the indirect costs will be paid until all operators have been paid. J.W. Thompson made a motion to write the checks June 28, 1978, all on one voucher and deliver the checks to the operators; as to the individuals who owe the Tribe, they should be contacted personally and a decision made for some payment. Michael Jandreau stated he realized he owed money to the Tribe

but requested at least one-half of his allocation to buy stock. This was agreeable with the Council. Michael B. Jandreau seconded the motion, as above, and it carried with five for, none opposed and one absent. Debra Isburg was contacted and she agreed to pay the total amount of her allocation back to the Tribe.

9. NEIGHBORHOOD CENTER WEATHERIZATION PROJECT - Project Superintendent, Michael B. Jandreau, presented his project outline for budgeting. The coordinator and clerk would rather work full time. The total amount allowed for labor was broken out into individual salaries and payment for some contract work: \$84,356.00 for labor, \$15,455 contingency, leaving \$37,000.00 for contract work. William Ziegler made a motion to approve the budget plan as presented. The motion was seconded by J.W. Thompson and carried with five for, none opposed and one absent. It was agreed to include the motion and second, to approve painting exterior of building.

10. WILLIAM ZIEGLER - LOAN - William Ziegler stated that this was an error between the Bureau and Tribe, but that he would agree to repay @ one-half \$477; the total amount he owed was \$927.00. The work was done, but for Bureau not the Tribe, and the Tribe didn't receive the money either. J.W. Thompson made a motion to settle the matter by accepting William Ziegler offer to repay \$447.00 of the loan and write off the balance. The motion was seconded by Mary Dixson and carried with three for, none opposed and Kay Gourneau and Michael Jandreau not voting.

11. PAYMENT OF MILEAGE - The Chairman stated he could not come up with an exact number of days and requested he be allowed to prorate it to about four days a week. Mary Dixson made a motion to approve the mileage as stated. The motion was seconded by William Ziegler and carried with five for, none opposed and one absent.

12. HUD PROJECT - Michael Jandreau informed the Council that the Housing Authority passed a resolution to submit everything back to H.U.D. for their decision in regard to contractors, since they are trying to over-ride the Housing Authority's decision and force them to accept a later bid from Thunderbolt Inc. They did not qualify to even submit a bid by the deadline of June 13th, even giving them an extra day. Therefore the Housing Authority will submit everything back to H.U.D., setting back the bid opening, letting them re-advertise, etc. and handle the whole project. Kay Gourneau made a motion to support the resolution passed by the Housing Authority. The motion was seconded by William Ziegler and carried with five for, none opposed and one absent.


SPECIAL MEETING

June 27, 1978

13. ADJOURNMENT - Kay Gourneau made a motion to adjourn and seconded by William Ziegler; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 27th day of June, 1978 .

  
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Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

July 7, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 7th day of July, 1978, and was called to order by the Vice-Chairman with roll call as follows:

Present: J.W. Thompson  
William Ziegler  
Michael B. Jandreau  
Kay Gourneau

Absent: Richard P. Thompson  
Mary Dixon  
John Estes

Also

Present: Abe Langdeau, Planning Director  
Elvis Grassrope, Assistant

1. REQUEST CONTRACT FOR ON GOING CHILD WELFARE PROGRAM - A motion was made by Kay Gourneau to adopt a resolution to request a contract with the Bureau of Indian Affairs in the amount of \$12,800.00 for an On-Going Child Welfare Program for FY-1978, also to rescind Resolution No. 78-102 and to request an advance of funds upon approval of a Contract. The motion was seconded by Michael Jandreau and carried with a vote of three for, none against and three absent.
2. RELOCATION OF GRAIN DRYING AND STORING FACILITY - Mr. Langdeau explained that a meeting had been held the day before on the location previously selected by the Council; also some test holes were done, and it was decided that the most feasible site for the facility was on the project. Kay Gourneau made a motion to adopt a resolution to the following site described as N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 16, Township 108 N., Range 73 W.; S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 9, Township 108 N., Range 73 W. for the project. The motion was seconded by William Ziegler and carried with three for, none opposed and three absent.
3. RESCIND RESOLUTION NO 78-129 - The Planning Director, Abe Langdeau, explained that there are problems with the action taken by the Council pertaining to a request made to E.D.A. by resolution 78-129 requesting Force Account Procedure for construction of the Grain Drying and Storage Facility, mainly a problem with the time schedule. Michael Jandreau made a motion to rescind Resolution 78-129 changing the procedure for construction from force account to allow Public Bidding with the stipulation that local laborers be given first preference in all areas where they qualify. The motion was seconded by Kay Gourneau and carried with three for, none opposed and three absent.

SPECIAL MEETING

July 7, 1978

4. ADJOURNMENT - Kay Gourneau made a motion to adjourn. The motion was seconded by Michael Jandreau and carried with a vote of three for, none opposed and three absent.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council with quorum present on the 7th day of July, 1978.

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Kay Gourneau, Recording Secretary



REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

July 12, 1978

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 12th day of July, 1978, and was called to order by the Vice-Chairman with roll call as follows:

Present: J.W. Thompson  
Kay Gourneau  
Michael Jandreau  
Mary Dixon  
William Ziegler

Absent: Richard P. Thompson  
John Estes

The meeting opened with the Lord's Prayer, led by Michael Jandreau.

(1)

RON BIRCH, CORPS. OF ENGINEERS - Mr. Ron Birch, from the Corps. of Engineers was present to discuss with the Tribal Council on the possibility of obtaining additional police protection for patrolling the recreational areas on the reservation. The Corps. of Engineers would provide additional funding on a reimbursable basis in the personnel needed through the remaining summer season. The purpose of this request is to hire additional law enforcement for watching over government property in the recreational areas. Mr. Jandreau stated that the Tribal Council would review the proposed contract with the Tribal Attorney and would get back with him before the 1st of August. Ron Birch also stated the monies made available through their contract has been obligated through a 120 day period, mainly for the summer recreational season. Mr. Thompson stated that the Tribal Council would get back with them in the near future.

(2)

LOWER BRULE AGENCY, SUPERINTENDENT - Mr. Orville Hicks, Superintendent of the Lower Brule Agency, was present to discuss with the Tribal Council matters concerning the closing out of year end monies. Mr. Hicks also stated that this money had to be obligated out before the 1st of August and that a resolution had been passed setting aside the money for road maintenance. He then informed them that Mrs. Joyce Estes would be in to assist the Finance Officer on this matter.

(3)

PLANNING DEPARTMENT - Mr. Abe Langdeau from the Tribal Planning Department along with his staff, Elvis Grassrope and Patrick Spears came before the Tribal Council to discuss several areas pertaining to the planning process of the Local Public Works Project of the Lower Brule Sioux Tribe. Mr. Langdeau presented billings on the Local Public Works Project

which needed Council action for approval. A motion was made by Kay Gourneau to accept and approve the recent billing received from Benjamin, Kasl and Associates. The motion was seconded by Michael Jandreau with four (4) for, none opposed and two absent. Mr. Langdeau then stated he had a request for an extension on the contract period by Mr. John Vogel on the Local Public Works Project. The Tribal Council asked Mr. Langdeau what the recommendations were of the Engineers on this project. Mr. Langdeau informed them that their recommendations were not to extend the contract period of the project. Kay Gourneau made a motion that the Tribal Council go by the recommendations of the Engineers. Motion seconded by William Ziegler with four (4) for, none opposed, and two absent. Mr. Langdeau then proceeded ahead with a request from the Farm Manager, who could not be present, to seek approval by resolution in supporting a bank mortgage of a grain drying and storage site. After a small discussion by the Tribal Council, Mr. Jandreau stated that this could not be done as to not have too many liens on that portion of land. Mr. Thompson asked Mr. Langdeau how soon this request had to be acted upon. Mr. Langdeau informed the Tribal Council that the purpose of this request was to get a proposal in to the E.D.A. Office by the 17th of this month. Mr. Jandreau then made a motion that the Council direct the Planning Director and the Farm Manager to renegotiate with the bank on taking a lease on those facilities of the 10 acres and to request them to accept a 25-year lease on those 10 acres in lieu of mortgaging. Mr. Jandreau then stated if the bank is not receptive to this procedure that they inform the Tribal Council in writing and have the Planning Director get back with the Tribal Council for other steps necessary to complete the application. The motion was seconded by Kay Gourneau with four (4) for, none opposed, and two absent. One other area Mr. Langdeau presented was proceeding with the second half of the Outdoor Recreation Project which is in need of Tribal support. Mr. Langdeau also gave a brief report on the status of the Neighborhood Center stating a representative is needed from the Tribal Council to get some of the work started, as the drawings have not yet been submitted. The Council then appointed Mr. William Ziegler to this area of interest. Mr. Langdeau reported to the Council that they had applied for the second half of funding for the project. Mr. Langdeau informed the Tribal Council that the recommendations of the Engineers was to see that all work of the first half be completed first. Kay Gourneau made a motion that the Council support the Engineers on their recommendation of the project. Motion seconded by William Ziegler with four (4) for, none opposed and two absent.

Mr. Patrick Spears, 701 Comprehensive Planner, gave a brief report as to the status of the Community Development Block Grant funding for the Drainage Project. He also reported to the Tribal Council that the Bureau of Indian Affairs would provide inspection costs for the Drainage Project.



July 12, 1978

(4)

PROSECUTING ATTORNEY - Mr. Paul Mueller, Prosecuting Attorney, was present and discussed with the Tribal Council future funding in the Law Enforcement area prospective to funding for Lower Brule and the Crow Creek Sioux Tribe; combining the prosecutorial services for the reservations. Mr. Mueller also stated that funding was not too good in the future years to come. He also stated a Special Meeting has been set up in Pierre, South Dakota the 13th of July and funding would be one area to be covered. Three (3) representatives are necessary to attend this meeting. Michael Jandreau made a motion to appoint Mary Dixon, William Ziegler and Mr. Paul Mueller to attend this meeting. Motion seconded by Kay Gourneau with four (4) for, none opposed and two absent.

(5)

EXPANSION OF HOUSING SITES - Mr. Jandreau requested by motion that the Tribal Council take action to set aside the area located west of the townsite for future housing sites. The immediate need of this request is so the Housing Authority can notify the Indian Health Service for plans pertaining to water and sewage purposes. Motion seconded by William Ziegler with four (4) for, none opposed and two absent. This area being NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 13 & NE $\frac{1}{4}$  Sec. 13 T. 107N, R. 74 W and N $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 18 T 107 N R. 73W.

(6)

CATTLEMENS CONSORTIUM - Mr. Jandreau gave a brief report to the Council on the meeting held in Rapid City with the Cattlemens Consortium. He also stated that there has been a meeting scheduled in Denver, Colorado for the 27th of July and a representative is needed to attend. Mary Dixon made a motion to send Mr. Jandreau as the representative. Motion seconded by William Ziegler with four (4) for, none opposed and two absent.

(7)

REQUEST FROM BERNADETTE KING - A letter was received from Ms. Bernadette King stating she needed assistance from the H.I.P. Committee in fixing up the bathroom from the home she is now renting. After a small discussion by the Tribal Council, they decided to put Ms. King's request on the priority list since no funding was available at this time with the H.I.P. Committee. Ms. King also requested if she could sale the principle interest on her land, as she had no use for it. A motion was made by Mr. Jandreau to get an appraisal of the principle interest with motion seconded by Kay Gourneau with four (4) for, none opposed and two absent.

(8)

ATTORNEY VOUCHERS - A motion was made by Michael Jandreau to approve payment to William Srstka in the amount of \$832.35. The motion was seconded by Mary Dixon with four (4) for, none opposed and two absent.

(9)

MISCELLANEOUS - A request was made by Mr. Thompson for James Long Turkey asking the Tribe if they could help him obtain a wheel chair. Kay Gourneau made a motion to approve this request with motion seconded by Michael Jandreau, with four (4) for, none opposed and two absent.

(10)

INDIAN ACTION TEAM PROGRAM - Mr. William Dixon, Director of the Indian Action Team Program, requested approval from the Tribal Council to enter into a purchasing agreement for equipment needed by the Training Program. After a small discussion, Mr. Jandreau made a motion to accept this request providing it had been allowable in the budget. Motion seconded by Kay Gourneau with four (4) for, none opposed and two absent.

(11)

REQUEST TO PURCHASE LAND - A request was received from Faye Jandreau to purchase the land existing around his home area, SW $\frac{1}{4}$  Section 11 R 75 W. T 107-75, since this land was purchased with Section 8 Act funds; it was purchased specifically for individual Tribal members, so therefore, Kay Gourneau made a motion to approve this request with motion seconded by Michael Jandreau with four (4) for none opposed and two absent.

(12)

MISCELLANEOUS - Mrs. Willa Madison came before the Tribal Council to request a personal loan as her daughter was very ill and had been admitted to the Sioux Valley Hospital in the Sioux Falls area. A motion was made by William Ziegler to approve her request with motion seconded by Mary Dixon. Four (4) for, none opposed and two absent. Mrs. Madison stated she would get with the Finance Officer so payment can be deducted from her salary check.

(13)

REQUEST TO LEASE LAND - Mr. Thompson stated that he had received a telephone call from Mr. Patrick Feeney regarding to lease the Clark Ranch. After a small discussion on this matter, Kay Gourneau made a motion to get with Mr. Feeney at the next regular meeting. A letter would be sent to Mr. Feeney requesting him to meet with the Tribal Council. Motion seconded by Mary Dixon with four (4) for, none opposed and two absent.

July 12, 1978

(14)


MISCELLANEOUS - Mr. Jandreau mentioned to the Tribal Council that under the Community Development Block Grant, 17 furnaces were cited to need replacement before the winter weather set in. This is one area we should all look into since no funding is available. Funds are also needed for purchasing storm doors and storm windows for the homes that were recently constructed here in the townsite and the scattered areas. This is something we need to look into for the near future.

(15)

ADJOURNMENT - Kay Gourneau made a motion to adjourn at this time since there was no further business. Motion seconded by Mary Dixon with four (4) for, none opposed and two absent.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council on the 12th day of July, 1978.

  
Jo Ann Pourier, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

August 2, 1978

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 2nd day of August, 1978, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman J. W. Thompson, Vice Chairman William Ziegler Michael B. Jandreau (arrived after roll call) Kay Gourneau Mary Dixson (arrived after roll call)	Absent: None
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The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

1. VOTER REGISTRATION DRIVE - At this time, the Chairman presented the Tribal Council with information received concerning the State and General election this coming fall. A committee must be selected in order to all eligible voters registered for the coming election. J. W. Thompson stated this is a very important election for all Indian Tribes because of the bills in congress right now. Many of the bills concerning Indians are anti-Indian bills. Mr. J. W. Thompson suggested that when this committee is selected, we should also have a notary present and also instruct eligible voters on the importance of voting. It has to be a united effort by all Tribes because of the importance of this election. The Council decided to have the Chairman select a committee from tribal employees. A list of eligible voters should be prepared to take to the County auditor. William Ziegler made a motion that the Chairman select a committee for the Voter Registration Drive. The motion was seconded by John Estes and carried with four for and none opposed.
  
2. MISCELLANEOUS - Bernard LaRoche came before the Council to request use of the 5,000 gallon tank located in the back of the vacated super-market; he also informed the Council his SIBDO grant application was not submitted in time. After a short discussion concerning the tank, William Ziegler made a motion to approve his request. The motion was seconded by Michael Jandreau and carried with five for and none against.
  
3. PROPOSED PHS HOSPITAL - The Crow Creek Sioux Tribe had contacted the Chairman and requested a meeting to discuss the proposed PHS hospital in this area. The Chairman then asked the Council for direction on this matter. William Ziegler stated he would like to meet with them if it concerns the Tribe or Tribal Council, but would not meet with them if it concerned moving the service unit. John Estes made a motion to meet with them and actually see what their problem is, since they have stated that Lower Brule is holding them back. The motion was seconded by Michael Jandreau and carried with five for and none against.
  
4. PHIL BURNS CASE - Discussion was held by the Tribal Council concerning the Phil Burns case since the Tribal Council and the Tribal Election Board were served with a summons pertaining to the last election when he was not allowed to run. After discussion, John Estes made a motion to get the advice of the Tribal attorney. The motion was seconded by Kay Gourneau and carried with six for and none against.

5. BLACK HILLS SIOUX NATION - The Tribe received a letter from Mr. Bob Philbrick in reference to the Black Hills Sioux Nation Committee; they requested a representative from Lower Brule. Michael Jandreau made a motion that John Estes be named as representative from the Lower Brule Sioux Tribe. The motion was seconded by William Ziegler and carried with six for and none against.
  6. AMEND RESOLUTION 78-100 - Kay Gourneau made a motion to amend resolution 78-100, requesting a modification of the Game, Fish & Parks Contract to extend the contract period. The motion was seconded by J. W. Thompson and carried with five for and none opposed.
  7. REQUEST TO LEASE LAND - Mr. Pat Feeney was present to discuss the possibility of the Tribe buying the Clark Ranch and his leasing it from the Tribe. Mr. Feeney informed the Council on his present cattle operation. In discussing the proposed request, the Council informed him that the Tribe would have to borrow the money to buy the Clark Ranch but have no ready means of financial support at this time. Mr. Jandreau asked Mr. Feeney if he would be willing to lease other lands if they were available; he stated yes, as long as he would be able to keep or consolidate his ranch operation. Mr. Feeney was told they would consider. No action was taken on this matter.
  8. MEDICINE BUTTE SINGERS - William Ziegler reported to the Tribal Council on the Medicine Butte Singers trip to Sioux Falls, SD, for the Sioux Empire Mobil Home show. Mr. Ziegler stated the Mobile Home show was interested in coming to Lower Brule for the next year's pow-wow and all they require is an electrical hook-up. Mr. Jandreau suggested that William Ziegler correspond with the group.
  9. PLANNING BUSINESS - Mr. Abe Langdeau was present for the planning portion of the agenda; he gave information on the Economic Development Representative position which was vacated due to the death of Mr. Floyd Taylor. He then reported on his recent visit to the EDA office in Denver, stating EDA had asked what the Tribe's intentions were for next year's proposal. He informed them that irrigation was the priority. He also reported that Round Three of the LPW grants would be available in the near future and some plans should be formulated for this.
- Mr. Langdeau discussed the Tribe's 50% match grant proposal concerning the construction of the Grain Drying and Storage Facility. He read a letter from the Presho bank; they could not finance the 50% match for the Tribe. He then stated he contacted the Ft. Pierre National Bank about financing the storage facility. Mr. Hanke also dealt with PCA and talked about a 25-year loan but PCA could not go along with this. Mr. Langdeau stated he needed a firm commitment in regard to the financing of the 50% match grant. The subject, in terms, would be mortgaging land. In this case, the Tribe is using land that is not productive in any way and making it productive. It would be unusual if we would get support from a bank because of their need to get financing in an approved loan to the Tribe. He stated again, that a firm commitment must be made by the Tribe. Mr. Hanke stated a resolution would be sufficient for the paper work. J. W. Thompson stated since they wouldn't go with a 25-year loan, and since the 10 acres has no productive use to the Tribe, and if that is the only way to go, then the Tribe would have no alternative. Bill Ziegler asked if there were any other ways to finance the operation and was told no. Kay Gourneau made a motion to authorize mortgaging the 10 acres for the Grain Drying & Storage Facility if it is necessary for the 50% match grant. The motion was seconded by J. W. Thompson and carried with five for and one against (Michael Jandreau).



Mr. Langdeau then presented billings for the LPW - Outdoor Recreation Facility Development project and the Energy Conservation Project. Michael Jandreau made a motion to approve the billings received, with the motion seconded by J. W. Thompson and carried with six for and none against.

Mr. Langdeau requested support, by resolution, to continue the planning grant. Bill Ziegler made a motion to support the Planning Grant by resolution. The motion was seconded by Michael Jandreau and carried with six for and none against. The grant for the next fiscal year is in the amount of \$43,000.

A resolution was requested to support a partial force account procedure for the EDA match grant. J. W. Thompson made a motion to adopt such resolution. The motion was seconded by Michael Jandreau and carried with six for and none against.

The 208 Water Quality Contract was discussed in regard to the budget for FY 79 which is contingent upon completion of the present program. Mr. Langdeau stated a secretary would be needed in the 208 Water Quality Project. Someone should be employed for logging materials. Kay Gourneau made a motion to approve the budget and to employ the Civil Engineer, Ms. Melanie Kogel. The motion was seconded by Michael Jandreau and carried with three for and none against. Elvis Grassrope, Intern Planner, reported that the deadline for the 208 project was November 1st when the last report would be submitted. The Tribe has requested a 2-3 month extension of this contract.

On the Water Inventory Contract, Phase II, Kay Gourneau made a motion that Gellhaus provide information to the Tribe on the Phase II water inventory study. The motion was seconded by J. W. Thompson and carried with five for and none against.

Mr. Langdeau reported that EDA requires Tribal request for audit on all projects and requested action for the LPW - Outdoor Recreation Development Project. Michael Jandreau made a motion to approve entering into an agreement for audit. The motion was seconded by J. W. Thompson and carried with six for and none against.

Discussion was held on the Tribe's priorities for labor intensive projects for the Lower Brule Community and/or reservation. Mr. Langdeau stated he, and his planning staff, would set up a program and submit it to the Chairman before it went to EDA on the priorities. Kay Gourneau made a motion to set irrigation as the number one priority, with the motion seconded by J. W. Thompson and carried with six for and none against.

Elvis Grassrope informed the Council that Charles Blair is requesting a meeting with the Council to get their comments on the Game, Fish & Parks contract - he is performing the study for the Tribe. Mr. Grassrope was asked to get with Mr. Blair, set up a meeting date and then report back to the Council. He then requested a contract modification to extend the contract period. Michael Jandreau made a motion to adopt a resolution requesting extension of the contract period to September 30, 1978. The motion was seconded by Bill Ziegler and c-arried with five for and none opposed.

RECESS FOR LUNCH - The meeting recessed for the noon hour and was reconvened at 1:30 p.m., with the same members present.

10. BIA BUSINESS - Mr. Orville Hicks, Superintendent, requested action from the Tribal Council to close out FY 78 budget for the Bureau; the spending has already been cut off. He informed the Council that approval for the new indirect cost rate must be taken up. He requested three people be named to a Budget Committee

to begin with the 1980 budget. Kay Gourneau, Michael Jandreau and William Ziegler were selected by a motion of John Estes; the motion was seconded by Mary Dixson and carried with six for and none opposed.

11. HANDLING OF RESOLUTIONS - Mr. Hicks informed the Council the Bureau issued a memorandum in regard to the processing of resolutions passed by the Tribe. They are to be filed according to category or subject, at the Agency level, with copies being sent to the Area Office. Michael Jandreau made a motion to accept the procedure and that it be implemented as soon as possible. The motion was seconded by Kay Gourneau and carried with six for and none against.

12. DORMAN LAND TRADE - Michael Jandreau stated that Mr. Keith Dorman would like to retain any mineral rights he may own. Mr. Jandreau then stated he would make a motion to pass a resolution stating that Mr. Dorman be allowed to retain his mineral rights and the Tribe retain theirs. The motion was seconded by John Estes and carried with six for and none against.

13. COBLE LEASE - Discussion was held on the Coble Lease. William Ziegler made a motion that the Bureau pay the 9.75% interest of the \$47,000 lease payment that was due the 15th of December, 1977. The motion was seconded by Michael Jandreau with five for and none against, Kay Gourneau not voting. Mr. Jandreau stated that the funds for this should not be taken out of the monies already obligated to the Tribe.

14. RALPH LUNDER LAND TRADE - The Chairman stated that Mr. Ralph Lunder wanted to trade some grass land to the Tribe for some farm land. J. W. Thompson made a motion that the Tribe did not see any advantage in the trade, since the farm land is appraised at a higher rate. The motion was seconded by Kay Gourneau and carried with six for and none against.

15. INDIRECT COST PROPOSAL RATE - The Indirect Cost Proposal Rate of 16% was presented. Kay Gourneau asked if this needed to be in right away and was told yes. Kay Gourneau then made a motion to accept the cost rate, stating it was probably subject to change. The motion was seconded by J. W. Thompson and carried with six for and none against.

16. NEW HIGH SCHOOL - The new High School should be ready for occupancy by the start of the school year. Mr. Hicks stated the Bureau budget went through intact at 4.8 million. The second phase should, or is hoped to be, advertised in October.

17. ALCOHOLISM PROGRAM - Mr. Joe Blacksmith, with Mrs. Dee Hicks and Mrs. Marilyn Harmon came before the Tribal Council to discuss contracting the Alcoholism Program. NIAAA can no longer fund the program, and it will be transferred to the Indian Health Service. There are three options under which the Tribe can contract the program - 638 contracting, a 638 grant or a Buy-Indian contract. The Budget and Proposal was reviewed by the Tribal Council. Michael Jandreau made a motion to adopt a resolution that the Lower Brule Sioux Tribe move to contract the Alcoholism Program under a Buy-Indian Contract. The motion was seconded by William Ziegler and carried with six for and none against.

18. POSITION SELECTION - Applications were received and reviewed for Council action on the selection of a Secretary-Bookkeeper for the Health Planning Program. By secret ballot, Connie Thompson was selected to fill the position.

19. ENROLLMENTS - Applications and letters of request for enrollment were received for the following: Tamara June Grassrope, Damion Doyle Grassrope, Francine Heather Stricker, Juanita Mae Carpenter, Cameron Lynn DeWitt, Katie Marie Christensen, Michael Adam Spears and Kamela Rae Wilson. Michael Jandreau made a motion to approve all enrollments. The motion was seconded by John Estes and carried with six for and none against.
20. CALL FOR ELECTION - According to the Constitution and By-Laws of the Lower Brule Sioux Tribe, tribal election will be held this fall and must be called for. Kay Gourneau made a motion to adopt a resolution to call for election for members of the Lower Brule Sioux Tribal Council. The motion was seconded by William Ziegler and carried with six for and none against. Election date was set for October 18, 1978.
21. ADOPTION OF D.C. ORDINANCE - Mr. Paul Mueller, Prosecuting Attorney, along with Mrs. Rose McCauley and Mrs. Helen Smith, were present to discuss updating the Disorderly Conduct Ordinance. Mr. Mueller stated the past ordinance had been too general as to what is really meant concerning the disorderly conduct arrests made. A lot of the ordinance is left up to the police to decide. Mr. Mueller stated that he revised the ordinance to clearly state exactly what the disorderly conduct was, in a specific, and detailed manner. In that way, the Court, along with the Police Department, can define the areas more easily. The revised ordinance was reviewed by the Tribal Council. A motion was made by Michael Jandreau to repeal the old provision of Section 19 of the Law & Order code and to adopt the new ordinance. The motion was seconded by J. W. Thompson and carried with six for and none against.
22. REQUESTS FOR HAY CUTTING - Patty Madsen came before the Tribal Council to discuss a letter she received from the Bureau of Indian Affairs disallowing her request to cut hay because of the carrying capacity. She stated she had tried to talk to Mark Sweeney since she had already cut hay. The Council asked Mrs. Madsen if she had itemized the areas and she stated, yes. A discussion was held concerning this, since Mark Sweeney had refused other requests from ranchers concerning cutting of hay. Kay Gourneau made a motion that, for all hay cutting on range units, that the Chairman deal directly with the ranchers, and that all requests concerning hay cutting permits be made through the Chairman's office. The motion was seconded by John Estes and carried with five for and none against.
23. APPROVAL OF MINUTES - The minutes presented for the month of June and July were approved by motion from Kay Gourneau, second by J. W. Thompson; the motion carried with six for and none against.
24. ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion was made by Kay Gourneau and seconded by J. W. Thompson; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 2nd day of August, 1978.

Connie Boyd, Recording Secretary



SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

August 4, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 4th day of August, 1978, and was called to order by the Chairman, with roll call as follows:

Present:	Richard P. Thompson	Absent:	John Estes
	J.W. Thompson		Kay Gourneau
	William Ziegler		
	Mary Dixon		
	Michael B. Jandreau (arrived after roll call)		

The Chairman stated the purpose of this special meeting is to set up the election for this coming fall, by selecting an Election Board. The Chairman then stated the Planning Department has some business to take care of first.

1. PLANNING BUSINESS - A progress report was made by Mr. Abe Langdeau on the Grain Drying and Storage facility proposal. This was entered into the minutes as information to the Tribal Council for supportive assurance; due to possible erroneous information received from E.D.A. in processing the 50% Grain Storage Facility Grant. The Tribal Council then moved to assure support for the project with a motion made by William Ziegler. Motion seconded by J.W. Thompson and carried with three for, none against and three absent.

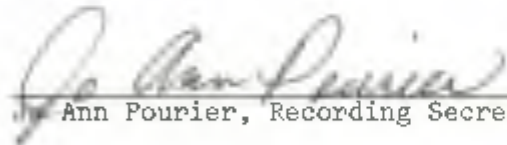
Mr. Langdeau then presented a billing from the Engineer firm, Benjamin, Kasl & Associates, for the redesign of the Outdoor Recreation Project. Mr. Langdeau requested Council support for this billing. J.W. Thompson made a motion that if money is available to pay the firm for the redesign of the log cabins. Motion seconded by Mary Dixon with three for, none against and three absent.

2. MISCELLANEOUS - William Ziegler stated to the Tribal Council that he had talked to a gentlemen who is drilling oil in Nebraska. He stated the gentlemen was interested in testing for oil on this reservation. J.W. Thompson made a motion that Mr. Ziegler contact this gentlemen and have him submit something in writing to request this venture. Motion seconded by Mary Dixon and carried with four for, none against and two absent.

3. ADJOURNMENT - The Tribal Chairman called for adjournment until Monday, August 7, 1978, at 10:00 a.m. to discuss the Tribal Election and selection of the Election Board.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council on the 4th day of August, 1978.



Ann Pourier, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

August 7, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 7th day of August, 1978, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson, Vice Chairman  
William Ziegler  
Michael B. Jandreau  
Mary Dixon  
Kay Gourneau

Absent: John Estes

1. Tribal Election - The Tribal Council called for the election at their Regular Meeting, 8/2/78, to be held on the 18th of October, 1978. The Election Rules & Regulations were reviewed. J. W. Thompson made a motion to use the present rules and regulations as they are. The motion was seconded by Mary Dixon and carried with five for and none opposed.

Appointment of the Election Board was then taken up. William Ziegler stated he would like to see Paul Mueller, Prosecuting Attorney, as a member of the board. The Chairman stated he was contacted by Mrs. Grace Estes who volunteered to sit on the board. Kay Gourneau made a motion to appoint the following as the Election Board: Paul Mueller, Grace Estes, Rose McCauley, Helen Smith and Gail Ziegler. The alternates were also appointed and will sit on the board as active members: George Small Jumper, Lloyd Langdeau and Lyle Peterson. The motion was seconded by Mary Dixon and carried with five for and none opposed.

J. W. Thompson made a motion to pay per diem to the election board at the same rate as the Council members. The motion was seconded by William Ziegler and carried with five for and none opposed. The Chairman requested that the Sgt. at Arms, Michael B. Jandreau, deliver notices to election board members to meet on the 10th of August at 1 p.m.

2. Approval of Lease - Marilyn Harmon requested a lease on the pasture located behind the rodeo grounds for pasturing her horses. Mary Dixon made a motion to approve the lease, seconded by Kay Gourneau and carried with five for and none opposed.
3. 4-H Exhibit - Mrs. Harmon reported to the Council on the 4-H Exhibits, stating she thought about giving prize money this year for open class exhibits as an incentive to draw more for the exhibits. She requested financial assistance for this. William Ziegler made a motion to approve her request for financial assistance. The motion was seconded by Mary Dixon and carried with five for and none opposed.

4. 208 Water Quality Program - Mr. Abe Langdeau stated that the BIA has funds to supplement the 208 Water Quality Program, and that a resolution would be sufficient to request the grant. J. W. Thompson made a motion to adopt a resolution requesting the supplemental funding. The motion was seconded by William Ziegler and carried with five for and none opposed.
5. Game, Fish & Parks Contract - Mr. Langdeau was present, with Mr. Charles Blair to review the Council's comments concerning the compact agreement developed with the Game, Fish & Parks contract. The Chairman stated the Council did not have time to review the narrative and these comments will be given at a later date.

RECESS - The meeting recessed for the lunch hour, and reconvened at 1:30 p.m., with the same members present.

6. Hay Cutting Permits - The Superintendent was asked to be present for this discussion, as the Bureau personnel are apparently disregarding policy set by the Tribal Council in granting hay cutting permits. Mr. Hicks informed the Council he knew about the situation and defended Mark Sweeney, stating he was new at the job and that he was not familiar with how Indian operators worked, that he tended to follow the rules, but was only trying to do a good job. J. W. Thompson stated when he asked for a permit, it was refused because of over grazing, when in fact he had not grazed any cattle on the area in question, and that he felt this was undue harassment since this would be a good season to stock pile; he asked if the resolutions could be rewritten. Mr. Hicks stated he would discuss this with Mr. Sweeney and that no one would be denied a hay cutting permit. Michael Jandreau made a motion to adopt a resolution for the handling of hay cutting permits, that the requests be made through the Tribal Chairman's office and only his approval would be needed; that farm ground be leased at \$5/acre and that the grass land leases be leased at the animal unit cost rate. The motion was seconded by J. W. Thompson and carried with five for and none opposed, one being absent.
7. Open Container Ordinance - Police Captain, Wayne Romero, was called to discuss the open container ordinance. There have been questions concerning this and a final interpretation is needed. Captain Romero stated the prosecuting attorney had not presented them with the updated ordinance so the officers were instructed to go by the last ordinance. If the Tribal Council amends the ordinance he will so instruct the officers on the change. William Ziegler made a motion to amend the ordinance to open seal, rather than open container. The motion was seconded by Michael Jandreau and carried with five for and none against.

Michael Jandreau made a motion that, during the rodeo hours of the annual fair, that the open seal ordinance be waived, but if any trouble started that the police officers correct the situation; he asked that a memorandum be sent to the Captain on this. The motion was seconded by J. W. Thompson and carried with five for and none opposed. Since the Captain was present, he was asked for a police escort for the finance officer at the pow-wow.

8. Objection to Minutes - Orville Langdeau was present to object to the minutes of April 14, 1978 which stated he had mortgaged Tribal property. He stated he did not mortgage any Tribal equipment in the store. J. W. Thompson made a motion to correct those minutes. The motion was seconded by Kay Gourneau and carried with five for and none against.
9. Opening of Store - Discussion was held on trying to get the store open for business. J. W. Thompson made a motion to have Mrs. Gourneau contact the manager of the Super-Valu in Ft. Thompson about the possibility of opening a store in Lower Brule. The motion was seconded by William Ziegler and carried with five for and none against.
10. ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn. The motion was made by Kay Gourneau and seconded by Mary Dixon; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 7th day of August, 1978.

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Jo Ann Pourier, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

August 23, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 23rd day of August, 1978, and was called to order by the Chairman, with roll call as follows:

Present:	Richard P. Thompson, Chairman	Absent:	John Estes
	J. W. Thompson, arrived after roll call.		
	Bill Ziegler		
	Michael B. Jandreau, arrived after roll call.		
	Mary Dixon		
	Kay Gourneau		

The meeting opened with the Lord's prayer, led by Bill Ziegler in the absence of the Chaplain.

-1- Weatherization Project - A resolution is needed to accompany the Tribe's application for the Weatherization Project. Bill Ziegler made a motion to adopt a resolution supporting this. The motion was seconded by Mary Dixon and carried with three for, none opposed and three absent.

-2- Authorize Loan for Title I Program - The Title I Program will begin work and the contract funds will not be here for approximately six weeks. Mary Dixon made a motion to adopt a resolution authorizing the Chairman, or his delegate, to negotiate a loan for the Title I Program. The motion was seconded by Kay Gourneau and carried with three for, none opposed and three absent. The loan will be negotiated at Tri-County State Bank.

-3- Upcoming meetings - There will be a UST Board meeting in Pierre on the 25th to discuss planning of the NCAI convention in Rapid City, to be hosted by United Sioux Tribes. In the afternoon the cement allocation will be discussed. Michael Jandreau will attend the meeting with the Chairman. The NCAI convention will be held in Rapid City the week of 9/17 thru 9/22.

-4- BIA Budget Allocation Request - A resolution is needed to request allocation in the BIA budget in 1980 to complete construction of the irrigation project. Kay Gourneau made a motion to adopt the resolution. The motion was seconded by Mary Dixon and carried with five for and none opposed. Mr. Hicks stated his office would submit a letter of transmittal for this request at the Area and Washington level, as the construction part is not a band item. He suggested that copies of the resolution be sent to our congressional delegation, along with a letter addressed specifically to



Congressman Abdnor's office. Discussion was held on the cost figure to use; Michael Jandreau stated it should be stated as being contingent on the final design as far as a cost figure.

- 5- Grain Drying & Storage Facility - Mr. Abe Langdeau, Planning Director, reported on the Grain Drying & Storage Facility. This was not approved by EDA, and PCA will not act without EDA approval for the 50% match portion, and on the other hand EDA is waiting for a firm commitment on the loan. Our latest information from PCA is that they did not need further Tribal action but were waiting for a letter from the Superintendent's office for clearance of the mortgaged land; the Tribe will then be eligible for a commitment from them on next years funds which will be available October 1st.
- 6- Economic Survey - Mr. Abe Langdeau informed the Council that an economic survey will be conducted for an update of the OEDP. Three persons will be hired to conduct the survey. The survey forms were presented for review. Kay Gourneau made a motion to approve the survey. The motion was seconded by J. W. Thompson and carried with five for and none opposed.
- 7- Modification of Planning Grant - There are unexpended funds that can be transferred within the budget and the Planning Director requested authorization to rebudget funds so they can be used before the end of September. Kay Gourneau made a motion to approve the budget modification for the Planning Grant. The motion was seconded by Michael Jandreau and carried with five for and none opposed.
- 8- Lease of Corps Land - Jim Schaeffer claims a lease on some Corps land that used to be leased by J. W. Thompson. This portion of land is part of a pivot in the irrigation project and has approximately 10 a. of corn planted on it. Michael Jandreau stated he had been informed that the lease was requested by Mr. Schaeffer but has not been approved by the Omaha office, and that the Tribe could probably get it stopped; the Superintendent agreed. Michael Jandreau then made a motion to go on record to request that the Corps stop the Schaeffer lease and request that the Corps re-negotiate a lease with the Farm Board. The motion was seconded by J. W. Thompson and carried with five for and none opposed.
- 9- Report on Meeting - Jim Legg reported on a meeting attended in Pierre with the State Legislative Research Council to begin negotiations of water rights with Tribes. The State and most Tribes want to avoid litigation and are attempting to establish negotiations. Litigation would delay any decision on this for years. They are requesting that the Tribes quantify their rights. There was a difference of opinion in that some felt it appropriate to deal with the Tribes, but others felt the State should state their position and let the Tribes deal with it. All Tribes agreed on the negotiations but were against quantification except for the Cheyenne River Tribe.

- 10- Complaint About Horses - Complaints are still being made about horses running loose in the community. Mr. Hicks stated the owners have been billed for permits and now they would try to collect; if they aren't paid the horses can be sold.
- 11- Adjournment - There being no further business, Kay Gourneau made a motion to adjourn, seconded by Mary Dixon. There were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 23rd day of August, 1978.

  
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Connie Boyd, Recording Secretary



SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

August 29, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 29th day of August, 1978, and was called to order by the Chairman, with roll call as follows:

Present:	Richard P. Thompson, Chairman	Absent:	John Estes
	J. W. Thompson, Vice Chairman		
	Bill Ziegler		
	Michael Jandreau		
	Mary Dixon		
	Kay Gourneau		

-1- Indian Action Program - Mr. Martin Bjorgum of the ITAC Office in Denver is here to do an on-site evaluation of the Indian Action Program in Lower Brule. As a result of the GAO audit, it is vital that the program show projects accomplished to justify the spending of funds. Emphasis should be made to identify projects in planning next year's program also. The program cannot duplicate services but can supplement a tribal service. Roads maintenance is a project proposed for 79. There is also a need to show the validity of projects by supplementing priorities as outlined in the Tribe's OEDP. Working in conjunction with programs also keeps IAT costs down. The proposal for the coming year was discussed as to the need for an increase in funds and a supplement for this year. Mr. Bjorgum stated he would review the proposal with the Director, Mr. Dixon, and will assist in re-drafting if necessary.

-2- Request for Lease - Richard P. Thompson requested approval of a lease on the following described land: NE $\frac{1}{4}$  & SW $\frac{1}{4}$  Section 10, T 108 N, R 77 W, containing 320.0 acres, more or less. Kay Gourneau made a motion to approve the lease at the current approved rate and for a period of five years. The motion was seconded by Mary Dixon and carried with four for, none opposed and two absent.

-3- Peterson Lease - J. W. Thompson made a motion, for the record, to authorize the Chairman to sign the lease for Lyle Peterson. The motion was seconded by Mary Dixon and carried with four for and none opposed. This is a renewal of a lease.

-4- Title I Program - Kay Gourneau made a motion to adopt a resolution to support the Title I Contract for FY 79 and to request the advance payment. The motion was seconded by Michael Jandreau and carried with four for and none opposed.

-5- 701 Planning - Pat Spears informed the Council on the status of the Block Grant and planning set aside; they should be approved this week. The present grant expired August 31st. There are savings which could be used for the salary until the new grant award is received. This will require a modification request. Michael Jandreau suggested that the funds be expended until the grant award is made, as long as there are savings, as the new grant date will start on termination of the present grant period, when and if approved, and this will have to be provided before a decision can be made. As far as the Drainage Project design, the A/E firm has not received final approval on the plan.

-6- High School Construction - West Central has not delivered power to the school yet and it is holding up alot of the final work needed before we can move in. The Bureau did contact West Central but received no response. They requested that the Chairman call Mr. Jost and follow up with a letter to assist in getting the power installed.

-7- Adjournment - Kay Courneau made a motion to adjourn, seconded by Michael Jandreau; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 29th day of August, 1978.

  
Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

September 1, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 1st day of September, 1978, and was called to order by the Chairman, with roll call as follows:

Present:	Richard P. Thompson, Chairman	Absent:	John Estes
	J. W. Thompson, Vice Chairman		Mary Dixon
	Bill Ziegler		
	Michael B. Jandreau		
	Kay Gourneau		

1. NCAI Convention - United Sioux Tribes is hosting the annual NCAI Convention this year and this will be held in Rapid City the week of September 17th, thru September 22nd. They are requesting a donation of \$200 from each Tribe, and also secretarial help during the convention. J. W. Thompson made a motion to contribute the \$200 and to send two secretaries; and to name the Chairman, Richard P. Thompson and the and the Secretary-Treasurer, Bill Ziegler, as the official delegates to the convention; and to pay the annual dues. The motion was seconded by Michael Jandreau and carried with four for and none against.

2. Summons - Five members of the Council were served with a summons resulting from a complaint and law suit filed by Alfred Ziegler. The charges are vague, but centered on the range unit allocation. He is suing for loss of income, conspiracy against him by the Council, etc. Mr. Hicks and Jim Legg were also served with a summons. Copies of Alfred Ziegler's application for a range unit permit and the permit were reviewed. He did sign an application for 119 head. The letter charging him with trespass was never answered and he did not say if he wanted to appeal. The first order of business would be to adopt a resolution requesting the Tribal attorney defend the members of the Council being sued by a Tribal member as a direct result of action taken as Council representatives. Kay Gourneau so moved, with the motion seconded by Michael Jandreau. The motion carried with four for, none opposed and two absent.

Mr. Hicks stated if he is suing the Bureau and the Tribe, then the Bureau should provide the Judge with information they have. Also, that if he is suing on the land part, he has not exhausted his administrative appeal right; if the suit is on a personal basis then it is something else. Attempts have been made to try and get a definite statement from Mr. Zeigler if it is a civil rights issue or a civil action. The Bureau is obligated to help him on an administrative appeal, and the Special Officer, if if this is a violation of his civil rights. In talking to him, he feels he was taken advantage of but wouldn't say how or by whom. J. W. Thompson reviewed his opinion with the Council - Alfred had come into a meeting and stated his future plans and they discussed trading. J. W. Thompson filed an application for more land then and a permit but did not ask for a specific site, only if something was available. He was informed by Mark Sweeney that Andrew Estes and Alfred Ziegler both were giving up part of their units. J. W. Thompson applied for that portion Mr. Ziegler relinquished. He knew he sold cattle but wondered then why Mr. Ziegler would


sell out when he had money. Mr. Thompson continued, saying he gave up his whole operation on behalf of the Tribe but wanted to get back in the business for a livelihood, and thought he went about it the right way, without hurting anyone. Michael Jandreau concurred on this statement, adding Mr. Ziegler told us he was concentrating on his art work, but wanted to keep some land for his son's benefit. J. W. Thompson then commented on the situation when Alfred Ziegler was charged with trespass - he put bulls in the pasture in May. Mr. Sweeney was contacted but they were still there in June and July and he also pastured some cows there. Mr. J. W. Thompson authorized the Bureau to tell Alfred Ziegler if he wanted to trade that he was agreeable to this. J. W. Thompson then bought cattle to stock that land and would sue someone too if he had to sell cattle now before fall. However, no word was received back from either Mr. Ziegler or the Bureau. J. W. Thompson also stated the land description given in the summons is not correct, again stating, if Mr. Ziegler had requested this from the Council, he (J. W. Thompson) would not have asked for it. Michael Jandreau further commented that when Mr. Sweeney came in with a reduced application for Alfred Ziegler he called Alfred to inform him of this and Alfred also came into the meeting and agreed to this and was satisfied with it. Mr. Hicks stated he was surprised at his reduced application because he had also talked to him. J. W. Thompson stated that each individual is supposed to answer the complaint, and Mr. Srstka will do it as a group, but each individual should ask for a dismissal. Michael Jandreau asked the Superintendent for the record, if Mr. Ziegler signed an application for only 119 head and Mr. Hicks answered yes. Discussion was then held, and the Atlas reviewed, to show exactly what land is in question. It was the Council members opinion that a dismissal be requested and a hearing then scheduled. The individuals being sued can ask for a clarification on exactly what they are being charged with; the complaint is vague and no specific charges are made. The area solicitor was contacted and he and Mr. Srstka will confer on this.

3. Gymnasium for High School - A meeting was held on Phase II construction of the high school. In the design presented the gym floor playing area and the seating capacity were thought to be inadequate. It was the opinion of Council members present that the maximum regulation size be requested and a seating capacity of 2,000. A letter was prepared for the Chairman's signature requesting this from the Bureau of Indian Affairs. The Chairman asked for concurrence from the Council by motion. Kay Gourneau made a motion to request this, seconded by J. W. Thompson with the motion carried by a vote of four for and none opposed, two absent.

4. Adjournment - Kay Gourneau made a motion to adjourn, seconded by Michael Jandreau; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council assembled in Special session with quorum present on the 1st day of September, 1978.

  
Connie Boyd, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

September 6, 1978

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 6th day of September, 1978, and, in the absence of the Chairman, was called to order by the Vice-Chairman, with roll call as follows:

Present: J. W. Thompson, Vice-Chairman, presiding  
Bill Ziegler  
John Estes  
Michael B. Jandreau  
Mary Dixon, arrived after roll call.  
Kay Gourneau

Absent: Richard P. Thompson, Chairman

The meeting was opened with the Lord's prayer, led by the Chaplain, John Estes.

-1- Renewal of Contracts - Kay Gourneau made a motion to adopt a resolution to request renewal of all contracts for FY 79, and to request extension of those not expended. The motion was seconded by John Estes and carried with four for, none opposed and two absent.

-2- On-Going Child Welfare Program - This program is being used to employ a director for the Teen Center and the Protective Service Worker. The contract will expire September 30th and there will be a savings. A letter was received from the Agency requesting that this savings be used to pay Mrs. Rus who works for Guffins. It was the opinion of the Council that the funds should be expended here; we do not have an obligation to pay for child care off the reservation. Kay Gourneau made a motion to adopt a resolution requesting extension of the contract to maintain the Protective Service Worker. The motion was seconded by Michael Jandreau and carried with four for and none opposed, two being absent.

-3- Approve Payment to Charles Blair - Mr. Charles Blair, who has the subcontract to develop the Game, Fish & Parks agreement, presented an itemized bill for payment. Michael Jandreau made a motion to approve payment. The motion was seconded by Bill Ziegler and carried with four for, none opposed and two absent.

-4- Approve Payment for ORFD Project - Billings were presented for approval on the ORFD project - JMF Construction and H & H Construction. Kay Gourneau made a motion to approve the payments. The motion was seconded by Bill Ziegler and carried with four for, none opposed and two absent.



-5- Land Sale Requests - Five requests to sell land were reviewed for the following: Sylvia Fite, Joseph Driving Hawk, Alvin Thompson, Vicki Durkin Wong and James Durkin, and Antoine LaDeaux, Sr. Kay Gourneau made a motion to request an appraisal on the land. The motion was seconded by John Estes and carried with four for, none opposed and two absent.

-6- PHS Area Staff - Dr. Rice Leach and Alan Allery from the Area PHS Staff, with Garth Hinderman, acting Service Unit Director and Lawrence Thompson were present to inform the Council on the present status of Public Health Service and Staff. Mrs. Doran resigned and the SUD position is being advertised. In some instances, to get a well qualified person, the position may not be filled for about a year and an acting SUD has therefore been appointed - Garth Hinderman. Both reservations will be kept informed of the applicants and their qualifications and they will be selected according to supervisory health profession, ability and knowledge in working with tribes, management ability in working with a sizable budget. He requested that any qualified person be brought to his attention, or asked to submit their application.

Reorganization of Service Unit - Reorganization will not take place until studies are completed on both reservations and both tribes agree to go along with the plan. The present building is being enlarged and a five year lease has been signed.

Dr. Leach informed the Council on the difficulties encountered in recruiting doctors in the public health field. Chamberlain is not effected. Dr. Austria has indicated an interest in staying.

Ambulance & CHR Programs - No increase other than inflationary costs are expected. For the Ambulance program, it is hoped that funds will be there to progressively improve the program. Justification of expenditures in the program will be closely reviewed by GAO, therefore management of programs is very important.

Health Care Delivery - With cooperation of Tribes and the service unit, this Area is solvent at present. The PA, Ray Rudolph, has withdrawn his resignation and will be staying. Dr. Leach commented on this as good news. On the centralization of service, the best hospitals in the State and neighboring states are available to us, and unless a central facility is going to be better or at least as good, it isn't going to help. The area to be served by a central hospital is too large an area. It would be more economical and feasible to spend funds for contract care rather than building an IHS hospital that may be outdated in the near future. The technical facilities advance on a year-to-year basis. Also, by doing this, you can improve other health care services. You would end up with more improved health care for the dollar amount. Chamberlain is planning a new hospital and is seeking support from IHS and the Tribe. The Health Systems Agency, of the State, will make recommendations on the need for a new hospital. There are federal funds available in areas where IHS does not have a hospital and this is probably why Chamberlain is seeking input and support on this. PHS Staff will attend the meeting to be held on 9/7/78 to discuss this and they will inform the Council on what was discussed.

J. W. Thompson, presiding officer, thanked the PHS Staff for attending the meeting, stating their comments were appreciated and will help the Council in making necessary decisions in regard to health care.

-7- Farm Board Appointees - Tom Hanke, Farm Manager, informed the Council that a new board must be appointed: Three directors for three year terms, two directors for two year terms and two for a year's term. The present farm board members are Richard P. Thompson, Michael B. Jandreau, William Ziegler, Claude Fly, Ben Reifel, Harold Shunk, Orlo Johnson and Vernon Eidmen. Kay Gourneau made a motion to nominate the same members to the board, and to draw names for length of term. The motion was seconded by Mary Dixon. On call for vote the motion carried with four for, none opposed and Michael Jandreau, not voting. Bill Ziegler stated he objected to drawing for terms. The terms were drawn as follows: Three year term - Michael Jandreau, Claude Fly and Orlo Johnson; Two year term, Richard P. Thompson and Vernon Eidmen; One year term, Ben Reifel and Harold Shunk.

-8- Unitized Lease for Irrigation Farm - Mr. Hanke asked for the opinion of the Council on a unitized lease for the irrigation farm. Presiding officer suggested that copies of the lease be made available to all Council members for review and their recommendations be made at a later date.

-9- Enrollments - Letters of request and applications for enrollment were reviewed. John Estes made a motion that the following be approved for enrollment. The motion was seconded by Kay Gourneau and carried with five for, none opposed and one absent. Enrollees - Barbara Ann (Brokofsky) Plowman, Jeremy Black Bear, Aldean Dawn Black Bear, Troy Daniel Enright, Christopher Jefflynn Jerome Estes, Lance Corey Flute, Waldron Benjamin Fox, Jolana Jane Gillette, Sean David Herron, Jeremiah Daniel LaRoche, Michelle Annette Long Andersen, Aleta A. Kennedy McBride, Leland Charles Skunk, Evonne Janet Welsh, Christopher Thomas Jones, Jerome Wade Chasing Horse, Jeffrey Aquilla Jones.

-10- Selection of Positions - By secret ballot Mary Middletent was selected to fill the CHR vacancy, and Marlene Crowe named as alternate. Others applying for this position were: Bernice Bad Horse, Pauline Middletent and Maria Patterson, Tony LaRoche, Jr., and Darlene Traversie.

Tony LaRoche, Jr. was selected to fill the Ambulance Driver/attendant position by show of hands; Maria Patterson was named as alternate.

-11- Approval of Minutes - Michael Jandreau made a motion to approve the minutes as presented, for the month of August. The motion was seconded by Mary Dixon and carried with four for and none against.

-12- Fish & Wildlife Study - The US Fish & Wildlife Service, in conjunction with the Bureau of Indian Affairs and the Bureau of Reclamation prepared a study, giving three alternate plans for an environmental

protection practices in regard to development of the Little Bend area for irrigation. Michael Jandreau made a motion to adopt plan B. The motion was seconded by Kay Gourneau and carried with five for and none opposed.

-13- Goose Hunting - Mr. Pat Durkin came before the Council to request the same type of goose hunting operation as he ran last year. Income to the Tribe's DOR program was approximately \$1600. He proposes to sell all licenses and turn in 20% of the pit fee. The season begins 10/1/78. Kay Gourneau made a motion that he contact Duane Goodface and have him work out the same type of arrangement as they did last year. The motion was seconded by John Estes and carried with five for and none opposed.

-14- Miscellaneous - Mr. Noah Grassrope was given the old house located by the Halfway House. He is now asking if the Indian Action Program could move it for him. The Administrative Assistant will contact the IAP Director on this.

RECESS - The meeting recessed for the noon hour and reconvened at 1:30 p.m., with the same members present.

-15- 208 Water Quality Program - Mr. Abe Langdeau, Elvis Grassrope, Chuck Kuecker, Al Bareth, Tom Trout and Leo LeCompte were present to discuss the 208 Water Quality Program. This program establishes our relationship with local agencies in continuing a water quality and environmental plan with Region 8 office in Denver. The Planning Director asked to address the Council as the Planning Commission. In reviewing portions of the water quality program, as it presently exists and extending into next year's program, a projected plan was presented for Council consideration. This agreement was formulated with all Tribes in South Dakota, the State Office of Environmental Protection, the Bureau of Indian Affairs, Indian Health Service and the EPA office in Denver. This will enable the Tribe to bring together the services of several agencies without conflict, providing for control and management, and to keep the decision making process at the local level. An office or position is needed at this level to coordinate findings and manage the program. Specific areas of the total plan have to be considered for the coming year. Our grant request is \$20,000. Budget line items were reviewed as training, 208 position salary, transportation, supplies, office space and telephone costs. 25% will be in-kind support from the Tribe. Areas covered would be sampling stations set up for streams - this report was given by Mr. Kuecker. Development of a Utility Commission and compensation for same with six members, three voting and three non-voting. Mr. Langdeau stated the purpose of the presentation was to place in the minutes the activities of the Planning Office with respect to future development, Council input and approval if the Council prevails in supporting this type of organization.

-16- Update of OEDP - The Planning Office was authorized to conduct an economic survey of the reservation to obtain statistics relative to updating the OEDP for FY 79, as required by EDA. However, this did not materialize due to lack of input, some people not wanting to answer questions on the survey, with only two-thirds responding. Since it was to be a population



survey, the results are inadequate. Mr. Langdeau then informed the Council that statistics were obtained from the State Office of Vital Statistics as to population growth. Migration to reservation is at approximately 5%, with a total population of 883, including 21 in Stanley County. He then requested approval for the update and priorities for the OEDP. Kay Gourneau made a motion to approve this. The motion was seconded by John Estes and carried with three for, none opposed and three absent.

-17- Game, Fish & Parks Contract - A projected proposal for completion of the Game, Fish & Parks contract was presented for approval; the work cannot be completed before the end of the contract period and the Planning Director asked the Council's approval on the projected spending. Michael Jandreau stated you could not approve payment of work not done but you could bill the Bureau for this amount. He then made a motion to request a draw down for this amount. The motion was seconded by John Estes and carried with four for, none opposed and two absent.

-18- Selection of Auditor - Mr. Langdeau requested authorization to select an auditor for the Weatherization Project. Michael Jandreau stated this wasn't necessary until 50% of the project is complete. Mr. Langdeau stated Mel Myers told him it was 50% complete, but no by expenditures. Kay Gourneau made a motion to authorize the Planning Director to select the auditor for the project. The motion was seconded by Michael Jandreau and carried with four for, none opposed and two absent.

-19- Mineral Rights on Land Trade - Keith Dorman was again present to clarify the holding of mineral rights on the land trade between himself and the Tribe. A resolution had been passed that each party retain the mineral rights on their land. However, Mr. Dorman wanted the mineral rights to the land he would own after the trade. After a lengthy discussion, with Mr. Hicks present, Michael Jandreau made a motion to adopt a resolution stating neither party is reserving mineral rights. The motion was seconded by Kay Gourneau. Bill Ziegler asked for more discussion, objecting that the Tribe's land would not be protected. Michael Jandreau stated he would retract his motion, to allow Bill Ziegler to move that the Tribe reserve rights on 160 acres and Mr. Dorman reserve his on 140. By each party remaining silent on reserving rights you strengthen the Tribe's position; ultimately the ownership of mineral rights on reservation lands will be settled in Court - mineral rights are held in trust by the federal government. If the Tribe does not want to remain silent on the mineral rights then the trade should not be transacted. Mr. Dorman agreed to trade land and to remain silent on reserving mineral rights. The presiding chairman stated there was still a motion and second on the floor and called for a vote; the Tribe and Mr. Dorman will both remain silent on reserving mineral rights on the land trade. The motion carried by a vote of three for, Bill Ziegler opposed and two absent.

-20- Curfew Age - The Tribal Court presented a request that the curfew age be changed back to read - must be 18 years of age or have completed the 12th grade. This is for mainly school attendance purposes. Kay Gourneau made a motion to approve the change. The motion was seconded by

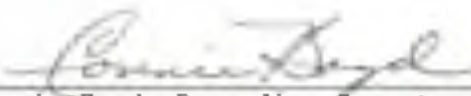
Michael Jandreau and carried with three for and none opposed, three being absent.

-21- Request for Homesite - Patty Ness requested a rural homesite on the following described land: SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Section 20, 107, 74. Kay Gourneau made a motion to approve the request. The motion was seconded by Michael Jandreau and carried with four for, none opposed and two absent.

-22- Adjournment - There being no further business, the Chairman entertained a motion to adjourn. The motion was made by Kay Gourneau and seconded by Michael Jandreau; there were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council assembled in Regular Session, with quorum present, on the 6th day of September, 1978.

  
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Connie Boyd, Recording Secretary

REGULAR MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

October 4, 1978

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 4th day of October, 1978, and was called to order by the Chairman, with roll call as follows:

Present: Richard P. Thompson, Chairman  
J. W. Thompson, Vice-Chairman  
Bill Ziegler  
John Estes  
Michael B. Jandreau  
Kay Gourneau

Absent: Mary Dixon

The meeting opened with the Lord's prayer, led by the Chaplain, John Estes.

1. Approval of Minutes - Kay Gourneau made a motion to approve the minutes for the special meetings in August and the September meetings, as presented. The motion was seconded by John Estes and carried with five for and none opposed, one being absent.

2. Report on Schaefer Lease - Michael Jandreau stated that the Corps of Engineers seemingly intends to honor the Schaefer lease as being valid; they do not acknowledge any commitment to the Tribe on this. This matter will be brought to the attention of the Bureau immediately.

3. Fire Prevention Week - The week of October 10 thru 13 is Fire Prevention Week. The Superintendent suggested the Tribe and the Bureau make a united effort in cleaning up the community and mowing to cut down on fire hazards. One of the main problems is the sanitary land fill. The Bureau has been trying to maintain this, but it is ultimately the responsibility of the Tribe. There shouldn't be any open burning, the site should be covered on a regular basis. The Tribe does not have funds for employment or for a vehicle. Mr. Hicks stated efforts will be made to enable the Tribe to handle this.

4. Farm Enterprise Lease - The lease was reviewed. The land owners will be paid through direct billing of the enterprise, at the same rate as last year. The enterprise was allowed to pasture 500 head of cattle; however, they were kept on through the summer creating a problem with over-grazing. If they want year long grazing the number will have to be reduced. They do intend to pasture again this winter, which will be fine if they are kept off grassland. Michael Jandreau asked if their plan was concurred by the Bureau and was told yes, it must have been. Mr. Hanke stated a formal plan of operation for grazing will be discussed at the next Farm Board meeting.

5. West Central Board Meeting - The annual meeting of the West Central Cooperative will be held Thursday the 5th of October, in Kadoka. They will elect the board of directors. It would be to the Tribe's best interest to have someone from this area on the board to keep them informed of our plans and to support us. The Bureau will provide a bus for anyone wanting to go - anyone with a meter in their name is eligible to vote. There will be alot of local representation which could be to our advantage in nominating Chris Madsen for a board position. Mr. Hicks proposed that the Tribe endorse a candidate and authorize a delegate to vote for the Tribe. Michael Jandreau made a motion to authorize the Chairman to vote for the Tribe and to endorse Chris Madsen as a candidate. The motion was seconded by Kay Gourneau and carried with five for, none opposed and one absent.

6. Concerned Citizens Organization - Mr. Hicks reported on his conversation with the Area Director relative to the group that met with him. He stated that, in his opinion, people are getting wrong information and mis-information that is causing concern. As an example, they told the Area Director that only one person was allowed in the meeting at one time - it was explained that only one agenda item is discussed at any one time; that the Tribe does not have large enough physical facilities to hold their meetings. He recommended that the Council consider a larger meeting area with a seating gallery. Another complaint was that the minutes aren't published promptly so they do not have the opportunity to review them for corrections, creating concern and misunderstanding. Michael Jandreau wished to state, while the subject is on the floor, it was his belief that the Tribal Council has a right and an obligation to meet and discuss problems with Tribal members who are concerned about the attitude and actions of the Tribe, when they are truly concerned; but when they become the concerns of a group of people that does not recognize the organizational papers of the Tribe and whose motive is overthrow of this Tribal government, then the Council is not obligated to justify their actions. If they come as individual tribal members concerned about specific issues then we are obligated; but, if they come as representative of a group called Concerned Citizens and Members of the Lower Brule Sioux Tribe, in that context, he believed the Council did not have to allow this harassment. Our attorney should be contacted when their organization papers are received. He continued, stating it was his sincere belief that any Council member who is a part of this group has violated their oath of office. Again, as an issue, our attorney should be contacted when we receive copies of their organization papers; it is clearly stated they do not recognize the Tribal Council or the Tribal government. He (Michael Jandreau) suggested that we whould make our charter available to them as the Tribe is a corporate body and they are passing out information that we are not, and since they are, they maintain they should be able to do things the Tribe is not able to do. He suggested that the Tribe's charter be made part of the minutes; the Council concurred. Mr. Hicks stated that a corporation for economic development could be an asset, if that was their motive, it would be beneficial if they would use it that way.



7. Contracts - Joyce Estes was present to discuss all contracts with the Tribe. An extension will be requested for the Deferred Grazing Land Payment and the On-Going Child Welfare Program. The following contracts have to be closed out - Recreation, Game, Fish & Parks, Criminal Justice, Crop Analysis and Adult Basic Education. Tribal Courts, TWEP, HIP, and Water Inventory contracts will be renewed. The Homemaker Service Program will not be funded in FY 79 - this will terminate Geraldine Ziegler's position. The Washington office, in following the State standards administration of general assistance funds, issued the directive on this. Joyce Estes stated she would go over the contracts and prepare documents for the Chairman's signature.
8. Land Transactions - Appraisal reports were received on the inherited interests of Bernadette King, and on the land Fay Jandreau requested to purchase. Michael Jandreau made a motion to purchase the interests from Bernadette King and to approve the price of the sale to Fay Jandreau. The motion was seconded by J. W. Thompson and carried with five for, none opposed and one absent.
9. CETA Program - Congressional approval of funding for CETA programs will probably not be made until November. This will effect the program here in Lower Brule. Debra Isburg, CETA Director, requested that the Tribe authorize a loan to implement the program for the start of the fiscal year. Kay Gourneau made a motion to adopt a resolution authorizing the Chairman to negotiate a loan for the CETA Program. The motion was seconded by J. W. Thompson and carried with five for, none opposed and one absent. The loan will be negotiated at Tri-County in the amount of \$26,270 for a period of three months.
10. Cattle Loan - Michael Jandreau requested time on the agenda to discuss the livestock loan he has with the Tribe. For the past four years he has paid only the interest on it, due to cattle prices, drought, etc. He is current to 12/77 with \$200 paid on the principal. His request was, due to cattle prices, that he be allowed to keep them and that his loan be refinanced; he suggested the interest be raised from 4% to 5%. Mr. Jandreau stated this does reflect on him and the Tribe but asked that the Council allow him to do this. He further stated the Tribe could close him out and collect all their money as he does have collateral, but would like the opportunity to go forward and try and make a go of it. J. W. Thompson stated that all clients are in bad shape and in arrears in payment and suggested that all loans be rewritten - he then made that a motion. The motion was seconded by John Estes and carried with three for, none opposed, with Bill Ziegler and Michael Jandreau not voting. J. W. Thompson requested that the Administrative Officer, Joyce Estes, be contacted for assistance on this. The Chairman stated that when loans are rewritten, an on-site inspection should be made. Kay Gourneau made a motion to appoint J. W. Thompson as the inspector. The motion was seconded by John Estes and carried with four for, none opposed, J. W. Thompson not voting and one absent.

11. Industrial Park - Kenna Christensen requested permission to move a trailer on their lot to serve as an office. The Planning Director told them he could not authorize a temporary building on the lot, that it needed Council approval. Michael Jandreau stated if this is allowed, a certain length of time should be specified. Mrs. Christensen also requested the lot adjacent to theirs for expansion. J. W. Thompson made a motion to approve both requests, allowing the temporary building for one year. The motion was seconded by Michael Jandreau and carried with five for, none opposed and one absent.
12. Enrollments - Letters of request and applications for enrollment were received for the following: George Charles LaRoche, Robert George Mills, Eugene F. Skunk, Martina Kennedy Hendrixson, January J. Sully, Joseph R. Young, Robert R. Young, Kevin McChee, Kirby McChee, Kelly McChee, Jeremy A. Herron, Alta LaRae Grassrope, Fely M. Goodface, Waylon J. Grassrope and Lori L. Grassrope. Kay Gourneau made a motion to adopt a resolution approve the enrollments. The motion was seconded by John Estes and carried with five for, none opposed and one absent.
13. Billing for JMF Construction - Michael Jandreau made a motion to approve payment to JMF Construction. The motion was seconded by J. W. Thompson and carried with five for, none opposed and one absent.
14. Ambulance Contract FY 79 - J. W. Thompson made a motion to adopt a resolution approving the FY 79 Ambulance Contract. The motion was seconded by John Estes and carried with five for, none opposed and one absent.
15. Miscellaneous Requests - Bertha Fire Cloud wrote a letter to the Council requesting an oil heater. Michael Jandreau stated the HIP Committee approved purchase of furnaces for Mary Goodlow, Irene Skunk and Ben Driving Hawk; he suggested that Mrs. Fire Cloud's also be taken out of HIP funds. In relationship to this, he asked for approval to expend HIP funds to lay a foundation for Jim Long Turkey's trailer in Ft. Hale. PHS will reimburse the cost of water and sewer installation. J. W. Thompson made a motion to approve payment, as stated above. The motion was seconded by Kay Gourneau and carried with five for, none opposed and one absent.
- The Council concurred that a letter be written to DeLaine Flute rejecting his request for a loan in the amount of \$89, as he is presently working and there are only two in the family.
- John Estes asked what could be done about Lenora DeWitt's porch. When the house was raised the porch came away from the house and it was never repaired. This is an ownership home, but Michael Jandreau stated he would ask if Housing Maintenance could do this, or work something out on it.

RECESS - The meeting recessed for the noon hour and reconvened at 1:15 p.m. with the same members present.

16. Health Matters - At the 4-State Indian Health Board Meeting, the Tribes were asked to support a mental health program at the local level. J. W. Thompson made a motion to adopt a resolution supporting the mental health program. The motion was seconded by John Estes and carried with five for, none opposed and one absent.

In order to get another position at the PHS dental clinic, a resolution is needed from the Tribe. Michael Jandreau made a motion to adopt a resolution requesting another dental technician for the Service Unit. The motion was seconded by Kay Gourneau and carried with five for and none opposed.

17. PHS - Al Bareth of PHS was present to get a decision from the Tribe on construction of the lagoon for the housing site West of town. He also stated the town site lagoon should be enlarged when additional housing begins; at present there are no funds to enlarge the lagoon, but they can install an aerator. If the Tribe desires to contract the construction of the lagoon, they must submit a bid; if they do not intend to, then a letter should be sent requesting open market bid. Michael Jandreau made a motion to indicate that the Tribe is interested in bidding on construction of the lagoon since we do have the capability and the project will provide income. The motion was seconded by J. W. Thompson and carried with five for, none opposed and one absent. Mr. Bareth was asked to inspect the land fill site; he will inform the area office of his findings and recommendations as to whether a position can be warranted to maintain this full time.

18. IAT Positions - The Chairman asked for clarification on hiring of personnel for the IAT Program. The director was authorized to hire trainees and office staff, informing the Council, but all instructors were to be reviewed and selected by the Council.

19. IAT Program - Bill Dixon IAT Director gave a written report on the recent meeting he attended in Denver, for Council review. He requested the Tribe negotiate a loan to carry the program for the first quarter, as the advance will be delayed. Michael Jandreau asked if he had received a letter or project award and Mr. Dixon answered no, he was informed by telephone. The next request was an authorization to enter a lease/purchase agreement for power tools; when they are paid for the Tribe will own them. The Chairman requested a monthly report from the IAT Director as to their projects and what they are accomplishing; the Council is not kept informed on this and who is being hired. Mr. Dixon reported on work being done on the Ft. Hale road. J. W. Thompson made a motion to authorize the Chairman to negotiate a loan for the IAT Program, in the amount of \$25,000 at Pierre National Bank. The motion was seconded by Kay Gourneau and carried with four for, none opposed and two absent. J. W. Thompson made a motion to authorize the lease/purchase agreement, seconded by Kay Gourneau. The motion carried with five for and none against.

20. Phase II Water Inventory Report - Planning Director, Mr. Abe Langdeau, presented the Phase II Water Inventory report for the Council, as information and for review. He also presented the billing for approval of payment to Francis-Meador-Gellhaus, Inc., in the amount of \$8,337.43, and one in the amount of \$525 for extra copies of the report. Kay Gourneau made a motion to approve payments. The motion was seconded by Michael Jandreau and carried with five for and none against.
21. Energy Conservation Program - J. W. Thompson made a motion to approve payment to Meese, Peterson & Foss for engineering work completed for the Energy Conservation Program. The motion was seconded by Bill Ziegler and carried with four for, none against and two absent.
22. 701 Planning - The 701 Planner presented information to the Council on the CD Block Grant award and planning set aside. The grant is to complete a drainage project. The project can be put on open market or as Indian preference. If the Tribe does not go Indian preference a plan to employ minorities must be submitted. After approval of the drainage plan the project will be advertised, but work will probably not begin until spring.
23. State Hunting Regulations - The State of South Dakota is selling antelope licenses to hunt on deeded land within the boundaries of the reservation. Game, Fish & Parks office was contacted in regard to this since they did not have an agreement with the Tribe to do this. This will cause problems as they do not have personnel for enforcement. The Tribal game warden position was discussed. Duane Goodface is the game warden as well as Conservation Instructor for IAT. However, Pat Spears stated Duane Goodface was told by the IAT Director that he could no longer patrol. J. W. Thompson asked when action was taken to change this - it was never changed by the Council.
24. Complaint from Tribal Member - Mr. Owen Goodface asked to address the Council in regard to some complaints from the people. He asked why an injunction was put against the Tribe, if it was this Council or the previous one; he didn't think this Council had anything to do with it. He stated there are alot of things going on that the Council doesn't know about. He then told of a police incident involving his son being accused and harassed in regard to having "pot" in his possession, and the police entering his house without a warrant. He asked if the Council could do something about the harassment. Part of his presentation was made in Lakota and not taken down in the minutes. Mr. Goodface was told that members of the Concerned Citizens would be in and he would be welcome to come in then.
25. Narrows Area - John Estes asked to bring this subject up and have it in the minutes. It has been discussed before but nothing has ever come of it. This concerns the shoreline in the narrows - it is caving in very fast; he asked if the Corps of Engineers were supposed to do something



about this. It is eroding faster than anticipated. Once it reaches the taking line they will probably request more land. John Estes made a motion to contact the Bureau to see what kind of answer the Corps can give on this. The motion was seconded by Kay Gourneau and carried with five for and none opposed.

26. Concerned Citizens Committee - Clark Zephier, Lenora DeWitt and Julie Yellow Robe were representing the Concerned Citizens and Members of the Lower Brule Sioux Tribe. Mr. Zephier was spokesman, stating the Tribe had requested review or documentation of their organization papers. They presented a copy of a charter and Constitution. He stated they had questions brought up by people at their first general meeting. The list of questions were as follows:

1. Who benefits from the buffalo program.
2. Hunting rules. Johnny Flute wants them changed to Indian hunting year round, no white people hunting on reservation.
3. Why are other people's cattle on tribal land.
4. Enrollment - it was brought up that alot of children that have never set foot on this reservation, never lived here, are being enrolled.
5. Request for general meeting with Council and interested people.
6. Can you provide a place for general meetings.
7. What is Connie Boyd's position.
8. Home repair - Lenora DeWitt told about conditions of her house due to the poor work done on it when they raised it.
9. Police brutality, beating up of drunks.
10. Suggested that the Council appoint a hiring board from the people of community to hire employees in tribal office.
11. 44 million dollars, want to know what happened about this.
12. Traffic violations - some people receiving stiffer sentences for same type of violation.

Additional Comments: Clark Zephier requested a general meeting for the answers, or to tell them and they would take a report back. Lenora DeWitt commented on the repair of her house and the condition it was in because they never finished it. She also asked for new locks but never got them. They are buying their homes but if something happens, she heard the house goes back to the Tribe - they spend their money and the Tribe gets the house. She also commented on police brutality stating her grandchild was beaten up in a cell. A petition was taken around but it was ignored. Clark Zephier stated he would like to know what he is doing wrong, that someone is watching every move he makes and the police are watching him. He asked if he had to strighten up. Lenora DeWitt stated she has been receiving threatening calls, but said as long as she is living and someone is doing something dishonest or not right, she will speak out. The only way to stop her would be to kill her. She continued, they can call all they want; she will take it to an attorney and have the calls traced. What they are doing is for the benefit of the Tribe. She recognized the voice but wouldn't say who it was. Clark Zephier asked if the Council had any questions; there were none. Julia Yellow Robe commented that they don't do anything about the threatening calls and watching Clark, but they allowed her brother-in-law to stay at his home when her sister had a restraining order on

him. Lenora DeWitt asked what the Council had to be afraid of so they are getting threatening calls. Bill Ziegler stated this was the first he heard of it. Clark Zephier said the Captain said the same thing. Clark Zephier requested copies of minutes for the past two years and asked for an answer on having a general meeting. The Chairman stated it may not do any good this close to election. Lenora DeWitt said it was the best time, so you could decide who to vote for. She stated she would never be paid off by anyone, she heard this was going on, that she wasn't accusing, she just heard it. The Chairman stated they heard the committee wanted the Council replaced so they really couldn't do any good now. Bill Ziegler said he had no objections to a general meeting with people in Lower Brule. Clark Zephier stated the Council can decide and write them a letter. He was told the Council would answer the questions as a whole and not individually. Clark Zephier stated he appreciated the time spent with the Council and thanked them.

Michael Jandreau stated this whole thing is being utilized as a political game using lies and misinformation. He believed a stand should be taken against this as people are being lied to, misinformed by a group or individuals and will do nothing toward the cohesiveness of the Tribe. The Council could put out straightforward information about the real concerns but not the picking and fighting. Like the Farm thing, if anyone wants to know we can explain, but whether they will accept the answer is another thing. These people are being led to believe that we are doing nothing but stealing and every chance we get we are trying to dupe the Tribe. He realized it is only a small segment of the population but the bitterness with which they are operating leads him to believe that their requests for answers are not based on actual concern but to belittle the present Council members. He continued, that when he chose to run he chose to work for the betterment of the whole Tribe, not a small segment of people. He has been publically called a thief and a liar and all it is being done for is the political aspirations of a few people. Three people on this committee are running for Council. As far as the rumor that the police are watching Clark Zephier, he sure didn't hear about it before today. Kay Gourneau asked why the Council is responsible for this and the threatening calls, and what can the Council do about it, she has received them also.

J. W. Thompson stated he thought the people have some kind of gripe, they don't see into some of the things the Council does. They are getting a little information here and there and a clear picture never given to them. He cited the example of the buffalo and hunting regulations. These are to support policing of game on the reservation and to generate jobs in order to make it pay, but they do not see it that way. The irrigation farm won't pay very much until the thing is complete. They don't see the problems with development, nothing comes right away, but they see the trucks going out and think there is very big money. It should be explained to them in detail so they can see what is going on. This is a lack of communication. On Law & Order, it should be brought out that any society has to have policing and this is the best we can do. The next thing would be to go with State jurisdiction, do they want that: We try to improve it but they do get out of hand. We try to tell the people in charge to straighten these things out but we can't go totally without law and order. They do not understand the rules in regard to the Home Improvement program, some are not eligible. We should give them a narrative on the different types of housing.

The recording secretary was asked to transcribe the questions from the Concerned Citizens and run off copies for the Council. Discussion was then held on ownership homes - they do not revert to the Tribe.

The Chairman informed the Council that Clark Zephier requested copies of all minutes since January of 1976. This entails alot of work and expense. They do have the option of reviewing the minutes at the office - this has never been denied to anyone. The committee stated they recognize federal and state government and want to work for the betterment of the Tribe but at the same time are stating they do not recognize the sovereignty of the Tribe or tribal government, but without that they wouldn't have the opportunity of doing what they are doing now. Alfred Ziegler stated at their meeting that the Tribe does not have a charter, is not a corporation and never has been. Michael Jandreau stated he was not apposed to preparing a written response to their questions and mailing it; as for copies of the minutes, they can pay for them as all programs do - either that or they can come in and read them. As far as not getting minutes, for a time we didn't always send them out due to lack of funds but they have always been on file for anyone to read. This is just a point of harassment. There is no law about sending out minutes. On police brutality, we don't like it, have talked to them about it and we endorsed their petition, what else can we do? The Council will meet Tuesday, 10/11/78, to prepare a written response to questions.

27. Election - As a matter of record, the Tribal election has been postponed to 11/21/78. This was due to the privacy act - Law & Order could not handle the investigations without fingerprints and this caused the delay.

28. Adjournment - There being no further business, the Chairman entertained a motion to adjourn. The motion was made by Kay Gourneau, seconded by J. W. Thompson; there were no objections.

#### CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 4th day of October, 1978.

  
Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

October 27, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 27th day of October, 1978, and was called to order by the Chairman with roll call as follows:

Present:	Richard P. Thompson, Chairman	Absent:	Bill Ziegler
	J. W. Thompson, Vice Chairman		John Este
	Michael B. Jandreau		
	Mary Dixon		
	Kay Gournneau, arrived after roll call.		

This Special Meeting was scheduled to review and approve the Tribal Operating Budget for FY 79. Also present were Joyce Estes, Bureau of Indian Affairs Administrative Officer and Lisa Estes, Tribal Finance Officer.

The project income was first reviewed. Total indirect cost rates were not projected; the Tribe received only 46% of the rate last year. All tribal salaries were raised at a 5% cost of living increase. A new Tribal vehicle is needed; the cost of this will be added to capital expenditures. The possibility of obtaining insurance for Council Members to cover cost of legal services was discussed. Note was made of this to investigate possible source of income for this.

The Farm Corporation will be able to pay at least the interest lost when funds were used for farm operation; this will build up the rehab fund again. The cost of the annual pow-wow was reduced, and the Tribe will sponsor one rodeo only. To cover the cost of a note due at Tri-County the Tribe will begin proceedings to collect payment from mortgaged land. Also, to generate income, 10 buffalo (bull) calves will be offered or advertised for sale, pasture is not adequate and it is over stocked.

Michael B. Jandreau made a motion to approve, by resolution, the Tribal Operating Budget for FY 79, with the additions and deletions as noted above. The motion was seconded by J. W. Thompson and carried with four for, none opposed and two absent.

The Chairman entertained a motion to adjourn (11:35). The motion was made by Kay Gournneau and seconded by Mary Dixon; there were no objections.

Special Meeting

October 27, 1978

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 27th day of October, 1978.

  
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Connie Boyd, Recording Secretary



REGULAR MEETING

LOWER BRULE SIOUX TRIBAL COUNCIL

November 2, 1978

The Regular Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 2nd day of November, 1978, and was called to order by the Chairman, with roll call as follows:

Present:	Richard P. Thompson, Chairman	Absent:	None
	J. W. Thompson, Vice Chairman		
	Bill Ziegler		
	John Estes		
	Michael B. Jandreau		
	Mary Dixon		
	Kay Courneau		

The meeting opened with the Lord's prayer, led by the Chaplain, John Estes.

1. High School Construction - Mr. Bill Schmidt was present to inform the Council on the status of the new high school. The second phase of the school construction will include the pool. The week of the 13th the staff from Albuquerque will be here to accept the building. He asked that all Council members make an effort to be present. If everything goes well, they will be able to move in during Christmas vacation. The main kitchen and dining room will be at the new school; they could run both if the Tribe would establish two training positions at the school.
2. Bureau Education - Mr. Schmidt will be attending a meeting in Tucson the week of the 13th on HR 15, a recent Act of Congress, to establish and implement basic academic program standards. The Act will establish a Superintendent of Education at the Agency level. They intend to delegate authority to tribes and school boards. Mr. Schmidt also informed the Council he has received three applications for the secondary principal position, but a selection has not been made. Mr. Schmidt stated he would come to the regular monthly meeting to give a report to the Council.
3. Title IV - Kay Gourneau made a motion to adopt a resolution requesting a Title IV Contract. The motion was seconded by Mary Dixon and carried with six for and none opposed.
4. Treasury Funds - Kay Gourneau made a motion to reinvest tribal treasury for 30 days. The motion was seconded by J. W. Thompson and carried with six for and none opposed.

5. Miscellaneous Information - Sterling Institute will be conducting a workshop on 638 contracting on November 7, 8 and 9. The same week Robert Bennett will be in Aberdeen to conduct a workshop on Instruction in Tribal Constitutions and ByLaws. Assistant Secretary, Forrest Gerard has appointed George Goodwin to head up implementation of BIA reorganization. Martin Seneca was named acting commissioner and LaFollette Butler assistant. Mr. Hicks will look into the possibility of using deferment funds for water development. Mr. Karlin will be served papers within the next two days on trespass charges.
6. Counseling Services - CRR Coordinator, Bessie Estes introduced Mr. Riese, Social Worker with IHS and Mr. Mills of Capital Area Counseling Service. Both informed the Council of the services available for mental health care.
7. Boy Scout Program - A letter was received from Father Patrick Lloyd requesting a donation to implement a Boy Scout Program. Michael Jandreau made a motion to approve a donation of \$200. The motion was seconded by J. W. Thompson and carried with six for and none opposed.
8. NICA Meeting - The National Indian Cattlemen's Association will hold a meeting in Warm Springs, Oregon the 9th and 10th of November. The Indian Agricultural Credit Consortium will also meet there on the 8th. Lower Brule passed a resolution withdrawing from the consortium. They will be asking us to withdraw the resolution; to re-appoint Elroy Dubray as Executive Director; that South Dakota tribes form a State organization. Mr. Colombe is trying to move the office to Denver, in conjunction with NICA, but he is not an official tribal delegate. Lower Brule cattlemen are the only ones who paid back their loans. It was suggested that Lower Brule take the position that until someone else pays, Lower Brule will not, to support the cattlemen here. NICA is after the financial capabilities of the Credit Consortium to run their operation. However, EDA will not allow a merger. Kay Gourneau made a motion to appoint the Chairman as delegate to the meeting. The motion was seconded by Mary Dixon and carried with six for and none opposed. Michael Jandreau made a motion that the Tribe support all operators currently indebted to this organization to withhold payment from them until such time that we are assured that the consortium is operating in a manner with which we agree. This motion was questioned by Bill Ziegler and J. W. Thompson, as to whether the Tribe would be assuming the responsibility of repaying the loan. Michael Jandreau answered by reviewing the manner in which the Consortium was created; it was set up to create a credit entity for member tribes who initially took the responsibility and then sublet it to the American Indian National Bank, and they, in turn, have all the collection authority. There are stipulations established by the consortium that they have violated themselves. The loans were to be granted to individuals only, not to Tribes; but about five reservations were given loans. Michael Jandreau also stated he was asking for this support due to these inconsistencies and not for liability for payment if the individuals default.

Lower Brule requested they be allowed to collect payment here and reloan the money. Bill Ziegler said he would like it stated in the minutes that the Tribe is not responsible for these debts. Michael Jandreau again stated he was only asking for tribal support in withholding payment until we are satisfied with what they are doing with the money. Kay Gourneau seconded the motion which carried with four for, none opposed; J. W. Thompson not voting and Bill Ziegler absent.

9. 208 Water Quality Contract - Mr. Abe Langdeau, Planning Director, asked for Council confirmation and support to extend the 208 contract for one year. Kay Gourneau made a motion to request the extension, seconded by J. W. Thompson and passed with six for and none against.

10. West Central - Mr. Jost and Mr. Byre of the West Central Electric Cooperative were present, with Abe Langdeau and Elvis Grassrope to discuss the location for the substation and feeder lines from Lower Brule. They presented a map showing the proposed site of the station and line, which is only tentative. Development of all irrigation potentials on the reservation must be considered with this decision. Bill Ziegler asked if this site would effect the future expansion of the town site. The site would consist of approximately one acre, with easy access and relatively flat area. The tentative site is West of town at the crest of the West hill, inside Section 17. A motion was made by J. W. Thompson to tentatively approve this site, seconded by John Estes and carried by a vote of five for and Bill Ziegler opposed; Bill Ziegler wished it stated in the minutes that the reason he voted against this was because he wanted it set back further off the road. The exact location and description will be brought to the Council for final approval. The land will not be sold, but a 25 year lease will be written with an option to renew. Line location was also reviewed, there were no objections to the proposal. Mr. Hicks suggested the Council approve the design in general area then that it be brought back for final plans and specs. Kay Gourneau made this a motion, seconded, by John Estes. The motion carried with six for and none against.

11. Planning - Mr. Abe Langdeau, Planning Director, introduced two representatives of Cuthbertson Company, an ornamental iron business. He asked them to come before the Council to answer questions and review products. Their intent was to sell the business to the Tribe. The business operation was explained as to machinery involved, marketing and skills needed. This was for information only; no action was taken.

12. Planning Salaries - Mr. Langdeau stated the budget for the Planning Grant was revised and in so doing, salary increase for the Director and intern Planner were discussed. There is the possibility of a 5% change that can be made within the budget itself, without going through a re-budgeting process. He requested Council approval for wage increase for the director and intern planner. Michael Jandreau made a



motion to approve the request. The motion was seconded by Kay Courneau and carried with five for and none against, one not voting.

RECESS - The meeting recessed for the noon hour and reconvened at 1:30 with the same members present, except for Kay Courneau who was absent for the afternoon session.

13. Packing Plant Proposal - A proposal for a packing plant was discussed by representatives from the Council and Planning department of the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe, with the possibility of locating on the Bad River. This would be an outlet for Indian owned cattle operators and Indian irrigation projects. The idea is economically sound but documentation by a feasibility study has not been made. Michael Jandreau stated we should contact Melvin Garreau since he is the new chairman. J. W. Thompson made a motion to adopt a resolution requesting UST seek and secure a feasibility study on a joint packing plant venture with Cheyenne River Sioux Tribe, if they are still interested. The motion was seconded by Mary Dixon and carried with four for and none against, two being absent.

14. Hiring Practices - Orville Langdeau stated he came in for information on the hiring practices of the Tribe. It was explained that some is done according to program guidelines. The directors take applications and make recommendations for selection by the Council. All director positions are hired by the Council. Title I positions are selection by the Parent Council, and the same is true for Head Start. Directors are authorized to place temporary people until the position can be advertised and selected. Mr. Langdeau stated that people are not told why they were not selected and feel they were not given consideration. He asked if the Council changed their action to do all hiring. J. W. Thompson answered yes it was changed but did not remember the reason why. Mr. Langdeau asked if the Council was going by a revised plan of operation. He also stated that people are under the impression the Council does all the hiring. He was told that directors are hired to run programs. He concluded that from what was said, there is nothing down in black and white that could be given to him as to how the Tribe operates its employment practices. He stated he could leave and someone else come in and be told a completely different story. He was asked if he had a specific complaint and he stated he thought the whole system was wrong.

15. Request for Land Trade - Fay Jandreau owns one-quarter interest in a Section of land and is requesting a trade with the Tribe for 40 acres of the land he is in the process of purchasing, and pay the balance in cash. J. W. Thompson initially suggested he sell the 40 acres to the Tribe, but then made a motion to approve the land trade of 40 acres between Fay Jandreau and the Tribe, for a portion of the

160 acres he is purchasing, and to pay the difference. The motion was seconded by Mary Dixson and carried with five for and one absent.

16. Approval of Billings - Michael Jandrea made a motion to approve payment to JMF Construction and to H & H Construction, seconded by John Estes and carried with four for and none against.

17. Housing - A request was made by the Housing Authority for Council concurrence to make application for 30 additional houses. J. W. Thompson made a motion to this effect, seconded by John Estes. The motion carried with four for and none against.

18. Appraisal Request - J. W. Thompson made a motion to request an appraisal on the Stroking Wing allotment. The motion was seconded by Michael Jandrea and carried with five for and none against.

19. Enrollments - Letters of request and applications for enrollment were received for the following: Shane M. Artz, Seth M. Artz, Elizabeth A. Herron, Tishaune Herron, Tammy S. Meek, Terry L. Meek, Todd W. Meek, Lisa L. Moyer, Teresa A. Moyer, Scharlene R. Moyer, Casey D. Moyer, Esther E. Small Jumper, Patricia M. Quilt, Cole J. Walters, Stephanie K. Walters, Evelyn E. West, Merlin A. West, Duane E. West. Mary Dixson made a motion to approve the requests for enrollment. The motion was seconded by John Estes and carried with five for and none against.

20. Pow Wow Committee - John Estes asked to resign from the Pow Wow Committee due to personal reasons. He also suggested that the Tribe should do something to protect themselves as the committee is using the Tribe's name. There are no books being kept and you don't know what is paid or anything.

21. Livestock Count - The Council took action to refinance livestock loans. J. W. Thompson was appointed as inspector to make on-site inspections of the livestock operations and to do a cattle count. Those inspected were Michael B. Jandrea, Kay Gourneau, Lawrence Thompson and Debra Isburg. In the case of Debra Isburg, there were no cattle. It was suggested that she be given ten days to account for the cattle or the money. In her case refinancing cannot be done because there are no cattle. There is no record of her requesting to liquidate or sell out. She sold mortgaged property without consent of the Tribe. The Chairman asked for individual vocal concurrence; there were no objections to writing a letter, as above. J. W. Thompson made a motion to support the Chairman in this action. The motion was seconded by Bill Ziegler and carried with five for and none against. Michael Jandrea made a motion to publish in the minutes the current counts and balance of all livestock loans. The motion was seconded by Mary Dixson and carried with five for and none against.

22. IAT Program - Bill Dixon, IAT Director, was asked to give a report on the IAT Program, as to who is presently on the staff and in what positions, financial status and when funding will be here. He presented a written report on this. He is currently advertising a secretary position. There is no longer an Ag-engineering component and Vernell Smith was laid off. Michael Jandreau commented that the Building & Trades group are doing very high quality work and commended them on this, asking the Council to inspect the remodeling done to the Memorial Building.

Bill Ziegler stated he had someone come to his house who really cussed him out, asking who gave Bill Dixon the authority to hire his wife to work down there. The person was very upset and he told her this was the first he had heard about it. The person was going to call Denver to report this. He told her he would speak to the Council about it. Mary Dixon stated she was only helping out since the secretary quit without notice. The individual doing the complaining said it should be given to someone who needs work and not his wife. Mary Dixon said she is unemployed and needs an income like everyone else. It was explained that this is only temporary and she is receiving only trainee wages. She worked in the past, in a similar situation, for nothing. No action was taken.

J. W. Thompson made a motion to adopt a resolution to create a Soil & Moisture Program. The motion was seconded by Mary Dixon and carried with three for and none against, three being absent.

23. CETA Program - Debra Isburg, CETA Director was asked to give a report which she presented to the Council. Positions and persons selected to fill them were listed. She still has two vacancies. The applicants are selected on basis of need (income) and whether they have worked on CETA before. Program money is not here yet but the Tribe will be notified by mailgram. Mrs. Isburg stated she needs a letter from the Prime Sponser requesting T/A from the Washington office.

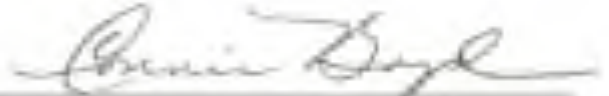
24. Request for Industrial Park Lot - Marlene Crowe requested to exchange Lot #9 for #6, and to place a trailer on the lot temporarily until the 90% guaranteed loan is completed. They intend to establish a drive-in. Michael Jandreau stated we did authorize that a trailer could be used for no longer than a year, and if this was their intent, he would make a motion to grant the request. The motion was seconded by J. W. Thompson and carried with four for and none against.

25. Request for Loan - Irene Skunk wrote a letter requesting a loan of \$150. J. W. Thompson made a motion to grant the loan, seconded by Bill Ziegler and carried with four for and none against.

ADJOURNMENT - There being no further business, the Chairman entertained a motion to adjourn; the motion was made by Michael Jandreau, seconded by Mary Dixon. There were no objections.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 2nd day of November, 1978.

A handwritten signature in cursive script, appearing to read "Connie Boyd", written over a horizontal line.

Connie Boyd, Recording Secretary

SPECIAL MEETING  
LOWER BRULE SIOUX TRIBAL COUNCIL

November 30, 1978

A Special Meeting of the Lower Brule Sioux Tribal Council was held at the Tribal Office on the 30th day of November, 1978, and was called to order by the Chairman, with the following noted as present:

Present: R. P. Thompson, Chairman  
J. W. Thompson, Vice Chairman  
William Ziegler  
Michael B. Jandreau  
Kay Courneau

This Special Meeting was called to adopt a resolution to withdraw U.S. Treasury Funds. The September computer print outs from the Bureau were delayed and the Tribe cannot complete their budget without them. With the budget incomplete, treasury funds cannot be withdrawn without this resolution.

J. W. Thompson made a motion to adopt a resolution requesting withdrawal of U.W. Treasury funds in the amount of \$25,000. The motion was seconded by Michael Jandreau and carried with four for, none opposed and two absent.

CERTIFICATION

The foregoing is a true and correct transcript of the minutes of a meeting held by the Lower Brule Sioux Tribal Council, with quorum present, on the 30th day of November, 1978.

  
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Connie Boyd, Recording Secretary