



**LOWER BRULE SIOUX TRIBE**  
**MINUTES**  
**May 2, 2018**

**The Lower Brule Sioux Tribal Council Meeting was held at the Tribal Administration Building on May 2, 2018. The meeting was called to order by Chairman Boyd Gourneau at 10:05 AM.**

**The Opening Prayer was led by Chaplain John McCauley.  
The Meeting being dedicated to ones we have lost in the past month:  
Evelyn Haney**

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

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

**Also Present:**

Security – Bob Merritt

Tribal Manager- Lee Brennan

BIA - Kristy Wolf, Shaun Woster

Janet Traversie

Cherly Scott

LB Tribal Attorney -Tara Adamski

Police Department- Officer Moran

Lower Brule Schools – Mr. Lance Witte, Dan Shroyer

Enrollment -Maryls Langdeau

Elaine Thompson

George Flute

Election Board-Bessie Goodface

Darrell Duvall

Randy Jandreau

**1. Approve to Close May Tribal Council Meeting**

Motion was made by John McCauley to close the May 2018 Tribal Council Meeting.

This motion was seconded by Donnie Moore.

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

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

**2. Approve May 2018 Minutes**

Motion was made by Darrell Middletent to approve the 2018 May Minutes.

This motion was seconded by Clyde Estes.

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

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

**3. Information-School Report –Mr. Lance Witte/Mr. Dan Shroyer**

May 3-Don Kirkegaard, SD Secretary of Education will visit the Lower Brule School.

May 21-Tribal Ed (TED) will be having their monthly meeting at Lower Brule.

May 2-31 Mr. Witte's School report has the school dates for the end of the school year.

(Attached is the monthly school report)

**4. Authorize Chairman Sign & Approve 2018/19 School Wide Budget-BIE**

Motion was made by Orville Langdeau Jr. to approve and authorize Chairman Gourneau to sign the 2018/19 School wide budget-BIE.

This motion was seconded by John McCauley.

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

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

**5. Approve to Support Mr. Lance Witte Run for the SDHSAA Board Position**

Motion was made by Darrell Middletent to approve a resolution in support of Mr. Lance Witte to run for a position on the SDHSAA Board.

This motion was seconded by Donnie Moore.

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

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

6. **Approve LB School Join the South Dakota High School Activities Association**

Motion was made by Darrell Middletent to approve the request for the Lower Brule School to join the South Dakota High School Activities Association.

This motion was seconded by John McCauley.

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

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

7. **Approve EPO Office Purchase Truck for the Solid Waste Program**

Motion was made by Orville Langdeau Jr. to approve the EPO Office to purchase a truck for the Solid Waste Program (Purchasing process was followed).

This motion was seconded by Darrell Middletent.

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

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

8. **Approve USDA Rural Development Grant Application for a Wastewater Treatment Plant**

Motion was made by John McCauley to approve the grant application to USDA Rural Development for a Wastewater Treatment Plant.

This motion was seconded Orville Langdeau Jr.

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

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

9. **Approve IHS Resolution-Request Right Size Clinic for Lower Brule**

Motion was made by Orville Langdeau Jr. to approve a resolution in support of acquiring a new right sized clinic for Lower Brule.

This motion was seconded by Donnie Moore.

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

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

10. **Approve to Request that the LBST has the Right to be Part of the Selection Process if and when the CEO Position for the LB Clinic Becomes Vacant**

Motion was made by John McCauley to request that the Lower Brule Sioux Tribe be part of the selection process if and when the CEO position for the Lower Brule IHS Clinic becomes vacant.

This motion was seconded by Orville Langdeau Jr.

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

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

11. **Approve Project Standup be Implemented on the Lower Brule Reservation**

Motion was made by Darrell Middletent to approve Project Stand Up-Stand Up to Illegal Drugs Program be implemented on the Lower Brule Reservation.

This motion was seconded by Donnie Moore.

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

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

12. **Approve Accept an Automatic Data Collecting Weather Station**

Motion was made by Orville Langdeau Jr. to accept an automatic data collecting weather station soil data sensors Via a joint agreement between the BIA and the National Resources Conservation Service (NRCS).

This motion was seconded by Donnie Moore.

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

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

13. **Lower Brule Police Department Update-** Andrew Lepkowski

Better Response time

Need housing for officers

Grants for Tribal Officers

14. **Approve Request Susy Short Bear Extend Residential Lease to 30 Years**

Motion was made by Orville Langdeau Jr. to approve to extend Susy Short Bear residential lease from 25 years to 30 years so she can qualify for a new mortgage to add a basement onto her home.

This motion was seconded by John McCauley.

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

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

15. **Approve to Resubmit Fee-To-Trust Application for the Dorman Property**  
Motion was made by John McCauley to approve to resubmit the Fee-to-Trust application for the Dorman Property.  
This motion was seconded by Darrell Middletent.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and none not voting

16. **Approve to Resubmit Fee-To-Trust Application for the Potter Property**  
Motion was made by Donnie Moore to approve to resubmit the Fee-to-Trust application for the Potter Property.  
This motion was seconded by John McCauley.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and none not voting.

17. **Approve Fritz LaRoche Request Reduce Rate for One Year**  
Motion was made by Orville Langdeau Jr. to approve the request from Mr. Fritz LaRoche to reduce his lease rate for one year affecting 2017 billing only for the road construction project on BIA 10 which is in his lease area.  
This motion was seconded by Donnie Moore.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for, and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and none not voting.

18. **Approve Lower Brule Sioux Tribe Assess a Fee on any Cattle that are Taken in by Operators/Lessees**

Motion was made by Donnie Moore to approve the Lower Brule Sioux Tribe assessing a fee on any cattle that are taken in by Operators/Lessees at \$7.00 per head per season.  
This motion was seconded by Darrell Middletent.  
**Vote Being:** Orville Langdeau Jr. for, Darrell Middletent for, John McCauley for, Donnie Moore for, and Clyde Estes for.  
Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Lower Brule Sioux Tribal Council recessed at 11:58 am.**

**The Lower Brule Sioux Tribal Council reconvened at 12:07 pm**

**The Lower Brule Sioux Tribal Council recessed at 12:11 pm.**

**The Lower Brule Sioux Tribal Council reconvened at 1:21 PM**

**19. Approve LB Election Board Budget for FY- 2018**

Motion was made by Orville Langdeau Jr. to approve the Lower Brule Election Board Budget for FY-2018.

This motion was seconded by John McCauley.

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

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

**20. Approve LB Election Board Chart-Time Line**

Motion was made by John McCauley to approve the Lower Brule Election Board Chart-Timeline for the 2018 Lower Brule Election.

This motion was seconded by Darrell Middletent.

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

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

**21. Approve Adopt Recommendations of Election Board for Clarification of Judicial Qualification Job Description-Chief Judge Position**

Motion was made by Donnie Moore to approve the Job Description Chief Judge Position be amended to read "4.5 Must be licensed to practice law and a member of good standing with the State Bar of South Dakota".

This motion was seconded by Orville Langdeau Jr.

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

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

**22. Approve Adopt Recommendations of Election Board Limiting Candidates to One Position each Election**

Motion was made by John McCauley to approve the recommendation from the Election Board allowing each candidate to run for one (1) position during each election cycle.

This motion was seconded by Donnie Moore.

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

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

**23. Approve Adopt Recommendations of Election Board Concerning Testing of Candidate For Drugs**

Motion was made by Donnie Moore to approve recommendation from the Election Board to permit random testing of bodily fluids for drugs at any time during the election of any and all candidates for office or anyone submitting a petition for any elected office. This motion was seconded by Clyde Estes.

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

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

**24. Approve Adopt Recommendations of Election Board Concerning hearing and Reporting of Testing of Candidates for Drugs**

Motion was made by Donnie Moore to approve recommendation from the Election Board to permit random testing of bodily fluids for drugs at any time during the election of any and all candidates for office or anyone submitting a petition for any elected office and it shall be the duty of the Election Board to submit to the Lower Brule Sioux Tribal Council positive drug tests results providing those results are brought to the Election Board's attention and proven by substantial evidence during the course of an election Board hearing. This motion was seconded by Darrell Middletent.

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

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

**25. Approve Grant Application-LB Courts Lower Brule Sioux Tribe Adult Re-Entry Project**

Motion was made by Darrell Middletent to approve the grant application by the Lower Brule Court for a Lower Brule Sioux Tribe Adult Re-entry Project.

This motion was seconded John McCauley.

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

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

**25. The Lower Brule Sioux Tribal Council Concur to uphold State of South Dakotas Requisition of two individuals from the Lower Brule Sioux Reservation**



**There being no further business, the Tribal Council Meeting recessed at 2:01 AM.**

**CERTIFICATION**

**The foregoing is a true and correct transcript of the actions and decisions of the Lower Brule Sioux Tribal Council assembled in Regular Session, with quorum present on the 2<sup>nd</sup> day of May, 2018.**

*Mary Jane Gourneau*  
**Mary Jane Gourneau, Recording Secretary**  
**Lower Brule Sioux Tribe**