



LOWER BRULE SIOUX TRIBE

MINUTES

May 6, 2020

The Lower Brule Sioux Tribal Council Meeting was held at the Tribal Administration Building on May 6, 2020.

The meeting was called to order by Chairman Boyd Gourneau at 10:02 AM.

The Opening Prayer was led by Chaplain John McCauley
The Tribal Council Meeting was dedicated to the ones we have lost:
Lawrence Thompson

Roll Call:

Lower Brule Sioux Tribal Council Members Present:

Chairman Boyd Gourneau
Vice-Chairman Neil "Cody" Russell
Secretary/Treasurer Orville Langdeau Jr.
Council Member Clyde Estes
Council Member Marvin Grassrope Sr.
Council Member John McCauley

Also Present:

Lower Brule Schools – Superintendent Mr. Lance Witte, Mr. Dan Shroyer

LBST Attorney - Randy Seiler (on the phone)

CPA Callie Iverson (on the phone)

Health Admin. Director-Christy Olsen

Law Enforcement- Chief House

Jewell Jandreau

IHS Clinic- CEO Kim Schweitzer, Lori Myers

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

Motion was made by John McCauley to close the April 2020 Tribal Council Meeting.

This motion was seconded by Cody Russell.

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

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

2. **Approve April 2020 LBST Minutes**

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

This motion was seconded by Clyde Estes.

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

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

3. **Approve Grant Application #HRSA-20-135 PKG00261174 Rural Tribal COVID-19 Response Program**

Motion was made by John McCauley to approve the grant application #HRSA-10-135 PKG00261174 Rural Tribal Covid-19 Response Program.

This motion was seconded by Cody Russell.

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

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

4. **Approve Support Officer Moran for Position of Lieutenant**

Motion was made by John McCauley to support Officer Moran for the position of Lieutenant.

This motion was seconded by Clyde Estes.

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

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

5. **Approve Trespassing or Removing Terri Lynn Johnson from the Lower Brule Sioux Tribe and its Properties and Lands**

Motion was made by John McCauley to approve Trespassing or Removing Terri Lynn Johnson from the Lower Brule Sioux Tribe and its properties and lands for a period of five years.

This motion was seconded by Orville Langdeau Jr.

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

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

6. **School Update- Superintendent Mr. Lance Witte- Dan Shroyer**
School Report Attached.

7. **Approve LB Day School Request Technology Refresh/Upgrade when Grant Funds Become Available.**

Motion was made by Cody Russell to approve the LB Day School Request Technology Refresh/Upgrade when grant funds become available.

This motion was seconded by Clyde Estes.

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

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

8. **Approve LB Day School Request Carpet Replacement When Funds Become Available from the CDC Grant**

Motion was made by Cody Russell to approve LB Day School carpet replacement request when funds become available from the CDC Grant

This motion was seconded by Marvin Grassrope Sr.

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

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

9. **IHS Clinic Update –CEO Kim Schweitzer-Lori Myers**

10. **Approve Indian Health Service (IHS) Projects for Lower Brule**

Motion was made by Clyde Estes to approve the SDS IHS Projects for Lower Brule:

1. SD42687-0801 West Brule South Lagoon Repair
2. SD42687-CS01 Lower Brule Sewer Improvements
3. SD4268-2101 Lower Brule Reservation Meter Project

This motion was seconded by Cody Russell.

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

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

11. **Approve On-Reservation Enrollments-5**

Motion was made by John McCauley to approve the 5 On-Reservation Enrollments.

This motion was seconded by Clyde Estes.

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

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

The Lower Brule Sioux Tribal Council recessed at 12:49 PM.
The Lower Brule Sioux Tribal Council reconvened at 2:04 PM.

12. **Approve-Executive Order-#01-2020-Establilshning a Road Block and Check Points to Monitor Traffic In and Out of the Community of Lower Brule**

Motion was made by Cody Russell to approve the Executive Order-#01-2020-Establilshning a road block and check points to monitor traffic in and out of the Community of Lower Brule.

This motion was seconded by Orville Langdeau Jr.

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

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

13. **Approve-Adoption of Temporary Curfew in Response to the COVID-19 Virus**

Motion was made by Cody Russell to approve the Adoption a of Temporary Curfew in Response to the COVID-19 Virus.

This motion was seconded by Orville Langdeau Jr.

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

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

14. **Approve LBST Ordinance COVID-19 Temporary Curfew Order**

Motion was made by Orville Langdeau Jr. to approve the LBST Ordinance COVID-19 Temporary Curfew Order.

This motion was seconded by Cody Russell

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

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

15. **Approve Adoption of COVID-19 Stay at Home Order (This will take effect if and/or when we get a positive case of COVID-19 in Lower Brule)**

Motion was made by Cody Russell to approve the Adoption of the COVID-19 Stay at Home Order (This will take effect if and/or when we get a positive case of COVID-19 in Lower Brule)

This motion was seconded by Orville Langdeau Jr.

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

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

16. Approve Resolution of Support for All Agriculture Producers

Motion was made by Orville Langdeau Jr. to approve a resolution of support for all Agriculture Producers.

This motion was seconded by John McCauley.

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

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

17. Approve Resolution to Authorize A Grant Supporting Tribal Public Health Capacity in Coronavirus Preparedness and Response #CDC-RFA-0T20-Control and Prevention Supplemental Appropriations Act 2020 (P.L. 116-123)

Motion was made by John McCauley to approve the submission of a Grant supporting Tribal Public Health capacity in Coronavirus preparedness and response #CDC-RFA-0T20-Control and Prevention Supplemental Appropriations Act 2020 (P.L. 116-123).

This motion was seconded by Clyde Estes.

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

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

18. Approve to Request Brown 550 Ford Vehicle from the BIA

Motion was made by John McCauley to request the Brown 550 Ford Vehicle from the BIA.

This motion was seconded by Orville Langdeau Jr.

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

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

19. Approve Pat Durkin Request to be placed on the IHS Water/Sewer List for Services

Motion was made by Orville Langdeau Jr. to approve the request received from Pat Durkin to be placed on the IHS Water/Sewer List for Services.

This motion was seconded by John McCauley.

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

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

20. Approve Hire Rose Ann Wendell –Associate Judge

Motion was made by Orville Langdeau Jr. to approve the recommendation received from the Lower Brule Judicial Committee to hire Rose Ann Wendell as Associate Judge.

This motion was seconded by John McCauley.

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

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

21. Approve Lease-Lower Brule Housing Authority

Motion was made by Cody Russell to approve the request from the Lower Brule Housing Authority for a lease for further housing development.

This motion was seconded by Marvin Grassrope Sr.

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

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

22. Approve Elderly Program Van Purchase

Motion was made by Cody Russell to approve the request from the Elderly Program to purchase a van.

This motion was seconded by John McCauley.

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

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

23. Discussion held on North Boat Ramp-Fishing allowed during the COVID-19 –Tribal members given a Day Permit by the Wildlife Program. Chairman check with Wildlife.

24. Approve Offer January Johnson Tribal Manager Position

Motion was made by Marvin Grassrope to offer January Johnson the Tribal Manager Position.

This motion was seconded by Clyde Estes.

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

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

25. Approve Hire Callie Iversen CPA

Motion was made by John McCauley to hire CPA Callie Iversen to handle the COVID-19 reporting for the LBST.

This motion was seconded by Cody Russell.

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

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

26. Approve to Give Authority to Sign Quarantine Enforcement Orders Forms by Health Director Christy Olsen and Tribal Council Member/Sergeant of Arms Marvin Grassrope Sr.

Motion was made by Cody Russell to give authority to Health Director Christy Olsen and Tribal Council Member/Sergeant of Arms Marvin Grassrope Sr. to sign quarantine enforcement orders forms.

This motion was seconded by John McCauley

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

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

27. Approve Hire Elva M. Stricker Purchasing/Inventory Clerk

Motion was made by John McCauley to hire Elva M. Stricker as the Purchasing/inventory Clerk.

This motion was seconded by Orville Langdeau Jr.

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

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

28. Approve Selection of Election Board Alternates

Motion was made by John McCauley to approve the selection of alternates for the Election Board:

1. Margaret Wilson
2. Elva Stricker
3. Joelle Battese
4. Jill Brouse

This motion was seconded by Cody Russell

Vote Being: Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Marvin Grassrope Sr. not voting(vote does not count) and Clyde Estes for.

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

29. Approve Explore Payee Protection Program Services for the Disabled/Elderly on SS/SSI

Motion was made by Cody Russell to approve to explore a Payee Protection Program Services for the Disabled/Elderly on SS/SSI.

This motion was seconded by Clyde Estes.

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

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

30. Re-Approve Resolution (17-010) to Video the Tribal Council Meetings

Motion was made by Clyde Estes to re-approve to video the LBST Tribal Council Meetings. This motion was seconded by Marvin Grassrope Sr.

Vote Being: Orville Langdeau Jr. against (this was already passed by Resolution 17-010), Cody Russell for, John McCauley for, Marvin Grassrope Sr. for and Clyde Estes for.

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

31. Deny Request to Live Stream the 2020 Election Vote Count

Motion was made by Marvin Grassrope Sr. to live stream the 2020 election vote count. This motion was seconded by Clyde Estes.

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

Motion dies for lack of four positive votes.

32. Approve Trespassing or Removing Edwardo Santiago from the Lower Brule Sioux Tribe and its Properties and Lands

Motion was made by John McCauley to approve trespassing or removing Edwardo Santiago from the Lower Brule Sioux Tribe and its properties and lands for a period of five years.

This motion was seconded by Clyde Estes.

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

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

The Lower Brule Sioux Tribal Council recessed at 5:11 PM.

**The Lower Brule Sioux Tribal Council reconvened on May 13, 2020
at 1:23 PM with Tribal Council Member John McCauley absent.
Also present: Elaine Thompson, Anna Thompson**

33. Approve Placement IHS Water/Sewer List for Services-Jana Brouse/Alexa Harmon

Motion was made by Orville Langdeau Jr. to approve the requests received from Jana Brouse and Alexa Harmon to be placed on the IHS Water/Sewer List for services.

This motion was seconded by Cody Russell

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

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

34. Approve CHR Program Van Purchase

Motion was made by Clyde Estes to approve the request from the CHR Program to Purchase a van. The Procurement Policy was followed for this purchase.

This motion was seconded by Cody Russell.

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

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

35. Approve St. Joseph's Indian School Request for a Buffalo Hunt

Motion was made by Clyde Estes to approve the request received from St. Joseph's Indian School to purchase a Buffalo Hunt for their cultural class.

This motion was seconded by Marvin Grassrope Sr.

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

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

36. Approve Lease Modification To Remove Cayne Reinhard from Leases held with Co-Lessor Elaine Thompson

Motion was made by Clyde Estes to approve the request received from Elaine Thompson to modify the leases to remove Cayne Reinhard from leases that are held with her.

This motion was seconded by Marvin Grassrope Sr.

Vote Being: Orville Langdeau Jr. not voting (vote counts), Cody Russell for,
John McCauley absent, Marvin Grassrope Sr. for and Clyde Estes
for.

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

The Lower Brule Sioux Tribal Council recessed at 1:50 PM.

The Lower Brule Sioux Tribal Council reconvened on May 19, 2020 at 1:18 PM with all Tribal Council Members present.

37. Approve Election Board Budget

Motion was made by John McCauley to approve the 2020 Election Board Budget.

This motion was seconded by Cody Russell.

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

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

38. Approve Election Board 2020 Election Chart

Motion was made by John McCauley to approve the 2020 Election Board Election Chart. (With change to # 41. Date 10-7-2020).

This motion was seconded by Cody Russell.

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

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

39. Approve to Mandate the LBST Health a Public Health Program that conducts Public Health Activity Requiring PHI Information

Motion was made by Clyde Estes to Mandate the LBST Health a Public Health Program that conducts Public Health Activity requiring PHI Information.

This motion was seconded by Cody Russell.

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

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

40. Approve LBST Ordinance COVID-19 Temporary Curfew Order

Motion was made by Cody Russell to approve the LBST Ordinance COVID-19 Temporary Curfew Order

Things added to the Order:

1. A curfew of all persons shall be enforced daily between the hours of 10:00 PM and 6:00 AM.
2. Mandatory Masks be worn in public.
3. KWO Trading Post-Gas Station:
 - a. Practice social distancing of six feet apart from each other.
 - b. Only 10 customers allowed in the store at a time.
 - c. Mandatory masks upon entering the store (persons not wearing a mask will not be allowed in).
 - d. Hand sanitizer will be available upon entering the store.
 - e. No children ages 12 and under.

This motion was seconded by Clyde Estes.

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

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

The Lower Brule Sioux Tribal Council recessed at 2:10 PM.

The Lower Brule Sioux Tribal Council reconvened at May 21, 2020 at 12:20 PM. With all Tribal Council members present.

41. Approve Lower Brule Community-72 Hour Lockdown Due to the COVID-19 Spread

Motion was made by Orville Langdeau Jr. to approve the Lower Brule Community-72 Hour Lockdown due to the COVID-19 spread.

This motion was seconded by Cody Russell.

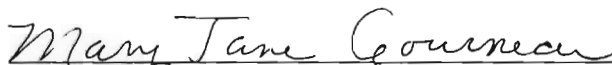
Vote Being: Orville Langdeau Jr. for, Cody Russell for, John McCauley for, Marvin Grassrope Sr. for and Clyde Estes for.

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

There being no further business, the Tribal Council Meeting recessed at 10:23 A.M.

CERTIFICATION

The foregoing is a true and correct transcript of the actions and decisions of the Lower Brule Sioux Tribal Council assembled in Regular Session, with quorum present on the 6th, 13th, 19th, and 21st days May, 2020.



Mary Jane Gourneau, Recording Secretary
Lower Brule Sioux Tribe