

**LOWER BRULE SIOUX TRIBAL COUNCIL  
REGULAR MEETING  
OCTOBER 3, 1990**

**PRESENT:** Michael B. Jandreau, Chairman  
Kay Gourneau  
Richard P. Thompson  
Boyd Gourneau  
Orville Langdeau, Jr.  
Elvera Driving Hawk

**ABSENT:** None

**ALSO PRESENT:** Mr. William Schmidt, Mr. Paul Picotte and Mr. Edwin Miller.

The meeting was called to order by Chairman Michael B. Jandreau at 1:04 PM. Roll call was taken by the Recording Secretary and the Lord's Prayer was led by Chairman Jandreau. Nominations were opened for Sergeant at Arms. Motion was made by Richard P. Thompson to nominate Orville Langdeau, Jr. Motion was made by Kay Gourneau to cease nominations. Motion was seconded by Boyd Gourneau to cease nominations and to second the nomination for Orville Langdeau, Jr. to serve as Sergeant at Arms. Motion carried with vote being four members for, none opposing, none absent and one not voting. Motion was made by Kay Gourneau to nominate Elvera Driving Hawk to serve as Chaplin. Motion was made by Boyd Gourneau to cease nominations. Motion was made by Richard P. Thompson to cease nominations and to seconded the nomination for Elvera Driving Hawk to serve as Chaplin.

1. **MR. WILLIAM SCHMIDT:** Mr. William Schmidt addressed the Tribal Council on the sequester of funding in the education department. Mr. Schmidt stated that the schools/BIA was in existance to serve Indian people and provide education to the Indian people. Mr. Schmidt stated that if the sequester comes about that the schools may have to operate on a seven (7) hour work day. Mr. Schmidt also stated that their would be a meeting held tomorrow at 3:45 concerning this matter.

2. **MR. PAUL PICOTTE:** Chairman Jandreau informed the Tribal Council that the previous Council had passed a Liquor Ordinance for the Lower Brule Reservation. Mr. Picotte stated that the Office of the Solicitor wanted changes made on the wording in the Ordinance. Mr. Picotte stated that the wording which needed to be changed was "section" changed to "ordinance" and "that this offense shall be deemed as a Class "A" offense as contained in the Lower Brule Sioux Tribal Criminal Codes", in which the phrase "as contained in the Lower Brule Sioux Tribal Criminal Codes was to be added. This matter was tabled at this time. (**Boyd Gourneau left the meeting at this time**)

3. **SCHOOL BOARD:** Chairman Jandreau stated that the old School Board did not get a chance to revise the Constitution & Bylaws for the School Board and that at the present time there was no recall process and no rules for the Board members. Chiarmen Jandreau stated that present members should be appointed to make amendments to the Constitution and Bylaws. Motion was made by Kay Gourneau to prepare the Constitution & Bylaws and that in six (6) months an election will be held to elect a School Board and also set a simple majority vote of four (4) as a quorum to pass an action. This motion was seconded Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

4. **PIERRE INDIAN LEARNING CENTER:** A letter was received from Mrs. Judy Whitney, Pierre Indian Learning Center Representative for the Lower Brule Sioux Tribe, stating that she desired to withdraw as representative. Motion was made by Kay Gourneau to accept Mrs. Whitney's withdrawal and to appoint Richard P. Thompson as the new representative. This motion was seconded by Orville Langdeau, Jr. Motion carried

with vote being four members for, none opposing, one absent and none not voting.  
(Boyd Gourneau re-entered the meeting at this time)

5. **LOWER BRULE FARM BOARD:** Chairman Jandreau stated that the terms for the members of the Lower Brule Farm Board would soon expire. Motion was made by Kay Gourneau to renew all expired term on the Lower Brule Farm Board. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

6. **PUBLICATION OFFICE:** Chairman Jandreau stated that there was a need to establish a Publication Office. Chairman Jandreau stated that there was material that needed to get out to the community on public notices, current affairs, etc. Orville Langdeau, Jr. asked Chairman Jandreau if there would be a records room to obtain the information needed. Chairman Jandreau stated that there would be after the office was set up. Chairman Jandreau stated that a weekly, bi-weekly or monthly newsletter would be distributed from this office. Chairman Jandreau stated that approval of the Tribal Council was needed to establish such an Office. Motion was made by Richard P. Thompson to authorize Chairman Jandreau to establish a Publications Office. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

7. **WATER LINE PROPOSAL-CEMETERY:** Rev. Yvon Sheehy, St. Mary's Catholic Church submitted a proposal to the Lower Brule Sioux Tribal Council to extend the town water line to provide a source of water for the Catholic cemetery by placement of a water pigot similar to the one at the Pow wow grounds. Rev. Sheehy also stated that this would provide a means to carry out beautification projects now contemplated planting and nurturing of trees, perennials, grass and flowers and that the Catholic Church would be willing to finance the extension of the water line to the Catholic Cemetery, if necessary, but only after a definite cost figure is reached, which the Catholic Church is requesting be provided by the Lower Brule Sioux Tribe. Chairman Jandreau stated that he would also like to see the water line extended to the Episcopal Church Cemetery. Motion was made by Richard P. Thompson to have Kenneth Harmon to negotiate a price with the Lower Brule Construction Company for the project. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

8. **EDUCATIONAL GRANT APPLICATION:** An application for an Educational Grant was received from Shaun Grassel and a letter of request was received from Rose Big Eagle Flood for an Educational Grant. Chairman Jandreau stated that a application would be sent to Ms. Big Eagle Flood. Motion was made by Kay Gourneau to approve both Educational Grants pending all paperwork is in order. This motion was seconded by Richard P. Thompson, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

9. **ABERDEEN AREA OFFICE-BRANCH OF ROADS:** A request was received from the A.A.O. Branch of Roads requesting permission to enter Tribal land for purposes of lengthening a cattle pass and improving the slope adjacent to the cattle pass. Motion was made by Richard P. Thompson to grant a right-of-way easement for the construction of extending and improving a cattle pass. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

10. **STATE FARM INSURANCE:** A request was received from Mr. William Dubisar to review the Lower Brule Sioux Tribes current insurance agencies coverages to compare and submit a proposal to the Tribe. Motion was made by Boyd Gourneau to authorize Mr. Dubisar to inspect the Lower Brule Sioux Tribes insurance records. This motion

was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

11. **U.S. TREASURY DRAWDOWN:** Chairman Jandreau stated that a Drawdown of Treasury funds was needed for operation expenses and that the call for a Budget has not been made as of yet. Motion was made by Richard P. Thompson to authorize the request for a Treasury Drawdown of \$200,000.00 for operation expenses. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

12. **LAKE FRANCIS CASE DEVELOPMENT:** A request was received from Dina Brandt, Lake Francis Case Development Corporation, for a donation to help cover the costs of operation. Chairman Jandreau stated that Lake Francis Case Development has help obtain jobs for members of the Tribe and it also provides good public relations with other companies for the Lower Brule Sioux Tribe. Motion was made by Kay Gourneau to donate \$1,500.00 to the Lake Francis Case Development Corporation. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

13. **MISSISSIPPI BAND OF CHOCTAW INDIANS:** A letter was received from Mr. Phillip Martin encouraging the Lower Brule Sioux Tribe to contact the our Senate Select Committee member on Indian Affairs to urge him to oppose the Mowa Recognition Bill, S. 381. Mr. Martin stated that the Mowa Band of Choctaws in Alabama should not be legislatively recognized, but should pursue its case through the BIA's Bureau of Acknowledgement and Research. Motion was made by Kay Gourneau to demand the Mowa Band of Choctaw Indians use the BIA's Bureau of Acknowledgement and Research. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

14. **MICHAEL ZIEGLER REQUEST:** A request was received from Michael Ziegler for assistance to move his belongings to Lower Brule from Boston Massachusetts. Chairman Jandreau stated that there was not any funding available at this time to assist Mr. Ziegler. Chairman Jandreau stated that he would try explore all possibilities to assist Mr. Ziegler.

15. **WILLIAM JANDREAU REQUEST:** This matter was tabled at this time.

The meeting recessed at 4:17 PM. The meeting reconvened on November 4, 1990, at 10:51 AM, with all Council Members present.

16. **LOWER BRULE CONSTRUCTION COMPANY:** The Tribal Council, by Tribal Council concurrence, wish to re-establish the Lower Brule Construction Company so that jobs will be available for the community members. Motion was made by Boyd Gourneau to delegate Tony Moran to conduct all bidding on projects that will be available on the Lower Brule Reservation. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

17. **SERVICE LINE AGREEMENT-NATHAN MIDDLETENT:** A request was received from Nathan Middletent for a Service Line Agreement with West Central Electric Cooperative to provide electricity to a trailer house that was purchased. Motion was made by Kay Gourneau to approve a Service Line Agreement with West Central Electric for Nathan Middletent. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

18. **CHR HALLOWEEN DANCE:** A request was received from Mr. R. Perry Estes to request the use of the Tribal Gym to hold the annual CHR Halloween Dance on October 27,

1990, from 9:00 PM through 2:00 AM. Mr. Estes also requested that the Halloween Dance be approved by Resolution so that the Tribal Gym would be available to the CHR program each year. Chairman Jandreau stated that this request could not be approved, one reason being that a Resolution would commit other Tribal Councils. Motion was made by Kay Gourneau to grant the CHR programs request for the use of the Tribal Gym on October 27, 1990 from 9:00 PM through 2:00 AM. This motion was seconded by Richard P. Thompson. Motion was carried with vote being five members for, none opposing, none absent and none not voting.

19. **DOCKET 74 ITEMS:** Chairman Jandreau stated that there is evidence that the Lower Brule Reservation would be eligible for a higher percentage of the "Black Hills" with the evidence of a higher population on the Lower Brule Reservation when the census was taken. This matter was tabled at this time.

20. **LAND SALE APPLICATION:** An land sale application was received from Joyce Estes for the land described at the 476280/57153600 interest in the SE $\frac{1}{4}$ , Section 22, Township 107N, Range 75W., Fifth Principal Meridian, Lyman County, South Dakota. Motion was made by Boyd Gourneau to request an appraisal from the Bureau of Indian Affairs on Joyce Estes land. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

21. **DAKOTA ROADWAY CONSULTANTS INCORPORATED:** A letter of proposal was received from Mr. James Kastner, who is willing to work with the Lower Brule Sioux Tribe to assist with finding grant money to repair U.S. Highway 83. The Tribal Council wishes to set a meeting with Mr. Kastner. This matter was tabled at this time.

22. **THE DIOCESE OF SOUTH DAKOTA:** A letter of request was received from the Diocese of South Dakota to trade land that they owned on the Lower Brule Reservation for land in the town of Lower Brule upon which the Episcopal Church of the Holy Comforter sits. Motion was made by Richard P. Thompson to request an appraisal be completed by the Bureau of Indian Affairs for the land at St. Alban's Church, Fort Hale and Messiah Church, Iron Nation and also the land which the Episcopal Church sits. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

23. **FOSTER CARE STANDARDS:** Information was received on the Rosebud Sioux Tribes licensing codes for famliy foster homes, which the Lower Brule Sioux Tribe wishes to adopt similar codes. This information was referred to the Law Enforcement Committee.

24. **CHAMBERLAIN AREA CHAMBER OF COMMERCE:** A letter was received from the Chamberlain Area Chamber of Commerce on their annual Children's Christmas programs, in which they were asking \$40.00 from each business. The Children's programs may provide some of the following: Children's Christmas Party, Roller Skating Party, Christmas sacks, visit from Santa Claus on Saturdays. Motion was made by Richard P. Thompson to approve the \$40.00 donation to the Chamberlain Area Chamber of Commerce. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

25. **AUGUST MINUTES:** The Lower Brule Sioux Tribal Council August minutes were submitted to the Tribal Council for approval. The Lower Brule Sioux Tribal Council reviewed the August Minutes. Motion was made by Boyd Gourneau to approve the August Tribal Council Minutes. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

26. **E.D.A. PROGRAM:** Received from Shirley Marvin, Director of E.D.A., were three

program outlines and budgets for job opportunities and business developments. No action was taken on this matter at this time.

**27. GENE WILSON REQUEST:** A request was received from Mr. Wilson for a (5) five acre homesite, which is described as the S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 23, T107N, R73W, Fifth Principal Meridian, Lyman County, South Dakota. Richard P. Thompson asked if the person leasing the area where Mr. Wilson would like his homesite knows about the request. Chairman Jandreau stated that he was not sure. Chairman Jandreau also stated that he would like to have some kind of justification from Mr. Wilson for his reason for wanting a (5) five acre homesite because the standard homesites are 2.5 acres. By Tribal Council concurrence Mr. Wilson will be requested to submit a letter for justification for a (5) acre homesite and to request permission from Mr. Orville Langdeau, Sr. to place a homesite on the land he is leasing. Motion was made by Richard P. Thompson to grant Mr. Wilson's Homesite request once the justification and letter of permission is received from Mr. Wilson. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**28. EFFIE BLACK BEAR REQUEST:** A request to lease pasture land was received from from Effie Black Bear to be used for horses. This matter was tabled at this time.

**The meeting recessed at 11:58 AM. The meeting reconvened at 1:21 PM, October 4, 1990, with the same Council members present, also present was Mr. Pat Big Eagle..**

**29. CHEYENNE RIVER SIOUX TRIBE:** A memorandum was received from the Cheyenne River Sioux Tribe concerning Resoluton No. 320-90-CR: That the Tribal Council continues to represent the Cheyenne River Sioux Tribe with respect to the Tribe's claim for the Black Hills under Docket 74-B; This material was informational. No action was taken on this matter.

**30. EFFIE BLACK BEAR REQUEST:** Chairman Jandreau asked Mr. Big Eagle where the land was located that Ms. Black Bear was requesting. Mr. Big Eagle stated that the land was located in J.W. Thompson's leased range unit. Motion was made by Richard P. Thompson to deny Effie Black Bears request, but to advise her there is an area by the river free of charge to hold horses. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**31. KUL WICASA ELDERS BINGO:** The Kul Wicasa Elders Bingo submitted their August bingo report for review. Motion was made by Richard P. Thompson to request that all Bingo Organization use the format that the Kul Wicasa Elders Bingo use. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**32. U.S. DEPT. OF COMMERCE NEWS:** A Newsletter was received from the U.S. Department of Commerce with information regarding homeowners/renters by American Indians/Eskimo/Aleut householders. The information included price ranges of homes and percentages of persons which owned their homes in 1987. No action was taken on this matter.

**33. TIWAHE OLOTA, INC.:** A memorandum was received from Tiwahe Olota, Inc. concerning a workshop to create an educational program for both Indian and Non-Indian people who are concerned about Native American children as well as all children. No action was taken on this matter.

**34. THE MORNING STAR FOUNDATION:** A letter was received from the Morning Star Foundation thanking the Chairman and Tribal Council for their support on the Indian Memorial project in Custer. Information was also received on a project to establish

the Little Bighorn Indian Memorial, which support was requested. No action was taken on this matter.

35. **TWEP PROPOSAL FY-91:** A proposal was received for the TWEP FY-91 Grant request. Motion was made by Kay Gourneau to approve the FY-91 TWEP Proposal and to request funding for the program. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

36. **ENROLLMENT COMMITTEE:** The Enrollment Committee submitted a list of applicants eligible for enrollment in the Lower Brule Sioux Tribe. There were fifty-two (52) applications on file for Tribal enrollment. All applicants were reviewed by the Enrollment Committee and forty-nine (49) of the fifty-two (52) applicants were approved. The three (3) applicants that were denied, were denied because they did not meet the enrollment requirements according to the Constitution and By-laws. The Lower Brule Sioux Tribal Council reviewed the list submitted by the Enrollment Committee. Motion was made by Boyd Gourneau to approve the Enrollment Committee's selection of eligible enrollment applicants to be enrolled in the Lower Brule Sioux Tribe. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting. The following were enrolled in the Lower Brule Sioux Tribe: Bradley J. Feeney, Tina R. Russell, Tiffany M. Russell, Lila C. Bad Horse, Aaron M. Packman, Eugene Swift Hawk, Jr., Stephanie Swift Hawk, Julia Swift Hawk, Emma Swift Hawk, Dennis Swift Hawk, Jericho R. Middletent, Alison F. Hill, Joshua L. DeWitt, Aaron D. Flute, Ryan P. Goodface, Garnett, Kimberlee B. Sampson, Kristopher L. Sampson, Emily R. Berry, Avis K. Berry, Daniel V. M. Berry, Alisha S. Ziegler, Trevor W. Lopez, Mary E. Bertsch, Tashena R. LaRoche, Ronald Quilt, Jordan M. Brings, Markisha M. Eagle Thunder, Georgia L. Wilson, Amber J. Wilson, Lauren LaRoche, Skyla LaRoche, Trevor O.T. Firecloud, Bernel T. LaRoche, Bernard T. LaRoche, II, Jade T. LaRoche, Erin R. LaRoche, Erik T. LaRoche, Loretta A. Flute, Sonya R. Flute, Eltwin T. Grassrope, Lydia W. Skunk, Derek M. Skunk, Julius W. Skunk, Kiara C. Fire Cloud, Maggie M. Bad Horse, Stacey L. McCauley, Sexten-Kruz Grassrope, Rebecca R. Rodriguez.

37. **CHEROKEE NATION:** A letter of request was received from Cherokee Nation requesting support of Larry EchoHawk's candidacy for Attorney General of Idaho. No action was taken on this matter.

38. **GENERAL COUNSEL BILLING:** A billing was received from General Counsel, Julian H. Brown, for the period from August 13, 1990 through September 30, 1990, in the amount of \$3,774.33. Motion was made by Richard P. Thompson to approve the General Counsel from August 13, 1990 through September 30, 1990 for \$3,774.33 and to submit the billing to the Bureau of Indian Affairs for review and approval. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

39. **LOWER BRULE DRUG AND ALCOHOL ABUSE PROGRAM:** A letter of recommendation was received from the Lower Brule Drug and Alcohol Abuse Program for two (2) vacant positions, Nightwatchmen & Counselor Trainee. The recommendations made by the Health Board was Michael Jandreau for Nightwatchman and Shirley Crane for Counselor Trainee. Motion was made by Orville Landgeau, Jr. to approve the recommendations made by the Health Board. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

40. **DUAL ENROLLMENTS:** A letter was received from the Rosebud Sioux Tribe concerning the enrollments of Lori Marie Grace Bad Hand and Royal A. Band Hand, Jr. being enrolled in the Rosebud Sioux Tribe and the Lower Brule Sioux Tribe. A request for Relinquishment of Tribal Membership from the Lower Brule Sioux Tribe was received from Miss Bad Hand and Mr. Bad Hand, Jr. Motion was made by Kay Gourneau to grant

their request to relinquish their Tribal membership with the Lower Brule Sioux Tribe. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**41. J.W. THOMPSON REQUEST:** A letter of request was received from J.W. Thompson to relinquish his land leases which are lease numbers 22-007-8891 and 22-015-8992. A letter of request was also received from Fritz LaRoche to lease the land which J.W. Thompson relinquished. Motion was made by Kay Gourneau to Grant Mr. Thompson and Mr. LaRoche's request. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting. Boyd Gourneau stated that in the future the leases that are up to be re-released should and will be advertised.

**42. LOWER BRULE COMMODITY PROGRAM:** A memorandum was received from the Lower Brule Commodity Program on the programs budget. **The Lower Brule Sioux Tribal Council went into Executive Session at 2:55 PM. The Lower Brule Sioux Tribal Council came out of Executive Session at 3:08 PM.** The budget was over expended in FY-90 because of the additional help needed in the area of Administration and the need to provide these services by an individual trained in this capacity. Motion was made by Kay Gourneau to approve the over expenditure of funds for FY-90. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**43. J.T.P.A. PROGRAM:** A letter was received from Ben Janis, Director, J.T.P.A., for the J.T.P.A. position available as a Housing Office Aide. A rated list of updated applicants was submitted. Motion was made by Boyd Gourneau to approve the rated list of applicants and to request Mr. Janis to select the highest rated applicant. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**44. DAY CARE BUDGET:** The Lower Brule Day Care submitted a budget for FY-91. Chairman Jandreau stated that the Day Care Center did not have grants available for FY-91 and the program does not receive enough revenue to keep the program running. Chairman Jandreau stated that this matter would have to be looked into further. No action was taken on this matter at this time.

**45. YANKTON SIOUX TRIBE:** A letter of request was received from the Yankton Sioux Tribe requesting support, by Resolution, to demand a public apology from Mr. Mike Whalen and to request a resignation from Mr. Whalen from public office. Motion was made by Richard P. Thompson to submit a Resolution of support to the Yankton Sioux Tribe concerning Mr. Mike Whalen. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**46. DARRELL MIDDLETENT REQUEST:** A request was received from Mr. Middletent to put his road to his new home on the school route so that his road will be cleared during the winter and maintained regularly. Motion was made by Boyd Gourneau to submit Darrell Middletent and all other new homeowners on the school bus route with the Bureau of Indian Affairs, Road Department-Facilities Management. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**47. WILLIAM JANDREAU REQUEST:** A letter of request was submitted by Mr. Jandreau to sell to the Lower Brule Sioux Tribe their home located in the Lower Brule Community. Motion was made by Richard P. Thompson to offer \$5,000.00 for the home of the Jandreau family. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting. The Jandreau home was appraised at the value of \$7,950.00, appraised by

River City Realty.

2. **MR. PAUL PICOTTE:** Motion was made by Kay Gourneau to approve the change of terminology of the Liquor Ordinance and to submit the amended Resolution. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

48. **VICTOR GRASSROPE REQUEST:** Mr. Grassrope addressed the Tribal Council with concerns he had about the new home that was built for him. Mr. Grassrope stated that the he had to have a new foundation built because the old foundation dropped and had been frozen when it was poured. Mr. Grassrope further stated that the ceiling started to move away from the walls and now with the new foundation the the walls are pulling away from each other. Mr. Grassrope requested that a 3rd party be hired to look at his home because he doesn't think that the home is worth what the price is set at. Kay Gourneau stated that a total inspection of all the new homes should be made and appraisals should be done. Motion was made by Boyd Gourneau to hire someone to do a complete evaluation of structures and get appraisals. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

The Tribal Council meeting recessed at 4:05 PM. The meeting reconvened at 10:37 AM, on October 17, 1990, with all Council Members present. Also present: Debra Isburg, Fritz LaRoche, Levi Flute, Ben Thompson, Jr., Dean Jandreau, Tony Moran, Darrell Middletent and Wilma Wilson.

49. **LOWER BRULE HOUSING AUTHORITY:** Chairman Jandreau stated that the reason this meeting was called was because of the situation with the new houses that are being built and the problems the home buyers were finding with their homes. Chairman Jandreau further stated that there had to be an understanding so that the Housing Authority and Tribal Council could work together and general just to clear the air. Debra Isburg stated that the problems lay with the Administration and policy making body or Board. Chairman Jandreau stated that the Tribal Council wants and we desperately need to get and keep employment here. We have assigned Tony Moran to bid on any jobs that could be available. We need to do this for the benefit of the people not for political reasons, we need to work together on this and we need to communicate more. Fritz LaRoche stated that a copy of the Lower Brule Housing Authorities Policies and Procedures could be sent down and maybe the Tribal Council's questions could be answered about any questions they have about housing. Chairman Jandreau asked if there was a problem in trying to get the housing projects into Force Account status so that there will be employment in the community. Mr. Moran stated that he contacted Denver, the H.U.D. office, about the shingling project. Chairman Jandreau asked how the rest of the people present felt about have the Housing projects done with local workers. Orville Langdeau, Jr. stated that the Board wants local workers. Darrell Middletent stated that local workers should be hired and that the Lower Brule Construction Company is just sitting. Ben Thompson stated that there are enough people here who are qualified to do the work. Fritz LaRoche stated that everyone should have their own company. Chairman Jandreau stated that this had been tried before and that controversies had started and rather than fight he just backed off. Chairman Jandreau stated that we have enough experienced people here to do everything from digging the basement to finish work, etc. Boyd Gourneau stated that it is up to all of us to see that our people are hired when contractors do come down to do jobs and it is up to the Housing Authority to make sure the job is done right. Kay Gourneau asked in the standard for each job were changed from project to project. Debra Isburg stated that they did not the standards were always the same. Kay Gourneau asked if the three (3) cylinder tests were done on each foundation. Debra Isburg stated that the Housing Authority has the results from the tests. Chairman Jandreau asked if a slump test was done. Debra Isburg stated that it was the same as the cylinder test. Ben Thompson, Jr.



asked if the foundations were going to hold, because they were not tying the steel when they put the foundations in. Debra Isburg stated that they were done right. Ben Thompson, Jr. stated that he did that work for a living and they were not doing them right. Fritz LaRoche stated that they would have to find out which ones were not done right and get them corrected. Fritz LaRoche stated that no one is saying what exactly is wrong with the houses. We need a list of the problems so they can be corrected. Fritz LaRoche asked if the Tribal Council was going to reorganize the Construction Company. Kay Gourneau stated that it would be hard to get the company bonded. Debra Isburg asked if the Tribe had anyone to put the package together for the force accounts. Chairman Jandreau stated that Tony Moran would be working on them. Chairman Jandreau stated that the Resolution dated February 8, 1990 should be reaffirmed on another Resolution. Motion was made by Boyd Gourneau to submit a Resolution to reaffirm the Tribe's desire to force account the shingling project. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for none opposing, none absent and none not voting. Chairman Jandreau stated that on these projects that you can get a drawdown before hand. Chairman Jandreau asked what process to use when people brought their complaint is about their new homes. Fritz LaRoche stated that all the complaint could go to the Tribal Council and the Housing Authority would look into it. Chairman Jandreau asked what process should be done about the every day problems, I usually call Deb is that acceptable with you. Fritz LaRoche stated that it was acceptable with him. Levi Flute stated that all the information should be given to the Housing Authority so that the problems could be logged and make sure the are being corrected. Chairman Jandreau stated that Mr. Grassrope's complaints were legitimate. Fritz LaRoche stated that if a 3rd party came in and inspected the homes it would put a lot of minds at ease.

**The Tribal Council meeting recessed at 12:00 PM. The meeting reconvened at 1:28 PM, with the same Council Members present.**

**LOWER BRULE HOUSING AUTHORITY:** Chairman Jandreau asked how the Housing Authority will recover from all these problems with the new homes. And how will the Housing Authority help the tenants overcome the deficiencies. Fritz LaRoche stated that the Housing Authority will provide the proper person to fix the deficiencies. Boyd Gourneau stated that they should be paid anything until the problems were fixed. Debra Isburg stated that the Housing Authority has retained a total of 12½ percent and that not all of the houses have been paid for. Chairman Jandreau asked if what they were saying was that no money will be expended and no payment will be made to the contractor. Fritz LaRoche stated that this could be done, but how will we determine a time limit on the repairs that have to be completed. Richard P. Thompson stated that a time limit should be set by the Housing Board to have the problems completed. A meeting was set with the Tribal Council, Housing Authority, Isanti and the Homebuyers, at 5:00 PM, on Monday evening.

**50. LOWER BRULE HOUSING AUTHORITY:** A request was received from the Lower Brule Housing Authority to be granted a lease on the area described as the NE¼NE¼NE¼SE¼ of Section 9, Township 108 North, Range 73 West, Lyman County, South Dakota. It was found that there was never a lease granted for this area which has a home built on it. Motion was made by Richard P. Thompson to grant a lease for the area and to back date it to February 1979. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**51. BENJAMIN ESTES REQUEST:** A request was received from Mr. Estes to be granted a Lot Lease for his ownership home which is located in the Lower Brule Community. Motion was made by Richard P. Thompson to grant a Lot Lease to Mr. Estes for a period of twenty-five (25) years with the option to renew at the lease rate of \$1.00 and to also authorize Chairman Jandreau to approve all such requests for

Lot Leases in the Lower Brule Community. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

52. **MARY SHIELDS REQUEST:** A request was received from Mary Shields to use the Tribal Gym on October 28, 1990 at 1:00 PM for a Memorial for Ben Middletent. Motion was made by Boyd Gourneau to approve Mrs. Shields request. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

53. **PAUL MUELLER REQUEST:** A letter of request was received from Mr. Paul Mueller for support of a proposal to develop of a ecological, educational, native cultural and recreational project center. Motion was made by Richard P. Thompson to submit a Resolution of support for the proposal. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

54. **RICHARD P. THOMPSON REQUEST:** Richard P. Thompson requested that in his absence he would like to give the authority to the other Council Members to sign in his place. Motion was made by Richard P. Thompson to authorize the Council Members to sign in his absence. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

55. **LOWER BRULE COMMODITY PROGRAM:** The Lower Brule Commodity Program has a position available for a part-time assistant certifier/warehouse worker. Recommendations were submitted by Marilyn Harmon. Motion was made by Orville Langdeau, Jr. to hire Ronette Thomas for the position with Lana LaRoche as alternate. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

56. **EDUCATIONAL GRANT APPLICATIONS:** Educational Grant Applications were received from Ruth Flute, Ruby Fire Cloud and Tanya Grassel. Motion was made by Kay Gourneau to approve the applications for Educational Grants as long as all paperwork was in place. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

57. **DEPARTMENT OF HEALTH AND HUMAN SERVICES:** A memorandum was received from the Department of Health and Human Services, from Service Unit Sanitarian, Linda Thompson, on a follow-up survey of the Lower Brule water system. Chairman Jandreau stated that Kenny Harmon and Alvin Johnson are suppose to be correcting the repair the water system. Chairmand Jandreau stated that this was brought to the Council Members attention because the repairs and corrections will have to be completed and money will be expended for the repairs.

58. **LOWER BRULE HOUSING AUTHORITY:** A copy of the Sale and Deed Documents were received from the Lower Brule Housing Authority from the sale of Unit #147, which was purchased by the Lower Brule Farm Corporation.

59. **HAROLD HIGH ELK REQUEST:** A request was received from Mr. High Elk for a loan from the Lower Brule Sioux Tribe in the amount of \$500.00 so that he could re-establish his life and start working at a job he has lined up. Kay Gourneau requested that the request be referred to the Small Loan Program and to request that consideration be given to Mr. High Elk to get re-established.

60. **UNITED SIOUX TRIBES OF SOUTH DAKOTA:** Information was received from U.S.T. for support, by Resolution, for a proposal U.S.T. will be submitting to continue providing services for Native Americans in the Aberdeen Area, with Direct Employment.

The Direct Employment program would assist with pre-job tutoring seminars, Job fair opportunities, and Native American commerce advocacy and expansion. Motion was made by Richard P. Thompson to submit a Resolution of support for the Direct Employment proposal to be submitted by U.S.T. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**61. FAYE JANDREAU REQUEST:** A request to purchase the sheet metal from the old barn at the Rodeo Grounds was received from Mr. Jandreau. The Lower Brule Sioux Tribal Council will have Mr. Jandreau notified that they do not wish to sell and that if such a time they do wish to sell they will contact Mr. Jandreau.

**62. FRANK C. ESTES REQUEST:** A letter of request was received from Mr. Frank C. Estes for an appraisal to be done on his home, which Bernadette Myers now lives in. Mr. Estes stated that Mrs. Myers wished to purchase the house. Motion was made by Orville Langdeau, Jr. to request the Bureau of Indian Affairs to do an appraisal on Mr. Estes home. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**63. KATE RATLIFF REQUEST:** A letter was received from Ms. Ratliff on the sale of Kate's Place and the Lots. Ms. Ratliff stated that she wants to relocate to a different area. By Tribal Council concurrence the Lower Brule Sioux Tribal Council will inform Ms. Ratliff that they are not interested in pursuing her proposal.

**64. LAND SALE:** Chairman Jandreau stated that there was land for sale in the Reliance area. Chairman Jandreau stated that this was a good piece of land and was worth \$27,290.00. Motion was made by Richard P. Thompson to authorize Chairman Jandreau to select a bidder for the Tribe and to limit the bid to \$30,000.00. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**65. SEPTEMBER MINUTES:** The Minutes from the Lower Brule Sioux Tribal Council Regular Meetings in September were submitted for review and approval. The Tribal Council reviewed the September Minutes. Motion was made by Kay Gourneau to approve the September Minutes. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**66. LOWER BRULE CONSTRUCTION COMPANY:** Chairman Jandreau stated that there were to seats available on the Construction Board and that a notice should be posted. Kay Gourneau stated that the persons selected for the positions should have knowledge of construction and should be beneficial to the Construction Company.

**67. COST OF LIVING INCREASE:** Chairman Jandreau stated that a Cost of Living Increase was available for the Council Members, Tribal Administration and Finance Staff. Motion was made by Richard P. Thompson to give all staff stated a 5% Cost of Living Increase retroactive from October 1, 1990. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**68. CLOTHING GRANT APPLICATIONS:** Richard P. Thompson asked if the Clothing Grants were included in this years budget. Chairman Jandreau stated that the previous Tribal Council requested that it be included in the FY-91 budget for all enrolled children of the Lower Brule Sioux Tribe in grades K-12 receive a \$50.00 Clothing Grant.

The Tribal Council meeting recessed at 3:08 PM. The meeting reconvened at 10:37 AM on October 22, 1990. Chairman Michael B. Jandreau was absent the meeting was

called to order by Vice Chairperson Kay Gourneau. Also present was James Kastner and Elmer and Wanda Cummings.

69. JAMES KASTNER: Mr. Kastner submitted his proposal to work for the Lower Brule Sioux Tribe on their roads problems. No action was taken on this matter. This matter was tabled.

70. LORENDA MIDDLETENT REQUEST: A request was received from Lorenda Middletent and family to use the Tribal Gym to hold a Memorial dinner for Kim Goodlow on December 8, 1990, at 1:00 PM. Motion was made by Richard P. Thompson to grant Ms. Middletent's request to use the Tribal Gym to hold a Memorial Dinner for Kim Goodlow. This motion was seconded by Oriville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and one not voting.

71. WANDA CUMMINGS: No action was taken on this matter.

The Tribal Council meeting recessed at 11:56 AM. The meeting reconvened at 1:30 PM on October 26, 1990. All Council Members were present. Also present was Norm Koehn, Henry (Jim) James, Al Schmidt, Kelly Leis, Debra Isburg, Wilma Wilson, Darrell Middletent, Fritz LaRoche, Tom Estes and Bertrand (Toto) Carpenter.

LOWER BRULE HOUSING AUTHORITY: Chairman Jandreau stated that this meeting was called for the Contractors, Homeowners and the Housing Authority for the purpose of the discrepancies that were brought up at the last meeting. Chairman Jandreau stated that this was to be updated on what has happened since the last meeting. Chairman Jandreau further stated that a list compiled by the Homeowners was made and the Contractors have done work and the Homebuyers have signed off on work completed, but not all items were finished. Al Schmidt stated that there were water problems that were caused by the windows. Kelly Leis stated that the problem was caused from the weather stripping being painted over and the stripping needs to be replaced. Al Schmidt stated that he recommends that Isanti replace the stripping and that he is writing a letter to Isanti. Chairman Jandreau asked if there was anything else. Al Schmidt stated that he talked with Debra Isburg and told her that some of the things that need to be repairs were ordered and that it will take time to get here. Mr. Schmidt also stated that the open items on the punch list needed to be completed when the supplies got here. Chairman Jandreau asked if the Council Members or Housing Authority had anything else to add. Kay Gourneau stated that all of these things were suppose to have been done by today and that she doesn't see any reason why they have any business to discuss until all these problems were corrected. Jim James asked that everyone be more specific on what was done and wasn't done. A list was compiled and 99% of all the work was completed. Wilma Wilson that there was work that still needed to be finished at her home. Ms. Wilson also asked who would cut the doors? The carpet layers or Isanti. Mr. James stated that Isanti will cut the doors. Chairman Jandreau stated that in Unit #19 the furnace kicks on and off all night long. Gayle Koehn stated that that the thermostat was changed, but some adjustments may have to be made on all of the new thermostats. Motion was made by Kay Gourneau for a Resolution of Support to retain money for the foundations on all the new houses. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

The Tribal Council meeting recessed at 2:53 PM. The meeting reconvened at 11:45 AM, on October 29, 1990. With all Council Members present.

72. CLOTHING EDUCATIONAL GRANTS: Chariman Jandreau stated that (312) Three hundred twelve applications were received for Clothing Grants. All the applications were reviewed and recommended. Motion was made by Kay Gourneau to notify all other members of the Lower Brule Sioux Tribe of the Clothing Grants by advertising in

the Lakota Times, Pierre, Chamberlain, Sioux Falls and Rapid City newspapers. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**73. 1991 PESTICIDE ENFORCEMENT GRANT:** A request was received from Mr. Scott Jones to be granted approval to submit a Resolution for the 1991 Pesticide Enforcement Grant. Motion was made by Boyd Gourneau to submit a Resolution for request for 1991 Pesticide Enforcement Grant. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**74. VICTIMS OF CRIME:** Mr. Truman Grooms submitted a proposal for additional funding for his delegation to attend the Justice for Victims of Crime conference in Portland, Oregon. The conference will be held on November 1-3, 1990. Mr. Grooms is request \$2,020.84 from the Tribe and stated that he also has a request in with the Dakota Indian Foundation. Motion was made by Boyd Gourneau to grant \$1,020.84 to the Victims of Crime program. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting. Mr. Grooms also stated that a Victims of Crime Shelter Supervisor was need to stay in the shelter. Mr. Grooms stated that he had advertised the position for one day and the only applicant received was from Geneva Green. Mr. Grooms recommended Ms. Green for the position. The Lower Brule Sioux Tribal Council will advertise the position.

**75. PLUMBERS/LABORERS:** Plumbers and Laborers are needed to install water meters onto the homes in the Lower Brule Community. Motion was made by Richard P. Thompson to approve the recommendations received because of their experience with plumbing. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. The persons selected for the Plumber/Laborers positions were: Thomas Estes, Sam Flute, Randy Jandreau, Brad Whitney and Mike Ziegler, with alternates being Allen Blacksmith, Tony Goodlow, Terry Jandreau and Greg LaRoche.

**76. DAVIS AND LISA GROOMS REQUEST:** A letter of request was received from Mr. and Mrs. Grooms to be granted a \$3,000.00 loan from the Rehab Account to stabilize their buisness. This matter was tabled at this time.

**The Tribal Council meeting recessed 12:42 PM. The meeting reconvened November 2, 1990, with all Council Members present. Also present was Emil "Levi" Flute, Wilma Wilson, Fritz LaRoche, Carl Johnson and Julian Brown.**

**LOWER BRULE HOUSING AUTHORITY:** Chairman Jandreau stated that all we are doing and have been wanting to do is to work together on the construction and force account procedures of this project. It has never been my or the Council Members intent to supersede or take over what the Housing Board is doing unltss it is otherwise directed by the Board to do so. It was indicated to me that I had made a juncture were we were going to take over the Housing Authority as a Tribal Council. We We have all the tapes here and if any one that thinks that statement was made are welcome to review the tapes. I didn't say that. My main concern is to see if we can work together to employ our people, to give quality housing and to maximumize our efforts to work together on this. My real interset is for the advancement of the Tribe and that is what we all should be collectively about. We all have a responsibility to the Tribe. We can't say we are going to work together and have someone tell HUD that the Tribe is forcing them to make decisions. Debra Isburg stated that she spoke to Frank and asked his opinion on this and all he asked was who was going to do the work. Debra Isburg stated that we don't have the money to go into litegation with the contractor. Chairman Jandreau stated that that is what was talked about at the last meeting and Fritz said that you

were going to hold all the money until the job was done right. Fritz LaRoche stated that in order to resolve this we have to get Jim James to correct the problems. Chairman Jandreau stated that HUD said that they would hold the money until there was a Resolution of Conflict received. Fritz LaRoche stated that we have to then find out who takes the next step. Chairman Jandreau stated that the Housing Authority has to take the next step. Fritz LaRoche asked if new plans were going to be discussed. Chairman Jandreau stated that new plans could be discussed but will they be followed. Chairman Jandreau further stated that HUD will be sending out a two man team to inspect the homes and the money will be kept until a Resolution of Conflict is received and once the report is sent we can have another meeting. Chairman Jandreau stated that the Tribe has also hired an inspector. Fritz LaRoche asked if he would only be inspecting Victor Grassropes home. Chairman Jandreau stated that initially we had agreed all the homes would be inspected. Fritz LaRoche asked how soon it would be done. Chairman Jandreau stated that they could coincide with the two man team coming down. Richard P. Thompson stated that the only thing the Tribal Council wished to do was to satisfy the Homebuyer and it sounds like nothing should be paid until they are satisfied. Motion was made by Boyd Gourneau to request a Force Account for the New Development on project SD391B0019. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Tribal Council meeting recessed. The meeting reconvened at 3:10 PM, on November 5, 1990, with Richard P. Thompson absent. Also present was Debra Isburg, Tony Moran and Lori Ziegler-Carpenter.**

**LOWER BRULE HOUSING AUTHORITY:** Debra Isburg addressed the Tribal Council with a request to adopt designated sites for new developments. The Lower Brule Sioux Tribal Council selected that designated areas. Motion was made by Kay Gourneau to approve the adopted designated sites. This motion was seconded by Orville Landgeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting. Debra Isburg also stated that there would be a Force Account available for the off site water/sewer on project SD391B0019. Motion was made by Boyd Gourneau to request a Force Account procedure on the off site water/sewer on project SD391B0019. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**73. TONY MORAN:** Mr. Moran stated that there was room at the propane plant for a 50,000 gallon propane tank for storage. By Tribal Council concurrence Mr. Moran was authorized to get the tank.

**74. LORI ZIEGLER-CARPENTER:** Mrs. Carpenter addressed the Tribal Council with the problems that were found after the inspector had made his inspection. Mrs. Carpenter had stated that the inspector had first noticed when driving up to the home that it was sitting crooked on the foundation. Mrs. Carpenter further stated that pipes were leaking under her house and that the inspector told her she would probably have to get a dehumidifier to put under the house and that the kitchen floor had dropped and the crack in the utility room wall was getting larger. Chairman Jandreau stated that an appraisal was going to be done on each of the units.

**75. SANDRA BYINGTON REQUEST:** A letter of request was received from Mrs. Byington for assistance in purchasing a hot water heater for her home. Mrs. Byington stated that the hot water heater would cost \$182.00 at Farmers Union. Chairman Jandreau stated that he would talk to housing to see if there was a used one available.

**76. HEART OF THE EARTH-MICHAEL ZIEGLER:** A letter was received from Mr. Ziegler which he had submitted to the Small Loans program. Mr. Ziegler was requesting

from the Small Loans program a loan of \$800.00 to appear as special guest artist at a major intertribal arts festival in Dallas, TX from November 8-11.

77. **SHIRLEY MARVIN, EDA PLANNING DIRECTOR:** A memorandum was received from Ms. Marvin concerning funding available for programs which would assist in youth projects and elderly projects. By Tribal Council concurrence, Shirley Marvin was authorized to pursue these projects.

78. **BESSIE ESTES LETTER:** A formal letter of resignation was received from Mrs. Estes. Mrs. Estes stated that she would be only be available to work part-time and that the position of Maternal and Child Health requires a full-time attention. Mrs. Estes also stated that she wished to volunteer her services working with the prenatals. The Lower Brule Sioux Tribal Council excepted Mrs. Estes resignation. The position will be advertised.

79. **STUART LANGDEAU-JEANIE SMITH REQUEST:** A request was received from Mr. Langdeau and Ms. Smith to be granted a Lot Lease for their new home in the Lower Brule Community. By Resolution the Lower Brule Sioux Tribal Council had authorized Chairman Jandreau to approve all such requests for Lot Leases.

80. **TERO COMMISSION TRAINING:** A memorandum was received from the South Dakota TERO Commission on training available on December 11, 1990, at the Days Inn Motel in Pierre, SD. The training requires a \$100.00 fee. Motion was made by Boyd Gourneau to approve the \$100.00 training fee to attend the TERO Conference. This motion was seconded Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

81. **SHIRLEY MARVIN REQUEST:** A request was received from Ms. Shirley Marvin for the adoption of a Resolution to receive funding for Law Related Education Program, Through the U.S. Department of Education and for and Education Program on the Constitution Of The United States, so that these may be taught in the schools system. Motion was made by Kay Gourneau to approve the two (2) requests for grants by Resolutions. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

82. **EDUCATIONAL GRANT APPLICATION:** An educational grant application was received from Shana Grassel. Motion was made by Boyd Gourneau to approve the application as long as all paperwork was in place. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

83. **WOODLAND DEVELOPMENT PROJECT PROPOSALS:** Information was received from the Superintendent, Lower Brule Agency, of a Woodland Development Project Proposal that would provide the planting of trees to provide woodland to help to mitigate the damage of wildlife caused by the construction of the Missouri River mainstream dams. Motion was made by Kay Gourneau to approve the Woodland Development Proposal, by Resolution. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

84. **UNITED SIOUX TRIBES OF SOUTH DAKOTA:** A letter was received from U.S.T. of the Bureau of Indian Affairs presentation of their new reorganization declaration on November 7, 1990 in Rapid City, SD. This material was informational.

85. **ABERDEEN AREA TRIBAL GOVERNMENT SERVICES:** A memorandum was received from the Aberdeen Area Tribal Government Services on the eligibility of enrollment of Ellen Grassrope's children in the Lower Brule Sioux Tribe. The Government Services Office requested the Tribal Council to adopt a policy on eligibility for these cases. Motion was made by Kay Gourneau that the policy for eligibility for

enrollment in the Lower Brule Sioux Tribe would be that the Lower Brule Sioux Tribe reserves the right to review, accept or deny any other eligibilty case which comes before the Lower Brule Sioux Tribal Council. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**86. EDUCATIONAL CLOTHING GRANT APPLICATION:** Chairman Jandreau stated that a letter had been received from Audrey Estes requesting an application for a clothing grant. Chairman Jandreau stated that some clothing grants have been given to students that are away from home and that are attending job corp. Motion was made by Boyd Gourneau to approve a \$150.00 educational clothing grant to Audrey Estes after an application is received by her. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**87. LOWER BRULE DAYCARE CENTER:** No action was taken on this matter.

**88. LOWER BRULE HOUSING AUTHORITY:** A request was received from the Lower Brule Housing Authority for an easement/right-of-way for Mr. Leo Durkins new home. Motion was made by Kay Gourneau to approve the easement/right-of-way. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**ADJOURNMENT:** Motion was made by Orville Langdeau, Jr. to adjourn the October Regular Session Meeting. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

#### **CERTIFICATION**

The foregoing is a true and correct transcript to the Minutes from the Regular Meeting held by the Lower Brule Sioux Tribal Council on October 3rd, 4th, 17th, 22nd, 26th and 29th, and also on November 2nd and November 5, 1990.

  
Sandy La Croix, Recording Secretary



**LOWER BRULE SIOUX TRIBAL COUNCIL**  
**REGULAR MEETING**  
**NOVEMBER 9, 1990**

**PRESENT:** Michael B. Jandreau, Chairman  
Kay Gourneau  
Boyd Gourneau  
Orville Langdeau, Jr.  
Elvera Driving Hawk

**ABSENT:** Richard P. Thompson

**ALSO PRESENT:** Dick Drapeau and Associates and Phil White.

1. **HEWITT & DRAPEAU ASSOCIATES:** The Lower Brule Sioux Tribal Council reviewed and signed a Contract with the architects, Hewitt & Drapeau Associates, for the Lower Brule High School Rehabilitation project.

2. **LOWER BRULE HOUSING AUTHORITY:** A request was received from the Lower Brule Housing Authority to approve land to be set aside for a new housing project. Motion was made by Kay Gourneau to set aside land for new housing development. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, one absent and none not voting.

3. **BURT GOODFACE REQUEST:** A letter of request was received from Mr. Goodface to make a loan against his lease check, which is \$465.00. Mr. Goodface stated that his check will be sent directly to the Lower Brule Sioux Tribe in care of Michael B. Jandreau. Motion was made by Orville Langdeau, Jr. to loan Mr. Goodface \$465.00 until his lease check came in. This motion was seconded by Boyd Gourneau. Motion carried with vote being four member for, none opposing, one absent and none not voting.

4. **JUDY WHITNEY REQUEST:** This matter was tabled at this time.

5. **VETERANS DAY DINNER:** The Lower Brule Sioux Tribal Council authorized Scott Jones to get food and cooks for the Veterans Day Dinner to be held on Monday, November 12, 1990.

**The Lower Brule Sioux Tribal Council recessed at 4:14 PM. The Meeting reconvened on November 13, 1990, at 11:14 AM. Also present was Larry Mendoza and Lisa Estes.**

6. **LARRY MENDOZA:** Chairman Jandreau stated that Mr. Mendoza has experience in planning and development and has worked with force accounts. Chairman Jandreau further stated that there was money in Planning in the IDC pool to pick Mr. Mendoza up for a short time. Mr. Mendoza stated his interest in working for the Lower Brule Sioux Tribe. Motion was made Richard P. Thompson to hire Mr. Mendoza. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

7. **HUNTER SAFETY INSTRUCTOR CERTIFICATION TRAINING:** A Memorandum was received from the Aberdeen Area Office, Agriculture department, regarding the development of a Hunter Safety Instructor Certification Training for interested Agency and Tribal staff. The purpose of the memorandum was to determine the interest for such training. Motion was made by Boyd Gourneau to require the training. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

8. **EDUCATIONAL GRANT APPLICATIONS:** Educational grant applications were received from William Eagle Thunder, Sandy Rencounter and William LaRoche. Motion was made

by Orville Langdeau, Jr. to approve the educational grant applications as long as all paperwork is in order. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

9. **B & E PROFESSIONAL ENGINEERS:** B & E Professional Engineers submitted a letter concerning the inspection of three of the new homes that were built in the Lower Brule Reservation. The Engineers made recommendations that the Tribal Council may use. No action was taken on this matter.

10. **LAKOTA CARE PROGRAM BINGO:** The Lakota Care Program Bingo submitted there bingo report for October 1990. This material was informational.

11. **BELL GALYARDT ASSOCIATES:** A letter was received from Bell Galyardt Associates for their submittal of a proposal for furnishing surveying and engineering services in regard to the 93-acre tract of land located in Oacoma. No action was taken on this matter.

12. **LOWER BRULE HEALTH BOARD:** The Lower Brule Health Board submitted a request to approve for a "Smoke Free Environment" for each Health Program and transport vehicles. Motion was made by Elvera Driving Hawk to approve the Lower Brule Health Boards request for a "Smoke Free Environment". This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

13. **ELAINE WHITEPIPE HOMESITE REQUEST:** A homesite request was received from Elaine Whitepipe for the area described as the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 2, T109N, R77W, 5th Principal Meridian, Stanley County, South Dakota, containing 5.0 acres more or less. Mrs. Whitepipe also requested to relinquish her previous homesite. Motion was made by Boyd Gourneau to approve Mrs. Whitepipes homesite request and to relinquish her previous homesite request. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**The Tribal Council Meeting recessed at 12:08 PM. The Meeting reconvened at 12:40, with same Council Members present.**

14. **PATTI MOORE REQUEST:** A letter of request was received from Mrs. Moore to borrow \$1,000.00 from the Lower Brule Sioux Tribe and to repay the loan in two payments when she received her first checks. Motion was made by Richard P. Thompson to approve the loan Mrs. Moore for \$1,000.00. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

15. **BART NESS REQUEST:** A letter was received from Mr. Ness requesting a (60) sixty day extension on his lease payment. Motion was made by Orville Langdeau, Jr. to grant Mr. Ness a sixty (60) day extension on his lease payment. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

16. **DAY CARE CENTER:** No action was taken on this matter at this time.

17. **RENEE KENYON REQUEST:** Renee Kenyon addressed the Tribal Council with a complaint on her mothers sewer problem. Ms. Kenyon stated that it had been a week and nothing had been done about the problem and her mother can not use any water in the house and that the sewer was backed up into her basement. Chairman Jandreau stated that someone would be sent over to look at the problem.

18. **LISA ESTES:** Chairman Jandreau stated that the Lower Brule Finance Office's computer system was filled to capacity and that a new computer would have to be purchased. Mrs. Estes stated that the computer would cost the Lower Brule Sioux Tribe \$66,000.00 out-right and if payments were made the interest would increase the price to \$79,000.00. Chairman Jandreau asked Mrs. Estes what was left in the Day Care budget. Mrs. Estes stated that payroll could be made for maybe two pay periods. Kay Gourneau asked since it is so close to Christmas couldn't the Tribe carry them through that period. Motion was made by Richard P. Thompson to approve to carry the Day Care Center through pay period #1 of this year. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting. Chairman Jandreau stated a letter should be written to Mrs. Langdeau and ask her to notify everyone of the possible close down of the Day Care Center and to explore with the Tribal Finance staff any supplemental funds to assist the program.

**The Tribal Council meeting recessed at 2:03 PM. The Meeting reconvened at 2:35 PM, with the same Council Members present.**

19. **JUDY WHITNEY REQUEST:** A request was made by Judy Whitney to borrow \$600.00 from the Lower Brule Sioux Tribe to pay outstanding bills for Whitney Construction. Mrs. Whitney stated that the loan would be repaid bi-weekly at \$75.00 a pay period. Motion was made by Kay Gourneau to grant Mrs. Whitney the loan of \$600.00. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

20. **DAVIS GROOMS REQUEST:** Davis and Lisa Grooms presented a proposal to the Lower Brule Sioux Tribe from their business. Mr. & Mrs. Grooms requested a \$3,000.00 loan to re-establish their business. Motion was made by Kay Gourneau to approve the \$3,000.00 loan to Mr. & Mrs. Grooms. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

21. **NOBLE LACROIX:** Chairman Jandreau asked Mr. LaCroix if the Police Department had any idea who was breaking into the Offices. Mr. LaCroix stated that at this time the Police Department did not have any idea who was doing the breaking in. Mr. LaCroix also stated that the G.A. checks would be late for the month of November, because of a computer break down.

**The Tribal Council meeting recessed at 3:17 PM. The meeting reconvened at 11:20 AM, on November 21, 1990, with all Council Members present. Also present was Jom Langdeau and Allen Lien.**

22. **JIM LANGDEAU:** Mr. Langdeau addressed the Tribal Council concerning the activities that happened last Saturday at the Goose Camp. Mr. Langdeau stated that the Goose Camp had turned hunters away and that Mr. Langdeau invited them down on his land to hunt. Mr. Langdeau further stated that they own two (2) parcels of land, which was made by a grant of exchange assignment. Kay Gourneau asked Mr. Langdeau if the hunters had paid him. Mr. Langdeau stated that they had and that on Thursday five hunters had asked him to come down and hunt on Saturday and Saturday twenty-five hunters showed up, which he did not invite. I had heard about the buffer zone that the Tribe had established, but I had not check into it. Kay Gourneau asked if the hunting on his land interfered with the Goose Camps hunts. Mr. Langdeau stated that it didn't. Richard R. Thompson stated that Jim Langdeau had made sure the hunters had Tribal Licenses. Chairman Jandreau stated that Tony and Bill should not have been up there hunting that they knew about the buffer zone. Mr. Langdeau stated that he requested that Tony and Bill come up to sell him a license and invited them to hunt with him. Chairman Jandreau stated that there should have been some kind of communications. And there had been pits closed

that had been hunted in for years and the Director of the program knew it was going on, someone wanted to cause trouble so they brought it all here to the Tribal Council. Chairman Jandreau asked Mr. Allen Lien to explain to Mr. Langdeau the Exchange Assignment. Mr. Lien stated that back in 1948 the Title of Records in Aberdeen made Exchange Assignments but the title was put in the name of the Lower Brule Sioux Tribe. Mr. Lien stated that many people made these Exchanges with the idea that the trade was straight across, land for land. Chairman Jandreau stated that there were three (3) types of assignments a exchange assignment, a standard assignment and a home assignment, which people made and thought that they were trading land for land. Mr. Langdeau asked what could be done about this, what would be the proper procedure to get back their ownership of the land. Allen Lien stated that Cheyenne River and Rosebud Reservations had Resolutions submitted to transfer back the ownership. Mr. Lien further stated that it would take Congressional action to change this. No action was taken on this matter.

**The Tribal Council meeting recessed at 12:24 PM. The meeting reconvened on December 5, 1990, at 10:26 AM. All Council Members were present, Chairman Jandreau arriving late.**

**ADJOURNMENT:** Motion was made by Boyd Gourneau to adjourn the November Regular Session Meeting. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent absent and none not voting.

**CERTIFICATION**

The foregoing is a true and correct transcript to the Minutes from the Regular Meeting held by the Lower Brule Sioux Tribal Council on November 9th, 13th, 21st, and December 5, 1990.

  
Sandy La Croix, Recording Secretary

**LOWER BRULE SIOUX TRIBAL COUNCIL**  
**REGULAR MEETING**  
**JANUARY 2, 1991**

**PRESENT:** Michael B. Jandreau, Chairman  
Kay Gourneau  
Richard P. Thompson  
Boyd Gourneau  
Orville Langdeau, Jr.  
Elvera Driving Hawk

**ABSENT:** None

**ALSO PRESENT:** Kathy and Scott Bartlett-Arrow S Company, Dina Brandt, Noble LaCroix, Allen Lien, Captain David Valandra and C.I. Mitch Pourier.

1. **EDUCATIONAL GRANT APPLICATIONS:** Educational Grant Applications were received from Monte Iron Heart and Vance Jandreau. Motion was made by Richard P. Thompson to grant the Educational Grant awards provided all paperwork was in place. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

2. **KENNY HARMON - BEN THOMPSON REQUESTS:** Letters of requests were received from Mr. Harmon and Mr. Thompson. Mr. Harmon requested to purchase the Tribal John Deere 10 tractor from the Tribe for \$500.00. Mr. Thompson requested to purchase the White Tribal flatbed ½ton pickup for \$150.00. Motion was made by Orville Langdeau, Jr. to sell the Tractor to Mr. Harmon and to sell the Flatbed ½Ton Pickup to Mr. Thompson. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

3. **NORTH CENTRAL RC&D:** A letter was received from the North Central Resource Conservation & Development Project to inform the Lower Brule Sioux Tribe that the U.S. Secretary of Agriculture has approved the expansion of the North Central RC&D Area to include Lyman County and to invite the Lower Brule Sioux Tribe to become an active sponsor to RC&D and to appoint a representative to attend the meeting. Motion was made by Richard P. Thompson to approve joining the RC&D and to appoint Boyd Gourneau at the representative for the Lower Brule Sioux Tribe. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

4. **DEPARTMENT OF THE ARMY-CORPS OF ENGINEERS:** A letter was received from the C.O.E. stating that a request for an Archeological Resources Protection Act Permit from the Archeology Laboratory at Augustana College was received by them and requested the conduction of cultural resource reconnaissance and surveys and to collect, analyze and curate cultural resources discovered as a result of weathering and looting on the lands administered by the Corps of Engineers with the State of South Dakota. The Corps of Engineers letter stated that in accordance with 32 C.F.R. 229.7, any Indian tribe which may consider the potential research sites as having religious or cultural importance must be notified thirty (30) days prior to the issuance of a permit. Motion was made by Kay Gourneau to deny the surveys to be done until more information was received and to have Chairman Jandreau check into the matter. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

5. **LOWER BRULE HOUSING AUTHORITY:** A letter was received from the Lower Brule Housing Authority regarding the installation of **water meters** on the homes in Lower Brule. The Lower Brule Housing Authority was concerned on who would be responsible for damages, what codes were being utilized, and requested to be notified when the

meters are put into use because the tenants are given water usage utility allowances and the utility allowance may require an adjustment to the tenants. By Tribal Council concurrence the Lower Brule Housing Authority will be written a letter explaining that the Lower Brule Sioux Tribe will be responsible for any damages to homes/meters, a copy of the codes will be sent to the Lower Brule Housing Authority and that the main purpose of the water meters is to determine water usages in the communities, amount used and storage space needed.

6. **DAY CARE PARENT ADVISORY BOARD:** A letter was received from the Day Care Parent Advisory Board to request a meeting with the Lower Brule Sioux Tribal Council. A meeting was set up with the Advisory Board on January 9, 1991, at 3:00 PM.

7. **VIRGIL FLUTE REQUEST:** A letter of request was received from Mr. Flute to mortgage his home to the Lower Brule Sioux Tribe to pay for fines. Chairman Jandreau stated that the Tribe cannot pay for fines in any manner and that he will speak to Mr. Flute.

8. **ORVILLE LANGDEAU, JR.:** Mr. Langdeau asked Mrs. Gourneau if there were any incentive bonuses for the employees at the Propane Company (Darrell Middletent and Phillip Langdeau). Mrs. Gourneau stated that she had already spoke to the employees on this matter.

**The Tribal Council meeting recessed at 12:11 PM. The meeting reconvened at 1:53 PM with all Council members present.**

9. **ARROW S COMPANY:** Mr. & Mrs. Bartlett submitted three (3) proposals to the Lower Brule Sioux Tribal Council for the establishment of a boot/saddle manufacturing business with the Arrow "S" Company at the Lower Brule Sioux Tribe Oacoma site. Chairman Jandreau stated that a more detailed description of the site needs, etc. would have to be submitted to the Tribal Council.

10. **LAW ENFORCEMENT:** Chairman Jandreau stated that during the Tribal Council meetings early in the day the Council discussed matters they were concerned with pertaining to the Law Enforcement. Chairman Jandreau stated that the Tribal Council passed an Ordinance to hold juveniles for (12) twelve hours if they were intoxicated and that there has been instances when this was not enforced. Captain Valandra stated that as far as he knew this was being enforced and that if this instance could be recalled and which Officer did not comply with the Ordinance, Captain Valandra stated that he would reprimand the Officer. Chairman Jandreau also stated that in mid December the Police Department made sweeps during Bingo and picked up kids that were hanging around the Tribal Gym and that this had a good effect then it just quit. Captain Valandra stated that Mr. Menzie had done the sweeps on his own when he was on duty, but he could only tell his employees what to do and how far they go with it is up to them. Chairman Jandreau asked the C.I. Mr. Pourier what he was doing about the break-ins. Mr. Pourier stated that attempts were made to get finger prints but there were too many people who utilized the buildings to get good prints. Chairman Jandreau asked Captain Valandra how often patrols were made. Captain Valandra stated that no schedule was set, but that the Officers on duty patrolled all during their (8) eight hour shift. Chairman Jandreau asked what else could be done about the break-ins, etc., to get a lead on the people responsible. Captain Valandra stated that there are people in the community that tell them things, but they will not testify to it in court. Captain Valandra asked the Tribal Council if they were willing to help set up a Reward. Chairman Jandreau asked how much and how would it be done. Captain Valandra stated that \$100.00 would help to stop the criminal activity in the community. Captain Valandra also stated that more cooperation from the community would help. Chairman Jandreau stated that people think that the way reservation life is, is par for the course. Chairman Jandreau further stated that this can not be an accepted norm of the reservation and full effort is not being

given by all to stop it. Motion was made by Richard P. Thompson to place a Reward for \$1,000.00 for information leading to the conviction of these crimes and that the persons name would be kept confidential. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

11. **NOBLE LACROIX:** Chairman Jandreau asked Mr. LaCroix if the dividend to be paid out to the enrolled members of the Tribe would effect their General Assistance. Mr. LaCroix stated that it would not effect G.A., but as for the State assistance programs he would have to look into it. Chairman Jandreau stated that it would be about 4-5 months before the dividend would be disbursed.

12. **LAW & ORDER CODES:** Chairman Jandreau stated that the Law & Order Codes were received and that a Resolution was needed to approve the Codes and to put them into effect within 30 days. Motion was made by Kay Gourneau to approve the Codes and to begin utilizing the Codes on February 1, 1991. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

13. **J.T.P.A. DIRECTOR POSITION:** Chairman Jandreau stated that the J.T.P.A. Director position was advertised for two weeks and the applications received were from Theresa LaRoche, Maria Estes, Anita Grassrope, Dawn Middletent, Yvonne Rekow, William Falcon and Norma Grassrope. Richard P. Thompson stated that he would like to interview the applicants. By Tribal Council concurrence interviews will be given on Tuesday January 8, 1991, starting at 10:00 AM.

14. **ALTWIN GRASSROPE PETITION:** A petition was submitted to the Tribal Council by Altwin Grassrope concerning the P.A. Gloria Randall. The petition stated that Ms. Randall could not dispense prescription drugs and the petitioners requested to hire someone or authorize Ms. Randall to fill prescriptions. Motion was made by Richard P. Thompson to submit the petition to Ms. Pat Quirk, Service Unit Director, to get a report on the matter by the next Tribal Council meeting. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Tribal Council meeting recessed at 4:35 PM. The Tribal Council meeting reconvened on January 9, 1991, at 10:30 AM, with all Council members present.**

15. **SERVICE LINE AGREEMENT:** A letter was received from from the Bureau of Indian to request a Service Line Agreement for street lights around the government quarters. Motion was made by Boyd Gourneau to submit a Resolution for a Service Line Agreement to West Central Electric for street lights to be installed around the government quarters on the Lower Brule Reservation. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members, none opposing, none absent and none not voting.

16. **JOANN CRAZY BULL REQUEST:** A letter of request was received from JoAnn Crazy Bull for a loan of \$250.00 to make repairs on her home that were badly needed. Chairman Jandreau stated that she would not be eligible for H.I.P. funds because her home is not paid for. Motion was made by Richard P. Thompson to approve a loan to JoAnn Crazy Bull for \$250.00 to make repairs on her home. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

17. **GENERAL COUNSEL BILLING:** A General Counsel billing was received from General Counsel Julian H. Brown for the period covering December 1, 1990 through December 31, 1990. The Lower Brule Sioux Tribal Council reviewed the billing. Motion was made by Boyd Gourneau to approve the billing and send it to the Bureau of Indian

Affairs, Lower Brule Agency, for review and approval. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

18. **EDUCATIONAL GRANT APPLICATION:** An Educational Grant Application was received from Vincent Thompson. Motion was made by Kay Gourneau to approve the application if all paperwork was in place. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

19. **AMERICAN BAR ASSOCIATION:** A letter was received from the American Bar Association in regard to a conference on Native American Natural Resource Law titled "Natural Resources Development on Indian Lands--Planning for Success" which will be held at the Hyatt Regency in Albuquerque on February 21 & 22, 1991. This material was informational.

20. **SOLID WASTE MANAGEMENT ORDINANCE:** Chairman Jandreau presented to the Tribal Council a Solid Waste Ordinance developed by the Standing Rock Sioux Tribe. Chairman Jandreau stated that an Ordinance of this type should be developed on the Lower Brule Sioux Reservation. Motion was made by Richard P. Thompson to approve the Solid Waste Management Ordinance and to request for funding from the I.H.S. and E.D.A. and any other such Governmental funding available for the implementation of this project. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

21. **DECEMBER MINUTES:** The Minutes from the Lower Brule Sioux Tribal Council Regular Session meetings in December were presented for review and approval. Motion was made by Richard P. Thompson to approve the December Minutes with corrections to be made. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

22. **NATIONAL CONGRESS OF AMERICAN INDIANS:** A letter was received from the National Congress of American Indians on a workshop to be conducted on radioactive waste issues in Indian country on January 15-16, 1991, in Sacramento, California. This material was informational.

23. **MENOMINEE INDIAN TRIBE OF WISCONSIN:** A letter was received from the Menominee Indian Tribe of Wisconsin challenging the Lower Brule Sioux Tribe and all other Indian Tribes to contribute to the Native American Rights Fund in the amount of \$25,000.00. This material was informational.

24. **WETHINGTON & COMPANY, INC.:** A letter of proposal was received from the Wethington & Company, Inc., regarding the severe shortage of prison cells. The proposal entailed a Detention Facility. This material was informational.

31. **LOWER BRULE FARM CORPORATION:** Mr. Tom Hanke presented the Farm Corporation Audit report for the years ended November 30, 1990 and 1989. Mr. Hanke also presented the dividend check for the Lower Brule Sioux Tribe in the amount of \$681,109.00 and a \$5,000.00 Ben Rifle Educational Grant Award. Mr. Hanke recommended that the Lower Brule Sioux Tribe put \$150,000.00 in a one (1) year Treasury Note, because as Mr. Hanke stated there may be a decline in production/profits because of the recession.

32. **LOWER BRULE HOUSING AUTHORITY:** Chairman Jandreau stated that many of the people on L.I.H.E.A.P. have used the money allocated for FY-91 already. Motion was made by Boyd Gourneau to request the Lower Brule Housing Authority to winterize all rental units on the Lower Brule Reservation at no charge to the tenants and to extract the money from grants, etc. This motion was seconded by Richard P. Thompson. Motion



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

25. **GRACE MARY GOUVEIA:** A letter of request was received from Ms. Grace Mary Gouveia to conduct a survey on the Lower Brule Reservation regarding the World War II era and its impact upon Native American Women. Motion was made by Boyd Gourneau to approve Ms. Gouveia to conduct the survey. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

26. **FEDERAL BAR ASSOCIATION:** An announcement was received from the Federal Bar Association regarding their 16th Annual F.B.A. Indian Law Conference scheduled for April 4-6, 1991 in Albuquerque, N.M. This material was informational.

27. **TREON FLEURY REQUEST:** A request was received from Mr. Fleury requesting a donation from the Lower Brule Sioux Tribe for basketball trunks for the 5th, 6th, 7th and 8th grade basketball teams. Motion was made by Richard P. Thompson to donate \$50.00 for basketball trunks for the grade school basketball team. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

28. **JENNIFER WAGAMAN REQUEST:** A letter of request was received from Ms. Wagaman requesting to graze her horse on the Oacoma land the Lower Brule Sioux Tribe purchased. Motion was made by Kay Gourneau to allow Ms. Wagaman to graze her horse on the Oacoma land, but she would have to make sure the fenced area would secure the horse. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

29. **PAT QUIRK REPLY- ALTWIN GRASSROPE PETITION:** Ms. Quirk submitted a letter regarding the petition submitted by Mr. Grassrope. Ms. Quirk stated that Ms. Randall was not authorized to dispense prescriptions and if there was no one available to dispense the prescription the C.H.R. program would be available to get the prescription filled in Chamberlain at the cost of I.H.S. By Tribal Council concurrence letters will be sent to Mr. Grassrope and the petition signers.

30. **JERRY & EARL CHRISTENSEN REQUEST:** A letter of request was received from Jerry & Earl Christensen requesting a land trade. Motion was made by Richard P. Thompson to correspond to the Christensen's that the Lower Brule Sioux Tribe is not interested at this time in a land trade. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

33. **MONTHLY BINGO REPORTS:** Bingo reports were received from the Bingo Organizations and were reviewed by the Tribal Council. Richard P. Thompson stated that the Racing Association Bingo has never turned in their monthly bingo report. Mr. Thompson stated that there was not reason for setting rules if there were not going to be adhered to and that he would like to make a motion to notify all members of the Racing Association to conduct a meeting to reorganize and to close down the Racing Association Bingo until that time. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

34. **LOWER BRULE CHILD PROTECTION TEAM REQUEST:** A request was received from the Lower Brule Child Protection Team asking the Lower Brule Sioux Tribal Council to appoint a Council Member as representative to the Lower Brule Child Protection Team. Motion was made by Kay Gourneau to appoint Elvera Driving Hawk as the Representative for the Child Protection Team. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not

voting.

**35. J.T.P.A. DIRECTOR POSTION:** Boyd Gourneau stated that interviews were held on Wednesday January 8, 1991. Motion was made by Boyd Gourneau to hire Norma Grassrope because she has worked in J.T.P.A. for three (3) years and knows the program and she will be getting her degree in the spring. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**36. LAND SALE APPLICATIONS:** Land Sale Applications were received from the Bureau of Indian Affairs for Joyce Estes' Allotment LB-470 for the amount of \$120.00 and for Ramona Archambeau's Allotment LB-513 for the amount of \$2,228.13. Chairman Jandreau stated that part of the Archambeau land was located on the Farm Corporation and that Mr. Hanke will be purchasing that section of land if the Tribe approves the purchase. Motion was made by Kay Gourneau to purchase the two (2) Land Sale Applications with Mr. Hanke purchasing a section of the Archambeau land. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**37. EDUCATIONAL GRANT APPLICATION:** An Educational Grant Application was received from Brian Keith Lopez to attend Black Hills State University. Motion was made Kay Gourneau to approve the Educational Grant as long as all paperwork is in place. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**38. UNITED SIOUX TRIBES & AFFILIATED TRUST FUND:** A Resolution was received to join an Affiliated Workmens Comp. benefit plan. Chairman Jandreau stated that this would be a self-insuring Workmens Comp. plan and other Tribes in South Dakota were joining also. Chairman Jandreau also stated that this way some money would be saved. Motion was made by Kay Gourneau to approve joining the U.S.T. & Affiliated Trust Fund Plan. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**39. COUNTY EXTENSION AGENT-BOB TANNING:** Chairman Jandreau stated that Mr. Tanning approached him to request an Indian be appointed for representative for the County Commission. By Tribal Council concurrence Chairman Jandreau is authorized to appoint a person that would be interested.

**40. CLARENCE THOMPSON REQUEST:** Chairman Jandreau stated that Mr. Thompson wanted the Chairman to present a matter to the Tribal Council. This matter was discussed by the Lower Brule Sioux Tribal Council and no action was taken.

**The Tribal Council meeting recessed at 1:53 PM. The Tribal Council meeting reconvened at 3:20 PM with all Council members present, also present was Stuart & Jeannie Langdeau, Traci Blacksmith, Greg LaRoche and Lou White Light.**

**41. DAYCARE PARENT ADVISORY BOARD:** Chairman Jandreau stated to the Advisory Board that the Daycare Center was closed down because there were not available funds to keep it running and if funding was provided by the State the Tribe would still have to subsidize the program in an amount of \$50-\$60 thousand a year to keep it running. Chairman Jandreau further stated that there is no revenue received from this kind of program. Traci Blacksmith stated that if the Daycare was opened back up that the E.A.R.N. program could be used for the employees. Chairman Jandreau stated that if there were 22 children enrolled each child would have to pay \$160.00 every two weeks, and if you have two children that would probably be close to a whole paycheck. Traci Blacksmith asked if parents could use the building as a private Daycare with the parents paying the worker/workers. Chairman Jandreau stated that someone would have to be responsible for utilities, etc. Chairman Jandreau stated

that a proposal would have to be submitted to the Tribal Council for review.

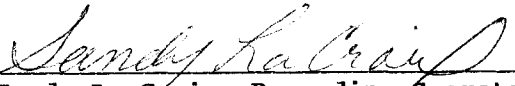
**42. ELDERS ORGANIZATION:** A letter was received from Elders Organization President, Bessie Estes. The Lower Brule Organization of Elders requests the Tribal Council to review a proposed change in the job description of the Director and Cook as administered by the Nutrition Program. Chairman Jandreau stated that he would like to see what the responsibilities would be, what kind of changes were made and each changed job description. This matter was tabled until more information is received.

**The Tribal Council meeting recessed at 3:48 PM. The Tribal Council meeting reconvened on February 6, 1991, at 10:00 AM with all Council Members present.**

**ADJOURNMENT:** Motion was made by Boyd Gourneau to adjourn the January Regular Session Meeting. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing none absent and none not voting.

**CERTIFICATION**

The foregoing is a true and correct transcript to the Minutes from the Regular Meeting held by the Lower Brule Sioux Tribal Council on January 2nd, 9th and February 6, 1991.

  
Sandy La Croix, Recording Secretary

**LOWER BRULE SIOUX TRIBAL COUNCIL  
REGULAR MEETING  
FEBRUARY 6, 1991**

**PRESENT:** Michael B. Jandreau, Chairman (Arrived Late)      **ABSENT:** None  
Kay Gourneau  
Richard P. Thompson  
Boyd Gourneau  
Orville Langdeau, Jr.  
Elvera Driving Hawk

**ALSO PRESENT:** Lisa Estes, Sue Ziegler, Greg Miller, Jim Brouse, Dean Jandreau, Gwen Jandreau, Mary Jane Middletent, Ben Thompson, Jr., Julian Brown, Wilma Wilson, Debra Isburg, Levi Flute, and Noble La Croix.

1.    **SOLID WASTE MANAGEMENT:** Meeting set for 1:00 PM.
  
2.    **LOWER BRULE HOUSING AUTHORITY:** A request was received from the Lower Brule Housing Authority for a Resolution for request of FY-91 C.I.A.P. funding. Motion was made by Orville Langdeau, Jr. to submit a Resolution for the request of FY-91 C.I.A.P. funding for the Lower Brule Housing Authority. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.
  
3.    **BEN THOMPSON, JR. HOMESITE:** Notification was received from the Lower Brule Housing Authority to rescind Ben Thompson, Jr.'s homesite. Mr. Thompson, Jr. requested his homesite be rescinded because he turned his new home back to the Lower Brule Housing Authority. Motion was made by Boyd Gourneau to rescind Mr. Thompson, Jr.'s homesite. Motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.
  
4.    **STUART AND JEANNIE LANGDEAU REQUEST:** This request was withdrawn by Stuart and Jeannie Langdeau.
  
5.    **EDUCATIONAL GRANT APPLICATIONS:** Educational Grant Applications were received from Suzy Short Bear, Jeannette Williamson and Jean Bolman. Motion was made by Orville Langdeau, Jr. to approve the Educational Grants as long as all paperwork was in place. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.
  
6.    **JEAN BOLMAN REQUEST:** A letter was received from Ms. Bolman stating that the Resolution received for her land lease did not state the lease period and requested the lease run for five (5) years. Motion was made by Boyd Gourneau to approve Ms. Bolman lease for five (5) years. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.
  
7.    **L.B.S.T. DRUG AND ALCOHOL ABUSE PROGRAM:** A request was received from the L.B.S.T. Drug and Alcohol Abuse Program to change the date of their regularly scheduled Sobriety Dance for the month of February to February 15, 1991. Motion was made by Orville Langdeau, Jr. to approve the change. This motion was seconded by Boyd Gourneau. Motion was carried with vote being four members for, none opposing, one absent and none not voting.
  
8.    **LAND SALE APPLICATIONS:** Land Sale Applications were received from Keith Goodface and Mercy High Elk. Motion was made by Boyd Gourneau to submit the applications

to the Bureau of Indian Affairs for appraisals. This motion was seconded by Elvera Driving Hawk. Motion was carried with vote being four members for, none opposing, one absent and none not voting.

9. **WEVIK FUNERAL HOME BILLING:** This matter was tabled at this time.
10. **J.T.P.A. SECRETARY POSITION:** A letter was received from the J.T.P.A. Director, Norma Grass Rope on a rated list of applicants that were eligible for the J.T.P.A. Secretary position. The applicants eligible are listed as follows by the highest eligible applicant to the lowest eligible applicant: Renee Kenyon, Zina Reyes, Rhonda Jandreau, Fedelia Skunk, Lorenda Middletent, Keith Middletent, and Theresa LaRoche. Motion was made by Boyd Gourneau to select Renee Kenyon for the J.T.P.A. Secretary position with Zina Reyes as the alternate. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.
13. **LOWER BRULE WILDLIFE ENTERPRISE:** Notification was received from the Lower Brule Wildlife Enterprise on two (2) expired terms on the Board of Directors, Boyd Gourneau and J.W. Thompson. Motion was made by Richard P. Thompson to renew the expired Board of Director Terms of Boyd Gourneau and J.W. Thompson. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.
17. **DOCKET 74 INFORMATION:** No action was taken on this matter. This material was informational.
18. **SOUTH DAKOTA URBAN INDIAN HEALTH, INC.:** A letter was received from the South Dakota Urban Indian Health, Inc. requesting a letter of support for a proposed "Sioux Indian Family House" that would allow families from other cities and from the reservations of the Aberdeen area that have families hospitalized in Sioux Falls, in which the "Sioux Indian Family House" would provide low-cost facilities. Motion was made by Richard P. Thompson to write a letter of support for the South Dakota Urban Indian Health, Inc. for their proposal for a "Sioux Indian Family House". This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four member for, none opposing, one absent and none not voting.
19. **ST. JOSEPH'S INDIAN SCHOOL:** A letter was received from St. Joseph Indian School for a donation. Motion was made by Boyd Gourneau to approve a \$25.00 (twenty-five Dollar) donation. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.
20. **SPIRITUAL RUN FOR THE SACRED PIPE:** Information was received from Scott Jones on the "Spiritual Run for the Sacred Pipe". No action was taken on this matter.
21. **HOMESITE COMPLETION-VIOLET REKOW:** A letter of notification was received from the Bureau of Indian Affairs stating that there was an uncompleted Homesite for Violet Rekow where her home is now located. Motion was made by Boyd Gourneau to complete the Homesite by Resolution. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.
12. **PARENT ADVISORY COMMITTEE-TEEN HELP CENTER:** The Parent Advisory Committee met with the Tribal Council to discuss the activities of the Teen Help Center and their proposal on an indoor swimming pool, in which they have requested financial assistance from the Tribal Council. Motion was made by Boyd Gourneau to write a letter of support for the proposed swimming pool and to seek funding. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members

for, none opposing, one absent and none not voting.

11. **SUE ZIEGLER PROPOSAL:** Mrs. Ziegler addressed the Tribal Council with a proposal she has for a closed caption television station. Mrs. Ziegler stated that she requested from Tribal Council a letter of support and to also state how the Tribal Council would utilize the station. Motion was made by Boyd Gourneau to write a letter of support. This motion was seconded Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting. Mrs. Ziegler also asked the Tribal Council that if there were any problems in obtaining a loan from one of the Banks in Chamberlain, could she seek financial support also. By Tribal Council concurrence financial support will be given if needed.

23. **PLANNING AND DEVELOPMENT DISTRICT III:** This matter was tabled.

24. **NATIONAL CONGRESS OF AMERICAN INDIANS:** Informational.

25. **SISSETON/WAHPETON SIOUX TRIBE:** A letter was received from the Sisseton/Wahpeton Sioux Tribe for a Resolution of support and endorsement of amendments to the 1978 American Indian Religious Freedom Act, Public Law 95-341, which regards protection and use of sacred sites and other related traditional religious concerns of Native Americans. Motion was made by Orville Langdeau, Jr. to submit a Resolution of Support for this matter. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

26. **AMERICAN INDIAN HEALTH CARE ASSOCIATION:** A letter was received from the A.I.H.C.A. concerning a grant they received to analyze the health status of Native Americans in each of the Foundation's eight states of interest (i.e. Minnesota, Iowa, North Dakota, South Dakota, Montana, Idaho, Oregon, and Washington), examine the availability and accessibility of programs and services to meet health care needs, determine how existing public policy affects the provision of health care to Indians. By Tribal Council concurrence this letter was submitted to the Lower Brule Health Director, Nyal Brings for a reply.

27. **RELINQUISHMENT OF ENROLLMENT REQUEST:** A request for Relinquishment of Enrollment was received from Robert W. Felicia for himself and his daughter. Motion was made by Richard P. Thompson to approve Mr. Felicia's request for Relinquishment of Tribal Enrollment for himself and his daughter. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

28. **K.D. LANCE PROPOSAL:** Tabled.

29. **U.S. DEPARTMENT OF COMMERCE:** A letter was received from the U.S. Department of Commerce regarding a Regional Economic Development Conference to be held February 11-13 in Denver Colorado. No action was taken on this matter.

30. **U.S.D.I.-B.I.A.-ABERDEEN AREA OFFICE-HOUSING:** A letter was received from the Aberdeen Area Housing Office regarding the problems of H.U.D. participants willingly relinquishing their homes to family members and declaring themselves a "family needing housing."

31. **WAYNE BARBER REQUEST:** Mr. Barber submitted a letter to be considered for any upper level management position available. Mr. Barber's letter will be kept on record.

32. **FRANK M. GRASA REQUEST:** Mr. Grasa submitted a letter to be considered for any managerial position available. Mr. Grasa's letter will be kept on record.

33. **MONTHLY BINGO REPORTS:** Monthly Bingo Reports were received from Youth Activities, Elderly Bingo and Lakota Dance Club. Gwen and Dean Jandreau entered the meeting at this time. Gwen Jandreau stated that she would like to request a loan from the L.B.S.T. to get the broken water pipes fixed, a new furnace and to re-stock. By Tribal Council concurrence Mrs. Jandreau is requested to get bids on the items needed for a loan. (Chairman Jandreau entered the meeting at this time)

23. **PLANNING & DEVELOPMENT DISTRICT III:** Richard P. Thompson asked Chairman Jandreau if the Planning & Development District III has assisted the Tribe in any way. Chairman Jandreau stated that there was potential for help if it was needed, but the Tribe has never requested for the assistance. Richard P. Thompson stated that the Tribe should then, pay the yearly dues and approve the contract. Chairman Jandreau stated that it would be beneficial for the Tribe if this was done. Motion was made by Richard P. Thompson to pay the yearly dues and to approve the technical assistance contract with Planning & Development District III. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

33. **MONTHLY BINGO REPORTS:** Kay Gourneau stated that the rest of the Bingo reports were needed and why should we have this policy if we have to go around and ask for the reports every month. Chairman Jandreau stated that the Bingo Clubs would be notified that the reports would have to be in at the end of the day and that they have to be in by the last working day of the month. A meeting will be set up with the Bingo organizations at a later date.

28. **K.D. LANCE NEWSLETTER PROPOSAL:** Chairman Jandreau stated that the Tribe needs a public relations office to get consistent positive news out to the public. Chairman Jandreau stated that he had received a resume from K.D. Lance, and with his qualifications in public broadcasting and public relations, would be a good candidate for this position. A sample newsletter was reviewed by the Tribal Council. Motion was made by Richard P. Thompson to authorize the Chairman to go ahead with this venture and to hire Mr. Lance on a 90-day trial basis. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

15. **HOMEOWNERS-LOWER BRULE HOUSING AUTHORITY:** Mary Jane Middletent, Levi Flute, Dean Jandreau, Ben Thompson, Jr., and Debra Isburg were present for this matter. Mary Jane Middletent stated that the repairs that need to be done on her home were not being done, not since she has gotten in her home. Mrs. Middletent asked if there was anything that could be done. Chairman Jandreau stated that a meeting could be arranged with H.U.D. and congressional impact would have to be used. Chairman Jandreau also stated that the Council would have to find out if the Housing Authority is in agreement with this or getting the homes repaired will be an uphill battle. Chairman Jandreau called Debra Isburg and stated the Housing Authority is in agreement with this matter. The Tribal Attorney will send a certified letter to Isanti explaining this situation and inform them that if there is not someone down and repairing the homes that money will be held and used for the repairs. Motion was made by Boyd Gourneau to have the Tribal Attorney write the letter to inform Isanti of this matter. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

1. **ENVIROFIL INC.:** A proposal for Solid Waste Management was submitted to the Lower Brule Sioux Tribal Council. The proposal was reviewed. No action was taken.

50. **JANUARY MINUTES:** The Regular Session Tribal Council meeting Minutes for January

was presented to the Tribal Council for review and approval. Motion was made by Richard P. Thompson to approve the January Minutes. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Lower Brule Sioux Tribal Council meeting recessed at 4:28 PM. The meeting reconvened on February 11, 1991, at 10:18 AM, with all Tribal Council members present. Also present at this meeting was Wilma Wilson, Darrell Middletent, Ted Rouillard, Tony Moran, Julian Brown, Debra Isburg, Levi Flute and Noble LaCroix.**

**63. L.B. HOUSING AUTHORITY-FORCE ACCOUNT PROJECT:** Ted Rouillard addressed the Tribal Council with problems the Housing Authority was having with the force account project for project 3-19 demolition. Mr. Rouillard stated that only 60% of the funding was available for the project, the other 40% was used already for Administrative costs. Mr. Rouillard stated that there was extra money because the old units were going to be repaired. Chairman Jandreau stated that the project was going to be pretty nip and tuck. Mr. Rouillard stated that there would be plenty for the demolition. Chairman Jandreau stated that the clean up was going to need more funding. Chairman Jandreau stated that the furnaces that were in some of the houses that were repaired were too small. Mr. Rouillard stated that there was no one who could read the specifications and if there was someone who could have read them larger furnaces would have been put in. Boyd Gourneau asked if the demolition project would be able to be completed if it was started. Chairman Jandreau stated that a cost estimate would have to be put together and a narrative would have to be completed for the proposal and the budget reflecting the costs. Mr. Rouillard asked all we have to do then is justify the positions? Chairman Jandreau asked if the administration part will impact the grant monies, because they should be coming from the Housing Authority and shouldn't impact the grant monies (Administrative costs). Debra Isburg stated that it would not, that the girls at the Housing Office would do the paper work. Debra Isburg also stated that the Tribe would have to put in their 10% for the project. Mrs. Isburg also asked who will be redefining the positions for the force account. Chairman Jandreau stated that Mr. Rouillard stated that he would. Chairman Jandreau stated that at the last meeting action was taken to have the Tribal Attorney, Julian Brown, to put a letter together regarding Victor Grassropes home and the repairs to the other units. Julian Brown stated that he did not get the letter finished because he was still doing research on Isanti. Mr. Brown further stated that Isanti has burned a lot of people on the homes that they built and when money is retained from them they sue.

**The Tribal Council meeting recessed at 12:08 PM. The Tribal Council meeting reconvened at 1:36 PM, with Boyd Gourneau arriving late.**

**61. VERN ASHLEY PROPOSAL:** Mr. Ashley and Mr. Mike LeBeau presented their proposal to the Tribal Council regarding a Supervisory Adult Care Center for the Elderly. Mr. Ashley stated that an organization was formed for this project entitled "Red Feather, Inc." Mr. Ashley stated that a central place was needed for the Center for the Lakota Elders. Mr. Ashley further stated that the support of the Lower Brule Sioux Tribal Council would provide support that is needed to obtain land, which Mr. Ashley stated the area in mind was in the Pierre area, namely by the Pierre Indian Learning Center. Motion was made by Richard P. Thompson to adopt Mr. Ashley's proposed Resolution for support and to request the land located next to the Pierre Indian Learning Center. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**14. TRIBAL HEALTH MANAGEMENT:** A letter was submitted by Lorenda Middletent which stated that she protested her notification of lay-off. Ms. Middletent stated that she was not formally informed or given two weeks notice of her job ending. Ms. Middletent and Ms. Maria Estes were present at the meeting. Discussion was held



and Kay Gourneau asked if there was funding available would Ms. Middletent and Ms. Estes be able to work together. Ms. Middletent and Ms. Estes stated that they would be able to settle their differences. No action was taken at this time.

35. **U.S.D.I.-BUREAU OF THE CENSUS:** Information was received from the Bureau of the Census regarding the 1990 Census taken. This material was informational and no action was taken.

38. **FARM LAND AUCTIONS:** This matter was tabled at this time.

36. **J.T.P.A. POSITIONS:** A letter was received from J.T.P.A. Director, Norma Grass Rope, on positions which are, Development Office Aide and Elementary School Aide. The rated list of applicants which are rated from the highest to the lowest are as follows: Aleta Johnson, Velma Bad Horse, Gladys La Roche, Delight White Light, Dorcus Quilt, Rhonda Jandreau, Clayton Big Eagle, Lonnie Goodlow, Tony Goodlow, Juan Turning Heart, Cheryl Smith, Leonard Langdeau, Dean Stricker, Fedelia Skunk, Charlene Smith and Samuel Charger. Motion was made by Kay Gourneau to approve the Rated list of applicants. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

37. **LOWER BRULE RACING ASSOCIATION:** Mr. Richard P. Thompson addressed the Tribal Council for the Lower Brule Racing Association requesting the Racing Association be re-recognized for the purpose of holding Bingo. Motion was made by Kay Gourneau to re-recognized the Lower Brule Racing Association for the purpose of holding Bingo. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

38. **FARM LAND AUCTION:** Information was received from the Bureau of Indian Affairs, Lower Brule Agency, on Farm Land Auctions that were going to be held for land in the Lyman County area. No action was taken on this matter.

39. **GENERAL COUNSEL-SPECIAL LEGAL COUNSEL CONTRACT:** Tabled.

40. **BEAR, STEARNS & CO. INC.:** Information was received from the Bear, Stearns & Co. Inc. to invite the Tribal Council to attend their Native American Investment Conference in Oklahoma City, Oklahoma on Friday February 22, 1991 from 1:00 PM to 5:00 PM. No action was taken on this matter.

41. **TRIBAL GOVERNMENT SERVICES-EXCISE TAX:** Information was received from the Office of the Solicitor regarding Excise Tax on Motor Vehicles. Chairman Jandreau stated 2 cases "Cheyenne River and Rosebud" are trying to get the Department of Justice to take this case. Motion was made by Richard P. Thompson to submit a Resolution asking that the Justice Department pursue the activities and inform the Area Director to add the Lower Brule Sioux Tribes support to the other two Tribes and to ask that the cases come to fruition. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

42. **OLD AGE ASSISTANCE PLAN:** Information was received from the Real Property Management office in Aberdeen regarding modification to the Old Age Assistance Distribution Plan of December 12, 1988. No action was taken on this matter.

43. **GOVERNOR'S ECONOMIC DEVELOPMENT CONFERENCE:** Information was received concerning the Governor's Economic Development Conference to be held at the Ramkota Inn RiverCentre Pierre, South Dakota, February 20, 1991. No action was taken on this matter.

44. **SISSETON/WAHPETON DAKOTAH TRADITIONAL PEOPLE:** A Resolution of support was

requested by the Sisseton/Wahpeton Dakota Traditional People on four (4) Resolutions enacted by them regarding the American Indian Religious Freedom Act. Motion was made by Boyd Gourneau to submit a Resolution of support to the Sisseton/Wahpeton Dakotah Traditional People. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

45. DUCHENEUX, GERARD & ASSOCIATES: Information was received by Ducheneaux, Gerard & Associates regarding a monthly loose-leaf, reporting service on all legislation affecting Indian Affairs. No action was taken on this matter.

46. NATIONAL CONGRESS OF AMERICAN INDIANS: Information was received from N.C.A.I. on a fund workshop on Sara Title III, Emergency Planning and Community-Right-To-Know in Rapid City, South Dakota, on April 16-17, 1991. No action was taken on this matter.

47. SOUTH DAKOTA URBAN INDIAN HEALTH, INC: A letter of support was requested from the S.D. Urban Indian Health, Inc. to renew their substance abuse grant. Motion was made by Kay Gourneau to submit a letter of support to S.D. Urban Indian Health, Inc. to support them in renewing their substance abuse grant. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

48. U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: Information was received on the 1991 Administrative Capabilities Assessment for the Lower Brule Housing Authority, conducted by the Office of Indian Programs. No action was taken on this matter.

49. VIVIAN WEDDLE LETTER: A letter was received by the Tribal Council from Vivian Weddle to the Lower Brule Housing Authority regarding her request for compensation in regards to stolen and damaged property that took place when her home was being renovated. Council Member Orville Langdeau, Jr. stated that the Housing Authority was going to take care of this matter. A letter will be sent to Ms. Weddle stating that the Tribal Council's understanding is that the Housing Authority is going to take care of this matter.

51. DENNIS & DIANE EAGLE HORSE LETTER: A letter was received from Mr. & Mrs. Eagle Horse. Chairman Jandreau stated that he would take care of this matter.

52. SHARON BROWN REQUEST: A letter of request was received from Sharon and Ron Brown for an additional 2.5 acres on their present homesite for horses. Motion was made by Kay Gourneau to grant their request for additional homesite land. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

55. EDUCATIONAL GRANT APPLICATION: An Educational Grant Application was received from Sandra Swift Eagle. No action was taken at this time.

56. E.D.A. REQUEST & RESOLUTIONS: A request for raises was received from Shirley Marvin, EDA Director, for herself, Elaine Whitepipe, and Scott Jones. And Resolutions for HUD for Propane Expansion, ANA by Tribal Governance, Department of Commerce funds for Multi-Purpose Building, and a Moritorium for Zoning Study for future homesites. Motion was made by Richard P. Thompson to approve the requests for raises and to submit Resolutions as stated previously and to add the stipulation that greater responsibility would have to be given by Shirley Marvin, Elaine Whitepipe and Scott Jones on their work attendance and that Elaine Whitepipe's wage would be increased to \$6.75 per hour and each of their raises would be as allowed in their budgets. This motion was seconded by Kay Gourneau. Motion carried with vote being five members

for, none opposing, none absent and none not voting.

**57. & 58. UNITED SIOUX TRIBES OF SOUTH DAKOTA:** A letter of request was received from the United Sioux Tribes of South Dakota for a letter of support for their J.T.P.A. Program and a Resolution of support for their 638 Appraisal Program. Motion was made by Richard P. Thompson to submit the Resolution and Letter of support for United Sioux Tribes of South Dakota. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**59. SENATOR BRADLEY BILL-DOCKET 74B:** Tabled.

**60. DIVIDEND PAYMENT:** Chairman Jandreau stated that a deadline date would have to be set for the enrolled members to receive the dividend. Motion was made by Richard P. Thompson that members that are not enrolled by March 6, 1991, will not be eligible for the dividend payment, distribution will begin as soon as practicable, and no loans or guaranteeing of loans will be made. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting. Chairman Jandreau stated that the amount of the dividend would have to be decided on. Motion was made by Orville Langdeau, Jr. for the amount to be set at \$100.00 per enrolled member. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**62. ELDERLY ORGANIZATION REQUEST:** A request was previously submitted by the Elderly Organization regarding the Director and Cook Job Description and hours. The Director position would be cut down to four (4) hours a day and the Cook would be four (4) hours a day. Chairman Jandreau stated that there would not be any problem in the grant with this change. Motion was made by Boyd Gourneau to approve the changed job descriptions for the Director at 40 hours and the Cook's position at 60 hours per pay period.

**9. WEVIK FUNERAL HOME:** Chairman Jandreau explained to the Tribal Council that at the time that these events happened the insurance company of Kim Goodlow and Cleveland Skunk were working on payments. Chairman Jandreau further stated that up until this date Kim Goodlow's insurance payment has not been received and Cleveland Skunk's insurance was cancelled. Chairman Jandreau further stated that the Wevik Funeral Home billing for Kim Goodlow was authorized by himself and that he would make payments on this billing because he had authorized this. Motion was made by Orville Langdeau, Jr. to authorize Chairman Jandreau to pay Kim Goodlow's bill at Wevik Funeral Home. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting. Chairman Jandreau stated that he would see what the Cleveland Skunk family was going to do about the billing.

**16. M.C.H. REQUEST:** Tabled.

**28. K.D. LANCE PROPOSAL:** Public Relations Director, K.D. Lance submitted bids for his computer to be used for the newsletter. Three bid proposals were received from Micro-Fix, Inc., ValCom Business Center, and Team Electronics. The low bid was received from Team Electronics. By Tribal Council concurrence the bid from Team Electronics will be accepted.

The Lower Brule Sioux Tribal Council meeting recessed at 4:18 PM. The Tribal Council meeting reconvened on February 14, 1991, at 2:28 with Chairman Jandreau arriving late.

**65. CHEYENNE RIVER SIOUX TRIBE:** A letter of request was submitted by the Cheyenne

River Sioux Tribe for a Resolution of support of State Senator Paul Valandra's Senate Bill No. 262 regarding taxation in Indian territory. Motion was made by Boyd Gourneau to submit a Resolution of support on this matter. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, one absent and none not voting.

64. **SERVICES TO VICTIMS OF CRIME:** The Services to Victims of Crime program and Lower Brule SAC Team requested a night to hold bingo to raise money for their proposed shelter for victims of domestic violence. A letter will be sent to these programs informing them that there are no nights open to hold bingo.

63. **CROW CREEK HIGH SCHOOL:** A letter of request was received from Crow Creek High School Principal, Cody Russell, for a donation or cut rate price of a whole buffalo to be utilized during Indian Awareness the week of March 18th through March 22nd, 1991. Motion was made by Boyd Gourneau to donate a 2 year old heifer. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting. (**Chairman Jandreau entered the meeting at this time.**)

66. **GREG HENSEN-PLANNING & DEVELOPMENT DISTRICT III:** Mr. Hensen addressed the Tribal Council on the Planning & Development District III program objectives. Mr. Hensen stated that a forum would be set with the other board members to get an idea of the board members involvement with District III. No action was taken.

39. **GENERAL COUNSEL-SPECIAL GENERAL COUNSEL CONTRACT:** The Lower Brule Sioux Tribal Council was informed that a Special General Counsel contract would have to be established to hire Mr. Issenhuth so that Mr. Issenhuth and General Counsel Julian Brown would have separate associations. Motion was made by Boyd Gourneau to approve the amendment to the Special General Counsel contract. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

67. **TONY LAROCHE, JR.:** Mr. LaRoche entered the Tribal Council meeting with concerns regarding one of his children. Mr. LaRoche was advised as how to handle this matter. No action was taken.

68. **VERA LAROCHE:** Ms. LaRoche addressed the Tribal Council with problems she was having with the C.H.R. program. Ms. LaRoche stated that each morning before 9:00 AM she needs medical assistance, which only takes the maximum of five minutes. Ms. LaRoche stated that without assistance she would be in pain all day. Ms. LaRoche stated that she did not realize that she was eligible for C.H.R./I.H.S. services until Pat Quirk had notified her that she was. Ms. LaRoche further stated that the problem was that the C.H.R.'s would not show up and she would have to either go to the office or find someone to assist her, which she stated the assistance provided to her is not difficult. Chairman Jandreau stated that he would address this situation as soon as possible. Chairman Jandreau also stated that an Awareness Day should be held with the Elderly, Tribal Council and all Tribal programs present the needs of the Elderly can be addressed.

14. **TRIBAL HEALTH MANAGEMENT:** Chairman Jandreau stated that he would like to have Council approval to keep Lorenda Middletent employed for two weeks until further funding is found. By Tribal Council concurrence the Tribal Council agreed that they would keep Lorenda Middletent employed for two weeks and to try and find other funding available.

16. **M.C.H. REQUEST:** The Tribal Council received a request and a proposal from the M.C.H. Director, Anita Williamson. Mrs. Williamson stated that more room was needed for storage, and a larger area was needed to hold prenatal/postnatal and

parenting classes. By Tribal Council concurrence any available space that M.C.H. can utilize will be approved. Mrs. Williamson also submitted a proposal for a Learning and Day Care Center. Mrs. Williamson's proposal would employ E.A.R.N. workers. This matter was tabled at this time.

**69. DAVID DANIELS REQUEST:** Mr. David Daniels submitted a proposal to form a committee of concerned individuals from Lower Brule to set standards, coordinate programs, and obtain funds to re-open the Day Care Center. Mr. Daniels further stated that he would like to offer his services to the Tribe to re-open the Day Care Center and requested a Resolution of Support. No action was taken on this matter.

**The Lower Brule Sioux Tribal Council meeting recessed at 5:08 PM. The meeting reconvened on March 6, 1991 at 10:03 AM, with all Council Members present.**

**ADJOURNMENT:** Motion was made by Boyd Gourneau to adjourn the February Regular Session Meeting. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

#### **CERTIFICATION**

The foregoing is a true and correct transcript to the Minutes from the Regular Meeting held by the Lower Brule Sioux Tribal Council on February 6th, 11th, 14th, and March 6, 1991.



**Sandy La Croix, Recording Secretary**

**LOWER BRULE SIOUX TRIBAL COUNCIL  
REGULAR MEETING  
MARCH 6, 1991**

**PRESENT:** Michael B. Jandreau, Chairman  
Kay Gourneau  
Richard P. Thompson  
Boyd Gourneau  
Orville Langdeau, Jr.  
Elvera Driving Hawk

**ABSENT:** None

**ALSO PRESENT:** Mr. Larson, Mr. Ross, Mr. Priebe, Mr. Loudner, Heather Collins, Candice Lammers and Julian Brown.

**30. SIMPSON STRUCTURES, INC.:** Mr. Ross addressed the Tribal Council with their building product. Mr. Ross stated that they would take prospective clients to buildings they had already built. Mr. Loudner stated that the Simpson Structure, Inc. is a company that people go back to and have them build again. Mr. Loudner further stated that the Simpson Structures, Inc. is signing an agreement with the Yankton Sioux Tribe on their B.I.A. building and that they would like to come back and make a presentation to the Tribal Council, because at this time they were unprepared.

**18. CLOSE-UP/HEATHER COLLINS:** Ms. Collins stated that the letter that was previously submitted to the Tribal Council requested \$10,000.00 for the remaining 10 students to go to Washington, D.C. for the Close-up program. Chairman Jandreau asked Ms. Collins if there were guidelines for the students to follow in order to be involved in the Close-up program. Ms. Collins stated that the Students had to be to class on time, had to be effective students, Pass all their classes and have all work in before leaving, Participate in fund raising and keep up on current events. Motion was made by Orville Langdeau, Jr. to authorize \$10,000.00 to be donated for the student trip to Washington, D.C. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**1. ENROLLMENTS 103-LOWER BRULE SIOUX TRIBE:** This matter was tabled at this time.

**15. SAWALLA CONSULTANTS-CANDICE LAMMERS:** Candice Lammers addressed the Lower Brule Sioux Tribal Council with a proposal to offer her services in Indian Child Welfare Cases, in which she could be in the area (Rapid City) and be directly involved and relay information on the cases to the Lower Brule Court House. Chairman Jandreau stated that the Lower Brule Sioux Tribe did not have any I.C.W.A. money and all the I.C.W.A. cases were funded through the General Fund. Ms. Lammers stated that she was not looking for I.C.W.A. money and that she would work at the same rate the Tribal I.C.W.A. person was getting and in this was save time and travel money. Ms. Lammers further stated that she would contact all extended family members in the I.C.W.A. Case first if placement was needed. Ms. Lammers stated that there was 60-80% Child Abuse cases in the Rapid City Community. Ms. Lammers also stated that she liked to get involved because the State Social Services have different values, which in one case a child was not returned back to the home because there was no air conditioner in the home and it was during the summer months. Chairman Jandreau asked Julian Brown, Tribal Attorney to look over the agreement and asked Ms. Lammers to return to the meeting in the afternoon and maybe some kind of proposal could

be made.

2. **EDUCATIONAL GRANT APPLICATION:** An Educational Grant Application was received from Mr. Tim Felicia. The Lower Brule Sioux Tribal Council reviewed the application. Motion was made by Boyd Gourneau to approve Mr. Felicias application provided all paperwork was in place. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.
3. **DON BRUCE CONSULTANT CONTRACT:** This matter was tabled at this time.
4. **RESERVE INDUSTRIAL AUTHORITY:** This matter was tabled at this time.
5. **APPRAISAL REPORT-JULIA YELLOWROBE:** An appraisal report was received from the Bureau of Indian Affairs on Julia Yellowrobe's land in the amount of \$16,000.00. Motion was made by Richard P. Thompson to purchase the land. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.
6. **LAND SALE APPLICATIONS:** Land Sale Applications were received from the Bureau of Indian Affairs from Burton, Emmet, and Rochelle Goodface, Mark Estes and Edward Chase the Bear aka Long Fox. Motion was made by Kay Gourneau to submit the applications the the Bureau of Indian Affairs for appraisals. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.
7. **EDA, SHIRLEY MARVIN:** A request was received from Shirley Marvin for the submission of a Resolution for a Small Tribes Grant. Motion was made by Boyd Gourneau to approve the Resolution and submit the application for a Small Tribes Grant. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.
8. **WINNEBAGO TRIBE RESOLUTION:** A letter was received from the Winnebago Tribe requesting a Resolution of support for their PJD Document for I.H.S. Motion was made by Richard P. Thompson to approve the Resolution of support. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.
9. **SOBRIETY DANCE COMMITTEE:** A letter of request was received from the Sobriety Dance Committee to request the use of the Tribal Gym to hold their monthly Sobriety Dances on the last Saturday of every month. The dates requested are March 30, April 27, May 25, June 29, July 27, August 31, and September 28th. Arrangements have been made by the Sobriety Dance Committee with the Saturday Bingo, Scott Jones, Pow-Wow Committee Bingo. Motion was made by Kay Gourneau to approve the Sobriety Dance Committee requests. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.
10. **DAWN MIDDLETENT-CROSS COUNTRY TEAM:** A letter of request was received from Dawn Middletent requesting six (6) jackets for the Boys and Coach for their accomplishment of the State "B" Cross Country. Motion was made by Richard P. Thompson to approve payment for the jackets. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.
11. **LAND EXCHANGE-LLOYD LANGDEAU:** A memorandum was received from the Bureau of Indian Affairs on the Langdeau land. The memorandum stated that the Lower Brule Sioux Tribe could not sell any land but there could be an exchange.

No action was taken on this matter.

12. & 25. **BEN THOMPSON REQUEST:** A request for a Service Line Agreement was received from Mr. Thompson. Chairman Jandreau stated that the Homesite that the Tribal Council relinquished should not have been and that it needed to be re-assigned. Motion was made by Boyd Gourneau to re-assign the Homesite assignment and approve the Service Line Agreement. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

13. **BLACK HILLS (GREY EAGLE) BILL:** Information was received on the 101st Congress, 2nd Session, H.R. 5680 on the Black Hills. Motion was made by Richard P. Thompson to set up a meeting with Charlotte Black Elk and Gerald Clifford in relationship to this claim. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

14. **STRONG HEART SOCIETY:** A letter was received from Chauncey Whitright, III, Chairman of the Strong Heart Society, requesting a Resolution of support for the Indian Memorial effort in Montana. Motion was made by Kay Gourneau to submit a Resolution of support to the Strong Heart Society. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

31. **SIoux No. 74:** Chairman Jandreau stated that he would like to give authority to Clarence W. Skye to receive or retrieve 85 boxes of Sioux No. 74 documents (Black Hills). Motion was made by Kay Gourneau to submit a Resolution authorizing Clarence Skye to receive or retrieve the 85 boxes of Sioux No. 74. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

16. **NORTHERN PLAINS T.E.R.O.:** A letter of request was received for a Resolution of support for the Northern Plains T.E.R.O. Motion was made by Boyd Gourneau to submit a Resolution of support for the Northern Plains T.E.R.O. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

17. **WHITE GHOST DEVELOPMENT CORPORATION, INC:** This matter was informational on a Tape manufacturing company. No action was taken on this matter.

The Lower Brule Sioux Tribal Council meeting recessed at 11:59 AM. The Lower Brule Sioux Tribal Council meeting reconvened at 1:05 PM with the same Council Members present.

20. **GOODTIME NOVELTY:** A proposal for a Gaming facility was received from Mr. William Bernard. By Tribal Council concurrence this proposal will be kept on file.

32. **SPECIAL LEGAL COUNSEL CONTRACT:** Chairman Jandreau stated that authorization was needed to set a fee for Special Legal Counsel Mr. T. Issenhuth's Contract. Chairman Jandreau stated that the hourly fee would be set at \$85.00 per hour and that if the expenses became overbearing that the contract could be terminated. Motion was made by Richard P. Thompson to authorize payment to Mr. Issenhuth of \$85.00 an hour and if the expenses became overbearing that the Contract would be terminated. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.



3. DON BRUCE & 4. RESERVE INDUSTRIAL AUTHORITY: Chairman Jandreau stated that these two items fall into the same category because Mr. Don Bruce would be hired for the Reserve Industrial Authority project on the Multi-purpose building. Chairman Jandreau stated that he reviewed the Contract with Reserve Industrial Authority and stated that what knowledge he had in construction contracting that the Contract did not look sound. Chairman Jandreau further stated that he requested General Counsel Julian Brown to review the Contract. Mr. Brown stated that he contacted one of his associates and asked him a few questions about the Contract that he felt unsure about. Mr. Brown stated that the Contract did not look out for the interest of the Lower Brule Sioux Tribe and was all one sided. Motion was made by Boyd Gourneau to terminate by Resolution the Resolution of Intent with Reserve Industrial Authority. This motion seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

21. FORCE ACCOUNT PROJECT: Chairman Jandreau stated that an amendment would have to be made concerning the Force Account projects. Chairman Jandreau stated that a 10% Escrow would have to be put in place to ensure the completion of the projects. Motion was made by Boyd Gourneau to approve this amendment to this Resolution. This motion was seconded by Richard P. Thompson. Motion carried with vote being five for, none opposing, none absent and none not voting.

22. MONTHLY BINGO REPORT: The Lower Brule Sioux Tribal Council reviewed and accepted the Monthly Bingo Reports for the month of February.

23. LOWER BRULE RACING ASSOCIATION: Mr. Richard P. Thompson requested that the Lower Brule Racing Association be authorized to change their organizations name to the Brule Horsemen's Association and also requested to pay a \$35.00 rent per session instead of making donations so that funding can be raised for Racing during the annual fair. No action was taken at this time.

15. CANDICE LAMMERS, SAWALLA CONSULTANTS: Chairman Jandreau stated that the contract that Ms. Lammers submitted stated that her company would handle all off reservation and Rapid City area Indian Child Welfare Cases. Chairman Jandreau stated that the format of the contract would have to state that this government body and court system would be aware and contacted in all cases. Chairman Jandreau stated that a letter of intent could be drawn up stating that the Lower Brule Sioux Tribe is interested in entering into an agreement with Sawalla Consultants to utilize their services on an as needed bases. Ms. Lammers stated that she thanked the Council for there time and also wished to thank them for helping her get through college, with the educational grants, in which she graduated in June.

24. FEBRUARY MINUTES: The Minutes from the Lower Brule Sioux Tribal Council Regular meeting for February was submitted and reviewed for approval. Motion was made by Boyd Gourneau to approve the February Minutes. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

28. LOWER BRULE WILDLIFE ENTERPRISE: A request for a Resolution for support for the Native American Fish and Wildlife Society in the development of Inter-Tribal Cooperation in the Production and Management of Bison was received from the Lower Brule Wildlife Enterprise. Motion was made by Kay Gourneau to approve this Resolution. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

26. LOWER BRULE WILDLIFE ENTERPRISE: A letter of request was received from

the Lower Brule Wildlife Enterprise Director, Ben Janis, requesting assistance from the Lower Brule Sioux Tribe by purchasing airline tickets for four (4) individuals to attend the Native American Fish and Wildlife Society's 9th Annual National Conference in Bar Harbor, Maine in the amount of \$1,860.00. Chairman Jandreau stated that there was funding available in the T.E.R.O. account. Motion was made by Richard P. Thompson to authorize the transfer of fund for this action. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

27. **BEN THOMPSON, JR. REQUEST:** A request was submitted by Mr. Thompson for a loan from the Lower Brule Sioux Tribe in the amount of \$3,000.00. By Tribal Council concurrence a letter will be sent to Mr. Thompson requesting a detailed proposal for the use of the loan, i.e., personal or business plan.

29. **GENERAL COUNSEL BILLING:** The General Council billing was received for the month of February, 1991, in the amount of \$7,491.75. Chairman Jandreau stated that the high billing was a result to the Indian Child Welfare Cases that General Counsel Julian Brown is working on. Motion was made by Kay Gourneau to approve the billing and to submit it to the Bureau of Indian Affairs for review and approval. This motion was seconded Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

32. **AT & T:** Chairman Jandreau stated that all the Tribal Programs received information concerning their choice in telephone services. Chairman Jandreau stated that many calls have been received from these companies. By Tribal Council concurrence the Lower Brule Sioux Tribal Council will keep all Tribal programs using AT&T.

33. **GENERAL COUNSEL JULIAN BROWN:** General Counsel Julian Brown stated that he was almost finished with the letter to Isanti concerning the new homes that were built. Mr. Brown stated that the letter is very organized and a well prepared letter of facts from Isanti, Housing, and Homeowners.

1. **ENROLLMENTS 103-LOWER BRULE SIOUX TRIBE:** The Enrollment Committee submitted 103 applications for enrollment to the Lower Brule Sioux Tribal Council. The Lower Brule Sioux Tribal Council reviewed the applications. Motion was made by Boyd Gourneau to approve all 103 applications for enrollment. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

23. **HORSEMEN'S ASSOCIATION:** Motion was made by Boyd Gourneau to approve the Horsemen's Association request to change their programs name and to pay \$35.00 per session instead of making donations. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting. Kay Gourneau stated that the Bingo Organizations shouldn't have to pay out all their profits on donations. Chairman Jandreau stated that the Bingo Organizations have to generate capitol for what they are having bingo for. Richard P. Thompson requested that Chairman Jandreau be authorized to approve any Bingo organizations request to pay per session if it is received in writing and a plan and justification on what the profits will be used for is received. By Tribal Council concurrence Chairman Jandreau to authorized to approve the Bingo requests.

The Lower Brule Sioux Tribal Council recessed at 3:29 PM. The Lower Brule Sioux Tribal Council reconvened on March 20, 1991, at 2:34 PM, with Michael B. Jandreau absent.

34. **CORE MANAGEMENT RESOLUTION:** A request was received from Patricia Lundell

to approve a Resolution for submission of FY-91 funding for Core Management. Motion was made by Boyd Gourneau to approve the Resolution for Core Management. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**35. E.D.A., SHIRLEY MARVIN RESOLUTION:** A request for Resolution was received from E.D.A., Director, Shirley Marvin, to the B.I.A. for small Tribes to improve Tribal capabilities in management and enhance economic development. Motion was made by Boyd Gourneau to approve this Resolution. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**The Lower Brule Sioux Tribal Council recessed at 2:36 PM. The Lower Brule Sioux Tribal Council meeting reconvened on March 26, 1991, with Kay Gourneau absent.**

**36. 1991 RODEO CONTRACT:** The 1991 Rodeo Contract was submitted to the Lower Brule Sioux Tribal Council for review and approval. Motion was made by Richard P. Thompson to appoint Boyd Gourneau to take care of the 1991 Rodeo and to authorize any changes in the Contract with Pete Longbrake Rodeo's. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**37. L.B.S.T. "BUD BOYS" REQUEST:** A letter of request was received from the Lower Brule Sioux Tribe "Bud Boys" for a donation of \$1,500.00 for entry fees and expenses to attend the 6-ft and under Indian Nationals at Billings and the Indian Nationals at Bemidji, MN. Motion was made by Richard P. Thompson to authorize Chairman Michael B. Jandreau to find the funding for this donation. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**38. U.S. DEPARTMENT OF H.U.D.:** A letter was received from the Lower Brule Housing Authority concerning the request for the large propane tank behind the units to be used at the Lower Brule Propane Company for storage. The U.S. Department of H.U.D. denied the request for transferring the propane tank. Motion was made by Boyd Gourneau to request the Lower Brule Housing Authority to request a waiver on the Propane tank and to purchase the propane tank. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**39. GOVERNOR G. MICKELSON LETTER:** A letter was received from Governor Mickelson concerning a lawsuit that the state will file suit in Federal District Court in Pierre against the United States Department of Agriculture. The U.S.D.A. passed a policy a year ago which requires the state to count the "utility allowances" received by, or provided, on behalf of a food stamp household to the utility provider as income, the counting of this allowance as income would reduce food stamp benefits, especially for reservation families where utility allowances are especially high during the winter months. Motion was made by Richard P. Thompson, to submit a Resolution of support the State of South Dakota in this lawsuit and to instruct the Lower Brule Housing Authority to help prepare the lawsuit. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**40. JOEL SCHNIEDER PROPOSAL:** Mr. Schnieder submitted a proposal involving a concept of constructing a dam on the Missouri River at Chamberlain, South Dakota to provide stable water elevation from Chamberlain to the Big Bend Dam and possibly provide a source of hydropower. This matter was tabled at this

time.

41. **BLACK HILLS TETON SIOUX NATION:** A Resolution was received from the Black Hills Teton Sioux Nation opposing and rejecting the Grey Eagle Society Bill H.R. 5680 of September 19, 1990. This matter was informational.

42. **9TH ANNUAL INDIAN GAMING CONFERENCE:** Information was sent regarding a conference on Indian Gaming. This matter was informational.

43. **EDUCATIONAL GRANT APPLICATIONS:** Educational Grant applications were received from William B. Johnson, Claudia Banks, Julie Langdeau, Shawn LaRoche and Crystal Felecia. Motion was made by Boyd Gourneau to approve the educational grants for the appropriate amount provided all paperwork was in place. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

44. **SIOUX FALLS STEERING COMMITTEE:** Information was received on the 3rd Annual Wacipi of Sioux Falls Steering Committee to be held on May 18th and 19th. The Steering Committee has also requested monetary support. A letter was also received from Jeanene Crazy Bull who this year was selected to be Head Female Dancer for the 3rd Annual Wacipi. Motion was made by Orville Langdeau, Jr. to donate \$100.00 for the Wacipi. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

45. **TRIBAL GYM REPAIRS:** A cost list was received from Mr. Eddie Shields on repairs that were needed at the Tribal Gym from Guest Electric. Motion was made by Orville Langdeau, Jr. to approve the list of needed items for repairs and to also authorize Michael B. Jandreau, Chairman, to oversee the project until complete and to give him authorization to see that the project is complete. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**The Lower Brule Sioux Tribal Council meeting recessed at 12:50. The Lower Brule Sioux Tribal Council meeting reconvened at 2:04 with the same Council members present. Also present was Sandra Bitsie, Willard Potter, Dick Drapeaux, Tom Sinclair, Roger Larson and Don Loudner.**

46. **HEWITT & DRAPEAUX ASSOCIATES:** Hewitt & Drapeaux Associates conducted various studies on the Lower Brule High School to determine the cause of the structural distress of the building. The studies conducted were Subservice Investigation, Topographical Survey, As-Built Verification, Feasibility Study, Engineering Analysis, Life-Safety/Building Code/Handicap, Structural Monitoring, Test Sewer and Energy Conservation. The studies conducted determined the cause of the structural distress of the building and Hewitt & Drapeaux Associates provided the ultimate solution for repair of the Lower Brule High School. Willard Potter stated that the proposal submitted by Hewitt & Drapeaux Associates was great, but didn't know if there would be enough funding to complete the project. Sandra Bitsie stated that the proposal would be reviewed in her office and the final P.O.R.'s would have to be requested. Ms. Bitsie also stated that the Lower Brule Sioux Tribal Council could submit the proposal and state that additional funding was needed to complete the project. Motion was made by Boyd Gourneau to approve Hewitt & Drapeaux Associates document and to request the Bureau of Indian Affairs to consider in their review and determinations the need for additional funding to complete the project. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting. Chairman Jandreau stated that the billing for services received from Hewitt & Drapeaux Associates would

have to be reviewed and approved. Motion was made by Boyd Gourneau to approve payment for services received from Hewitt & Drapeaux Associates. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**47. SIMPSON STRUCTURES, INC:** Mr. Roger Larson and Mr. Don Loudner entered the Tribal Council meeting at this time. Mr. Larson submitted pictures and a proposal to the Lower Brule Sioux Tribal Council concerning the Multi-purpose building the Tribe is interested in constructing. Mr. Larson stated that Simpson Structures, Inc. would finance the whole project until complete including providing office furniture, equipment, computers and doing the landscaping. Mr. Larson asked the Lower Brule Sioux Tribal Council if they had any specifications on the building they were interested in. Chairman Jandreau stated that nothing has been drawn up and an architect would probably be needed. Mr. Larson stated that Simpson Structures, Inc. had just completed a building for Wells Blue Bunny and that the building, from the information the Council gave to him, would be about what the Council wanted. Mr. Larson stated that he could try and get the blue prints for the Tribal Council review. Chairman Jandreau asked when Mr. Larson could get the blue prints back to the Tribal Council. Mr. Larson stated that he could get them back by the following week. No action was taken at this time.

**48. VICTOR & ELLEN GRASSROPE & MAXINE GRASSROPE REQUEST:** A request was made by these guardians of Clayton Grassrope and Damion Grassrope for assistance in sending them to the Park City Super Camp, a running camp for elite youth, which is by invitation only, in Lehl, Utah. Chairman Jandreau stated that he would like to see this request be handled through the School. No action was taken on this matter.

**49. TRIBAL HEALTH MANAGEMENT:** A request for a Resolution was submitted by Maria Estes, Director of Tribal Health Management for a grant through the Department of Education, for American Indians with handicaps for vocational rehabilitation service projects. Motion was made by Boyd Gourneau to approve the Resolution for a grant for American Indians with handicaps.

**50. LOWER BRULE PROPANE COMPANY:** Chairman Jandreau stated that the Bank Note at Norwest Bank, Chamberlain, South Dakota was due and that he requested he be authorized to pay the note with an invested C.D. and to reinvest the C.D. with the remaining balance for another year. Motion was made by Richard P. Thompson to authorize Chairman Jandreau to use the C.D. to pay the Propane Note due and to reinvest the balance of the C.D. for another year. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**The Lower Brule Sioux Tribal Council recessed at 4:05 PM. The meeting reconvened on March 28, 1991, at 2:26 PM, with Kay Gourneau absent. Also present was Keith Tidball and Raymond McArthur.**

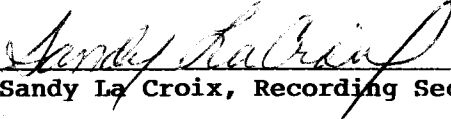
**51. WASTE CONTROL TECHNOLOGY INC.:** A proposal was submitted for a dumpsite with a management agreement from Waste Control Technology, Inc. A conference call was made with the Vice-President, John Teague. Mr. Teague stated that he would like to come down to Lower Brule and talk to the Tribal Council and look over the area for the dumpsite. Mr. Teague stated that he could be down the following Wednesday. No action was taken on this matter.

**The Lower Brule Sioux Tribal Council meeting recessed at 3:19 PM. The Lower Brule Sioux Tribal Council meeting reconvened on April 3, 1991, with Kay Gourneau absent.**

**ADJOURNMENT:** Motion was made by Boyd Gourneau to adjourn the March Regular Session meeting. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**CERTIFICATION**

The foregoing is a true and correct transcript to the Minutes from the Regular Meeting held by the Lower Brule Sioux Tribal Council on March 6th, 20th, 26th, 28th and April 3, 1991.

  
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Sandy La Croix, Recording Secretary

**LOWER BRULE SIOUX TRIBAL COUNCIL  
REGULAR MEETING  
APRIL 3, 1991**

**PRESENT:** Michael B. Jandreau, Chairman  
Richard P. Thompson, Sr.  
Boyd Gourneau  
Orville Langdeau, Jr.  
Elvera Driving Hawk

**ABSENT:** Kay Gourneau

**ALSO PRESENT:** Julian Brown, Tony Willman, Ben Janis, Alan Lien, Jim Brouse, Roger Larson, Marlin Mesinger, Don Loudner, Joel Schnieder, Wanda Cummings, Elmer Cummings, Raymond McArthur, Keith Tidball, John Teague, Brant Grote, and Ron Cane.

1. **BLACK HILLS LAKOTA OMNICIYE:** A request was received from the Black Hills Lakota Omnicieye for a donation for their Annual Pow wow. Motion was made by Richard P. Thompson to donate \$100.00 to the Black Hills Lakota Omnicieye. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

2. **C.O.E. MANAGEMENT PLANNING OF MISSOURI RIVER:** A memorandum was received from Aberdeen Area Office, Agriculture Management regarding a meeting in Sioux Falls, SD, on April 10, 1991, on Missouri River Water Control. By Tribal Council concurrence Boyd Gourneau will be sent as a representative.

3. **TRIBAL HEALTH MANAGEMENT PROPOSAL:** A request for Resolution for a Grant application for Tribal Health Management Grant Proposal for Evaluation Project. The proposal is concerning Lower Brule Sioux Tribal members complaints and concerns of quality and other issues of discriminatory health care. Motion was made by Boyd Gourneau to approve this request to submit a grant application by Resolution. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

4. **BEN THOMPSON, JR. REQUEST:** A request was received from Mr. Ben Thompson, Jr. for a loan in the amount of \$3,000.00 to be used for the purchase of equipment for use in fencing projects. By Tribal Council concurrence a letter will be sent to Mr. Ben Thompson, Jr. requesting that he submit a business format showing anticipated income, type of work, and anticipated payment schedule.

5. **EDA, SHIRLEY MARVIN:** A request for Resolutions was received from EDA Director, Shirley Marvin, for a Daycare proposal and Vocational Rehabilitation proposal. Motion was made by Richard P. Thompson to approve these Resolutions. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

6. **LOWER BRULE WILDLIFE ENTERPRISE:** The Lower Brule Wildlife Enterprise submitted the 1991 Season Recommendations. This matter was tabled at this time.

7. **GENERAL COUNSEL BILLING - JULIAN BROWN:** A billing was received from General Counsel, Julian Brown, for services provided from March 1, 1991 through March 31, 1991. Chairman Jandreau requested Julian Brown to make an appeal to Eddie Brown and the Secretary for funds for legal foot work and expenses for Indian Child Welfare Act cases. Chairman Jandreau stated that the Lower Brule Sioux Tribe was denied for I.C.W.A. funding for the past seven (7) years. Motion

was made by Boyd Gourneau to approve the General Counsel Billing and to submit the billing to the Bureau of Indian Affairs for review and approval in the amount of \$4,810.95. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting. Julian Brown stated that Isanti has the paperwork to cover up the work that was not completed. Mr. Brown also stated that the percentage that the Lower Brule Housing Authority was holding would not cover the damages.

6. LOWER BRULE WILDLIFE ENTERPRISE: The Lower Brule Wildlife Enterprise submitted the 1991 Season Recommendations to the Lower Brule Sioux Tribal Council for review and approval. Mr. Tony Willman stated that the changes made were made by the Board of Directors and that the only major change was a price hike in the General Deer license. Motion was made by Orville Langdeau, Jr. to approve the 1991 Hunting Season Recommendations for the Lower Brule Reservation. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting. Mr. Ben Janis, Director, Lower Brule Wildlife Enterprise, asked if the Lower Brule Sioux Tribe received their packet from the Native American Fish & Wildlife Society and asked if letters could be sent to congressmen in regard of supporting the Native American Inter-Tribal Bison Cooperative. Chairman Jandreau stated that the packet was received and that the material would be taken care of. Mr. Willman stated that there were 261 Hunter Return Cards distributed and only 124 were returned. Mr. Willman stated that this number was higher than the year before but these were needed to provide an accurate count. Chairman Jandreau stated that a five dollar fee could be applied to the cost of the hunting license and if the Hunter Return Card is returned the five dollars will be refunded.

16. GWEN JANDREAU REQUEST: Mrs. Jandreau entered the Tribal Council meeting at this time and stated that she had a cost of the repairs that would have to be made to the trailer to get the cafe operating. Chairman Jandreau stated that the Lower Brule Sioux Tribal Council needed a business proposal. Chairman Jandreau stated that Mrs. Jandreau could go see Shirley Marvin and she could help prepare a business proposal.

8. CLINT WAIT, JR. PROPOSAL: Information was received from Mr. Clint Wait, Jr. to come and preform in Lower Brule. No action was taken on this matter.

9. TEEN HELP CENTER-VIDEO: Mr. Jim Brouse presented a video promoting the Teen Help Center to solícite funds for a swimming pool, etc. The Lower Brule Sioux Tribal Council reviewed the video. No action was taken on this matter.

17. SIMPSON STRUCTURES, INC: Mr. Roger Larson and Don Loudner presented blue prints to the Lower Brule Sioux Tribal Council from a building recently built by Simpson Structures, Inc., which Mr. Larson felt would be the general design the Lower Brule Sioux Tribe was looking for. Mr. Larson further stated that architectural services could be provided for preconstruction services and that the cost could come out of the financing for the cost of the building. Motion was made by Boyd Gourneau to obtain the preconstruction services to provide specifications for the Multi-purpose building. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

18. WASTE CONTROL TECHNOLOGY, INC.: Mr. John Teague submitted a management proposal to the Lower Brule Sioux Tribal Council for a dumpsite. Motion was made by Boyd Gourneau to approve the management agreement by Resolution. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.



15. U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: A letter was received from Debra Isburg from the U.S. Department of H.U.D. concerning the Force Account proposal for the demolition of SD3-1. The letter stated that H.U.D. could not approve the Lower Brule Housing Authority Force Account request because of questions they had concerning the responsibility of the Lower Brule Housing Authority. No action was taken on this matter at this time.

11. TIMBERLINE OIL & GAS CORPORATION: A letter of proposal was personally submitted by Mr. Brandt C. Grote, President of Timberline Oil & Gas Corporation, for options to investigate, explore and develop oil and natural gas on the Lower Brule Indian Reservation. The proposal contained three options in which Timberline Oil & Gas Corporation can be involved in the development of potential oil and gas reserves on the Lower Brule Reservation and further indicated that the final outcome of the combined efforts of T.O.G.C. and Lower Brule Sioux Tribe is the economic production and sale (or use) of oil and natural gas. By Tribal Council concurrence a letter of Intent to enter into a relationship with Timberline Oil & Gas Corporation for the purpose of potential development of Oil & Gas on the Lower Brule Reservation provided the capital is available. Mr. Grote stated that a hard proposal could be submitted with a letter of intent from the Lower Brule Sioux Tribe. Motion was made by Richard P. Thompson to submit a Letter of Intent. This motion was seconded by Boyd Gourneau. Motion carried with vote being four for, none opposing, one absent and none not voting.

20. WANDA CUMMINGS PROPOSAL: Chairman Jandreau stated that a Letter of Intent between the Lower Brule Sioux Tribe and Mrs. Cummings expired in February and that she desired to have the Letter of Intent renewed. Mrs. Cummings told the Tribal Council about herself, job experiences, training, etc. Chairman Jandreau asked the Tribal Council if they would like to enter into another Letter of Intent with the Mrs. Cummings. The Tribal Council stated that they would like to wait on this matter.

21. TRIBAL BUDGET: Chairman Jandreau stated that the Lower Brule Sioux Tribal Council operating budget would have to be modified. Chairman Jandreau stated that the Farm Corporation payment was not included in the Budget. Motion was made by Richard P. Thompson to approve the budget modification. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

22. JOEL SCHNIEDER PROPOSAL: Mr. Joel Schnieder and Mr. Ron Cane entered the Tribal Council meeting at this time to present a Low Water Dam Concept. Mr. Schnieder stated that he is not asking for money, just support for this concept. Mr. Schnieder stated that the concept would be two fold, in which it would provide a stable water elevation from Chamberlain to the Big Bend Dam and possibly provide a source of hydropower and the newly constructed structure would create a lake 22 miles long and slightly over a mile wide, which would store about three percent of the volume of Lake Francis Case, and based on preliminary research an excess of 80 million KW hours of electrical power could be produced via the addition of "low head" hydro generators with a total capacity of 17 MW per hour. Motion was made by Boyd Gourneau to endorse and to participate in the Low Water Dam concept. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

10. R. EVERETTE GOODFACE REQUEST: A letter of request was received from Mr. Goodface stating that he was selling his interest in inherited land to the Tribal Land Enterprise of the Rosebud Sioux Tribe and would like to request a loan from the Lower Brule Sioux Tribe in the amount of \$500.00. Chairman

Jandreau stated that he desired to wait until paperwork was received from the Tribal Land Enterprise in Rosebud. This matter was tabled at this time.

22. **SHIRLEY FLUTE REQUEST:** A letter of request was received from Mrs. Flute for a loan for West Central Electric in the amount of \$250.00. By Tribal Council concurrence this request will be referred to the Small Loan Committee.

23. **FLUTE FAMILY REQUEST:** A letter of request was received from the Flute family in regard to having a body exhumed and brought back to the Episcopal Church cemetery. This matter was tabled until a cost estimate is received from the family.

14. **BILL LANGDEAU REQUEST:** A letter of request was received from Mr. Langdeau requesting his lease to be changed to a lessor amount and that the current amount is \$6.00. Boyd Gourneau stated he asked Alan Lien about this matter and further stated that Mr. Lien said the land was allotted land and the rate cannot be changed.

24. **WILMA WILSON & ELLEN GRASSROPE REQUEST:** A letter of request was received from Ms. Wilson and Mrs. Grassrope stating that they strongly oppose having to have bulls roam around in their yards, creating an unsafe and dangerous situation, especially, when their children are involved. The letter further stated that some of the homeowners have their yards fences out, but there is some destruction caused by the bulls rubbing against the fences, and that they didn't believe they should be confined to their yards and requested the Tribal Council to take some sort of action in assisting them. Motion was made by Richard P. Thompson to request the B.I.A., Lower Brule Agency to get more material for fencing and to get the yards fenced in. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

25. **BRULE' HORSEMEN ASSOCIATION:** A request was received from Mr. Richard P. Thompson regarding the Resolution passed authorizing the Brule' Horsemen Association to hold bingo. Mr. Thompson requested that in addition to raising the money for the annual Rodeo the Brule' Horsemen Association would also be involved in racing and other horsemen activities. Motion was made by Richard P. Thompson to make this addition. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

26. **CLARENCE THOMPSON, SR. REQUEST:** Clarence Thompson, Sr. requested two letters be read to the Lower Brule Sioux Tribal Council. The letters were brought into the office by Captain David Valandra. Chairman Jandreau read the letters to the Tribal Council. No action was taken on this matter.

The Lower Brule Sioux Tribal Council meeting recessed at 5:46 PM. The Lower Brule Sioux Tribal Council meeting reconvened on April 5, 1991, at 11:33 AM, with all Council members present. Also present was Mr. Tony Moran and Mr. Ted Rouillard.

27. **FORCE ACCOUNT SD3-1 DEMOLITION:** Mr. Rouillard stated that he was waiting for the official word from HUD, but was told that HUD was going to go along with the Force Account procedure for the Demolition of SD3-1. Mr. Rouillard stated that the first matter that had to be addressed was the location, how much and the price of dirt the Tribe would approve and charge. Mr. Rouillard stated that about 3,000 cubic yards of dirt would be needed. Chairman Jandreau stated that it would be just the basic hourly cost of equipment and the projected hours of need. Chairman Jandreau stated that the Lower Brule Wildlife Enterprise

needed a dug out in the buffalo pasture and that this would be a good location to get the dirt. Mr. Rouillard stated that the Lower Brule Housing Authority, LBHA, would remove the base paint, soffits, and bricks and the remaining material could be left for people who wanted the material. Mr. Rouillard stated that the Tribe could take over on the houses for four to six weeks. Chairman Jandreau stated that this is what the Tribe wanted to do because a lot of people could use the material from the units. Mr. Rouillard stated that the LBHA would also have to utilize the use of the Tribal equipment and that they would probably have to have 4-5 pieces of equipment running at a time and operators are also needed for the equipment. Chairman Jandreau stated that LBHA will pay for the cost of the equipment and operators, right? Mr. Rouillard stated that the LBHA would pay for these costs. Chairman Jandreau stated that he talked to Lee Gourneau about being the supervisor for this project before and Mr. Gourneau accepted the possibility of this position. Chairman Jandreau stated that the operators could possible be Kenny, Lee, and Philip. Mr. Rouillard stated that the LBHA does not anticipate in hiring a lot of people, because it will be mostly the equipment used for the job. Mr. Rouillard stated that maybe a contract could be drawn up. Mr. Rouillard stated that the large propane tank could be sold to the Tribe for a reasonable price. Chairman Jandreau stated that a fair price of \$600.00 will be offered for the tank. Mr. Rouillard stated that this was a fair price and requested that this offer be written up and submitted. Motion was made by Richard P. Thompson to authorize the Tribe to take possession of the SD3-1 units for 4-8 weeks to allow material to be taken and to submit a \$600.00 offer for the propane tank. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting. Richard P. Thompson stated that the old Halfway house was a dangerous area and very unsightly and requested that something be done about it. Chairman Jandreau stated that the building was owned by Mr. Dennis Eagle Horse. Motion was made by Richard P. Thompson to authorize the Chairman to get this matter taken care of. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. Chairman Jandreau stated that maybe the Fire Department could burn the building down if Mr. Eagle Horse was not interested in salvaging any more of the building. Motion was made by Boyd Gourneau to work with Range Management and the Wildlife Biologist to determine where to put the dug outs with first priority to be in the buffalo pasture. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. Mr. Rouillard stated that he wanted only one contact person. Motion was made by Richard P. Thompson to authorize Chairman Jandreau to select a contact person this this Contract. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting. Chairman Jandreau stated that the start up costs for the Lower Brule Construction Company would have to be advanced from the General Fund to get the project going. Motion was made by Richard P. Thompson to authorize Chairman Jandreau to get start up costs for Lower Brule Construction Equipment from General Fund. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting. Motion was made by Richard P. Thompson to request an appraisal on the Houston land from the Bureau of Indian Affairs. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. Mr. Rouillard thanked the Tribal Council for their efforts in getting these things done to get the project finished.

**The Lower Brule Sioux Tribal Council meeting recessed at 12:13 PM. The Lower Brule Sioux Tribal Council meeting reconvened on April 9, 1991, at 11:06 AM, with Richard P. Thompson absent. Also present at this meeting was Don Loudner, Roger Larson and Marlin Meisinger.**

27. **BANK LOAN:** Chairman Jandreau stated that he required authorization from the Tribal Council to sign a Bank Note for a loan at Tri-County State Bank in Chamberlain for operating costs, etc. Chairman Jandreau stated that the Tribe has investments that will mature on the 23rd day of April and this will be used to pay the \$40,000.00 loan at Tri-County State Bank. Motion was made by Boyd Gourneau to authorize Chairman Jandreau to sign the Bank Note at Tri-County State Bank. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

28. **SIMPSON STRUCTURES, INC.:** Mr. Roger Larson introduced to the Tribal Council Mr. Marlin Meisinger, the Architect/Engineer for Simpson Structures, Inc. and he is also one of the owners of Simpson Structures, Inc. Mr. Meisinger introduced himself and told the Tribal Council about himself and Simpson Structures, Inc. Chairman Jandreau stated that he had instructed Shirley Marvin, EDA Director to get with IHS and the BIA to get their plans together for the Multi-purpose building in order to get specifications for the building. Mr. Meisinger stated that he had brought a preconstruction contract for approval and Chairman Jandreau's signature. Chairman Jandreau reviewed the Contract and stated that this Contract was the same as the last company but the money Simpson Structures, Inc. wanted was at a higher rate. Mr. Don Loudner stated that the Resolution submitted by the Lower Brule Sioux Tribe was the Contract. Mr. Meisinger stated that nothing in the Resolution stated the fact about financing. Chairman Jandreau stated that the costs of the A/E Services could come out of the financing received for the building when the financing was received. Mr. Meisinger stated that this proposal was suitable with him. Chairman Jandreau stated that the Resolution would have to be amended to include that Simpson Structures, Inc. would provide the financing for the Multi-purpose building which such amount will not exceed three million dollars for a complete building. This motion was made by Kay Gourneau. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**The Lower Brule Sioux Tribal Council meeting recessed at 11:57 AM. The Lower Brule Sioux Tribal Council meeting reconvened on April 19, 1991, at 2:15 PM with all Council members present.**

29. **REAL ESTATE APPRAISALS:** An appraisal was received from the Bureau of Indian Affairs for the Emmet, Burton, Keith & Rochelle Goodface land sale. The appraised value of this land is \$15,700.00. Motion was made by Richard P. Thompson, Sr. to approve purchase of this land and to request the Lower Brule Farm Coporation to purchase such land. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. A preliminary estimate of value was completed on the Houston land, which is for sale, in the amount of \$492,300.00. No action was taken on this matter. An appraisal report was received from the Bureau of Inidan Affairs for the land exchange with the Episcopal Church. Motion was made by Richard P. Thompson, Sr. to approve the land exchange with the Episcopal Church for the land located where the old Episcopal Church is for 5.0 acres of land which the Episcopal Church owns. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. An appraisal was also received on the Frank C. Estes home. The fair market value for the home was set at \$3,000.00. Motion was made by Richard P. Thompson to purchase the home and to set up a payment plan with Bernadette Meyers, which Mrs. Meyers will buy the Home from the Lower Brule Sioux Tribe. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

30. **MRS. G'S CAFE:** Gwen Jandreau entered the Tribal Council meeting at this time and presented a business proposal to the Lower Brule Sioux Tribal Council. The Council reviewed the proposal and Chairman Jandreau stated that Mrs. Jandreau would have to see Shirley Marvin again to get all the costs for repair to open Mrs. G's back up. Chairman Jandreau stated that at this time there wasn't any funding available. No action was taken at this time.

31. **LOWER BRULE MOTOR POOL COMMISSION:** A request was received from Nyal Brings, Chairman of the Lower Brule Motor Pool Commission for approval to purchase two new vehicles for the C.H.R. Program. Motion was made by Richard P. Thompson, Sr. to approve the Lower Brule Motor Pool Commission to go ahead and purchase two new vehicles for the C.H.R. Program. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

32. **BETTINA R. REKOW REQUEST:** A request was received from Ms. Rekow to sell her home to the Lower Brule Sioux Tribe. Chairman Jandreau stated that if the Tribal Council was interested in purchasing the home that an appraisal would have to be done. Chairman Jandreau stated that Sandy La Croix has also requested that an appraisal be conducted on her home. Motion was made by Richard P. Thompson, Sr. to approve that these two homes be appraised by Mr. Bill Ausdemore for the amount of \$65.00 each. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

33. **SUE ZIEGLER REQUEST:** A letter of request was received from Mrs. Ziegler stating that she was having trouble in getting someone to dig up the water/sew lines for house #32. Chairman Jandreau stated that the request was unclear to what they wanted. No action was taken at this time. (Richard P. Thompson, Sr. left the meeting at this time.)

34. **TIMBER PERMIT ORDINANCE:** A proposal for a Timber Permit Ordinance was submitted for approval. Motion was made by Boyd Gourneau to adopt the Timber Permit Ordinance. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

35. **EDUCATIONAL GRANT APPLICATION:** An Educational Grant Application was received from Lenora LeCompte to attend Black Hills State University. Motion was made by Kay Gourneau to approve the Educational Grant for Lenora LeCompte as long as all paper work was in place. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

36. **LOWER BRULE SIOUX TRIBAL COURT:** Information was received from the Lower Brule Sioux Tribal Court. Chairman Jandreau stated that he wished to Table this matter until the next Regular Meeting so that more information could be collected. (Richard P. Thompson, Sr. entered the Council Meeting at this time.)

37. **MARCH MINUTES:** The Minutes from the Lower Brule Sioux Tribal Council meetings in March were submitted for review and approval. Motion was made by Boyd Gourneau to approve the March Minutes. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

38. **DENA BAUMANN REQUEST:** A letter of request was received from Dena Baumann requesting a Liquor License on the Lower Brule Reservation. Mrs. Baumann stated

that she desired to start a liquor store combined with a service station, as a private business on the Reservation. By Tribal Council concurrence a letter will be submitted to Mrs. Baumann explaining that the Lower Brule Sioux Tribe is not interested at this time in selling a liquor license for this endeavor.

**39. T.E.R.O. CERTIFICATION:** Requests for Certification for T.E.R.O. was received from Norma Grass Rope for the following companies: SHP Engineering and Architecture, Eagle 2000, TSA LA GI, Inc., Design One Architecture. Motion was made by Boyd Gourneau to approve the companies for T.E.R.O. Certification with the stipulation that Design One Architectures will not be considered for any project on the Lower Brule Reservation until payment due is received for work previously done on the Reservation.

**40. U.S. POSTAL SERVICES:** The representatives for the U.S. Postal Services did not show for the meeting. No action was taken on this matter.

**The Lower Brule Sioux Tribal Council recessed at 3:47 PM. The Lower Brule Sioux Tribal Council reconvened at 9:10 PM, on April 22, 1991, with all Council members present. Also present was Delores Riley, Ron Matusek, Dennis Wagner and Blaine Taylor.**

**CASINO MANAGEMENT AGREEMENT:** Ms. Delores Riley (LaRoche), Ron Matusek, Dennis Wagner and Blaine Taylor submitted a proposal to the Lower Brule Sioux Tribe to enter into a tentative management agreement for Casino gambling. The proposal submitted would include the group providing a 12,000 square foot building with all necessary equipment for a first class casino, bar and restaurant, including slot machines, poker and blackjack tables, etc., will be built and upon completion, become the property of the Tribe. Motion was made by Orville Langdeau, Jr. to enter into a tentative agreement with Matusek, Riley, Taylor and Wagner and that a management agreement will be drawn up by the Tribal Attorney. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting. Ms. Riley stated that since everything was taken care of she requested that since the Tribal Council would continue to be consultants that Matusek, Riley, Taylor and Wagner would like to give each Council Member \$5,000.00 a year for services received from the Lower Brule Sioux Tribal Council as consultants.

**The Lower Brule Sioux Tribal Council meeting recessed at 9:12 PM. The Lower Brule Sioux Tribal Council meeting reconvened at 11:27 AM, on April 26, 1991 with all Council members present.**

**41. DISPOSAL SYSTEM RESOLUTION REQUEST:** A request was received from Mr. Tony Moran for a Resolution to enter into a Contract via PL 93-638, to construct individual artesian and drilled wells, individual waste disposal systems and waste disposal system inspection and repair located on the Lower Brule Reservation. Motion was made by Boyd Gourneau to approve the Resolution. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**42. BRULE' HORSEMEN ASSOCIATION:** A letter of request was received from the Brule' Horsemen Association to request the Tribal Gym on Saturday for a dance during the Annual Fair, the use of the Concession stand at the Rodeo to sell concessions, and a temporary permit to sell beer at the Races and Dance. Orville Langdeau, Jr. asked where the beer would be sold at the Dance. Chairman Jandreau stated that the beer would have to be sold outside of the Tribal Gym. Motion was made by Boyd Gourneau to approve the Brule' Horsemen Associations requests. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

43. **E.D.A. BUDGET MODIFICATION:** Chairman Jandreau stated that the Budget Modification received is informational because this was approved in a prior Tribal Council meeting.
44. **LAW ENFORCEMENT:** A letter was received from the Bureau of Indian Affairs, Lower Brule Agency, Department of Law Enforcement, concerning the passing of P.L. 101-379, Section 3 (1) (c), which requires the Bureau of Indian Affairs, Law Enforcement Services to have consent from the Tribe to enforce Tribal Laws, the Lower Brule Agency, Bureau of Indian Affairs, Law Enforcement Services, stated that they would like to request from the Tribe a resolution authorizing the Lower Brule Law Enforcement Personnel to enforce the Tribal Laws of the Lower Brule Sioux Tribe. Motion was made by Orville Langdeau, Jr. to pass a Resolution authorizing the Lower Brule Agency, Bureau of Indian Affairs, Law Enforcement Services to enforce Tribal Laws. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.
45. **TRAINING/TECHNICAL ASSISTANCE RESOLUTION:** A request for a Resolution was received from Ms. Patricia Lundell for submission of a grant proposal to contract training/technical assistance grant. Motion was made by Richard P. Thompson, Sr. to approve this request for Resolution. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.
46. **BURTON GOODFACE REQUEST:** A letter of request was received from Mr. Goodface to make a loan from the Tribe for \$500.00 against his land sale. Motion was made by Kay Gourneau to refer this matter to the Small Loan Program. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.
47. **STUART & JEANNIE LANGDEAU LETTER:** A letter was received from Mr. & Mrs. Langdeau, which they sent to Isanti concerning problems that they were having with their home. Motion was made by Boyd Gourneau to submit a Resolution to the Congressional Delegation and H.U.D Officials to investigate the U.S. Department of Housing and Urban Development on their unconcern of the Housing Development on the Lower Brule Reservation. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.
48. **LAND APPRAISALS:** Appraisals were received from the Bureau of Indian Affairs, Lower Brule Agency, for Mercy High Elk and Mildred Faye Banks. Ms. High Elk's land was appraised at \$7,883.34 and Ms. Bank's land was appraised at \$766.24. Motion was made by Kay Gourneau to purchase Ms. High Elk and Ms. Banks' land and to request the Bureau of Indian Affairs to find the value of interest of Ms. High Elks portion, which is in the farm project and request the Farm Corporation to purchase that interest. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.
49. **SPECIAL COUNSEL-LOWER BRULE WILDLIFE:** Chairman Jandreau stated that Special Legal Counsel would have to be hired for the Lower Brule Wildlife for renegotiation on the State/Tribal Compact on hunting and fishing rights. Chairman Jandreau stated that Dennis Ickes is familiar with this project and requested approval from the Tribal Council to solicit a proposal from Mr. Ickes to be approved by the Tribal Council. Motion was made by Richard P. Thompson, Sr. to authorize Chairman Jandreau to solicit a proposal from Mr. Dennis Ickes for Tribal Council approval. This motion was seconded by Orville Langdeau,

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

50. **FOOD BANK PROPOSAL:** Chairman Jandreau stated that a proposal was received from the Sioux Falls Food Bank stating that they would be interested in setting up a Food Bank on the Lower Brule Reservation. Chairman Jandreau further stated that he would like authorization to instruct Vice Chairman Kay Gourneau on getting the Food Bank set up. Motion was made by Richard P. Thompson, Sr. to authorize Chairman Jandreau to instruct Vice Chairman Gourneau in setting up a Food Bank on the Lower Brule Reservation. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

51. **LOWER BRULE CONSTRUCTION COMPANY:** Chairman Jandreau stated that he would need authorization to borrow \$28,000.00 from Tri-County State Bank for start up costs for the Lower Brule Construction Company equipment to do the Force Account Project. Motion was made by Richard P. Thompson, Sr. to authorize Chairman Jandreau to make a loan at Tri-County State Bank for \$28,000.00 for start up costs for the Lower Brule Construction Company. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

52. **HOUSTON LAND:** Chairman Jandreau stated that if the Tribe was interested in the Houston Land, which is up for sale, that an earnest payment may have to be made by the Tribe to begin the process of obtaining the land. Motion was made by Richard P. Thompson, Sr. to authorize Chairman Jandreau to make an Earnest payment for the Houston Land. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

53. **LOWER BRULE FARM CORPORATION:** Mr. Alan Lien, Bureau of Indian Affairs, stated that SS&R had been selected for the electrification on the Lower Brule Farm Corporation and that the proposal and contract would be submitted to the Tribe for reviewal and signature. No action was taken on this matter.

The Lower Brule Sioux Tribal Council meeting recessed at 12:08 PM. The Lower Brule Sioux Tribal Council meeting reconvened on May 1, 1991, at 10:49 AM, with Kay Gourneau arriving late. Also present was Sandra Bitsie, Karl Whitmore, Sandy Wyman, Julian Brown, Nobel LaCroix and Alan Lien.

8. **NORTH CENTRAL RESOURCE CONSERVATION & DEVELOPMENT PROJECT:** Mr. Karl Whitmore and Sandy Wyman introduced themselves to the Lower Brule Sioux Tribal Council and explained what RC&D's concept was. Mr. Whitmore stated that the program does not have any financing available, but the project helps people help themselves. Mr. Whitmore further stated that there were two types of projects 1) Area Wide and 2) County Specific. Mr. Whitmore stated that RC&D wanted to know what projects the Lower Brule Sioux Tribe was working on and what kind of help they would like from RC&D. No action was taken on this matter.

**ADJOURNMENT:** Motion was made by Richard P. Thompson, Sr. to adjourn the April Regular Session meeting. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, none absent and none not voting.



**CERTIFICATION**

The foregoing is a true and correct transcript to the Minutes from the Regular Meeting held by the Lower Brule Sioux Tribal Council on April 3rd, 5th, 9th, 19th, 22nd, 26th and May 1, 1991.

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**Sandy La Croix, Recording Secretary**

**LOWER BRULE SIOUX TRIBAL COUNCIL  
REGULAR MEETING  
MAY 1, 1991**

**PRESENT:** Michael B. Jandreau, Chairman      **ABSENT:** None  
Kay Gourneau (Arrived Late)  
Richard P. Thompson, Sr.  
Boyd Gourneau  
Orville Langdeau, Jr.  
Elvera Driving Hawk

**ALSO PRESENT:** Sandra Bitsie, Willard Potter, William Schmidt, Julian Brown, Noble La Croix, Alan Lien, Tom Issenhuth and Pat Quirk.

1. **LEASE RENEWALS:** A request was received from the Bureau of Indian Affairs to renew leases for the following: Bart Ness, Kay Gourneau, Lower Brule Wildlife Enterprise. Motion was made by Richard P. Thompson, Sr. to pass a Resolution to renew these leases. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting. Mr. Alan Lien asked if the Lower Brule Sioux Tribal Council passed a Resolution to advertise available land for lease. Chairman Jandreau stated that this could be done now. Motion was made by Boyd Gourneau to advertise all new land that becomes available for lease. This motion was seconded by Orville Langdeau, Jr. This motion carried with vote being five members for, none opposing, none absent and none not voting.

7. **BRULE' SIOUX HIGH SCHOOL REHAB:** Sandra Bitsie stated that there were questions concerning the feasibility study on the rehabilitation study for the Brule' Sioux High School. Ms. Bitsie stated that her office felt that the replacement of the cement slabs would alone cost about the same as the construction of a new building. Chairman Jandreau stated that remodeling is always more costly than building a building. Mr. William Potter stated this to be true. Sandra Bitsie stated that at this time funding was not available, but the funding could be requested to be placed in the FY-93 budget. Chairman Jandreau stated that the Tribe told the BIA that the repairs would be greater and you (BIA) wanted identification of need and estimates and it was our assumption that BIA would see to it that the dollars would be set aside for rehabing the High School. Mr. Potter stated that the \$980,000.00 is identified. Mr. Schmidt stated that there is a need for 2-3 million in funding to just get the school up to standard. Sandra Bitsie stated that at this time with the funding identified a priority list would have to be made and the Tribe would have to meet with Hewitt and Drapeaux on this matter and get back to her.

**The Lower Brule Sioux Tribal Council meeting recessed at 1:34 PM. The Lower Brule Sioux Tribal Council meeting reconvened at 2:41 PM with the same Council members present.**

9. **TOM ISSENHUTH:** Mr. Tom Issenhuth submitted a draft State/Tribal Gaming Compact to be approved by the Lower Brule Sioux Tribal Council. Mr. Issenhuth stated that the Compact was virtually the same as the Flandreau Compact. The Lower Brule Sioux Tribal Council reviewed the draft Compact. Motion was made by Kay Gourneau to approve the Compact with changes requested by the Tribal Council and to authorize Mr. Issenhuth to prepare the Compact for submission and to begin negotiations immediately. This motion was seconded by Richard

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

6. **PAT QUIRK, SERVICE UNIT DIRECTOR:** Ms. Quirk stated that she would like to thank the Tribal Council for allowing her to be present at the Tribal Council meeting and that she would like to take a few minutes to give a status report of the Service Unit. Ms. Quirk stated that a review was held on the Service Unit and the ratings they received were: excellent staff, employees doing exceptional work in contract health, nursing, administration, third party collections, clinic, major efforts made by employees to achieve JCAHO accreditation. The total positions at the Service Units are 20 positions, there are 5 positions vacant: Social worker, Pharmacist, Physician, Clerk-Typist, Maintenance position. The services provided by the Service Unit is: Ambulatory Health Care, Specialty Clinics-Prenatal-ENT-Well Child-Immunization, Dental Clinic, Mental Health, Environmental Health, Community Health Nursing, Health Education, School Health, Social Work and Contract Health.

7. **E.D.A., SHIRLEY MARVIN:** A request for the adoption of Resolutions for submission of grants was received from Shirley Marvin, EDA Director. Motion was made by Kay Gourneau to approve the request for Resolutions. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

3. **NOBLE LA CROIX-STATE SOCIAL SERVICES:** A presentation was made by Mr. Noble La Croix on State Social Services and the grants that are available through their program. No action was taken on this matter at this time.

**The Lower Brule Sioux Tribal Council meeting recessed at 4:08 PM. The Lower Brule Sioux Tribal Council meeting reconvened at 10:41 AM on May 2, 1991, with Michael B. Jandreau, Chairman arriving late.**

2. **MASTER HEALTH PROPOSAL FY-92:** A request was submitted from Mr. Nyal Brings to submit a Resolution for funding for FY-92 for the Health Programs. Motion was made by Boyd Gourneau to approve the Resolution. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

4. **VIOLA BERG REQUEST:** A letter of request was received from Ms. Berg stating that her daughter was going through surgery on the 25th of June and asked if there was any assistance the Lower Brule Sioux Tribal Council could provide. Chairman Jandreau asked Council member Orville Langdeau, Jr. to meet with Ms. Berg and to direct her in getting assistance.

5. **ABERDEEN AREA ALCOHOLISM DIRECTOR'S ASSOCIATION:** A letter was received from the A.A. Alcoholism Director's Association concerning the lack of coordination of this organization. No action was taken on this matter.

10. **EDUCATIONAL GRANT APPLICATIONS:** Educational Grant applications were received from Terra Brings, Jennifer Walks and Lyle Whitney, Jr. Motion was made by Orville Langdeau, Jr. to approve the Educational Grant applications provided all paperwork was in place. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, none absent and none not voting.

11. **CONGRESSMAN TIM JOHNSON LETTER:** An informational letter was received from Congressman Tim Johnson regarding Congressman George Miller who is acting chairman of the Interior Committee, and will be succeeding Congressman Mo udall in the near future. No action was taken on this matter.

12. **S.D. BUSINESS RESEARCH BUREAU:** A letter was received from the S.D.B.R.B. regarding State funding for programs in School systems which were available. This matter was referred to Mr. William Schmidt to see if this proposal would work in our School System.

13. **NATIONAL CONGRESS OF AMERICAN INDIANS:** Information was received from the N.C.A.I. for annual membership dues. Also included was information on Tribal Membership requirements, Major Benefits, Governance, Delegates and Alternates, Importance of Attendance, Individual Membership and Voting. This years 1991 Mid Year Conference is to be held in Reno, Nevada, on June 3rd through the 7th, 1991. Motion was made by Boyd Gourneau to pay the membership dues based in the past payments. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

14. **LAND EXCHANGE-DOROTHY JONES:** An appraisal report was received from the Bureau of Indian Affairs on the Land Exchange request for Dorothy Jones. Ms. Jones stated that she wished to exchange land with the Tribe for land which her home is located on. The appraisal report received for this exchange was reviewed by the Lower Brule Sioux Tribal Council. Motion was made by Orville Langdeau, Jr. to approve the land exchange with Dorothy Jones and to pay her \$18.70 which is the difference owed by the Tribe. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

15. **BOARD OF MINERALS HEARING:** A letter of information was received from the Board of Minerals on a public hearing to be held at the Ramkota River Centre in Pierre, SD on May 16, 1991. No action was taken on this matter.

16. **ABERDEEN AREA TRIBAL GOVERNMENT SERVICES:** A memorandum was received from the A.A. Tribal Government Services regarding the Oklahoma Tax Commission vs. Citizen Band Potawatomi. No action was taken on this matter.

17. **ABERDEEN AREA LAW ENFORCEMENT SERVICES:** (Chairman Jandreau entered the meeting at this time) A memorandum was received from the Aberdeen Area Law Enforcement Services regarding the P.L. 101-379 which has a requirement which will affect the way the B.I.A. delivers law enforcement services on reservation. No action was taken on this matter.

18. **ABERDEEN AREA TRIBAL GOVERNMENT SERVICES:** A memorandum was received from the Aberdeen Area Tribal Government Services on information on H.R. 972 "Duro". No action was taken on this matter.

19. **NATIONAL INDIAN GAMING ASSOCIATION:** An invitation was received from the National Indian Gaming Association regarding a Indian Gaming USA, Convention and Trade Show to be held on July 8th through 10th 1991 at the Radisson Hotel South in Minneapolis, Minnesota. This material was informational.

20. **MERV GRIFFIN'S RESORTS:** An invitation was received from Merv Griffin's Resorts Casino Hotel in Atlantic City to stay at the Resort at a discount if any of the Tribal leaders were planning on attending any of the five gaming conferences to be held in Atlantic City. This material was informational.

21. **MONTHLY BINGO REPORTS:** Monthly Bingo reports were submitted for the Month of April. The Lower Brule Sioux Tribal Council review the Bingo reports. Chairman Jandreau requested that Council members Orville Langdeau, Jr. and Elvera Driving Hawk speak to the Elderly and Youth Activities bingo groups.

23. **ARTHUR EAGLE THUNDER-SHIRLEY FLUTE REQUEST:** A request was received from Mr. Eagle Thunder for a loan of \$400.00 to purchase a trailer house from Mr. Dennis Eagle Horse. Mrs. Flute requested a loan of \$1,500.00 to buy back their old home from Mr. Lee Gourneau. Chairman Jandreau stated that no funding was available at this time and maybe there may be something at a later date.

26. **LUCILLE SKUNK REQUEST:** A request was received from Lucille Skunk to request the use of the Tribal Gym to hold a dance to raise money for the Annual Cleveland Skunk/Everette Wilson Basketball Tourney. The dates for the dances would be on the 11th and 25th of May, 1991 from 10:00 PM to 2:00 AM. Motion was made by Kay Gourneau to approve the request to hold a dance on the 11th and 25th of May, 1991. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

25. **GENERAL COUNSEL BILLING-JULIAN H. BROWN:** The Lower Brule Sioux Tribal Council received a billing from General Counsel, Julian H. Brown for the period covering April 1, 1991 through April 29, 1991, in the amount of \$2,531.52. Motion was made by Kay Gourneau to approve the General Counsel billing and submit it to the Bureau of Indian Affairs, Lower Brule Agency for review and approval. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

27. **RONALD G. TEDROW LETTER:** A letter of proposal was submitted from Mr. Tedrow. Chairman Jandreau stated that he requested Mr. Tedrow to submit a proposal to the Tribal Council for review and approval for services as a CPA for the proposed Gaming Casino. Motion was made by Boyd Gourneau to acquire Mr. Tedrow's services at the onset of the Gaming Venture. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Lower Brule Sioux Tribal Council meeting recessed at 11:23 AM. The Lower Brule Sioux Tribal Council meeting reconvened on June 4, 1991, at 2:25 PM, with Richard P. Thompson absent.**

**ADJOURNMENT:** Motion was made by Kay Gourneau to adjourn the May Regular Session meeting. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

#### **CERTIFICATION**

The foregoing is a true and correct transcript to the Minutes from the Regular Meeting held by the Lower Brule Sioux Tribal Council on May 1st, 2nd and June 4, 1991.

  
Sandy LaCroix, Recording Secretary

**LOWER BRULE SIOUX TRIBAL COUNCIL**  
**REGULAR MEETING**  
**JUNE 4, 1991**

**PRESENT:** Michael B. Jandreau, Chairman  
Kay Gourneau  
Boyd Gourneau  
Orville Langdeau, Jr.  
Elvera Driving Hawk

**ABSENT:** Richard Thompson, Sr.

The meeting was called to order by Chairman Michael B. Jandreau at 2:25 PM. Roll Call was taken by the Recording Secretary and the Lord's Prayer was led by Chaplin Elvera Driving Hawk. Also present was Noble LaCroix.

1. **HOUSTON LAND PURCHASE:** Chairman Jandreau stated that Tri-County State Bank in Chamberlain is willing to make a loan to the Lower Brule Sioux Tribe for the purchase of the Houston Land and that the loan will be repaid by January 15, 1991. The bank will need from the Bureau of Indian Affairs an assignment of income and a statement complying with the January 15 payoff. Motion was made by Boyd Gourneau to authorize Chairman Michael B. Jandreau to complete the paperwork to purchase the Houston Land with Tri-County State Bank, Chamberlain. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

2. **LOWER BRULE HEALTH BOARD REQUEST:** A letter of request was received from the Lower Brule Health Board to allow Dr. Peter Magnus to present one hour health education classes to each of the grades 6th through 12th and to meet monthly at the Teen Help Center and present health issues to the Teachers during their orientation this summer. Motion was made by Kay Gourneau to approve the Lower Brule Health Boards request. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

3. **LOWER BRULE ALCOHOLISM PROGRAM POSITION:** A letter of recommendation was received from the Lower Brule Drug and Alcoholism program for the Alcohol/Drug Prevention Counselor. This matter was tabled at this time.

4. **INDIAN HEALTH SERVICE MEMORANDUM OF AGREEMENT:** A Memorandum of Agreement was received from Indian Health Service to assist in the provision of water supply and waste disposal facilities to serve the existing housing units on the Lower Brule Reservation. Motion was made by Boyd Gourneau to authorize Chairman Michael B. Jandreau to sign the Contract to enter into the Memorandum of Agreement. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

5. **EDUCATIONAL GRANT APPLICATIONS:** Educational Grant applications were received from Ronalda Driving Hawk, Vincent Gallagher and Bettina Rekow. Motion was made by Kay Gourneau to approve the applications if all paperwork is in place. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

6. **LAND SALE APPLICATION-DORCUS QUILT:** A land sale application was received from the Bureau of Indian Affairs for Dorcus Quilts land interests. Motion was made by Boyd Gourneau to request the Bureau of Indian Affairs to submit an appraisal on Ms. Quilts land. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent

and none not voting.

7. **LENORA DEWITT FAMILY REQUEST:** A request was received from the Lenora Dewitt family for the use of the Tribal Gymnasium and facilities on July 13, 1991 from 8:00 am to 5:30 pm for Memorial Services for Lenora DeWitt. Motion was made by Boyd Gourneau to approve the DeWitt Family request. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

8. **EVERETTE WILSON/CLEVELAND SKUNK FAMILY REQUEST:** A request was received from the Everette Wilson/Cleveland Skunk family to request to have a dance on June 8th and 22nd in the Tribal Gymnasium from 11:00 PM to 3:00 AM. Motion was made by Boyd Gourneau to approve the dances to be held on the 8th and 22nd of June from 10:00 PM to 2:00 AM. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting. Orville Langdeau, Jr. inquired about a Softball Tournament with the sale of beer that was being advertised for the 8th of June, if this had approved. Chairman Jandreau stated that this activity was not approved and stated that the Law Enforcement Center would be notified to this effect.

9. **ANITA WILLIAMSON RESIGNATION LETTER:** A letter of resignation was received from M.C.H. Director, Anita Williamson. Motion was made by Kay Gourneau to accept the resignation and to advertise for the position. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

10. **AMERICAN CREEK CONSERVATION DISTRICT:** A letter was received from the American Creek Conservation District requesting a representative from the Lower Brule Sioux Tribe to help increase awareness of conservation needs on tribal land. Motion was made by Elvera Driving Hawk to appoint Boyd Gourneau as the assistant supervisor representative for the Lower Brule Sioux Reservation. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

11. **FRANK C. ESTES REQUEST:** A request was received from Mr. Estes to relinquish his homesite that was issued to him under Resolution 88-17 because he had sold the home which was on the homesite. Mr. Estes also requested another homesite but did not include a land description. Motion was made by Boyd Gourneau to relinquish Mr. Estes Homesite and to notify Mr. Estes that he needs to submit a land description before the Tribal Council could approve a Homesite. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

12. **HEWITT DRAPEAUX AND ASSOCIATES:** Information was submitted by Hewitt Drapeaux and Associates. No action was taken on this matter at this time.

13. **SERVICE LINE AGREEMENTS:** Service Line Agreement requests were received from the Teen Help Center for a security light and from the Episcopal Church for electricity for the new church. Motion was made by Kay Gourneau to approve the two Service Line Agreements. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

14. **EPISCOPAL CHURCH LAND EXCHANGE:** This matter was tabled at this time.

15. **LUMBEE REGIONAL DEVELOPMENT ASSOCIATION, INC:** A letter was received from the Lumbee Regional Development Association, Inc. regarding their acknowledgement as an American Indian Tribe and the date of the Congressional hearing. No

action was taken on this matter

16. SOUTH DAKOTA OFFICE OF INDIAN AFFAIRS: Information was received from the South Dakota Office of Indian Affairs on the newly designed license plates identifying the Indian Tribes located within the State and a copy of the 1991 South Dakota House Bill requesting the special license plates and that the South Dakota Division of Motor Vehicles wants to complete its collection of Tribal logos/insignias to make the license plates available to tribal members in South Dakota as soon as possible. Motion was made by Boyd Gourneau to approve to approve of getting the license plates for the Lower Brule Sioux Tribe. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.
17. THE DIOCESE OF SOUTH DAKOTA-LAND EXCHANGE: This matter was tabled at this time.
18. LOWER BRULE WATER FUND ACCOUNT: This matter was tabled at this time.
19. AMMENDMENT TO RESOLUTION 91-141-ENROLLMENTS: This matter was tabled at this time.
20. RESOLUTION FOR LAND-CHRISTENSEN/NESS: This matter was tabled at this time.
21. APPRAISAL REPORT-EDWARD CHASE THE BEAR AKA LONG FOX: This matter was tabled at this time.
22. COMMEMORATE SOVEREIGNTY SYMPOSIUM IV: This matter was tabled at this time.
23. ARTHUR LAZARUS, JR. LETTER: This matter was tabled at this time.
24. LOWER BRULE HOUSING AUTHORITY-RESOLUTION 91-24; This matter was tabled at this time.
25. BIA WASHINGTON OFFICE-DISSENROLLMENT OF TORIN FORREST CROWE: This matter was tabled at this time.
26. LOWER BRULE SIOUX TRIBAL COURT REQUEST: This matter was tabled at this time.
27. FRIED, FRANK, HARRIS, SHRIVER & JACOBSON LETTER: This matter was tabled at this time.
28. UNTIED SIOUX TRIBES-AREA TASK FORCE: This matter was tabled at this time.
29. DENNIS ICKES CONTRACT-SPECIAL LEGAL COUNSEL: This matter was tabled at this time.
30. APRIL MINUTES: This matter was tabled at this time.
31. RONALD G. TEDROW PROPOSALS: This matter was tabled at this time.
32. LAW ENFORCEMENT SERVICES: This matter was tabled at this time.
33. MONTHLY BINGO REPORTS: This matter was tabled at this time.
34. ORVILLE LANGDEAU, SR REQUEST: This matter was tabled at this time.



35. BILL AUSDEMORE - UP WITH PEOPLE: This matter was tabled at this time.
36. ROBERT DEMERY REQUEST - AMERICAN LEGION: This matter was tabled at this time.
37. ORVILLE LANGDEAU, JR. REQUEST: A letter of request was received from Mr. Orville Langdeau, Jr. to hold their 3rd Annual Pow Wow on June 29, 1991 and to request \$600.00 from the Lower Brule Sioux Tribe to help with the feed. Motion was made by Kay Gourneau to approve Mr. Langdeau, Jr.'s request. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.
38. APPRAISALS-BILL AUSDEMORE: This matter was tabled at this time.
39. DAVIS GROOMS REQUEST: This matter was tabled at this time.

The Lower Brule Sioux Tribal Council meeting recessed at 3:11 PM. The Lower Brule Sioux Tribal Council meeting reconvened on June 5, 1991, at 10:47 AM, with all Council members present. Also present was Bill Ausdemore, Stephanie Lewis, Sophie Tillberg, and Ron Tedrow.

40. BILL AUSDEMORE-UP WITH PEOPLE: Mr. Ausdemore introduced two members from the group, Up With People. Sophie Tillberg and Stephanie Lewis made an introduction of Up With People to the Lower Brule Sioux Tribal Council. The Up With People organization has been in existence for 25 years. The age of the group is 18-26 years of age. The persons involved in the group travel for 1 year and perform a 2 hour show, musical and dancing from 21 different countries. The group is a non-profit, non-religious organization which tries to educate through their music and dance. The Lower Brule Sioux Tribal Council was invited to attend their performance. No action was taken on this matter.

14. & 17. EPISCOPAL CHURCH LAND EXCHANGE: A letter was received from the Diocese of South Dakota requesting which partial of land the Lower Brule Sioux Tribe wanted in exchange for the land which the new Episcopal Church was being built on. Motion was made by Richard Thompson, Sr. to exchange for the land located in the Ft. Hale gravel pit. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

18. LOWER BRULE WATER FUND ACCOUNT: A letter was received on the amount that people owed on their water bills. Chairman Jandreau stated that the expenditures were larger than the revenues and assistance would be needed especially from the Bureau employees. Noble LaCroix stated that the bills from the Bureau employees would be dealt with by him. Mr. LaCroix stated that even if the employee is no longer with this branch and is working at another branch the bill can be received. No action was taken on this matter by the Lower Brule Sioux Tribal Council at this time.

31. RONALD G. TEDROW PROPOSALS: Mr. Tedrow received the FY-91 Audit report on the Lower Brule Sioux Tribe with the Lower Brule Sioux Tribal Council. Mr. Tedrow also presented a proposal to provide his services for the FY-92 Audit report. Motion was made by Kay Gourneau to acquire Mr. Tedrows services for the FY-92 Lower Brule Sioux Tribe Audit. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting. Mr. Tedrow also presented a proposal to provide his services to the Lower Brule Sioux Tribe as an Auditor for their Gaming Facilities. Motion was made by Orville Langdeau, Jr. to acquire Mr. Tedrows

services as an Auditor for the Lower Brule Sioux Tribe Gaming Facilities. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Lower Brule Sioux Tribal Council recessed at 1:00 PM. The Lower Brule Sioux Tribal Council reconvened at 10:41 AM, on June 6, 1991, with all Council members present.**

**MISCELLANEOUS:** Secretary/Treasurer Richard P. Thompson, Sr. motioned to raise the Chairman salary to \$35,000.00 a year. Chairman Jandreau stated that nationwide the Chairmens salary range up to \$52,000.00 a year. Chairman Jandreau stated that he was thankful for the raise and thank the Tribal Council members. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

19. **AMENDMENT TO ENROLLMENTS:** Resolution 91-141, which enrolled 33 applicants, showed two pending enrollments. The enrollments that were pending was Alvin Swift Hawk and Darlene Charging Whirlwind Hood. A separate Resolution would have to be adopted to remove Darlene Charging Whirlwind Hood because she did not provide all the paperwork needed for her enrollment and to enroll Alvin Swift Hawk. Motion was made by Richard Thompson, Sr. to approve this action. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

20. **CHRISTENSEN-NESS LEASE:** A letter was received from the Bureau of Indian Affairs stating that a Lease was not issued to Mr. Christensen and Mr. Ness and requested the Lower Brule Sioux Tribal Council to pass action to issue the Leases. Motion was made by Boyd Gourneau to request the Bureau of Indian Affairs to issue a Lease to Mr. Christensen and Mr. Ness. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

21. **LAND SALE APPRAISAL - EDWARD CHASE THE BEAR AKA LONG FOX:** An appraisal was received from the Bureau of Indian Affairs on Edward Chase the Bear aka Long Fox's land, which is for the amount of \$723.80. Motion was made by Boyd Gourneau to approve the purchase of the land. This motion was seconded by Kay Gourenau. Motion carried with vote being five members for, none opposing, none absent and none not voting. Motion was made by Richard P. Thompson, Sr. to adopt a Resolution increasing the amount of purchase for mineral rights from \$1.00 to \$5.00 and to also include that the Lower Brule Sioux Tribe will reluctantly purchase land without the sale of mineral rights. This motion was seconded by Kay Gourneau. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

22. **COMMEMORATE SOVEREIGNTY SYMPOSIUM IV:** Notice was received on the Commemorate Sovereignty Symposium IV in Oklahoma City, Oklahoma, on June 10th through the 12th, 1991. Motion was made by Richard P. Thompson, Sr. to attend this Symposium and to set a rate of \$100.00 a day honorarium for Council Member travel, which would take the place of Per Diem. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. Richard P. Thompson, Sr. stated that he wanted to see the Council members travel first class and not have to scrimp during their travels.

24. **LOWER BRULE HOUSING AUTHORITY RESOLUTION:** A letter and resolution was received from the Lower Brule Housing Authority requesting stipends for the

Housing Board for their Housing Board meeting. The request was to received a \$35.00 Stipend for Housing Board members. Motion was made by Richard P. Thompson, Sr. to approve the Lower Brule Housing Authority request by Resolution. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, none absent and one not voting.

25. **BIA-WASHINGTON OFFICE-TORIN CROWE:** Chairman Jandreau stated that this matter was on the dual enrollment of Torin Crowe and that Mr. Crowe had to make a decision on which Tribe he wanted to be enrolled with. By Tribal Council concurrence all Tribal services will be relinquished to Mr. Crowe until he makes a choice.

26. **LOWER BRULE SIOUX TRIBAL COURT:** A letter of request was received by from the Lower Brule Sioux Tribal Court requesting the advertisement of a Tribal Prosecutor. Motion was made by Boyd Gourneau to advertise for the Prosecutor position for the Lower Brule Sioux Tribal Court. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting. The letter of request had an attachment with the resignation of Larry Hollmann.

28. **UNITED SIOUX TRIBES-AREA TASK FORCE MEMBERS:** A letter of request was received from United Sioux Tribes requesting the selection of a member for the Area Task Force for the Lower Brule Reservation. The Task Force would deal with the current re-alignment of the Bureau of Indian Affairs. The request also stated that the Task Force also wanted an employee from the Bureau of Indian Affairs to work with the member from the Tribe. Motion was made by Elvera Driving Hawk to appoint Orville Langdeau, Jr. to the Task Force and to authorize Chairman Jandreau to select another individual from the Bureau of Indian Affairs. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

29. **DENNIS ICKES-SPECIAL COUNSEL CONTRACT:** A Contract was received from Mr. Dennis Ickes for Special Counsel services to be utilized for the State/Tribal Hunting and Fishing Compact with the State of South Dakota. Motion was made by Kay Gourneau to approve the Contract submitted by Mr. Ickes. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for none opposing, none absent and none not voting.

30. **APRIL MINUTES:** The April Minutes were submitted for review and approval by the Lower Brule Sioux Tribal Council. Motion was made by Orville Langdeau, Jr. to approve the April Minutes with the change to include that the Management Agreement was tentative. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

32. **LAW ENFORCEMENT CENTER:** A letter of request was received from the Law Enforcement Center to change the age limit on babysitters. By Tribal Council concurrence the Tribal Council will keep the age limit at fourteen (14) years of age.

33. **MONTHLY BINGO REPORTS:** The Lower Brule Sioux Tribal Council reviewed the Monthly Bingo Reports. No action was taken.

34. **ORVILLE LANGDEAU, SR.:** Mr. Langdeau, Sr. did not show for the meeting.

36. **ROBERT DEMERY-AMERICAN LEGION:** Mr. Demery did not show for the meeting.

**TEEN HELP CENTER:** A letter of request was received from the Teen Help Center for the establishment of an Ad Hoc Committee for Health and Alcohol curricula for Junior and Senior High School level students. The Lower Brule Sioux Tribal Council will submit a letter to the Teen Help Center Manager stating that the Tribal Council supports their efforts and to charge the Alcoholism Commission with establishing the Ad Hoc Committee.

**BURTON GOODFACE REQUEST:** A letter of request was received from Burton Goodface for a loan on his land sale in the amount of \$500.00. Motion was made by Kay Gourneau to approve the loan and to submit it to the Small Loan program. This motion was seconded by Orville Langdeau, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**VIRGIL FLUTE REQUEST:** A letter of request was received from Virgil Flute to sell his Home to the Lower Brule Sioux Tribe for \$5,000.00. Richard P. Thompson, Sr. asked if Chairman Jandreau could work with Mr. Flute on his request instead of selling his home.

**FRIDAY NIGHT BINGO CLUB REQUEST:** A letter of request was received from the Friday Night Bingo Club-C.H.R. Bingo to change their name to the Lower Brule Health Club and also attached were guidelines for assistance and a request to pay bingo rent for the use of the Tribal Gym instead of making donations. Motion was made by Boyd Gourneau to approve their request. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

39. **DAVIS GROOMS REQUEST:** This matter was tabled at this time.

42. **GENERAL COUNSEL BILLING:** A billing was received from General Counsel Julian Brown for the period covering April 30, 1991 through May 31, 1991, in the amount of \$4,842.33. Motion was made by Kay Gourneau to approve the General Counsel billing and to send it to the Bureau of Indian Affairs, Lower Brule Agency, for review and approval. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

43. **SHIRLEY & JOHNNY FLUTE REQUEST:** A letter of request was received from Mr. & Mrs. Flute to borrow from the Lower Brule Sioux Tribe to purchase their hold home back. By Tribal Council concurrence the Lower Brule Sioux Tribal Council will submit a letter to Mr. & Mrs. Flute stating that the Rehab Account would have to build up before a loan could be made.

44. **EVERETTE GOODFACE REQUEST:** A letter of request was received from Mr. Goodface to have a softball tournament and a permit to sell beer to raise money for a summer youth Co-Ed Softball league. Chairman Jandreau stated that since the Lower Brule Sioux Tribal Council that a dance was already approved for fund raising for the same weekend that the Co-Ed Softball tournament would have to be denied. Motion was made by Boyd Gourneau to deny Mr. Goodfaces request for softball tournament and a permit to sell beer. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting. Chairman Jandreau stated that since Mr. Goodface was trying to raise money for the youth that selling beer should not be involved in the fund raising process and that other avenues should be addressed.

45. **BERNADETTE MEYERS HOMESITE REQUEST:** A letter of request was received from Mrs. Meyers to relinquish her homesite previously granted to her and to request the Homesite which her home sits on and assistance in getting her home re-wired. Motion was made by Orville Langdeau, Jr. to approve the relinquishment of Mrs. Meyers homesite and to grant the homesite were her home now sits.

This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and not voting.

2. **ALCOHOLISM POSITION RECOMMENDATION:** Recommendations were received from the Health Board on the Alcohol/Drug Prevention Counselor for the Alcoholism Program which was Charles Quinn as Counselor and Gayle Ziegler as alternate. Motion was made by Orville Langdeau, Jr. to hire Gayle Ziegler as Counselor and Clyde Johnson as alternate. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

4. **PIERRE LAND - MEMORANDUM ABERDEEN AREA OFFICE:** This matter was tabled at this time.

46. **FARMERS HOME ADMINISTRATION:** A letter of request was received from the Farmers Home Administration concerning the establishment of a consolidated sub office on the Lower Brule Reservation. The establishment of this office would be staffed by existing agency personnel and the Lower Brule Sioux Tribe would provide the office space. Motion was made by Richard Thompson, Sr. to approve the request, provide the office space and to identify Chairman Jandreau as a contact person.

47. **JOYZELL GODFREY REQUEST:** A letter of request was received from Ms. Godfrey for the Inter Tribal Arts Festival for a donation for the Festival which will be held in July. Motion was made by Richard P. Thompson, Sr. to donate \$700.00 to the Inter Tribal Arts Festival. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

39. **DAVIS GROOMS REQUEST:** A request was received from Mr. Grooms to stop payment of his Rehab. bill to the Lower Brule Sioux Tribe for seven payments. Motion was made by Richard P. Thompson, Sr. to allow Mr. Grooms to cut his payment in half, which would amount to \$25.00 per payment. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

The Lower Brule Sioux Tribal Council meeting recessed at 12:48 P.M. The Lower Brule Sioux Tribal Council reconvened on June 20, 1991, at 11:32 AM, with all Council Members present. Also present was Noble LaCroix, Alan Lien, Pearl Colombe and Lee Gourneau.

48. **LOWER BRULE CONSTRUCTION COMPANY:** Chairman Jandreau stated that the Lower Brule Construction Company could request to P.L. 93-638 Contract to construct and extend five cattle passes and flatten the ditch profile adjacent to each of the sites along Route No. 10 (the Cedar Creek Road) 6.5 miles West of Lower Brule. Chairman Jandreau stated that a Resolution would have to be adopted to contract this proposal. Motion was made by Boyd Gourneau to adopt a Resolution to 638 the five cattle passes. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

49. **RESERVATION DAM REPAIR CONSTRUCTION:** Chairman Jandreau stated that the Bureau of Indian Affairs had money available for Dam Repairs of the Lower Brule Reservation, which the Lower Brule Construction Company could provide. Motion was made by Boyd Gourneau to approve by Resolution the Lower Brule Construction Company receiving this proposal through a Purchase Order with the Bureau of Indian Affairs, Lower Brule Agency. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none

absent and none not voting.

50. **ST. ANDREWS SUMMER SCHOOL PROGRAM:** Naomi Eagle Thunder, Sherwood Estes, Jody Traversie, Joelle Skunk and Georgia Wilson were all selected to attend St. Andrews Summer School Program for their scholastic achievement in school. A letter was received from parents of the children for financial assistance while the children were attending the program. Chairman Jandreau stated that this matter had already been taken care of administratively. **(Chairman Jandreau left the meeting at this time.)**

51. **EDUCATIONAL GRANT APPLICATIONS:** Educational Grant applications were received from Christina Rencontre, Tamara Pexa (Hill), Sandra Rencontre and Kevin Fravel. Motion was made by Boyd Gourneau to approve the Educational Grant applications if all paperwork was in place. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting. **(Chairman Jandreau entered the meeting at this time.)**

52. **BRULE' HORSEMEN ASSOCIATION:** The Brule' Horsemen Association submitted a letter of request to change nights that they requested for a dance during the Annual Fair & Rodeo. The Brule' Horsemen Association desired to change there request for Friday, August 9, 1991. Motion was made by Kay Gourneau to approve the Horsemen Association request to change nights. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

53. **LOWER BRULE WILDLIFE ENTERPRISE:** A request was received from the Lower Wildlife Enterprise for support for a possible loan from Tri-County State Bank in Chamberlain, SD until their Corp. of Engineers grant came in for the Tree Planting Contract. Motion was made by Kay Gourneau to support the Lower Brule Wildlife Enterprise by Resolution. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

54. **PEARL COLOMBE REQUEST:** Pearl Colombe stated that she had numerous problems with the vehicle she transported patients in and that she advised Nyal Brings and Brett Williamson of these problems and they were not taken care of and/or took a very long time to get any results. Chairman Jandreau stated that Ms. Colombe should take this to the Motor Pool Board. No action was taken on this matter at this time.

55. **DENNIS HILL SERVICES:** Chairman Jandreau stated that Mr. Dennis Hill would provide special services for the Lower Brule Sioux Tribe during the Casino project if and when they needed him and a Resolution was needed to this effect. Motion was made by Kay Gourneau to enter into an agreement with Mr. Hill and for Mr. Hill to be paid for actual hours worked. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

56. **MANAGEMENT AGREEMENT:** Chairman Jandreau stated that the Lower Brule Sioux Tribal Council should finalize the Management Contract Agreement with Matusek, Riley and Wagner for the proposed Casino. Chairman Jandreau stated that a letter was received from Governor George Mickelson denying the location of the Casino for the Lower Brule Sioux Tribe on the Oacoma Land the Tribe purchase. Chairman Jandreau stated that the Tribe should pick an alternate site so that the Casino could be built and be operational by Fall. Motion was made by Kay Gourneau to enter into the Management Agreement with Matusek, Riley and Wagner and to identify the new site on Highway 47 described as the NW $\frac{1}{4}$  of Section

16, R72W, Township 106N. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

57. **LOWER BRULE CONSTRUCTION COMPANY:** Chairman Jandreau stated that since the Lower Brule Construction Company does not have an active Board the Construction Company is requesting the Tribal Councils approval for small jobs: sell old water pipes that are at the rodeo grounds, sell the two cranes at the Construction Company, sell junk iron at the Construction Company. Motion was made by Richard P. Thompson, Sr. to authorize the Construction Company to proceed with these projects. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

58. **NIELSON & SENIOR BILLING:** A billing was received from Dennis Ickes, Nielson & Senior for legal work requested by Chairman Jandreau on a case concerning State/Tribal Fish & Wildlife jurisdiction. The Resolution that was passed approving Dennis Ickes' contract for State/Tribal Fish & Wildlife matters was changed from May to April. The billing received from Nielson & Senior was for services provided in May. Motion was made by Kay Gourneau to change the Contract date to time started to May, 1991. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

59. **BUDGET MODIFICATION:** Chairman Jandreau stated that when the Farm money was received the budget was not modified to include this amount and that a Resolution would have to be adopted for the modification. Motion was made by Boyd Gourneau to approve by Resolution the Budget Modification to increase it by \$60,000.00 in income and expenses. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

60. **ELAINE WHITEPIPE REQUESTS:** A letter of request was received from Elaine Whitepipe requesting assistance in getting a road to her homesite and to also be placed in the I.H.S. priority list for water/sewer facilities on her homesite. Motion was made by Kay Gourneau to approve Mrs. Whitepipes request by separate Resolutions. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. Mrs. Whitepipe also requested a Resolution of Support and a letter of support to attend a year training session with C.E.R.T., Denver Colorado and requested a leave of absence. Motion was made by Kay Gourneau to approve Mrs. Whitepipes request for a Resolution of support and a leave of absence to attend the training. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

61. **NATIONAL CONGRESS OF AMERICAN INDIANS:** A letter of notification was received from the N.C.A.I. for call to convention. The convention will be held in Burlingame California and will be held on December 2-6, 1991. No action was taken on this matter.

62. **U.S.D.I.-BUREAU OF INDIAN AFFIARS, INDIAN EDUCATION:** A letter was received from the B.I.A. Indian Education Office in Washington stating that the policy of the Education Office is to fully involve the Agency School Board's and Tribe's in all selections of Agency Superintendent for Education. No action was taken on this matter.

63. **PLANNING AND DEVELOPMENT DISTRICT III:** (Chairman Jandreau left the meeting

at this time.) A letter was received from District III stating that this committee has included the entire Council as representatives for this program. No action was taken on this matter.

**64. LOWER BRULE SIOUX TRIBAL BROCHURE:** Public Relations Director, K.D. Lance submitted a proposal to the Lower Brule Sioux Tribal Council for a Brochure for the Lower Brule Reservation along with three bids for approval. Motion was made by Richard P. Thompson to approve Mr. Lances recommendations for the Tribal Brochure. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**65. U.S. WEST COMMUNICATIONS - RIGHT-OF-WAY:** A letter of request was received from U.S. West Communications for a right-of-way easement to provide telephone services. Motion was made by Richard P. Thompson, Sr. to authorize the right-of-way by Resolution. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**66. LOWER BRULE HEADSTART PROGRAM:** A request was received for the Headstart Program for a Resolution to apply for the Johnson O'Malley Grant for FY-92. Motion was made by Orville Langdeau, Jr. to adopt the Resolution. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**67. WIND CAVE NATIONAL PARK:** A letter of notification was received from Wind Cave National Park on the bison round-up in the fall for approximately 125 animals. If any Tribes were interested they should submit a request with the amount of bison needed, present reservation bison populations, purpose for requesting bison, and a brief management capability statement. Motion was made Boyd Gourneau to enter into an agreement with Wind Cave National Park and to assign this matter to Ben Janis, Lower Brule Wildlife Director. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**68. LOWER BRULE WILDLIFE ENTERPRISE:** A request was received from the Lower Brule Wildlife Enterprise for a Resolution for approval to apply for 8A Certification. Motion was made by Richard P. Thompson, Sr. to authorize a Resolution for 8A Certification for Lower Brule Wildlife Enterprise. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting. **(Chairman Jandreau entered the meeting at this time)**

**69. FARMING LEASES-MEMBERS:** A request was received from the Bureau of Indian Affairs for the renewal of farming leases that will expire this year. Motion was made by Boyd Gourneau to approve all the Lower Brule Sioux Tribal Members leases for renewal for three (3) years and to table the non-members leases until the July meeting. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

The Lower Brule Sioux Tribal Council meeting recessed at 1:02 PM. The Lower Brule Sioux Tribal Council meeting reconvened at 3:12 PM on June 20, 1991, with Kay Gourneau absent. Crow Creek Tribal Chairman Nelson Blaine, Avery Thompson, Gene Kastner, Mary Jane & Terry Middletent and Noble LaCroix.

**70. CROW CREEK/LOWER BRULE COMMUNITY COLLEGE:** Discussion was held by the Crow Creek Sioux Tribe and Lower Brule Sioux Tribe on the CC/LB Community College



and the incompetence of the College Administration. A meeting will be set up with the Crow Creek Sioux Tribe, Lower Brule Sioux Tribe and the CC/LB Community College Board on June 27, 1991. The C.C. and L.B. Sioux Tribal Councils also discussed the Contracting with Mid Dakota. Motion was made by Boyd Gourneau to request the remaining contract money for the contracting with Mid-Dakota for the amount of \$600,000.00 and to support the Crow Creek Sioux Tribe in receiving the remaining amount to provide 24 hour emergency care services and to also request technical assistance from I.H.S. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, none absent and none not voting.

71. **MARY JANE & TERRY MIDDLETENT PROPOSAL:** A letter of proposal was brought in by Mary Jane & Terry Middletent to utilize the Daycare Center building as a resturant. Motion was made by Boyd Gourneau to approve their request to use the Daycare Center building and to work out a payment plan for utilities after the program is operational and to include the understanding that if the Daycare program becomes operational Mary Jane & Terry will have to vacate the building. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

72. **NOBLE LACROIX:** Mr. LaCroix stated that he attended the National Social Services Conference and that there were programs that the Tribe may be interested in for Economic Development. Mr. LaCroix also stated that the E.A.R.N. program will be placed in the Budget for FY-93 and that two million has been allocated for FY-92. No action was taken on this matter.

**The Lower Brule Sioux Tribal Council recessed at 3:58 PM. The Lower Brule Sioux Tribal Council reconvened on July 3, 1991, at 10:55 AM, with all Council Members present. Also present was Lee Shoenhart.**

**ADJOURNMENT:** Motion was made by Kay Gourneau to adjourn the June Regular Session meeting. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

#### **CERTIFICATION**

The foregoing is a true and correct transcript to the Minutes from the Regular Meeting held by the Lower Brule Sioux Tribal Council on June 4th, 5th, 6th, 20th and July 3, 1991.

  
**Sandy La Croix, Recording Secretary**

**LOWER BRULE SIOUX TRIBAL COUNCIL  
REGULAR MEETING  
JULY 3, 1991**

**PRESENT:** Michael B. Jandreau, Chairman      **ABSENT:** None  
Kay Gourneau  
Richard P. Thompson, Sr.  
Boyd Gourneau  
Orville Langdeau, Jr.  
Elvera Driving Hawk

**ALSO PRESENT:** Lee Schoenhard.

The meeting was called to order by Chairman Michael B. Jandreau at 10:55 AM. Roll Call was taken by the Recording Secretary and the Lord's Prayer was led by Chaplin Elvera Driving Hawk.

1. **FARMING LEASES:** The non-member Farming Leases that were tabled were brought back on the table. Motion was made by Boyd Gourneau to grant Farming Leases to the two (2) non-member Tribal Tracts. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

2. **LEE SCHOENHARD PROPOSAL:** Mr. Schoenhard presented to the Lower Brule Sioux Tribal Council the proposal that Lyman County has in establishing a Veteran/Pioneers Memorial next to the Museum in Presho, South Dakota. Mr. Schoenhard stated that Veterans would be placed on the marble stones free of charge, but that the Lower Brule Sioux Tribe should consider placing the Tribes Pioneers on the Memorial. Mr. Schoenhard stated that for up to fifty (50) Pioneer couples the Lower Brule Sioux Tribe would be charged \$5,000.00. Chairman Jandreau stated that for years members of the Lower Brule Sioux Tribe could visit the Memorial and find their ancestors names. Motion was made by Richard P. Thompson, Sr. to request Chairman Jandreau and Vice-Chairman Gourneau to select the names of the Pioneers to be placed on the Memorial and to authorize Chairman Jandreau to get the funding for the Memorial. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

3. **M.C.H. POSITION:** The M.C.H. Position was advertised for two (2) weeks and no applications were received. Motion was made by Richard P. Thompson, Sr. to extend the announcement for two (2) more weeks. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

4. **MATURE CONTRACT STATUS-638 CONTRACTS:** Notification was received to request Mature Contract Status for the "638" Contracts through the Bureau of Indian Affairs for FY-92 for the following Contracts: Aid to Tribal Governments, Judicial Courts, Home Improvement Program, Wildlife Management, Chapter I (under the Lower School Board) and Johnson O'Malley. Motion was made by Kay Gourneau to request these "638" Contracts be given Mature Contract Status. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

5. **GENERAL COUNSEL BILLING:** A billing was received from General Counsel Julian H. Brown for the period from June 1, 1991 through July 1, 1991, for the amount of \$5,797.96. Motion was made by Kay Gourneau to approve the billing

and to submit the billing to the Bureau of Indian Affairs for review and approval. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

6. **LAND DESCRIPTION CORRECTION:** Notification was received from the Bureau of Indian Affairs on a correction needed for the land purchased by the Lower Brule Farm Corporation in name of the Lower Brule Sioux Tribe on the Aetna/Karlen land. Motion was made by Boyd Gourneau to amend the Resolution with the correction on the land description and to re-submit the Resolution to the Bureau of Indian Affairs. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

7. **DISTRICT III:** This matter was tabled at this time.

8. **QUIGLEY, POWERS & ASSOCIATES, INC.:** This matter was tabled at this time.

9. **COMMUNITY AND ECONOMIC DEVELOPMENT PROPOSAL:** Notification was received from the Bureau of Indian Affairs, Washington, about a proposed program for fiscal year 1992 called the Community and Economic Development and that applications for grants would be called for in the next couple weeks. The programs goal is to provide a stable source of funding over a five year period to selected Indian Tribes and Alaska Native Villages for reservation and village development in accordance with local goals and objectives. Motion was made by Kay Gourneau to submit the proposal to the Planning Office for a grant application and Resolution for this proposal. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

10. **LINDA THOMPSON-EDUCATIONAL ASSISTANCE REQUEST:** A letter of request was received from Linda Thompson for assistance in attending a correspondence course to learn how to write stories, articles, etc. and to have them published through the "The Institute of Children's Literature". Motion was made by Boyd Gourneau to grant Ms. Thompsons request for assistance and to approve \$150.00 to be provided as a vocational/technical training program student. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

11. **EDUCATIONAL GRANT APPLICATIONS:** Applications were received from Ellen Durkin and Sandra Byington. Motion was made by Kay Gourneau to approve the applications for Educational Grants as long as all paperwork was in place. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

12. **COMMUNITY SERVICES BLOCK GRANT APPLICATION (DHHS):** A request was received to approve the Community Sevices Block Grant Application for FY-91. Motion was made by Richard P. Thompson, Sr. to approve the Resolution for the FY-91 Community Services Block Grant Application. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

13. & 14. **LAND SALE WORKUP SHEET-CHARMAYNE EAGLEMAN & MARK ESTES:** Land Sale Workup Sheets were received from the Bureau of Indian Affairs on Charmayne Eagleman and Mark Estes. Motion was made by Richard P. Thompson, Sr. to request that the Bureau of Indian Affairs ask these two individuals if they were interested in selling their mineral rights for their land and to table this matter until an answer is received. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five member for, none opposing,

none absent and none not voting.

15. **LAND LEASE ADVERTISEMENT:** A letter was received from the Bureau of Indian Affairs regarding the advertisement of two (2) tracts of Tribal land for lease. No bids were received for these two (2) tracts. Motion was made by Richard P. Thompson, Sr. to not re-advertise the 160.00 acre tract and to request the Bureau of Indian Affairs to request from Earl Christensen payment for the use of this tract of land and if he is interested in leasing the tract. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

16. **DEPARTMENT OF TRANSPORTATION:** A letter was received from the South Dakota Department of Transportation regarding SD Highway 1806 between Lower Brule and U.S. 83. The Department plans this summer to improve the safety of this segment by milling, reshaping, and recompacting the existing deteriorated asphalt surfaces as an interim step to asphalt concrete resurfacing. Chairman Jandreau stated that when the road will be resurfaced is unknown and that the Department of Transportation was requesting authorization from the Lower Brule Sioux Tribe to turn the road to gravel. By Tribal Council concurrence this matter will be tabled until an answer is received on when the road will be resurfaced.

17. **JULIE BRINCKMEYER-THOMPSON REQUEST:** A letter of request was received from Ms. Brinckmeyer for a homesite located on the land which is lease by Wes and Patty Moore and to also request to be placed on the I.H.S. water/sewer priority list. Motion was made by Richard P. Thompson, Sr. to approve the Homesite request and the request to placed on the IHS water/sewer priority list by separate Resolutions. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

18. **KEITH REEVES MUSEUM PROPOSAL:** Chairman Jandreau stated that this material was for infomation. The proposal received from Mr. Reeves stated that they were intersted in contributing Architectural and Planning services for the design of a museum for the Lower Brule Sioux Tribe. No action was taken on this matter.

19. **GWICH'IN STEERING COMMITTEE:** A letter of request was received from the Gwich'in Steering Committee for support to help protect the calving grounds of the Porcupine (River) Caribou Herd of the coastal plain of the Artic National Wildlife Refuge from oil development. Motion was made by Richard P. Thompson, Sr. to submit a Resolution of support for their situation. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

20. **OGLALA SIOUX TRIBE WORKSHOP:** A letter was received from the Oglala Sioux Tribe concerning a workshop to be held on July 17-18, 1991 from 8:30 am to 4:30 pm at the Days Inn, in Aberdeen for Water Quality Control. This material was informational.

21. **WILSON/SKUNK FAMILY REQUEST:** A letter of request was received from the Wilson/Skunk Family to hold a Dance in the Tribal Gym on July 4th and 6th to raise money for the annual basketball tournament. Motion was made by Richard P. Thompson, Sr. to approve the request for the Dances. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. The dance will be held from 10:00 to 2:00, the families are responsible for security, clean up, the deposit and notifying the Law Enforcement Center of the Dances.

22. **J.T.P.A. SUMMER YOUTH:** A letter of request was received from Norma Grass Rope, J.T.P.A. Director, for the selection of (20) twenty Summer Youth applications. Motion was made by Kay Gourneau to authorize Mrs. Grass Rope to select the applicants and alternates by the point system. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

23. **MONTHLY BINGO REPORTS:** The Lower Brule Sioux Tribal Council reviewed the Bingo Reports from the Bingo Organizations. Motion was made by Richard P. Thompson, Sr. to inform the Elderly, Pow-Wow, Brule' Horsemen Association and Lakota Care Bingos that if their late Bingo Reports were not in by the next meeting the Bingo Club would be shut down. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five for, none opposing, none absent and none not voting. Mr. Thompson, Sr. stated that if these types of rules are made that they should then be enforced.

24. **LAKOTA CARE REQUEST:** A letter of request was received from the Lakota Care program to hold a Dance on Saturday, August 10, 1991, in the Tribal Gym, during the Annual Fair and Pow-Wow. Motion was made by Kay Gourneau to approve the Lakota Care programs request for the Dance. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

25. **LOWER BRULE WILDLIFE ENTERPRISE:** Boyd Gourneau stated that during the last Board of Directors meeting at the Wildlife Enterprise, the Board approved the Wildlife Enterprise to donate a Belt Buckle to the Rodeo during the Annual Fair and that Tribal Council authorization was needed. Motion was made by Kay Gourneau to approve the Lower Brule Wildlife Enterprise in donating a Belt Buckle to the Rodeo. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**MISCELLANEOUS:** Chairman Jandreau stated that Monday, July 8, 1991, at 6:00 PM, would be the public hearing for the proposed Casino on the Lower Brule Reservation. Coffee and donuts will be served at the public hearing.

26. **JOEL SCHNEIDER PROPOSAL:** Chairman Jandreau stated that Mr. Schneider had offered to lease his land by the river in Chamberlain to the Lower Brule Sioux Tribe. By Tribal Council concurrence a letter will be sent to Mr. Schneider stating that the Lower Brule Sioux Tribe is interested in leasing the land.

**The Lower Brule Sioux Tribal Council meeting recessed at 12:14 PM. The Lower Brule Sioux Tribal Council meeting reconvened on July 8, 1991, at 1:16 PM. Also present Mr. Potter and Mr. Pietz.**

27. **SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION:** Chairman Jandreau informed the representatives that the Lower Brule Sioux Tribal Council could not make the decision to turn Highway 1806 to gravel without having some kind of time period to get the road resurfaced. Chairman Jandreau stated that the Lower Brule Reservation has been working for eight years to try and get this road repaired, etc. and that this road was needed for economic development for the Reservation. Chairman Jandreau stated that the funding could be obtained if everyone work at it. Mr. Potter stated that the road could be done in phases for a couple of years. Mr. Pietz stated that if the Bureau would provide some of the funding that the State could provide some and the road could get done in 1993. Mr. Pietz stated that the first step in getting the road started was to mill up the road (turn it to gravel). By Tribal Council concurrence authorization was given to turn Highway 1806 to gravel, providing funding will

still be sought to resurface the road. Mr. Pietz stated that they needed a man to operate the roller. Chairman Jandreau requested Mr. Pietz to contact the T.E.R.O. Office.

28. **SCOTT JONES REQUEST:** Mr. Jones stated that the Run for the Sacred Pipe was being held during the month of July to protect the pipestone. Mr. Jones requested support for five runners that would be participating in the Run for the Sacred Pipe. Motion was made by Richard P. Thompson, Sr. to donate \$150.00 to assist the people participating in this run. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. Scott Jones stated that each year the Pow-Wow Committee has requested from the Lower Brule Sioux Tribe, buffalo for the feed for the Annual Pow-wow and Mr. Jones stated that he would like to request two (2) Buffalo for this years Annual Fair. Motion was made by Orville Langdeau, Jr. to approve the donation of two (2) Buffalo for the Annual Fair. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

29. **ETHEL QUILT REQUEST:** A letter of request was received from Ethel Quilt for a loan of \$250.00 to purchase a washing machine with repayment of \$20.00 a month. Chairman Jandreau stated because of Ethels health that the loan could be taken through the Small Loan program and authorized by the Lower Brule Sioux Tribal Council. Motion was made by Kay Gourneau to authorize a loan for Ethel Quilt through the Small Loan program for \$250.00 with repayment of \$20.00 per month. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Lower Brule Sioux Tribal Council meeting recessed at 2:09 PM. The Lower Brule Sioux Tribal Council meeting reconvened at 2:11 PM, with the same Council members present.**

30. **PUBLIC TRANSPORTATION PROGRAM:** A request was received for the authorization to request funding for Fiscal Year 1992 Public Transportation Program for the Lower Brule Transit program. Motion was made by Boyd Gourneau to authorize to request for funding for FY-92 Public Transportation Program by Resolution. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Lower Brule Sioux Tribal Council recessed at 2:12 PM. The Lower Brule Sioux Tribal Council reconvened on July 12, 1991, at 11:27 AM, with all Council Members present. Also present was Dick Drapeaux and Tony Moran.**

31. **HIGH SCHOOL REHABILITATION:** Mr. Drapeaux addressed the Lower Brule Sioux Tribal Council with an update to the progress with the rehabilitation project for the High School. Mr. Drapeaux stated that they were still waiting on funding from the Bureau of Indian Affairs before they could start the project. Mr. Moran stated that he spoke with Sandra Bitsie, Albuquerque Office, about the project and Ms. Bitsie stated that the hold up was the P.O.R. that had to be approved and to get recommendations for the change. No action was taken on this matter. Vice Chairman Kay Gourneau requested Mr. Drapeaux to stay on the project. Mr. Drapeaux stated that he wanted to make a presentation to the Tribal Council for the Casino. Mr. Drapeaux stated that they could provide the A&E services with no fees until the firm was actually used. Mr. Drapeaux stated that their firm was just winding down on large projects and needed new projects.

33. **T.E.R.O. CERTIFICATION:** A letter of request was received to approve K&D Construction Co., for T.E.R.O Certification. Motion was made by Richard

P. Thompson, Sr. to approve K&D Construction for T.E.R.O. Certification. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**34. MERLE AMMOT LEASE:** Notification was received from the Bureau of Indian Affairs stating that the Lower Brule Sioux Tribe had to authorize leasing the tract of land that was granted to Mr. Ammot. Motion was made by Richard P. Thompson, Sr. authorizing Mr. Ammot leasing the tract of land from the Lower Brule Sioux Tribe.

**35. MONTHLY BINGO REPORTS:** All the late Monthly Bingo reports were received from the Bingo organizations except from the Pow-Wow Committee, the committee member responsible for the Pow-Wow report is out of town. The Lower Brule Sioux Tribal Council reviewed the remaining Bingo reports. No action was taken on this matter.

**37. "638" CONTRACTS:** Chairman Jandreau stated that Resolutions were needed for the "638" Chip & Seal Project for the Lower Brule Reservation and a Resolution for special emergency funding from Federal Highway trust funds to repair the slide area on Highway 10. Motion was made by Boyd Gourneau to adopt a Resolution for the Chip & Seal project for the Lower Brule Reservation. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting. Motion was made by Richard P. Thompson, Sr. to request from the Bureau of Indian Affairs, special emergency funding from the Federal Highway Trust funds to repair the slide area on Highway 10. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**36. PROBATION OFFICER POSITION:** The position for Probation Officer for the Lower Brule Sioux Tribal Court was advertised for two (2) weeks. Applications received for this position was Shirley Flute. Motion was made by Richard P. Thompson, Sr. to hire Shirley Flute for the Probation Officer position. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Lower Brule Sioux Tribal Council meeting recessed at 12:03 PM. The Lower Brule Sioux Tribal Council meeting reconvened at 1:22 PM on July 12, 1991, with the same Council Members present. Also present was Debra Isburg, Fritz LaRoche, Darrell Middletent, Wilma Wilson and Jeannie Langdeau.**

**38. LOWER BRULE HOUSING AUTHORITY:** The Lower Brule Housing Authority wanted to establish new sites to develop housing on for the upcoming 29 units to be built on the Lower Brule Reservation, which would include 4-4 bedroom homes, 7-3 bedroom homes, 6-2 bedroom homes and 12-1 bedroom homes. The designated sites for new housing developments will be the Oacoma site, the area behind China Town, the area beside Facilities Management and the site where the units were torn down. Motion was made by Richard P. Thompson, Sr. to approve by Resolution these designated sites for new housing developments. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting. Chairman Jandreau asked Mrs. Isburg if the Lower Brule Housing Authority was still going to request the new 29 units to be Forced Accounted with the Tribe through T.E.R.O. Mrs. Isburg stated that the proposal would be submitted to H.U.D. Chairman Jandreau that the Lower Brule Housing Authority for their assistance in the Force Account projects. Chairman Jandreau stated that it was great to see so many members working.

39. **MONTE IRON HEART-EDUCATIONAL ASSISTANCE:** An Educational Grant application was received from Monte Iron Heart to attend Job Corps in Nemo, SD. Motion was made by Boyd Gourneau to authorize a grant to Mr. Iron Heart for \$150.00 to attend Job Corps. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

The Lower Brule Sioux Tribal Council meeting recessed at 2:08 PM. The Lower Brule Sioux Tribal Council reconvened on July 17, 1991, at 1:27 PM with all Council Members present. Also present was Mr. Potter, Mr. Pietz, Mr. Greenfield and Mr. Abernathy.

40. **SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION - ABERDEEN AREA OFFICE BRANCH OF ROADS:** The Department of Transportation representatives and Mr. Abernathy with the Aberdeen Area Office, Branch of Roads, was present at the Lower Brule Sioux Tribal Council meeting. Chairman Jandreau asked what could be done to push this project. Mr. Abernathy stated that road that was resurfaced from the Reliance turn off to Isburgs corner took all of the budget for the Lower Brule Reservation and if the Lower Brule Reservation doesn't use any budget money this year they will be even, then the following year they could request funding. Chairman Jandreau stated that the Branch of Roads budget was increased by 75 million for the Aberdeen Area. The Area Office has not identified what the increase will be used for yet have they? Mr. Abernathy stated that B.I.A. #5 was first priority. Chairman Jandreau stated that the Lower Brule Bureau of Indian Affairs submitted a special project for this to be done, this project was not identified in the Aberdeen Area budget. Mr. Abernathy stated that Lower Brule would be even in the budget at the end of the year if no other funding was requested. Chairman Jandreau stated that all other Reservations have Contract mony from the State, Federal and B.I.A. budgets except Lower Brule, we do not get anything. Mr. Abernathy stated that 1806 was suppose to be done a while back but there was no funding available. Chairman Jandreau stated that with the increase in the Aberdeen Area budget--where do we go then. Mr. Abernathy stated that if nothing was spent then by the end of the year Lower Brule would be even and there has been no requests for this project. Chairman Jandreau stated that the Lower Brule Reservation has been working on getting 1806 resurfaced for the past eight years and Mr. Abernathy, you have been aware of this. Chairman Jandreau stated that we are the only Reservation that does not have an all oil traverse through the Reservation. Mr. Pietz stated that the South Dakota Department of Transportation have a cost estimate of the project for 1806. Chairman Jandreau reveiwed the estimate stating the project would cost 3.1 million. Mr. Abernathy asked, do you know how long it would take the Lower Brule Reservation to get even again if this project was funded. Chairman Jandreau stated that the spending process is what changes the budget. The B.I.A. leave deposits and do not use them and then the Government says the funding is not being used appropriately, that is why we get left out. Mr. Abernathy stated that the Aberdeen Area Office uses 100% of their budget, there is nothing left. Chairman Jandreau stated that the funding nation wide was not being used up, if the Area Office requested this funding we could get it. Mr. Pietz stated that there will be a meeting at the Kings Inn in Pierre on Wednesday July 24, 1991 at 7:30 for the Department of Transportation. Chairman Jandreau asked, if funding is received from the B.I.A. and is in by FY-92, is there a likelihood that the state would have funding available to complete the project. Mr. Pietz stated there would be no problem with this. Motion was made by Richard P. Thompson, Sr. to submit the cost estimate provided by the S.D. Department of Transportation and to request the total allocation of 3.1 million from the B.I.A. for this project for FY-92. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.



41. **ALTWIN GRASSROPE LETTER:** A letter of apology was received from Mr. Grassrope concerning a misunderstanding with the use of the Tribal Gym for a Dance. No action was taken on this matter.

42. **JUNE MINUTES:** The Minutes from the Lower Brule Sioux Tribal Council, Regular Session meetings, were submitted for review and approval. Motion was made by Kay Gourneau to approve the June Minutes with the correction. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

43. **CATTLE PASS RESOLUTION:** Chairman Jandreau stated that a Resolution was needed for assurance for the fixed price set on the five cattle pass Contract that the Lower Brule Sioux Tribe received through the Construction Company. Motion was made by Richard P. Thompson, Sr. to submit a Resolution for assurance. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting. Chairman Jandreau stated that the road rejuvenation "638" Construction project for Lower Brule and the Cheyenne River Sioux Tribe, Omaha Tribe, Standing Rock Sioux Tribe and Winnebago Reservations would have to wait until the end of the month. Chairman Jandreau stated that the other Tribes would have to be in concurrence to this project; or after 120 days it is considered as a concurrence. Motion was made by Kay Gourneau to request to "638" this project. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

44. **LOWER BRULE WILDLIFE ENTERPRISE:** A request was received from the Lower Brule Wildlife Enterprise for a Resolution to approve their recommendation for the Secretarial position that was advertised. The Board of Directors recommended Theresa LaRoche as Secretary and Carmen Madsen as alternate. Motion was made by Kay Gourneau to submit a Resolution to approve their recommendation. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five for, none opposing, none absent and none not voting.

**MISCELLANEOUS:** Orville Langdeau, Jr. asked Chairman Jandreau who would be contacted if the Legal Aide Services were not available when they are needed. Chairman Jandreau stated that a Resolution could be adopted and sent to Social Services concerning this matter. Mr. Langdeau, Jr. stated he would look into this matter further and get back to the Tribal Council with information.

**The Lower Brule Sioux Tribal Council meeting recessed at 3:07 PM. The Lower Brule Sioux Tribal Council meeting reconvened on August 2, 1991 at 1:33 PM, with all Council members present.**

**AJOURNMENT:** Motion was made by Kay Gourneau to adjourn the July Regular Session meeting. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**CERTIFICATION**

The foregoing is a true and correct transcript to the Minutes from the Regular Meeting held by the Lower Brule Sioux Tribal Council on July 3rd, 8th, 12th, 17th and August 2, 1991.

  
A handwritten signature in cursive script, reading "Sandy La Croix", is written over a horizontal line. The signature is fluid and somewhat stylized, with a large loop at the end of the word "Croix".

SANDY LA CROIX, RECORDING SECRETARY

**LOWER BRULE SIOUX TRIBAL COUNCIL  
REGULAR MEETING  
AUGUST 2, 1991**

**PRESENT:** Michael B. Jandreau, Chairman  
Kay Gourneau  
Richard P. Thompson, Sr.  
Boyd Gourneau  
Orville Langdeau, Jr.  
Elvera Driving Hawk

**ABSENT:** None

**ALSO PRESENT:** Dennis Weaver, Dan Pipes, Jim Langdeau, Lisa Estes, Scott Jones and Noble LaCroix.

The meeting was called to order by Chairman Michael B. Jandreau at 1:33 PM. Roll Call was taken by the Recording Secretary and the Lord's Prayer was led by Chaplin Elvera Driving Hawk.

**1991 ANNUAL FAIR & RODEO:** Chairman Jandreau stated that this meeting was called so that last minute items could be taken care of for the 1991 Annual Fair & Rodeo. Chairman Jandreau stated that a determination would have to be made because the costs for this years Fair would be larger than what was budgeted for. A letter of request was received from the Brule' Horsemen Association requesting \$3,000.00 for the Racing and \$2,000.00 for the dance and purchase of beer. The dance and beer money would be returned after the Fair and the balance of the earning would be applied to the Racing loan. A letter was also submitted from a committee organized for the annual Softball tournament, which included Grover Fallis, Toto Carpenter, Lee Gourneau, Wayne Estes and Cody Russell. The Softball organization requested \$3,275.00 and a temporary beer license. Scott Jones stated that the Pow Wow would run the same amount as last year \$16,400.00 for food and contests money, etc. But that the electrical work would have to be worked on before the Pow Wow, the system out there now is not safe and cannot handle the load and the stands and benches will have to be repaired. Chairman Jandreau asked Lisa Estes if the draw down had been received yet. Lisa Estes stated that hopefully the draw down would be in on Monday. Chairman Jandreau asked Boyd Gourneau how the Rodeo was coming along and if they were within budget. Boyd Gourneau stated that the Rodeo was still in the budget. Chairman Jandreau informed Lisa Estes that the Fair would go over a substantial amount than projected. Richard P. Thompson, Sr. stated that something would have to be done with the racing track. Chairman Jandreau stated that maybe sand could be mixed in and it could be disked. Chairman Jandreau asked Mr.Thompson were the racing gates were. Mr. Thompson stated that the gates were at Standing Rock and will be back Sunday or Monday. Motion was made by Boyd Gourneau to authorize the over run in the budget for the Annual Fair & Rodeo. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

1. **LOWER BRULE WILDLIFE ENTERPRISE:** Chairman Jandreau stated that the State Veterenarian, Sam Holland, from Pierre, SD, contacted him on the possibility of the Buffalo on the Lower Brule Reservation having T.B., which would have originated from the Buffalo that were transplanted into the area. Tests were taken on two of the Buffalo from the Lower Brule Wildlife Enterprise and both tests came back negative. Chairman Jandreau stated that Clara Spotted Elk from the National American Fish & Wildlife Association would be bringing 25 children from different areas for the 1991 Annual Lower Brule Fair.

2. **J.T.P.A. PROGRAM:** A letter of request was received from Norma Grass Rope, J.T.P.A Program Director, stating that the S.D. State JTPA & SYETP program had 14 positions available for eligible youth on the Lower Brule Reservation for approval by the Lower Brule Sioux Tribal Council on an attached list of eligible applicants. Motion was made by Boyd Gourneau to grant approval to Mrs. Grass Ropes request and to select those applicants that were tied by alphabetical order. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

3. & 4. **JULY MINUTES-FARM CORPORATION:** Chairman Jandreau stated that Mr. Schoenhard has requested the funding for the Veteran/Pioneer Memorial and that the Tribal Council needed to request, by Resolution, the funding available for this project. Motion was made by Kay Gourneau to request the funding from the Farm Corporation and to also approve the July Minutes from the Regular Session Tribal Council meetings held in July. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five member for, none opposing, none absent and none not voting. Chairman Jandreau stated that Harold Shunk requested each Tribe involved in this project to pay a maintenance fee each year of \$1,000.00. Chairman Jandreau stated that a Resolution would have to be approved to authorize this payment for a five year period. Motion was made by Richard P. Thompson, Sr. to contribute \$1,000.00 a year for the maintenance of the Memorial. This motion was seconded by Kay Gourneau. Motion carried with vote being five member for, none opposing, none absent and none not voting.

5. **GENERAL COUNSEL CONTRACT:** A proposal was received from Julian H. Brown, of Hiatt Law Office of Pierre, to re-contract with the Lower Brule Sioux Tribe for General Legal Counsel. Motion was made by Kay Gourneau to approve the proposal to select Mr. Brown as the General Counsel for the Lower Brule Sioux Tribe and to authorize the effective date of the General Counsel Contract to begin on the last effective date of the prior Contract with Mr. Brown. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

6. **KIRBY MCGHEE-HOMESITE REQUEST:** A letter of request was received from Kirby McGhee to request a Homesite and water sewer facilities. Motion was made by Kay Gourneau to approve the Homesite and to place Kirby McGhee on the IHS water/sewer priority list. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

7. **EARLY PAYROLL FOR TRIBAL EMPLOYEES:** Chairman Jandreau stated that he was approached by many of the Tribal Employees about loans, etc. Chairman Jandreau stated that if it was the desire of the Tribal Council an early payroll could be made for the Fair. Motion was made by Boyd Gourneau to authorize an early payroll. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Lower Brule Sioux Tribal Council recessed at 2:12 PM. The Lower Brule Sioux Tribal Council meeting reconvened at 11:45 AM on August 7, 1991, with all Council members present. Also present was Dan Pipes and Dennis Weaver-National Motor Club Insurance.**

8. **NATIONAL MOTOR CLUB INSURANCE:** Mr. Dan Pipes and Mr. Dennis Weaver presented a proposal to the Lower Brule Sioux Tribal Council introducing the National Motor Club Insurance for vehicles which included emergency benefits such as ambulance, x-rays, ect., hospital or clinic benefits and death and dismemberment or loss of sight benefits. No action was taken on this matter.

9. **JIM LANGDEAU-LAND REQUEST:** Mr. Langdeau will be present after the lunch hour.
10. **GOOSE HUNTING LEASE:** Notification was received from the Bureau of Indian Affairs, Lower Brule Agency, that a lease was needed for the Goose Hunting land. The land was previously approved by the Tribal Council on a yearly basis and a lease was never drawn. Motion was made by Richard P. Thompson, Sr. to pass a Resolution to request the Bureau of Indian Affairs, Lower Brule Agency, to draw a lease for the Goose Hunting land. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.
11. **HIGH SCHOOL REHAB PROJECT:** A letter of information was received on the High School Rehab project and its status. No action was taken on this matter.
12. **SERVICE LINE AGREEMENT-FIRE HALL:** A letter of request was received from the Bureau of Indian Affairs, Lower Brule Agency, for a Service Line Agreement for the Fire Hall for sewer facilities to provide adequate sanitation facilities. Motion was made by Richard P. Thompson, Sr. to approve the Service Line Agreement. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.
13. **WESTERN HERITAGE INSURANCE AGENCY:** A proposal was received from Western Heritage Insurance Agency, which is owned by Monica King, the only Indian owned agency in the country, the Medical plan is for employees and their families that pays for office calls, xrays, lab work, EDGS, prescriptions, etc., at any doctors office or clinic in the United States. This matter was informational. No action was taken on this matter.
14. **WESTERNERS INTERNATIONAL:** A letter was received from Westerners International, Bernie Webb, Historian and Regional Vice President Westerners International. Mr. Webb offered his services that would help the Lower Brule Sioux Tribe in a wide number of areas including economic development, tourism, cultural, historical, and jobs. No action was taken on this matter.
15. **WILLARD EAGLE THUNDER-MINERAL RIGHT SALE:** A letter was received from the Bureau of Indian Affairs, Lower Brule Agency, who was contacted by Mr. Eagle Thunder who expressed his wishes to sell his mineral interests to the Lower Brule Sioux Tribe. The letter also requested, from Helen Roberts, Aberdeen Area Office, to request mineral appraisals to complete this transaction. Chairman Jandreau stated that the Lower Brule Sioux Tribe had previously passed a resolution increasing the purchase price of mineral rights and that would be the Tribal Councils direction to purchase the mineral rights of Mr. Eagle Thunder. Motion was made by Richard P. Thompson, Sr. to purchase Mr. Eagle Thunders mineral rights at the increased price of \$5.00 per acre. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.
33. **CHARMAYNE EAGLEMAN-MINERAL RIGHT SALE:** A letter was received from the Bureau of Indian Affairs, Lower Brule Agency, from Charmayne Eagleman sold her interests of land but does not desire to sell her mineral rights. This matter was tabled until more information is received on this matter.
18. **LAW ENFORCEMENT CENTER:** A letter of request was received from the Lower Brule Law Enforcement Center requesting that the Tribal Council consider the establishment of a modified speed limit on BIA Route No. 5, Counselor Creek Road, at 35 mph. The speed limit of 35 mph would start at the top of the hill through

the slide area on the west side and ending at the top of the hill on the east side. Motion was made by Kay Gourneau to request the Law Enforcement Center to reimburse individuals which were already fined for speeding in the areas where the areas that were modified without prior Tribal Council approval and also with the unauthorized use of Radar. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting. Chairman Jandreau requested Mr. Noble LaCroix to inform the Law Enforcement Center to submit a plan to the Tribal Council. The Tribal Council discussed the differences made from one event to another.

**The Lower Brule Sioux Tribal Council meeting recessed at 12:45 PM. The Lower Brule Sioux Tribal Council meeting reconvened at 1:52 PM. With all Council members present. Also present was Jim Langdeau, Mary Flanderka and George Wolf.**

**9. JIM LANGDEAU:** Chairman Jandreau stated that Mr. Langdeau had presented to the Tribal Council the matter that involved a land conveyance (exchange) that was transacted in 1945, which Mr. Lloyd Langdeau believed that the land which was exchanged was then owned by him, which in fact was not a complete exchange. A letter was received from the Bureau of Indian Affairs stating that in order to change this matter a congressional action would have to be passed. Motion was made by Boyd Gourneau to request the Bureau of Indian Affairs, Lower Brule Agency, to complete an appraisal of Mr. Lloyd Langdeaus land. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**19. LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM FY-92:** Request was received from Emma LaRoche, LIHEAP Coordinator for the Lower Brule Sioux Tribe to request funding for FY-92 LIHEAP Program. Motion was made by Orville Langdeau, Jr. to approve a Resolution for FY-92 funding for LIHEAP. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**39. U.S. ARMY CORP. OF ENGINEERS:** Chairman Jandreau stated that he asked Mary Flanderka and George Wolf to be present at the meeting today to explain a request for G.I.S. information pertaining to the Missouri River between the Oahe Dam and Chamberlain, SD, to model flooding and emergency response. Mr. Wolf explained that if there was ever any possibility of the Oahe Dam flooding, the information received from the G.I.S. would be utilized for emergency response, damage that would result in the area, etc. Chairman Jandreau asked if the Tribe would receive a copy of the G.I.S report. Mr. Wolf stated that the Tribe would get a copy of the report. Motion was made by Kay Gourneau to approve furnishing any information concerning the G.I.S. report and to request a copy of the report. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**20. RUPERT & ASSOCIATES:** Information was received from Rupert & Associates on one of three national contracts with the Department of Defense for Native American Procurement Technical Assistance Centers, and whereas, their firm is sponsoring a National Technical Assistance Seminar which will be held August 12-16, 1991, in Las Vegas, Nevada. No action was taken on this matter.

**21. DAN SHROYER-ACTING SUPERINTENDENT FOR EDUCATION:** A letter was received from Mr. Shroyer regarding the Lower Brule/Crow Creek Community College. Mr. Shroyer stated that he was responsible for the Higher Education Program and the awarding of grants to college students for the Tribe and that some grants were processed for full time Crow Creek/Lower Brule Community College. Chairman Jandreau stated that the Community College Board will be requested to give a report on the status of the College. Motion was made by Kay Gourneau to authorize

Chairman Jandreau to keep the Community College functioning. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

22. **DENNIS & DIANE EAGLE HORSE REQUEST:** A letter of request was received from Dennis & Diane Eagle Horse for a right-of-way easement for telephone services. Motion was made by Kay Gourneau to give authorization to Chairman Jandreau to sign any and all service line agreement and right-of-way requests on outlying sites. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

23. **EDUCATIONAL GRANT APPLICATIONS:** Educational grant applications were received from Neoma Michalek, Anna Jones and Daniel Flute. Motion was made by Kay Gourneau to approve the educational grant if all paperwork was in place. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members of, none opposing, none absent and none not voting.

24. **THE DIOCESE OF SOUTH DAKOTA:** A letter was received from Randy Reinartz, Executive Officer of the Diocese of South Dakota, regarding the land trade that was negotiated for the Episcopal Church. Mr. Rienhartz requested authorization to draw a deed for the completion of the trade. Motion was made by Boyd Gourneau to authorize the Diocese of South Dakota to draw a deed on the land exchange. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

25. **B.I.A. FACILITIES MANAGEMENT PROJECT:** A letter of invitation was received from the Albuquerque office on the availability of a renovation project for B.I.A. Quarters #331, which includes all plant, labor material and equipment required to renovate fire damage in Quarters #331; and in addition as funds become available to contract three (3) new concrete foundation walls and move three (3) existing quarters on new foundations; complete with new utilities. This matter was tabled at this time.

26. **MARLENE LONG FOX REQUEST:** A letter of request was received from Marlene Long Fox for assistance for her children in getting school clothes. Motion was made by Boyd Gourneau to send an educational grant application for Marlene Long Fox's child which is attending Job Corp. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

27. **SERVICES TO VICTIMS OF CRIME:** Chairman Jandreau stated that the Tribal Council was aware that Truman Grooms had resigned from his position with Services to Victims of Crime and that in order to get the grants and paperwork submitted that an immediate replacement would have to be placed in the Victims of Crime office. Motion was made by Kay Gourneau to authorize Chairman Jandreau to place Orville Langdeau, Sr. in this position for a period of 30 days to complete paperwork. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

28. **DEPUTIES-LOWER BRULE FAIR:** Interested individuals for Deputy during the Lower Brule Fair submitted their names for selection at the Lower Brule Tribal Office. Captain Valandra made recommendations on the Deputies and submitted them to the Lower Brule Sioux Tribal Council. Motion was made by Boyd Gourneau to approve the recommendations of Captain Valandra. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. The individuals selected for Deputies were as follows: Darren Gray, Alvin Johnson, Jr., Merle Wilson, Clyde Johnson/Banks, Roger Deshuquette, Leonard Byington, Dallas Michalek, Andrew Booher, and John

Black Bear and Lorenzo Fisherman as alternate.

29. **JULIE BRINCKMEYER-SERVICE LINE AGREEMENT:** This matter will be subject to the previous Resolution passed by the Lower Brule Sioux Tribal Council authorizing Chairman Jandreau to sign all service line agreements and right-of-ways.

30. **LOWER BRULE COMMODITY PROGRAM:** Chairman Jandreau stated that the Commodity Program position for part-time assistant certifier/warehouse worker. Motion was made by Boyd Gourneau to advertise the position for two weeks. This motion was seconded by Kay Gourneau. Motion carried with vote being five for, none opposing, none absent and none not voting.

31. **ELDERLY DIRECTOR POSITION:** Applications received for the Elderly Director position was: Antoinette Grass Rope, Vincent Thompson, Willa Madison, Leah Flute, Amanda Mc Cauley and Blanche Big Eagle. Motion was made by Boyd Gourneau to select Vincent Thompson for the Elderly Director Position and Willa Madison as alternate. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

32. **M.C.H. DIRECTOR POSITION:** After reviewing applications for the M.C.H. Director position the Lower Brule Sioux Tribal Council, by Tribal Council concurrence have requested to re-advertise the position of M.C.H. Director for two weeks to try and receive applications from applicants that have the degree and experience for the position before a modification will be made to the job description.

34. **LOWER BRULE ELEMENTARY SCHOOL REHAB:** A letter was received from Facilities Management, Albuquerque, New Mexico, on a rehabilitation project for the Lower Brule Elementary School. The project, with a construction budget of \$1,050,000, has been tentatively identified as a future project for improvements and repairs to the existing facility. Motion was made by Boyd Gourneau to request by Resolution the Lower Brule Sioux Tribes interest in "638" contracting this project. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

35. **GENERAL COUNSEL BILLING:** A bill was submitted from General Legal Counsel, Julian Brown, for the period covering July 2, 1991 through August 4, 1991, for legal services provided in the amount of \$3,694.74. Motion was made by Boyd Gourneau to approve the billing and to submit the billing to the Bureau of Indian Affairs, Lower Brule Agency, for review and approval. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

36. **SMALL LOAN COMMITTEE REQUEST:** A letter of request was received from the Small Loan Committee to sell beer during the dance on August 10, 1991. The location would be outside the Tribal Gym. Motion was made by Boyd Gourneau to approve the request from the Small Loan Committee to sell beer outside the Tribal Gym. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, none absent and one not voting.

37. **HOUSTON LAND RESOLUTION** A request was received from the Bureau of Indian Affairs, Lower Brule Agency, to request from the Lower Brule Sioux Tribe a letter and Resolution to begin the process of putting the Houston Land into Trust Status. Motion was made by Kay Gourneau to authorize a Resolution and Letter to request the Houston Land be put into Trust. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five for, none opposing, none absent and none not voting.



41. SMALL LOAN COMMITTEE REQUEST: A letter of request was received from the Small Loan Committee concerning a problem with Tribal employees getting a small loan and during the same payperiod obtaining a Cenkota loan, which puts the Tribal employees in a financial bind. In doing this they would defer their Small loan payment in order to pay their Cenkota loan, which is always considered a one-time deduction and must be repaid in full within the same payperiod. Chairman Jandreau stated that letters could be written to Small loan and the Housing Authority to set up a meeting for a solution to this problem.

42. DURKIN - LANGDEAU LEASE RESOLUTIONS: A letter was received from the Bureau of Indian Affairs, Lower Brule Agency, informing the Tribe that the Durkin and Langdeau leases would be expiring October 31, 1991. Motion was made by Richard P. Thompson, Sr. to renew the leases by Resolution. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

43. WESLEYAN & EPISCOPAL CHURCH REQUESTS: A letter was received from the Wesleyan Church request assistance to get water hooked up at the Church and that whatever the cost for water hook up the Wesleyan Sioux Chapel would pay the costs. Chairman Jandreau stated that the Episcopal Church requested assistance in getting water hooked up at the Episcopal Church and Chairman Jandreau stated that the Council could refer the Churches to Lee Gourneau and they could get an estimate on their requests.

39. NOBLE LACROIX - P.I.L.C.: A letter was received from Mr. LaCroix concerning students attending Pierre Indian Learning Center. By Tribal Council concurrence the Lower Brule Sioux Tribal Council does not desire to have any Lower Brule Children attending Pierre Indian Learning Center.

44. JULIE LANGDEAU REQUEST: A request was received from Julie Langdeau for assistance for paying bills. Chairman Jandreau stated that there was no funding available at this time to provide any assistance.

45. MISCELLANEOUS: Boyd Gourneau stated that there was an incident this past weekend concerning a problem in getting ahold of a C.H.R. Boyd Gourneau stated that he would talk to Levi Flute concerning this matter and that he wanted to inform the Tribal Council on this matter.

**The Lower Brule Sioux Tribal Council meeting recessed at 4:12 PM. The Lower Brule Sioux Tribal Council meeting reconvened on August 19, 1991, at 2:44 PM, with all Council members present. Also present was Art Hacker, Shirley Marvin, Don Loudner and Boyd Hopkins.**

46. LOCATION OF CASINO: Chairman Jandreau stated that this meeting was called for a few pressing concerns. Chairman Jandreau informed Richard Thompson, Sr. of a meeting with Governor Mickelson concerning the Fish and Wildlife Agreement. The outcome of this meeting was that the Governor felt that a solution could be worked out before the Agreement expired. A group from Mitchell would be in attendance at the meeting today concerning funding for the Multi-purpose building. And the matter of the Casino. Chairman Jandreau stated that there were concerns about the Elderly and the bingo organizations if the Tribal Gym was utilized as a Casino. Chairman Jandreau stated that he has talked to Deb Isburg and that she felt that having the cooking facilities and having the Elderly center at the Elderly 8-Plex would be better, the 8-plex would be utilized. The Tribe would take care of expansion of the building, the kitchen facilities, venting and storage. The bingo organizations can utilize the tin building at the Rodeo Grounds. The Tribe is looking at \$10,000 to \$15,000 to get the building remodeled for use as a bingo hall. The building is as big as the Fort Thompson bingo hall.

The Tribe would add restrooms, a kitchen area, heating and cooling, doors, etc. Chairman Jandreau stated that the meeting with South Dakota Casino Management brought about enthusiasm if the Tribal Gym was utilized. The renovation of the building would be around \$300,000 to \$400,000 and the Casino could be in operation in 45-60 days. Motion was made by Richard P. Thompson, Sr. to utilize the Tribal Gym as a Casino. The Casino in the community would be more cost effective for the employees, would give the Elders a permanent setting, would help in the economic development of community. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**47. TRIBAL LICENSE PLATES:** A sample tribal license plate was sent to the Lower Brule Sioux Tribe for approval for the distribution of the license plate. Motion was made by Richard P. Thompson, Sr. to adopt the license plates for the Lower Brule Sioux Tribe. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**48. MULTI-PURPOSE BUILDING:** Shirley Marvin, Don Loudner, Art Hacker and Boyd Hopkins were present at the Tribal Council meeting to discuss financing for the Multi-purpose building. Mr. Hopkins stated that their bank was too small to finance a project of this size. Mr. Hopkins stated that we would continue to find potential financing for the Multi-purpose building. Mr. Art Hacker ask the Tribal Council if they would be interested in purchasing the gas station. Mr. Hacker stated that an appraisal would be done again on the building.

**49. I.H.S. WATER/SEWER PRIORITY LIST:** A request was received from I.H.S. requesting a listing of the priority projects on the Lower Brule Reservation. Motion was made by Kay Gourneau to submit this partial list: Julie Brinkmeyer, Kirby McGhee and Richard P. Thompson, Sr./Otis Doren, and to submit a complete list at a later date. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Lower Brule Sioux Tribal Council meeting recessed at 3:56 PM. The Lower Brule Sioux Tribal Council meeting reconvened on August 26, 1991, at 3:21 PM. With Boyd Gourneau absent.**

**50. B.I.A REORGANIZATION MEETING:** A letter was received concerning a meeting in reference to the Bureau of Indian Affairs to discuss the reconciliation on the Sioux Nation money judgement funds, to be held September 10, 1991 in Rapid City. Chairman Jandreau stated that he would like someone to attend to find out what it is about and we will need a coordinator.

**51. ENERGY AND MINERAL RESOURCES:** Chairman Jandreau stated that a Resolution was required to request funding and to submit a proposal for Energy and Mineral Resources evaluation planning study of the Lower Brule Reservation. Motion was made by Richard P. Thompson, Sr. to submit a Resolution to request funding for the proposed study. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**52. VOCA & FYVOCA RESOLUTION:** Chairman Jandreau stated that two Resolutions were needed for the Services to Victims of Crime Program. Motion was made by Kay Gourneau to adopt the VOCA and FYVOCA Resolution for the Services to Victims of Crime Program. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, one absent and none not voting. Chairman Jandreau stated that a meeting will be set up on Wednesday at 11:00, with the Lower Brule Housing Board.

The Lower Brule Sioux Tribal Council meeting recessed at 3:26 PM. The Lower Brule Sioux Tribal Council meeting reconvened on September 3, 1991, at 3:43 PM. With all Council members present.

**ADJOURNMENT:** Motion was made by Boyd Gourneau to adjourn the August Regular Session meeting. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**CERTIFICATION**

The foregoing is a true and correct transcript to the Minutes from the Regular Meeting held by the Lower Brule Sioux Tribal Council on August 2nd, 7th, 19th, 26th and September 3, 1991.

  
SANDY LA CROIX, RECORDING SECRETARY

**LOWER BRULE SIOUX TRIBAL COUNCIL  
REGULAR MEETING  
SEPTEMBER 3, 1991**

**PRESENT:** Michael B. Jandreau, Chairman  
Kay Gourneau  
Richard P. Thompson, Sr.  
Boyd Gourneau  
Orville Langdeau, Jr.  
Elvera Driving Hawk

**ABSENT:** None

**ALSO PRESENT:** John Van Horne

1. **VAN HORNE SERVICES, INC:** Mr. John Van Horne presented a proposal to the Lower Brule Sioux Tribal Council to finance and manage a Casino for the Lower Brule Sioux Tribe. Mr. Van Horne stated that he had two individuals other than himself that could finance the entire Casino project. Chairman Jandreau stated that the cost of renovating the Elderly 8-Plex and the tin building, which will be utilized for a bingo hall will be included in these costs. Mr. Van Horne asked the Tribal Council if they thought about the idea of a joint venture with Fort Thompson. The Tribal Council did not feel that it would be in the best interest of the Lower Brule Reservation to go in on a joint venture. Mr. Van Horne stated that he would send construction consultants within the next few days to measure the Tribal Gym and to get an estimate on the cost of renovation. Mr. Van Horne inquired on the status of the contract between South Dakota Casino Management. Chairman Jandreau stated that the other management group was aware that the Tribal Council was going to terminate to contract. Mr. Van Horne stated that before he could give the Tribal Council any information he would have to receive an indemnification letter from the Tribes Attorney. Motion was made by Boyd Gourneau to void the management contract with South Dakota Casino Management, Inc. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting. Motion was made by Richard P. Thompson, Sr. to enter into a Consultant Agreement with Van Horne Services, Inc., which such agreement is that Van Horne Services, Inc will act for the Lower Brule Sioux Tribe, as financial consultant, advisor and/or fiscal agent for a period of 30 days, or until cancelled thereafter. These services will include the complete packaging of a management, including the necessary funding for your casino enterprise on tribal land with the corporation or individuals acceptable to the tribe. Preliminary estimates of funding are at \$600,000, more or less, and completion of management contract and consultation payment to be within 30 days, sooner if possible. The start of this agreement will be the date Van Horne Services, Inc. receives in writing from the Tribes attorney, certification that there are no other contracts in existence to cause liability to us. We will continue to work closely with your Chairman and your attorney for a speedy conclusion to the purposes of this agreement. It is further understood to that end, that Van Horne Services, Inc. and/or John Van Horne may participate with the corporation or individuals in the management contract. Van Horne Services, Inc. services are payable within 30 days after both parties execute the management contract and obtain its necessary approvals, as development expenses of the Project, is \$25,000. And that the Lower Brule Sioux Tribe does hereby accept the above terms, and appoint Van Horne Services, Inc. for the purposes, and at the terms herein, accepted this 2nd day of September, 1991. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. Mr. Van Horne requested a ladder and the keys be available to the Tribal Gym the next afternoon.

2. **LOWER BRULE WILDLIFE ENTERPRISE:** The Lower Brule Wildlife Enterprise received the brochures for the 1991 hunting season on the Lower Brule Reservation. The season for pheasant was open from sunrise to sunset. Motion was made by Kay Gourneau to change the pheasant season from 10:00 AM to sunset. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting. Chairman Jandreau stated that the Lower Brule Wildlife Enterprise would have to be notified of this change and that they would have to send out notices to all people that have already received the brochure and to attach the change on the remaining brochures.

3. **GOVERNOR MICKELSON - FISH AND WILDLIFE AGREEMENT:** A letter was received from Governor Mickelson on the existing Hunting and Fish Agreement. Governor Mickelson stated that "after careful consideration of the wishes of all persons affected by the existing Lower Brule Agreement, "I have decided I would agree to continue the existing agreement with the following modifications" "Nonmembers of the Lower Brule Sioux Tribe hunting on fee lands owned by nonmembers or on public land may hunt in compliance with either state or tribal licensing requirements, provided the hunter abides by the seasons, limits and methods authorized by the license the hunter is hunting under, and receives permission to hunt from the landowner. The state will honor the license of those nonmembers who choose to hunt only with the tribal license on such lands. The tribe will honor the license of those nonmembers who choose to hunt with only a state license on such lands. If a nonmember is hunting on these lands without complying with either state or tribal licensing requirements, the nonmember is subject to arrest and prosecution in state court. Mike, I believe a new Lower Brule Agreement with these modifications is fair to all, and I hope the Lower Brule Sioux Tribe can agree. I believe this modified Agreement can result in a good working relationship between the state and the tribe during the life of the new Agreement." By Tribal Council concurrence the Governors letter will be sent to Mr. R. Dennis Ickes for reviewal and response.

4. **FACILITIES MANAGEMENT - 7Q1A15-B07:** Chairman Jandreau stated that a Resolution was needed for Facilities Management, AAO-7Q1A15-B07 project for the renovation of BIA Quarters #331, which includes all plant, labor, material and equipment required to renovate fire damage in Quarters #331 and in addition as funds become available to construct 3 new concrete foundation walls and move 3 existing quarters on new foundations complete with new utilities. Motion was made by Kay Gourneau to adopt a Resolution to P.L. 93-638 this project. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

5. **ABERDEEN AREA INDIAN HEALTH SERVICE:** A letter of request was received from the Aberdeen Area Tribal Chairmen's Health Board for a Resolution of Support to contract for educational and health services with the Department of Health and Human Services, Aberdeen Area Indian Health Services. Motion was made by Boyd Gourneau to submit a Resolution of Support. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

6. **EDUCATIONAL GRANT APPLICATIONS:** Educational grant applications were received from Patricia Brainard, Everette R. Goodface, Jr., Alvin Swift Hawk, Sr., Jill Brouse, Lorenda Middletent, Julie Langdeau, Jennifer Walks and Crystal Felicia. Motion was made by Boyd Gourneau to approve the Educational Grant to the applicants as long as all paperwork was in place and that Patricia Brainards grant was pending on her enrollment with the Lower Brule Sioux Tribe. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

7. **J.T.P.A. TRAINING WORKSITES:** A letter was received from Norma Grass Rope, J.T.P.A. Program Director, who submitted a list of eligible applicants based upon information provided and rated by the point system being used by the JTPA Program. The worksites available are: Wildlife Management Program, IHS Program, Elementary Aide, Christian Childrens Fund Program. Motion was made by Kay Gourneau to approve the list of rated applicants and to have the Director place the individuals in the worksites. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Lower Brule Sioux Tribal Council meeting recessed at 5:12 PM. The Lower Brule Sioux Tribal Council meeting reconvened on September 11, 1991, at 1:27 PM, with Elvera Driving Hawk absent. Also present was Shirley Crane, Everette Goodface, Sr., Mike Small Jumper and Noble LaCroix.**

8. **SHIRLEY CRANE - PETITION:** Shirley Crane submitted to the Lower Brule Sioux Tribal Council a Petition that she circulated around the community petitioning the proposed Casino. Shirley Crane stated that she felt strongly about not having the Casino in the community and that is why she circulated the Petition. Shirley further stated that the reason for the Petition was because of the problems that the Casino would cause if it were in the community, i.e., abduction, rape, problems with drinking and gambling addiction. Chairman Jandreau stated that at the present time the Lower Brule Sioux Tribe does not have a Management Contract with anyone. Richard P. Thompson, Sr. stated that the Lower Brule Sioux Tribal Council first thought about all the positive sides of having a Casino in the community: access to employment site, ability to develop other economic ventures on the spin off from the generated funds, greater access to large amounts of revenue. Chairman Jandreau stated that if the Casino was built on highway #47, the project would cost would estimate to 2.1 million. If the Tribal Gym were used the project would cost an estimate of \$300,000 to \$500,000. The programs that are utilizing the Tribal Gym now would all be relocated to renovated and probably much nicer locations. Everette Goodface, Sr. stated that the community has only heard horror stories and if a public meeting were held the community would understand the significance of having the Casino. Shirley Crane stated that with her job she feels that the Casino would be better out of the Community. Shirley Crane stated that the costs of the building were the responsibility of the management group, right? Chairman Jandreau stated that yes, it is the responsibility of the management group, but the Tribe has to repay out of the profits of the Casino. Chairman Jandreau stated that we would have to see, maybe no one wants a Casino here. The force accounts we have are short range, and are only every two years with new housing. We need to generate capital for the community. Shirley Crane stated that she thought no one would even come to the Reservation, just because of the location. Chairman Jandreau stated that buses would be brought in and that a the management group was planning on spending a great amount funding to get people here. Everette Goodface, Sr. asked if the Tribe would take a public vote on the Casino. Chairman Jandreau stated that the Tribe is going to have to wait and get the estimates on both locations and ask the management group if they would be interested in spending 2.1 million and going out of the community. Everette Goodface, Sr. asked if there would be a meeting to let people know what is going on, no one knows what is going on. Orville Langdeau, Jr. asked Shirley Crane if she only gave the negative side on the Casino. Shirley Crane stated that she told people the petition was to have the Casino in the other location. Chairman Jandreau stated that there will always be people with drinking problems and always people with gambling problems, etc. What the Tribe needs is to generate income so that funerals can be paid for, and educational assistance and other jobs can be provided. We have been trying to get other businesses down here, but it takes what we do not have, the capital. The Casino was the only solution.

Orville Langdeau, Jr. stated that with the Casino there will be jobs and will provide something for everyone. Kay Gourneau stated that the Casinos in other communities have not had problems, it is usually retired elderly that you see in the Casinos. If the majority of the community does not want to have a Casino, I will go along with their wishes. I feel though that people have to have an open mind and understand the whole process. Richard P. Thompson, Sr. stated that for the first time we have the opportunity to make our own way, to get our own welfare program, etc. Chairman Jandreau stated that part of having a Casino would involve having counseling for people, it would be our moral responsibility. Chairman Jandreau also stated that 20 years ago when the Grassrope Irrigation project started people put up a fight about that too. Kay Gourneau asked Shirley Crane what was meant on the Petition "The well-being of our Community" Shirley Crane stated that was because of jurisdiction. Chairman Jandreau and Boyd Gourneau stated that the Lower Brule Sioux Tribe would have full jurisdiction on the Reservation the State will have none. Chairman Jandreau stated that it was nice to see community support (the Petition), but the Casino does not exist yet; rape, etc. already exist on our Reservation, it would be good to see this kind of support now. Chairman Jandreau further stated that people can be hired to curb these concerns, we cannot stop it now because there isn't any money to stop it. Our survival used to be dependent on other people, now we need money to protect ourselves. Chairman Jandreau also stated that what people are also not aware of is that in a couple years in order to keep the High School open the Tribe is going to have to provide \$200,000 a year. Shirley Crane thanked the Tribal Council for listening to her concerns and those of the community. Everette Goodface, Sr. thanked the Tribal Council for listening and stated that a meeting would probably inform all those people that do not understand.

9. **EASTERN BAND OF CHEROKEE INDIANS:** A letter of support was requested by The Eastern Band of Cherokee Indians regarding the recognition of the Lumbee Tribe. Motion was made by Boyd Gourneau to submit a Resolution of Support to request the Lumbee Tribe to go through the Federal Acknowledgement process. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

16. **MIKE SMALL JUMPER REQUEST:** Mike Small Jumper stated that he would like to request assistance for his son, who is going to school in New Mexico. Mr. Small Jumper stated that his son did not have any money for food on the weekends. Noble LaCroix stated that there may be a way that Social Services could help. Chairman Jandreau asked Mr. Small Jumper if he would go to Nobles Office tomorrow to get something worked out.

48. **NOBLE LACROIX:** Noble LaCroix stated that a letter was received from the Aberdeen Area Office regarding a memorandum release by the Department of Defense that an estimated \$300,000,000 in excess food and related items were available and that the Tribe had to submit a request and state how the food would be distributed. Motion was made by Boyd Gourneau to submit a letter requesting the excess products and how it will be utilized and distributed. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

10. **NATIONAL AMERICAN INDIAN HOUSING COUNCIL:** Draft Resolutions were received from a National meeting held in Juneau, Alaska concerning Indian Housing. Motion was made by Kay Gourneau to re-submit the Resolutions. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

11. **CHAMBERLAIN BOOSTER CLUB:** A request was received from the Chamberlain Booster Club to donate for the Chamberlain High School sports events by buying

an ad for \$50.00. By Tribal Council concurrence the Lower Brule Sioux Tribal Council will donate \$5.00, which is the same amount that Harry K donated for the Lower Brule Fair.

12. **JULIAN BROWN - MOOT COURT MATERIAL:** Material was received from Tribal Attorney, Julian Brown on a Moot Court. This material was informational.

13. **LAND SALE APPLICATION - GEORGE SMALL, JR:** A land sale application was received from the Bureau of Indian Affairs, Lower Brule Agency, for the sale of Mr. George Small, Jr.s land. Motion was made by Boyd Gourneau to request an appraisal of Mr. Small, Jr.s land. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, one absent, and none not voting.

14. **FERN M. CHASING HORSE:** A letter of request was received from Fern M. Chasing Horse for a loan from the Tribe of \$300.00 for clothing for her children for school. Chairman Jandreau stated that letters would have to be written to these people that request this type of assistance, because there is no funding available at this time for these requests.

15. **ALAN ALLERY:** A letter was received from Alan Allery stating that he was interested in offering his services as a Consultant for Tribal Health Management. Mr. Allery stated that he is an experienced Health Professional that knows a great deal about how the federal government works, particularly about Indian Health. No action was taken on this matter.

17. **MARVIS HOGEN - F.H.A:** Information was received Mr. Hogen concerning an alfalfa processsing plant that may be informational to the Tribe. No action was taken on this matter.

18. **WIND RIVER ASSOCIATES:** Information was received from Wind River Associates on a meeting on a Indian Water Rights Seminar in Bismarck, North Dakota at the Holiday Inn on Septebmer 4th, 5th and 6th. No action was taken on this matter.

19. **GRAZING RATE ANALYSIS:** Notification was received on a new grazing rate for allotted land and a request was received for a rate on Tribal land. Motion was made by Boyd Gourneau to approve the new grazing rate and of \$7.60 and to keep the Tribal grazing rate at \$3.33 per AUM. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

20. **MILEAGE RATE INCREASE:** Notification was received from the Department of Health and Human Services on the new mileage rate increase to \$.25. Motion was made by Orville Langdeau, Jr. to approve the new mileage rate. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

21. **SOUTH DAKOTA N.A.S.A.:** A NASA Procurement Conference is scheduled for October 29 and 30 in Sioux Falls. This material was informational.

22. **H.I.P. LIST FOR SCORING:** A list of eligible applicants for the H.I.P. Program was submitted to the Tribal Council. Boyd Gourneau stated that when the H.I.P. Program is started a review of all eligible people for the program will be selected.

23. **U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT:** The Lower Brule Housing Authority received a letter from H.U.D. regarding a contract for Architectural and Engineering Services with SHP Engineering and Architecture, for Project SD



3-19 (29 Low Rent replacement units). The contract was approved by H.U.D. for SHP Engineering and Architecture. The letter also included information concerning site selections for the 29 units. Mr. Sayler, OIP Construction Analyst, on July 23, 1991, reviewed the 4 proposed sites. Two of the sites were unaccepted by Mr. Sayler. Mr. Sayler stated that the site to the north of the Housing Authority, off BIA Route 10, is unacceptable due to the excessive earthwork costs, on site water and sewer to develop and lack of funds for off-site water and sewer. For the same reason the 10 acre site west of Oacoma was rejected. Chairman Jandreau stated that a letter was sent appealing Mr. Saylers decision because the Tribe would be willing to provide services for these locations. No further action was taken on this matter.

24. **SATURDAY NIGHT BINGO:** Two requests were received for Saturday night bingo, the Lower Brule High School, Cody Russell and the Lower Brule Head Start Program, Jessie Fire Cloud. Motion was made by Kay Gourneau to give Saturday night to the High School and to request Mr. Russell to work with Head Start so that funding could be raised for jackets for the students. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

25. **MARK RIESE REQUEST:** A request was received from Mark Riese requesting a donation for the Native American Cultural Tradition held at the South Dakota State Penitentiary. By Tribal Council concurrence a donation of \$50.00 will be made.

26. **BRULE' HORSEMEN ASSOCIATION:** The Brule' Horsemen Association submitted their July monthly bingo report. The report was reviewed by the Tribal Council. No action was taken.

27. **ARLENE MARSHALL-PHS INDIAN HOSPITAL:** A request was received from Arlene Marshall, Program Director, Aberdeen Area Health Education, to donate a buffalo for the Winds of Wellness conference in Rapid City, SD on September 17, 18 and 19, 1991. Boyd Gourneau stated that usually when hunters hunted for big game and do not want the meat, that is when there is meat available for donation, sale, etc. Chairman Jandreau stated that Ms. Marshall would have to be notified that there is nothing available at this time.

28. **COMMUNITY SERVICE BLOCK GRANT FY-92:** A request was received from Ms. Shirley Marvin, EDA Director, for a Resolution for submission of an application to receive a Community Service Block Grant for FY-92. Motion was made by Kay Gourneau to approve a Resolution to submit the CSBG grant. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

29. **SHARON SCHAEFER LETTER:** A letter was received from Sharon Schaefer stating that the lease for land which her husband leased in the past was no longer needed. Chairman Jandreau stated that this land was advertised and no one was interested in leasing the land. Chairman Jandreau further stated that Jerry Christensen contacted him on leasing this land. Motion was made by Kay Gourneau to lease this land to Jerry Christensen for a three year period, which will be re-advertised when the lease expires. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

30. **NIELSEN & SENIOR-R. DENNIS ICKES:** A billing was received from Mr. Ickes for services provided from May 16, 1991 through July 21, 1991 for \$60.60. Motion was made by Kay Gourneau to approve the billing and to submit the billing to the Bureau of Indian Affairs, Lower Brule Agency, for review and approval. This

motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

31. **GENERAL COUNSEL BILLING-JULIAN H. BROWN:** A billing was received from Julian H. Brown, General Counsel for the Lower Brule Sioux Tribe, for services provided for the Tribe from August 5, 1991 through September 2, 1991, for the amount of \$3,339.15. Motion was made by Kay Gourneau to approve the billing and to submit the billing to the Bureau of Indian Affairs, Lower Brule Agency, for review and approval. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

32. **WIND CAVE NATIONAL PARK:** A Memorandum of Agreement was received from Wind Cave National Park to receive 70 buffalo. Motion was made by Boyd Gourneau to approve the Memorandum of Agreement with Wind Cave National Park for 70 buffalo. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

33. **LOWER BRULE HOUSING AUTHORITY:** A letter was received from the Lower Brule Housing Authority concerning the expiration of three of the Housing Board terms. Motion was made by Boyd Gourneau to submit a Resolution extending the terms until these terms can be advertised and selected. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

34. **MESCALERO APACHE TRIBE:** Information was received from the Mescalero Apache Tribe concerning the Joint Tribal/BIA/DOI Reorganization. This material was informational and no action was taken on this matter.

35. **WESTERN STATES RURAL DEVELOPMENT:** Information was received from the Western States Rural Development workshop in Socorro, New Mexico in October. No action was taken on this matter.

36. **CROW CREEK/LOWER BRULE COMMUNITY COLLEGE:** A letter was received from the Board of Trustees, Crow Creek/Lower Brule Community College, for a letter of support to be sent by the Lower Brule Sioux Tribe to become request a Parent Agreement with Sinte Gleska College. Motion was made by Boyd Gourneau to submit a Resolution of support and to request the Board of Trustees to work expediently on this matter. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

37 & 45 **LEVI FLUTE - AURELIA POURIER REQUESTS:** Letters of request were received from Levi Flute and Aurelia Pourier inquiring of any funds available for a cistern and hydrant at their homesite, which they stated that their present source of water is from a shallow well which had been tested harmful to drink. Motion was made by Boyd Gourneau to request IHS to conduct a feasibility study to correct this situation. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

38. **EDUCATIONAL GRANT APPLICATIONS:** Educational grant applications were received from Janelle Emery, Brad Wilson, Quincy Bad Moccasin and Nikki Ziegler. Motion was made by Boyd Gourneau to approve the educational grants as long as all paperwork was in place. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

39. **BINGO REPORTS:** Monthly bingo reports were received from the Lower Brule Bingo organizations. The Lower Brule Sioux Tribal Council reviewed the reports. No action was taken on the material.

**40. M.C.H. DIRECTOR-COMMODITY CERTIFIER-WILDLIFE OFFICER:** Applications were taken for the M.C.H Director, Commodity Certifier and Wildlife Conservation Officer. Motion was made by Orville Langdeau, Jr. to hire Bessie Estes as Director with Pearl Colombe as alternate. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting. Motion was made by Kay Gourneau to hire Willa Madison as Commodity Certifier and Cheryl Bad Horse as alternate. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting. Motion was made by Richard P. Thompson, Sr. to hire Jay Langdeau as Conservation Officer and Karmen Madsen as alternate. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**41. GAYLE ZIEGLER REQUEST:** A letter of request was received from Gayle Ziegler for assistance in paying for college courses that she received. Chairman Jandreau stated that if Ms. Ziegler did not receive an educational grant for these college courses, then Ms. Ziegler could submit an educational grant application.

**42. MOTOR POOL REQUEST:** A letter of request was received from the Motor Pool Board regarding the vacancy of a member on the Board. By Tribal Council concurrence this position will be advertised for two weeks.

**44. AMBULANCE SERVICE REQUEST:** A request was received from the Ambulance service requesting a Resolution for addition, recurring, funding for three additional Emergency Medical Technicians and the required life-support equipment. Motion was made by Kay Gourneau to submit a Resolution requesting this material. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**49. ALFREDA ZIEGLER BEARTRACK REQUEST:** A letter of request and an educational grant application was received from Alfreda Ziegler Beartrack for assistance for her son Duwayne Traversie. The letter stated that Duwayne needed 2 credits to graduate from High School and that the class could be taken through the mail and funding was needed to complete the course. Chairman Jandreau stated that there was no funding available at this time for this. A letter will be sent to Ms. Ziegler Beartrack.

**50. ELLEN GRASS ROPE REQUEST:** A letter of request was submitted by Ellen Grass Rope requesting that the Lower Brule Sioux Tribe submit a Resolution stating that her children would be eligible for enrollment with the Lower Brule Sioux Tribe. Motion was made by Kay Gourneau to submit a statement to the Crow Creek Sioux Tribe stating that upon relinquishment of the childrens enrollment with their Tribe the children would be eligible for enrollment with the Lower Brule Sioux Tribe.

**46. JOINT VENTURE PROPOSAL:** A request for a Resolution was received from Shirley Marvin for a joint venture project to demonstrate the potential of cooperative efforts between Indian Health Service and Indian Tribes wherein Indian Health Service contributes funding toward the cost of associated with equipping and operating facilities. Motion was made by Boyd Gourneau to approve and submit this Resolution. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**51. TREASURY DRAW DOWN:** Motion was made by Richard P. Thompson, Sr. to request a \$100,000 Treasury Draw Down against FY-92 funding. This motion was seconded by Kay Gourneau. Motion carried with vote being four members for, none opposing,

one absent and none not voting.

The Lower Brule Sioux Tribal Council meeting recessed at 4:13 PM. The Lower Brule Sioux Tribal Council meeting reconvened at 4:10 PM on September 25, 1991, with Kay Gourneau absent. Also present was John Van Horne, Barry Bayer and Tom Wardin.

52. **PROPOSED CASINO:** Mr. Van Horne submitted to the Lower Brule Sioux Tribal Council a draft Management Agreement. No action was taken on this matter. Discussion was held about the proposed Casino with the proposed Management Group. No action was taken.

53. **RESOLUTION - HOPE FOUNDATION:** A request was received from Shirley Marvin, EDA Director, for a Resolution to request for funding for the Homeless. Motion was made by Richard P. Thompson, Sr. to submit the Resolution. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

54. **LOWER BRULE WILDLIFE ENTERPRISE:** A request was received from the Lower Brule Wildlife Enterprise for a Resolution to authorize Ben Janis, Director of the Lower Brule Wildlife Enterprise, to sign, bind and finance two pickups for the program. Motion was made by Boyd Gourneau to approve the trade and financing of two pickups for the Wildlife Program and to authorize Ben Janis to sign, bind and finance the pickups. This motion carried with vote being four members for, none opposing, one absent and none not voting. A Contract was submitted from the Lower Brule Wildlife Enterprise for an exchange of services. Motion was made by Orville Langdeau, Jr. to approve the Contract between the Lower Brule Wildlife Enterprise and Global International Adventures, which will televise four hunts, and the Lower Brule Wildlife Enterprise will retain the meat. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

55. **WOODLAND MANAGEMENT PROPOSAL:** A request was received to approve a Resolution to request funding in order to initiate management of the woodland resource on the Lower Brule Reservation, by a "638" Contract. Motion was made by Richard P. Thompson, Sr. to submit a Resolution for this request. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

56. **VERENDRYE & FT PIERRE CHATEAU MONUMENTS:** A request was received for an Elk from the Lower Brule Sioux Tribe for the dedication ceremony of the Verendrye and Ft. Pierre Chateau monuments. Motion was made by Richard P. Thompson, Sr. to approve a donation of an Elk for this ceremony. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

The Lower Brule Sioux Tribal Council meeting recessed at 6:03 PM. The Lower Brule Sioux Tribal Council meeting reconvened on October 3, 1991, at 1:52 PM, with Richard P. Thompson, Sr. absent. Also present was John Van Horne, Dina Brandt, Noble LaCroix and Tom Issenhuth.

**AJOURNMENT:** Motion was made by Kay Gourneau to adjourn the September Regular Session meeting. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**CERTIFICATION**

The foregoing is a true and correct transcript to the Minutes from the Regular Meeting held by the Lower Brule Sioux Tribal Council on September 3rd, 11th, 25th and October 3, 1991.

  
SANDY LA CROIX, RECORDING SECRETARY

**LOWER BRULE SIOUX TRIBAL COUNCIL  
REGULAR MEETING  
DECEMBER 5, 1990**

**PRESENT:** Michael B. Jandreau, Chairman (Late)      **ABSENT:** None  
Kay Gourneau  
Richard P. Thompson  
Boyd Gourneau  
Orville Langdeau, Jr.  
Elvera Driving Hawk

The meeting was called to order by Vice Chairperson Kay Gourneau at 10:26 AM. Roll call was taken by the Recording Secretary and the Lord's Prayer was led by Chaplin Elvera Driving Hawk. Also present was Allen Lien, Toni Claymore, Noble LaCroix, Wesley Rabbit, Dina Brandt, Beverly Thompson, Theron Thompson, Nancy Keller, Fritz LaRoche, Darrell Middletent, Debra Isburg, Al Schmidt, Bob Ross and Bob Harris.

1. **SMALL LOAN PROGRAM REQUEST:** A request was received from the Lower Brule Small Loan Program for a loan of \$30,000.00 to provide Christmas loans to the employees of the Lower Brule Sioux Tribe. This matter was tabled at this time.

2. **M.C.H. POSITION:** The Lower Brule Sioux Tribal M.C.H. position was advertised for two weeks. The applications received for this position was Amanda McCauley, Charlotte Flute, Anita Grassrope and Anita Williamson. Motion was made by Boyd Gourneau to hire Anita Williamson because she was the only applicant that met the qualifications for the M.C.H. position and select Anita Grass Rope as the Alternate. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting.

3. **LOWER BRULE DRUG AND ALCOHOL ABUSE PROGRAM:** The Lower Brule Health Board made recommendations for the following positions open in the Lower Brule Drug and Alcohol Abuse Program: T.L.C. Trainee-Altwin Grassrope, James Hawk Wing (Alternate), Prevention Counselor-Alvin Grassrope, Kathy Coleman (Alternate), Teen Help Assistant-Bryan Ziegler, Richard Goodface (Alternate). Motion was made by Orville Langdeau, Jr. to assign James Hawk Wing to the T.L.C. Trainee with Altwin Grassrope as Alternate and to approve the Health Board's recommendations for the rest. This motion was seconded by Boyd Gourneau. Motion carried with vote being four members for, none opposing, one absent and none not voting.

4. **CHR POSITION/RECOMMENDATIONS:** The Health Board submitted the following recommendation for the C.H.R. position which is open: Mike Estes and Bryan Ziegler as Alternate. Motion was made by Orville Langdeau, Jr. to hire Mike Estes for the C.H.R. position but place Bernadette Myers as the alternate. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

5. **OCTOBER MINUTES:** The Lower Brule Sioux Tribal Council Regular Meeting Minutes for October was submitted for review and approval. Motion was made by Richard P. Thompson to approve the October Minutes. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

6. **YOUTH ACTIVITIES MONTHLY BINGO REPORT:** The Youth Activities Bingo Report was submitted for the Month of November. Discussion was held concerning some of the Bingo Organizations not turning in their monthly reports. Motion was made by Boyd Gourneau to send out a letter to all Bingo Organizations to inform them that their Bingo reports must be in before the first Regular Session Tribal Council

meeting each month or their Bingo will be shut down until further notice and that they must use the format the Kul Wicasa Elders Bingo uses and a copy will be sent. This motion was seconded by Richard P. Thompson. Motion carried with vote being four members for, none opposing, one absent and none not voting.

7. **LEASE RENEWAL-PATTI MOORE:** The Bureau of Indian Affairs, Lower Brule Agency, submitted two (2) letters for Tribal Council approval. Mrs. Patti Moore is request to renew her Farm Pasture Lease No. 21-006-8790. The Bureau of Indian Affairs also submitted a letter stating that the Mrs. Moore had been billed for Tribal Tract T4006, and that this land has been in a Farm-Pasture Lease to J.W. Thompson during the same period of time, and as a result the Tribe had received double lease income on the same tract of land. Motion was made by Richard P. Thompson to approve the renewal for Patti Moore and to reimburse Mrs. Moore for the overpayment. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting. **(Chairman Jandreau entered the meeting at this time)**

8. **GENERAL COUNSEL BILLINGS:** Two (2) Billings were received from General Counsel Julian H. Brown for the time period from October 1, 1990 through November 3, 1990 and November 4, 1990 through November 30, 1990. Motion was made by Kay Gourneau to approve the Billings and to submit them to the Bureau of Indian Affairs, Lower Brule Agency, for review and approval. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

9. **WESLEY RABBIT:** Mr. Rabbit addressed the Lower Brule Sioux Tribal Council with a proposal for a tape factory to locate to the Lower Brule Sioux Tribe, to provide employment for the Lower Brule Sioux Tribe. Mr. Rabbit stated that the Lower Brule Sioux Tribe would have to provide a lease on land for the factory and the price for the factory would be minimal for the Lower Brule Sioux Tribe. Chairman Jandreau stated that Mr. Rabbit could send his proposal to the Lower Brule Sioux Tribal Council for review. No action was taken on this matter.

10. **LAND SALE APPLICATIONS:** Land Sale Applications were received from Faye Banks, Julia Yellowrobe and Charmayne Eagleman. Motion was made by Boyd Gourneau to request appraisals on each of the requests from the Bureau of Indian Affairs, Lower Brule Agency. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

11. **JAN BROUSE REQUEST:** A letter was received from Mrs. Jan Brouse explaining that her daughter Jill Brouse had received orthodontic services approved by Mr. Nyal Brings and that the program is no longer available to pay an outstanding bill. Motion was made by Richard P. Thompson that under this particular situation the bill should be paid out of the General Fund account because the services had previously been approved of by Mr. Brings. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

12. **EDUCATIONAL GRANT APPLICATIONS:** Educational Grant Applications were received from Leslie Estes, Brad Wilson, Jill Brouse and Quincy Bad Moccasin. Motion was made by Orville Langdeau, Jr. to approve the Educational Grants to these applicants. This motion was seconded by Boyd Gourneau, which stated that the amounts for full-time and part-time students will be observed. Motion carried with vote being five members for, none opposing, none absent and none not voting.

13. **LYNN HUENAMANN REQUEST:** Mr. Huenamann submitted a letter to the Lower Brule Sioux Tribal Council stating that the Mitchell City Council wished to set a date with the Tribal Council for a meeting/luncheon. Chairman Jandreau stated that

arrangements for the luncheon would be made for either the 10th or 11th of December, 1990 and that the Council Members would be informed of the date and time.

14. **GAMBLER'S SUPPLY, INC.:** Chairman Jandreau stated that he put the Gambler's Supply, Inc. on the agenda for information for the Council Members. Chairman Jandreau stated that the Council Members should be informed about Gaming and Gaming activities even though the Tribal Council has not made any commitments on this matter.

15. **BLACK HILLS TETON SIOUX:** Information was received on the Sioux Nation Treaty Council by Garfield Grass Rope. No action was taken on this matter.

16. **BLUE CLOUD ABBEY:** Information was received from the Monks of Blue Cloud stating that Blue Cloud Abbey was a place of Retreat and that if you needed a place of Retreat that they could be contacted. No action was taken on this matter.

17. **ABERDEEN AREA OFFICE, AGRICULTURE MANAGEMENT:** A memorandum was received from the Agriculture Management office informing all Tribal Fish and Wildlife Departments of Federal funding for Tribal Fish, Wildlife and Recreation Programs. Chairman Jandreau stated that this information should be forwarded to the Lower Brule Wildlife Enterprise so that they may research these potential funding sources the Agriculture Management Office spoke of.

18. **SOLICITOR'S OPINION:** A letter was received from Noble LaCroix, Acting Agency Superintendent, on a letter sent to the Solicitors office regarding a request to receive the Solicitor's opinion on two Exchange Assignments of Tribal land on the Lower Brule Reservation. This material was presented because Mr. Lloyd Langdeau had been unaware that a Exchange Assignment which he had made resulted in the loss of his land. No action was taken on this matter.

19. **NATIONAL AMERICAN INDIAN COURT JUDGES ASSIGNMENTS:** This information was received on a meeting to be held on December 8, 1990 on the "National Forum on "What do tribes need to do to get premanent legislation in overturning Duro". No action was taken on this matter.

20. **CHAMBERLAIN FIRE DEPARTMENT:** A letter was received from the Chamberlain Fire Department for their annual fund-raising. The annual fund raising consists of an annual Firemen's Ball. This year the Firemen's Ball will be held on Saturday, December 29, 1990, at the Chamberlain Armory. Chairman Jandreau stated that the Lower Brule Sioux Tribal Council has in the past usually donated to the Chamberlain Fire Department. Motion was made by Richard P. Thompson to donate \$50.00 to the Chamberlain Fire Department. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

21. **DEPARTMENT OF HEALTH AND HUMAN SERVICES-PIERRE:** A letter was received from the Department of Health and Human Services in Pierre concerning the Construction project status of the project which were taking place on the Lower Brule Reservation. No action was taken on this matter.

22. **YANKTON SIOUX TRIBE:** A letter was received concerning a conference on Indian gaming and solid waste concerns to be held on December 7, 1990 at Radar Hill at 10:00 AM. No action was taken on this matter.

The meeting recessed at 12:16 PM. The meeting reconved at 1:17 PM, with same Council Members present.

23. **OFFICE OF THE SECRETARY-WASHINGTON, DC:** A letter was received from the Office



of the Secretary to identify a member from the Lower Brule Sioux Tribe to sit as a member of the Tribal Advisory Task Force for the FY-91 Appropriations Act. Motion was made by Richard P. Thompson to nominate Chairman Michael B. Jandreau to sit on the Tribal Advisory Task Force. Motion was made by Boyd Gourneau to cease nominations and to nominate Chairman Jandreau to sit on the Tribal Advisory Task Force. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**24. UNITED STATES TOBACCO SALES AND MARKETING COMPANY, INC:** A letter of proposal was submitted by the U.S. Tobacco Sales and Marketing Company, Inc. in reference to a discount on a 1991 Elk Hunt package for \$2,800.00 in return for promotional printings and at each Sports Show by the U.S. Tobacco Sales and Marketing Company, Inc. brochures and other items will be distributed promoting the Lower Brule Wildlife Enterprise. Motion was made by Richard P. Thompson to accept this offer. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**25. BINGO ORGANIZATIONS:** Chairman Jandreau asked if the problem with the Bingo Organizations had been resolved. Chairman Jandreau was brought up-to-date on the Tribal Councils previous actions. All Bingo Monthly reports that were received were reviewed by the Tribal Council.

**26. ALLEN LIEN:** Chairman Jandreau stated that the Tribal Council requested that all leases which will expire and have expired have new expirations dates set for December 1 each year. Chairman Jandreau stated that this would make the paperwork less. Mr. Lien stated that there would not be a problem with this request. Motion was made by Richard P. Thompson to require all leases to expire on December 1 of each year. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**27. GRACE BLACKSMITH REQUEST:** A letter of request was received from Grace Blacksmith for assistance from the Lower Brule Sioux Tribe to obtain a new bathtub for her home. Mrs. Blacksmith stated that she had a fiberglass bathtub in her home which has cracked in various places and further stated that the bathtub may at any time give way. Motion was made by Richard P. Thompson to authorize Chairman Jandreau to take care of Mrs. Blacksmiths request. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. Chairman Jandreau stated that this would have to be done as soon as possible because this is an emergency situation.

**28. KENNETH HARMON REQUEST:** A letter of request was received from Mr. Harmon to purchase the Lower Brule Sioux Tribes John Deere Tractor for \$500.00 and the white ½ tone pickup for \$75.00. This matter was tabled at this time.

**29. RESERVE INDUSTRIAL AUTHORITY:** Mr. Tom Langdon, Mr. Ed Wilson, and Debbie Hampton enter the Tribal Council meeting with their proposal on the Multi-purpose building. Mr. Langdon stated that this project is mirrored with a place in Florida where there were agencies that needed office spaces/a building and these companies needs were found, a construction company was hired, a land lease was made, and the building was built. Mr. Langdon stated that the users paid rent on the building until the building was paid off and the companies then owned the building. Chairman Jandreau asked Mr. Langdon what the Lower Brule Sioux Tribes next step would be to enter into an agreement with R.I.A. so that the Lower Brule Sioux Tribe can have a Multi-purpose building built. Chairman Jandreau asked if a Resolution stating the the Lower Brule Sioux Tribe wants to enter into an agreement with I.R.A. to begin the process for the purpose of obtaining a multi-purpose building. Mr. Langdon stated that this would be sufficeint. Motion was made by Boyd Gourneau to submit a Resolution to enter into an Agreement with R.I.A. to begin the process

in obtaining a Multi-purpose building. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

30. **DINA BRANDT:** Ms. Brandt addressed the Tribal Council with job proposals that she had researched for potential for the Lower Brule Sioux Tribe. No action was taken on this matter.

31. **DRAFT RESOLUTION HIP CONTRACT:** A draft resolution for the 1990, 1991, 1992, Home Improvement Program, P.L. 93-638 Contract was submitted to the Lower Brule Sioux Tribal Council for approval. Motion was made by Boyd Gourneau to submit the Resolution to PL93-638 the 1990, 1991, 1992 Home Improvement Program. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

32. **LOWER BRULE HOUSING AUTHORITY/H.U.D. INSPECTORS:** Fritz LaRoche, Darrell Middletent, Debra Isburg, Al Schmidt, Bob Ross and Bob Harris entered the Tribal Council Meeting. Debra Isburg stated that Mr. Ross and Mr. Harris had been given a copy of Mr. Ausdemores inspections of the new homes. Mrs. Isburg stated that twelve (12) homes had been inspected by Mr. Ross and Mr. Harris. Boyd Gourneau asked Mr. Ross if the homes were worth the price that was set on them. Mr. Ross stated that they were. Chairman Jandreau asked Mr. Ross if he was an appraiser. Mr. Ross stated that he was not. Orville Langdeau, Jr. asked if the inspectors had seen Victor Grassropes home yet. Mr. Ross stated that they did and that there did not seem to be any thing wrong with the home that would cause future problems. Mr. Ross stated that everything looked fine so far, "unless we missed something". Kay Gourneau stated that after Mr. Ross and Mr. Harris finished their inspections then a meeting should be held with the homebuyer and if they buy what Mr. Ross and Mr. Harris have found then thats it. Chairman Jandreau asked what time they would start in the morning to finish their inspections. Mr. Ross stated that they would start out at 8:00 AM from the Lower Brule Housing Authority. Chairman Jandreau stated that some of the Council Members may go along on the inspection.

**The meeting recessed at 4:34 PM. The meeting reconvened on December 12, 1990 at 1:18 PM. All Council memebbers were present. Also present was Mr. Thomas Issenhuth, Julian Brown, Dina Brandt and Allen Lien.**

33. **MR. THOMAS ISSENHUTH AND JULIAN BROWN:** Chairman Jandreau stated that he invited Mr. Issenhuth to the meeting because he had experience with compacts and what is contained in an agreement and what the Tribe should look out for in these proposals. Boyd Gourneau asked Mr. Issenhuth what kind of time limit would there be on this project. Chairman Jandreau stated that what Mr. Gourneau meant was how many total hours did he estimate on this project. Mr. Issenhuth stated that once started everything should fall into place. Mr. Issenhuth stated that the reason it took Flandreau so long was the State was dragging their feet. The reason being that the State would not receive taxes on their gambling. Chairman Jandreau stated that what was needed then was to adopt a Resolution authorizing General Counsel Julian Brown to employ Mr. Issenhuth through an associate contract between Mr. Brown and Mr. Issenhuth. Motion was made by Kay Gourneau to authorize General Counsel Julian Brown to enter into an associate contract with Mr. Issenhuth. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting. Mr. Issenhuth then began to inform the Tribal Council the history of Gaming and what procedures would have to be taken. Mr. Issenhuth stated that Flandreau employs 140 people in their Gaming facility. Mr. Issenhuth also stated that the Tribal Council would have to adopt a Gaming Ordinance and select a Gaming Committee. Chairman Jandreau stated that these items were already in place. **(Chairman Jandreau left the meeting at this time)** Mr. Issenhuth stated that the Flandreau Tribe was told that the reason

the Compact was taking so long to be passed was because it had to go through the legislature. Mr. Issenhuth stated that the only one to sign the Compact was Governor Mickelson. (**Chairman Jandreau entered the meeting at this time.**) Chairman Jandreau gave Mr. Issenhuth a copy of the Lower Brule Sioux Tribe Gaming Ordinance which was approved in 1988. Chairman Jandreau stated that Mr. Issenhuth could review the Ordinance and we will send up the proposals that we have received for you to review.

**35. GENERAL COUNSEL-JULIAN BROWN:** General Counsel Julian stated that he had talked to Attorney, Bernard Duffy, on the Clark land title. Mr. Brown stated that Mr. Duffy agreed to assist in this matter. Motion was made by Richard P. Thompson to authorize General Counsel Julian Brown to enter into an Associate Contract with Mr. Duffy to complete the Clark Land Title Clearance. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**36. DINA BRANDT AND ALLEN LIEN:** Dina Brandt stated that the Arrow S Company, maker of saddles, boots and other leather items, was interested in setting up a retail store in the Oacoma area and that they were very interested in the Lower Brule Sioux Tribes Trust Land. A meeting will be set for the first of the year to meet with Kathy and Scott Bartlett, owners of the Arrow S Company, to discuss their proposal. Dina Brandt also stated that they have Mr. Harry Adams working for them making saddles. Ms. Brandt stated that Mr. Adams wants to sell his equipment and train people to make saddles and if the Lower Brule Sioux Tribe was willing to set up a factory he would enter into a one year contract with the Tribe wherever the factory is set up. A meeting will be set at the same date with the Bartletts and Mr. Adams.

**37. SAMP LAW OFFICES:** A letter was received from the Samp Law Office, Rollyn H. Samp, for an estimate of the cost of applying for an 8 A status for the Lower Brule Wildlife Enterprise. Mr. Samp stated that the estimated cost would be \$2,500.00. No action was taken on this matter.

**38. ANITA GRASS ROPE LETTER:** A letter was received from Mrs. Grassrope appealing the Lower Brule Sioux Tribal Councils selection for the M.C.H. Educator position. The Tribal Council reviewed the letter and by Tribal Council concurrence a letter will be sent to Mrs. Grass rope stating that the Tribal Council did not reverse their selection for the M.C.H. position because the job announcement did state that the applicant must have completed and have an approved L.P.N. degree.

**39. SOUTH DAKOTA DEPARTMENT OF REVENUE:** A letter was received from the South Dakota Department of Revenue stating that they had received numerous inquiries for Special South Dakota Indian Tribal License Plates. The S.D.D.R. stated that that if the law passed in the Legislature the license plates would go into effect on July 1, 1991. No action was taken on this matter.

**40. AMBULANCE, CHR, PATIENT TRANSPORT REQUEST:** A letter of request was submitted by the Ambulance, CHR and Patient Transport programs requesting, for each employee in these programs, an incentive pay of \$100.00 for working through the Holidays. By Tribal Council concurrence the Lower Brule Sioux Tribal Council denied their request for an incentive pay. A letter will be submitted to the program explaining that their job descriptions require these people to be on call 24 hours at all times.

**41. NOVEMBER MINUTES:** The minutes from the Lower Brule Sioux Tribal Council Regular Session meetings for the month of November was submitted for review and approval. Motion was made by Boyd Gourneau to approve the November Regular Session Minutes. This motion was seconded by Richard P. Thompson. Motion carried with

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

**42. ENGINEERING COMPANIES FOR OACOMA SURVEYS:** Letters were received from Engineer Companies, which submitted estimated costs for the survey project on the Oacoma land. No action was taken on this matter.

**43. SCOTT JONES REQUEST:** A request was received from Scott Jones for approval by Resolution to submit a grant application for funding under Title II, of the Indian Child Welfare Act. Motion was made by Kay Gourneau to submit a Resolution of request for funding under Title II, of the Indian Child Welfare Act, P.L. 95-608, for FY-91 Funding. This motion was seconded by Orville Langdeau, Jr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**44. LOWER BRULE WILDLIFE ENTERPRISE:** Boyd Gourneau stated that the Lower Brule Wildlife Enterprise recommended Ben Janis for the Director position for the Wildlife Enterprise. Motion was made by Kay Gourneau to hire Ben Janis to take over Directorship for the Lower Brule Wildlife Enterprise, and to have Mr. Janis report to work for the Lower Brule Wildlife Enterprise in (2) two week, and to advertise the J.T.P.A Director position. This motion was seconded by Richard P. Thompson. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**45. NOAH GRASS ROPE EASEMENT:** Chairman Jandreau stated that each year the Tribe approves an easement to cross Noah Grass Ropes land for the purpose of extracting gravel from the gravel pit. Chairman Jandreau stated that the easement was in the amount of \$250.00. Motion was made by Richard P. Thompson to approve the easement to cross Noah Grass Ropes land for the amount of \$250.00. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Tribal Council meeting recessed at 3:58 PM. The reconvened at 11:00 AM on December 13, 1990. Richard P. Thompson was absent for this meeting.**

**46. LOWER BRULE TRIBAL OPERATING BUDGET:** The Lower Brule Sioux Tribal Council reviewed the FY-91 Operating Budget for the Lower Brule Sioux Tribe. Chairman Jandreau stated that Mr. Hanke would be bringing down the check for the Tribe on January 5, 1991. Chairman Jandreau stated that the Tribal Council has been putting the money (\$50,000.00) in the L.I.H.E.A.P. program. Chairman Jandreau further stated that most of the people that had applied for L.I.H.E.A.P. already used their program money. Orville Langdeau, Jr. stated that he would like to see the money from the Farm Corporation either go out to dividends to all the enrolled members or give all enrolled people \$200.00 for propane. Chairman Jandreau stated that he would like to do that but the Farm Corporation is not a separate entity and if it was the money could be given out in dividends. Chairman Jandreau stated that the people that are eligible for the L.I.H.E.A.P. program used all the program money and that this was the Tribal Council first responsibility, to take care of the elderly and the needy. Chairman Jandreau also stated that everyone employed by the Lower Brule Sioux Tribe are receiving benefits from the Tribe, and whereas, there are people that have no jobs and receive \$175.00 a month to live on for, electircity, propane, food, etc. and these are the people that we should provide first priority to. Orville Langdeau, Jr. stated that he did understand this but felt that the Farm money should go out in dividends. Chairman Jandreau stated that the needy needed these benefits. Motion was made by Boyd Gourneau to approve the Tribal Operating Budget. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being four members for, none opposing, one absent and none not voting. Chairman Jandreau stated that a Treasury Drawdown was needed for operation expenses in the amount of \$120,000.00. Motion was made by Kay Gourneau to request a Treasury Drawdown in the amount of \$120,000.00. This motion was

seconded by Orville Langdeau, Jr. Motion carried with vote being four members for, none opposing, one absent and none not voting.

**MISCELLANEOUS:** Boyd Gourneau stated that he didn't like to see all the Educational Grants going out and find out that the students did not stay in school. Mr. Gourneau further stated that the grades should be sent in and the students should not get a grant if their grades are failing. Chairman Jandreau stated that these things are currently required to be furnished by the students, but they are not being enforced. By Tribal Council concurrence the Tribal Council will enforce the above stated requirements before students receive an educational grant.

**The Tribal Council meeting recessed at 11:50 AM. The meeting reconvened on December 20, 1990, at 2:10 PM. All Council Members were present.**

**47. EDUCATIONAL CLOTHING GRANTS:** The Lower Brule Sioux Tribal Council received ninety-nine (99) applications for Educational Clothing Grants. The applications were reviewed and checked for verification of enrollment and out of the ninety-nine (99) applicants three (3) applicants were not eligible for the Educational Clothing Grants because they were not enrolled members of the Lower Brule Sioux Tribe. Motion was made by Richard P. Thompson, Sr. to approve the Educational Clothing Grant applications received from the eligible applicants and to also authorize Chairman Michael B. Jandreau to approve or deny any further applications received. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**48. LOWER BRULE DRUG AND ALCOHOL ABUSE PROGRAM:** A letter of request was received from the Lower Brule Drug and Alcohol Abuse Program to use the Tribal Gym on Monday December 31, 1991, from 8:00 p.m. to 1:00 a.m., to hold a Sobriety Dance. Motion was made by Boyd Gourneau to approve the Lower Brule Drug and Alcohol Abuse Program's request to hold a Sobriety Dance in the Tribal Gym on December 31, 1990. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**The Tribal Council meeting recessed at 2:30 PM. The Tribal Council meeting reconvened on January 2, 1991, at 11:05 AM, with all Council Members present.**

**49. SOLID WASTE MANAGEMENT:** Chairman Jandreau presented material received from the Standing Rock Sioux Tribe concerning solid waste management. Chairman Jandreau stated that copies would be made for the Council Members and that a Resolution and Ordinance would have to be adopted to establish procedures for solid waste management.

**50. LOWER BRULE HOUSING AUTHORITY:** The Lower Brule Housing Authority submitted information concerning the large propane tank used for project SD3-1, which will no longer be of use because of the demolition of the units for this project. The Lower Brule Sioux Tribal Council could request the large propane tank for a Tribal program which receives C.D.B.G. or E.D.A. funding. Motion was made by Richard P. Thompson, Sr. to request the transfer of the large propane tank to the Lower Brule Propane Company, a federally funded program. This motion was seconded by Boyd Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. Motion was made by Richard P. Thompson, Sr. to request the Lower Brule Farm Corporation/Farm Board to allow the Lower Brule Propane Company to meet/match the low bid in their purchase of propane for drying their products and other commercial uses. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting. Richard P. Thompson, Sr. stated that a meeting was set in Rapid City with the Lower Brule Farm Corporation Board. Richard P. Thompson, Sr. stated that he would like to request from the Farm Board a \$200,000.00 dividend to be

distributed equally among all enrolled members of the Lower Brule Sioux Tribe. Motion was made by Orville Langdeau, Jr. to request \$200,000.00 from the Lower Farm Board. This motion was seconded by Elvera Driving Hawk. Motion carried with vote being five members for, none opposing, none absent and none not voting.

51. **WILDLIFE REFUGES:** Boyd Gourneau stated that he would like to make a request to the U.S. Fish and Wildlife Department and State Wildlife Services to establish a Wildlife refuge along the entire Missouri river within and adjacent to the Lower Brule Reservation. Motion was made by Boyd Gourneau to submit a Resolution requesting this action be taken. This motion was seconded by Richard P. Thompson, Sr. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**ADJOURNMENT:** Motion was made by Boyd Gourneau to adjourn the December Regular Session Meeting. This motion was seconded by Kay Gourneau. Motion carried with vote being five members for, none opposing, none absent and none not voting.

**CERTIFICATION**

The foregoing is a true and correct transcript to the Minutes from the Regular Meeting held by the Lower Brule Sioux Tribal Council on December 3rd, 12th, 13th, 20th, and January 2, 1991.

  
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Sandy La Croix, Recording Secretary