

# The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone: (406) 395-4478 or 4210 - Finance Office  
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RR 1 #544  
Box Elder, MT 59521

## CHIPPEWA CREE TRIBE BUSINESS COMMITTEE

### REGULAR MEETING

*Tribal Chambers*

**Monday, July 20, 2009**

@ 9:00 a.m.

**INVOCATION:** Invocation by Bruce Sunchild.

**MEETING CALLED TO ORDER:** The regular meeting of the Chippewa Cree Tribal Business Committee was called to order at 9:18 a.m. on Monday, July 20, 2009 in the Chippewa Cree tribal chambers by Chairman, Raymond "Jake" Parker.

**PRESENT:** Raymond "Jake" Parker, Chairman, Jonathan Windy Boy, Vice-Chairman, Business Committee Member, John "Chance" Houle, Business Committee Member, Russell "Rusty" Gopher, Business Committee Member, Bruce Sunchild, Business Committee Member, Richard "Rick" Morsette, (7) Present

**ABSENT:** Harlan Baker, Committee Member, Joseph Lafromboise, Jr., - in at 9:26 a.m./Business Travel at 9:40 a.m. – Business Travel

**OTHERS PRESENT:** Kim Traversie, RJS & Associates, Leland Topsy, Fish & Game, Janice Myers, Secretary/Treasurer, Leanne Montes, Esq., Sandra Murie, Judicial Commission, Bert Corcoran, Judicial Commission, Elinor Nault, Judicial Commission, Neal Rosette, Compliance Officer, Melody Henry, President, Stone Child College, Richard Sangrey, Chief of Staff, Stacey Small, Security, Lisa Belcourt, Contractual, Kathleen Goggles, Community Member, Greg St. Pierre, Community Member, Robert Belcourt, Natural Resources, Jason Lodgpole, Forestry, Gibby Russette, BLM, John Quinlin, FBI, Kenny Writing Bird, CRD, Michelle Small, Community Member, Veronica Skidmore, Community Member, Earl Arkinson, Safety Officer, Jackie Rock, Community Member, Honorable Joel Rosette, Chief Judge, Charles Robertson Jr., Honorable Philip Lujan, Myrna Rivera, Honorable Elbridge Coochise, and Ona Denny, Recorder

### AGENDA ADDITIONS/DELETIONS:

#### Business:

#### **Additions to the agenda:**

- 2-aa) Stone Child College Scholarships – Melody Henry
- 2-o) Contract Proposal – Ian Windy Boy
- 2-p) Burial Preservation Representative
- 2-q) Security Cameras
- 4-h) Signature Authority/Health Board
- 4-j) ICDBG – Malmstrom/Housing
- 4-k) Health Promotion Disease Prevention Resolution

49 Other:  
50 Employment Request – Michelle Small  
51 Employment Request – Greg St. Pierre

52  
53 **Motion by Bruce Sunchild to approve the Monday, July 20, 2009 Chippewa Cree Business**  
54 **Committee meeting agenda. Seconded by Richard “Rick” Morsette. Call for comment or**  
55 **question. All in favor, motion carried. (6) Yes – (0) No.**

56  
57 *Joseph Lafromboise, Jr. present @ 9:26 a.m.*

58  
59 **APPROVAL OF MEETING MINUTES FOR THURSDAY, JUNE 4, 2009:**

60  
61 **Motion by John “Chance” Houle to approve the Thursday, June 4, 2009 Chippewa Cree Business**  
62 **Committee meeting minutes as presented. Seconded by Bruce Sunchild. Call for comment or**  
63 **question. All in favor, motion carried. (7) Yes – (0) No.**

64  
65 **BUSINESS:**

66  
67 **FEDERAL BUREAU OF INVESTIGATION/TASK FORCE COORDINATION MEETING – JOHN QUINLIN:**

68  
69 Chance states, he visited with John last week and a questioned arouse, which went back to the Judicial  
70 Commission. It pertained to the article, which Mr. Mercer had placed in the newspaper regarding  
71 crimes on the reservations, mainly burglary. Chance states, he had an opinion of his own is the reason  
72 why it is brought forth to the Business Committee meeting.

73  
74 John Quinlin comments. He states, he spoke to Chance briefly last week, and there is an issue that he is  
75 addressing with Rocky Boy and Fort Belknap concerning property crimes, specifically burglaries and  
76 thefts. The article got everyone thinking of how to do things better and talking to Tim Martin, they are  
77 taking steps in the right direction to the initiative, and Steve Corcoran is working full time on property  
78 crimes, burglaries and thefts. Grace Her Many Horses is handling the other crimes, crimes of violence,  
79 etc. They come up with a strategy and what he questions is to assure he is sensitive to each tribe to  
80 assure that he is following what the tribe wants as far as a federal agent goes. He states, there are ways  
81 you could take burglaries and thefts, at least a small percentage. He questions if the tribe would want  
82 him to take 3 or 4 property crimes a year and federally prosecute those crimes. Chance expressed his  
83 concern and suggested that it may be better to solicit the feeling of the council to see how everyone feels  
84 about it.

85  
86 Chairman Parker comments. He states, on a federal crime on the outside, he questions if there are  
87 different levels for example, say there is a property crime for \$1,000 another for \$5,000 or \$10,000 and  
88 questions if this is how the federal system picks. John states, the threshold of every burglary is a felony.  
89 If you enter a residence with the intent to commit an offense, it doesn't matter if you steal 3 CD's, a  
90 television, stereo equipment and a \$1,000, just by entering someone's house unlawfully committing an  
91 offense, most of the time theft and it could be an assault. Most of the time it is going to be a felony. If  
92 you steal an object, it has to meet a federal threshold of \$1,000 to make it a federal felony. Straight up  
93 theft is a \$1,000 and burglary is always a felony. John states, the way he reviews this, we have limited  
94 resources and obviously we are going concentrate on crimes of violence first, what we want to do is be  
95 sensitive of giving relief it there is a problem out there that needs to be resolved. He states, he attended  
96 a meeting with Tim, Grace, and Steve, and they are effectively handling the situations by addressing

97 burglaries and thefts and running them through tribal court. He states, he is unaware if the tribe would  
98 like him to pick up a couple of crimes a year federally.

99

100 Chairman Parker questions Elinor. He states, a lot of these go back to drug addiction, and the Healing to  
101 Wellness Court, questions a point of view from Elinor as far as working with the feds. Elinor states, we  
102 are always willing to work with the feds. She believes that it is important not only filing in the federal  
103 court system, but at the same time in the tribal court. A lot of people misunderstand that if you file them  
104 federally, and tribally we try to educate them to let them know that when they return home from a prison  
105 sentence, they could still file in tribal courts, and rephrase for the tribal prosecutor department to push  
106 those through.

107

108 Joe Lafromboise, Jr. comments. He states, by no means does he think our Law Enforcement is not  
109 doing their job, and would like to see the feds come in 2 or 3 times a year, and maybe our people will  
110 begin to see the consequences. He comments on the Sheriff sitting in the Box Elder School area, and  
111 tribal members are aware that the Sheriff is sitting down there whereas before they raced up and down  
112 the street. If our people know that there is a chance that the Sheriff may be working on the case of  
113 burglary, his thought would be that it would be a deferent to a lot of members and will think twice about  
114 it and don't want to mess with the law, which is his feeling. Chance states, his perspective in talking  
115 with John, he would hate to see one of our members get tied up in the federal system. A lot of victims  
116 feel victimized because there is really no follow-up. It comes back to our Law & Order Department and  
117 foot patrol officers from 8:00 a.m. to 8:00 p.m. 24/7 that have to get out there and do a little more work.  
118 He believes that the point is coming across and we are getting back to the victims that are being  
119 victimized and if there is some bite, the first couple of times, we get them in the tribal system, they do  
120 30 or 60 days, keep them on the federal system. If you we get some 3, 4 or 5 times then back to rules,  
121 they are not getting the point and the consequences are not meeting what is being done and then he  
122 believes it should go a little more serious and this is the same with some of the drugs. On the bigger  
123 ones, he believes is where the feds want to come in and want to get the ones that are bringing in the  
124 bigger supplies. All the smaller level ones we have here, if we can make an impact on them locally  
125 here, before we send them into the federal system for the next 5 to 20 years and put them into that  
126 system, and believes we can and we are getting pretty close with some of the breakdowns we have and  
127 hopefully they are working on them with the local Law Enforcement. They are not here to protect  
128 themselves, but have been an ongoing thing for the past years he has served, and states, we just need to  
129 continue working on.

130

131 Honorable Joel Rosette comments. He states, he agrees with Chance and a lot this is restitution and a lot  
132 of the people feel victimized and not able to get back what was stolen and basically feel we failed courts  
133 or Police Department on getting their property back. There are a lot of expensive items stolen such as  
134 saddles, etc., that haven't been returned, a lot of expensive items that get stolen, and people that try to  
135 recoup some of their items, there is no justice, so people get frustrated with the system. A large  
136 percentage of thefts are usually addiction motivated, pills, drugs or alcohol, and a lot of the people will  
137 not get the help they need and end up sent to the federal system, which don't always help the people that  
138 are committing the crimes. A lot of times they are juveniles and is usually drug or alcohol related which  
139 is his concern. We are not taking care of the real problem, which is their addiction.

140 Kelly comments. He states, a while back there was a victim compensation fund and is unaware if this is  
141 still available for those individuals who had property taken. He agrees with Joel, and a lot of times  
142 people get frustrated with the system and give up cause they don't get their items returned that were  
143 stolen. He questions, if we were to send them to tribal court, he questions if we would still have access  
144 to the victims fund. John states, the Crimes Compensation Fund is for medical bills and will always be

145 accessible for victims in the case of rape, sexual abuse of a minor, or assault and is used for medical bills  
146 going to and from Great Falls for Dr. appointments, which will always be there. It is a State funded  
147 program. We are talking specifically of property crimes.  
148

149 Chairman Parker suggesting an internal MOU between John and the Chippewa Cree Tribal Court  
150 System on habitual offenders. A lot of them squeak through the system one way or the other, one reason  
151 or other and some who know how to beat the system. He believes there should be a threshold of a  
152 certain level. Chairman Parker gives an example of theft and other situations. He states, people are  
153 doing the same thing and never suffer consequences, and states, he hates to see an individual get thrown  
154 in prison over something that is silly and end up ruining their lives. Jonathan suggesting MOU should  
155 be more expanded, because a lot of times these crimes don't make it to court. There are some crimes  
156 that go unreported and Law & Enforcement, Social Services and other departments that deal with some  
157 of these crimes, when they do report them, a lot of times they don't make it to court. He recommends as  
158 an administration, expand it more internal. John states, property crimes involving, and states, he  
159 recently investigated a case regarding the school board, and we did take the case because it was federal  
160 funded. We will always pursue if it there is federal grant money especially from the DOJ Education,  
161 and we are specially talking about property crimes, such as the example given by Chairman. HE  
162 questions if it would be a workable solution if Elinor calls him from the courts and informs him of a  
163 repeated offender. He states, Steve, Grace and Tim communicate with him on offenders, but states, it  
164 may be better hearing from the courts due seeing a bigger picture. He questions if this would be a  
165 workable solution.  
166

167 Bert Corcoran comments. He states, we are talking about compensation and there is a misunderstanding  
168 in the courts. If the court handles the case, they are responsible for collecting the money and this is not  
169 true. It hasn't been since he has sat on the Judicial Commission. This may be an area that can be  
170 tweaked. We don't have a collections system. We have cases brought through, owed money or bad  
171 checks and to collect, we don't have the means to collect but can bring them back in on a warrant if they  
172 don't pay.  
173

174 Kelly Eagleman comments. He states, it would be wrong for the person to file a civil action against the  
175 person that stole from them is his opinion. His thought would be for the judge to order that individual to  
176 pay or compensate and doesn't understand why we would go through a twenty (20) day process to notify  
177 that individual. He believes it is up to the judge to order compensation and believes it shouldn't have to  
178 go through civil process again. John states, he will work with the courts and fair it out with the  
179 individuals if they are not responsive to tribal courts with the judge imposing sentencing and not getting  
180 the rehabilitation imposed by the court system. He states, he will take a couple of year and they will be  
181 individuals that don't adhere to the tribal court system. He will take property crimes for people that are  
182 perceived to be in rehabilitation modes.  
183

184 Honorable Joel Rosette comments. He states, as far as collections, if you go to Havre and someone has  
185 a civil judgment, it could be money and one of the things that is done is they will hold an auction where  
186 the Sheriff will seize everything they have. People think it is a little harsh, but they go to their homes  
187 and take all their items that are worth value, which is done all the time. Garnishment if they work.  
188 There are avenues, garnishment is currently being done, but as far as auction, we haven't done that.  
189

190 Chance Houle comments. He states, Honorable Rosette is right, that is where it comes from where the  
191 individual is in contempt of court, which was just identified. Hopefully the Judicial Commission will  
192 take this back and straightens it out. He believes this is where the victims are feeling victimized. When

193 a judgment comes down and you don't abide, there is some consequences from that person that  
194 sentenced you. In closing, there is a second portion, John was present but Peter couldn't attend. He  
195 states, Friday at the Health Board meeting, and we have been working on this for some time, which is  
196 prescription drugs. We have been researching, and with Honorable Rosette hitting it on the head, with  
197 the burglaries, which all coincide with one thing. In working with tribal leaders for the past months,  
198 Rocky Boy is one of the worse reservations with prescription drug use. It is rampant. Matthew Pryor,  
199 John and he have been working on a proposal that will be presented to the Health Board on Friday.  
200 Hopefully by Friday, he informs John there will be a little more presentation for the Task Force and  
201 there will be more coordination meetings.

202  
203 Jonathan Windy Boy comments. If Peter cannot make it, he asked if a he could designate someone to  
204 attend. He informs John last week we held a youth camp with 250 participants. Out of the 250, 70%  
205 tested positive for various drugs from ages 14-24 years old. The youth were from here. John states, that  
206 type of statistic will tell you that there is a problem. Chance states, when we had negotiations with  
207 Matthew Pryor, and it is this bad, Matthew went over to visit the fitness center with his badge on and  
208 gun underneath, one of our community members come from the parking lot and asked Matthew, a  
209 federal agent what he just got out of the clinic, if he got any hydrocodone or oxycodones for sale.  
210 Matthew agreed we have a problem. It is an ongoing problem. Kelly states, just to clarify, he questions  
211 when John talks about taking a couple a year, he asks if it is juveniles, or adults. John stats, he would go  
212 off from the court system, juvenile or adult repeated offender.

213  
214 **Motion by Jonathan Windy Boy to authorize the Chippewa Cree Legal Department to draft an**  
215 **MOU between the Chippewa Cree Tribal Courts and John Quinlin, Federal Bureau of**  
216 **Investigations Agent. Seconded by John "Chance" Houle. Call for comment or question. All in**  
217 **favor, motion carried. (7) Yes – (0) No.**

218  
219 *Joe Lafromboise, Jr., leaves at 9:40 a.m.*

220  
221 **JUDICIAL COMMISSION:**

222  
223 Sandra Monteau comments. She states, specifically Judicial Commission is here to talk about the  
224 direction that was given to the commission a few years ago. She states, as you recall, the tribe had to go  
225 over compact budgets with a fine toothcomb, and is still being done today. In the process, the tribe  
226 determined that some departments didn't require the type of compact money in specific departments.  
227 The tribe determined that there would cutback over a period of years and today the Judicial Commission  
228 was one of the departments that were cut. At that time, the Judicial Commission was informed that this  
229 was going to happen over a period of time, and at this point the Judicial Commission had to cut a lot of  
230 personnel. In the process we were given the direction to go ahead and be enthusiastic to seek grant  
231 money for the programs that the commission needed to have. To this day, we haven't found any money  
232 for a public defender, which is one of the key positions that were cut from the compact budget. As the  
233 commission was given direction to aggressively seek grant money to specifically for justice centers and  
234 tribal courts, which was done and had some real good success in that process. One of the grants  
235 received, was the SAMSHA, which was \$800,000 specifically to provide treatment services identified  
236 through the court system. It is never given or mandated, it is an agreement between the people that  
237 come into the court system providing options that the individuals have other than spending time in jail or  
238 for adolescents detention centers. Over the past few years, we were able to acquire services for  
239 individuals. The whole intent is to reduce recidivate so that we don't see individuals come back into the  
240 system over and over again, we work with the individual and we work with the families. We do what

241 we can as far as the RFP mandates in the grants. The Judicial Commission is here to request the  
242 council's support assuring we are not jeopardizing any of these grants in any type of manner. It is not  
243 only going to affect the court in jeopardizing the grant, it is going to affect the community as well. It  
244 will affect any future grants proposed to specific departments that we might have jeopardized. This is  
245 what the Judicial Commission is after that none of this happens and that we are successful and the tribe  
246 is successful in acquiring these grants. Any questions about the grants, ties back on what John had  
247 mentioned on what are we doing, not so much in terms of consequences, but more proactive rather than  
248 reactive.

249  
250 Chairman Parker comments. He states, there are a number of grants within the courts, one is the  
251 SAMSHA grant, Healing to Wellness, which is an expansion Drug Court grant and is specifically  
252 written for the courts for \$800,000 and is in the first year and there is 3 years left. He questions what  
253 other grants that the court has. Elinor states, we have the Rocky Boy Nehiyahw project through the  
254 Montana Board of Crime Control, going on the 3rd year, it is a 4-year grant and is for \$79,000 for each  
255 year. We have the Adult Healing to Wellness Drug Court grant through DJA, which is for the adults  
256 and the Nehiyahw is specifically for the children's court. We also have a Children's Court  
257 Enhancement TDAG grant, which is through the Office of Juvenile Justice, for \$300,000 for 3 years.  
258 We have an Indian Alcohol Substance Abuse grant in the last year. We have earmarked through the  
259 Office of Juvenile of Justice Prevention Center for our probation department, which is supposed to begin  
260 August 2009 for \$250,000. Chairman Parker states, we renegotiated our AFA and Thelma Stiffarm was  
261 present and she informed the tribe that she recently got hired through the tribal courts through the  
262 Department of Interior out of Albuquerque. She stated additional \$5 million has been received and she  
263 proposed to come to Rocky Boy review the court system and she wanted to try and get more money for  
264 the courts. He personally feels that the judicial commission come along way and as Business  
265 Committee members, he states we need to stand strong and support the commission as a government.  
266 The intension is to help our tribal members within areas that need services, coordinating services so that  
267 they are not being duplicated. We need to get departments working together and this has always been an  
268 issue he states, since he has been on council.

269  
270 Jonathan comments. He states, first of all, since 2002 there has been a Cultural Protection Ordinance in  
271 place, which gives the tribe authority to set up a cultural resources protection department. Under this  
272 Ordinance, it gives the department the all the authority of what they are trying to do. With the  
273 Nehiyahw project since 2005 when he given the paper to Elinor, he states, we were trying to set up the  
274 parameters on what is suppose to happen, but Elinor went ahead and wrote the grant. We are still in the  
275 process of setting up the parameters, assuring the foundation is strong. He states, somewhere down the  
276 line there has been factorization in the last year and a half, which has been happening. It is unfortunate  
277 that it happens this way and in the last council meeting numbers were submitted from Bill Mercer,  
278 things that haven't been reported from here, with the Law Enforcement he states, all he was trying to do  
279 is coordinate services. To this day, there has been no cooperation, especially from the courts. He states,  
280 as an elected tribal leader it would seem it is our duties to administer some of those functions of the  
281 administration and departments, which is not happening. This is why he states, if the departments and  
282 director do not follow council's direction, and then they should be reprimanded.  
283 Chairman Parker states, we have a big communication breakdown here and we all need to be on the  
284 same page. He states, he as an executive officer of the tribe, the chairman, he signs all documents. No  
285 one gets money on there own it goes through the council. Resolutions are brought to the Business  
286 Committee authorizing departments to get money and once that authority is given to that department that  
287 is the way it is. If we try to go back after the fact, it breaks down the communication within the tribe, it

288 breaks down the organization and government. We need to be all on the same page, which is a big  
289 issue. We need to all build together as a tribe, not one specific program.

290  
291 Elinor comments. She states, she actually sat on the ONI initiative team for a year and half. She states,  
292 she helped develop a plan, partners to the initiative. She states, it wasn't until she stopped being invited  
293 is when she stopped attending. Every time she had been invited she attending and if not, she sent a  
294 representative, so she has been trying to become a partner. She has been trying to assure, which was a  
295 directive from the council to incorporate cultural into the programs. We have no organization doing this  
296 and we have no alternative then to relay on ourselves, which has been happening whereas we have to  
297 rely on our own staff to do tasks, without any other entity coming forward stating this is what they have  
298 to offer. The courts have been successful in doing this and we have great results implementing a  
299 program that is why we continue to get the funding and recognition. We cannot sit and wait for a  
300 department to build itself.

301  
302 Chairman Parker comments. He states, no disrespect to Jonathan, Rusty, or council that sit on CRD. He  
303 states, this is from his own personal view. We can't incorporate culture from one department, if we are  
304 going to foster culture it needs to be spread throughout all programs and schools. Anywhere we can  
305 spread it, teach it and foster it. It cannot be housed in one house if we are going to truly foster it.  
306 Culture needs to be in our courts, schools, Social Services, all departments and anything we do, and to  
307 house it under one department it will never happen because we are going to constantly bump heads. If  
308 you look at the applications for funding and if you incorporate culture, it gives more points, which is a  
309 bad way to look at it. He states, he personally believes it cannot be housed under one department, it is  
310 going to create too many problems.

311  
312 Honorable Judge Rosette states, as a Chief Judge, council hired the money and me to administer justice  
313 and states he doesn't want to get into any arguments as far as the way things go. He realizes there is not  
314 enough money and to run a full staff. His job is to convict people if the evidence is there, he will  
315 convict and do it consistently down the line and believes the judges have done a good job in doing so.  
316 He states, our Healing to Wellness has had an impact on our people on a daily basis. They may not be  
317 drug and alcohol free, but they have been educated and were pointed in the right direction, which will  
318 always be freedom of choice if an individual wants to stay clean. We talk about the juveniles, who were  
319 tested, positive and a lot of these kids do not have parents or guidance, so they get caught in the system  
320 and the court is doing the best they can. If we hold the parents accountable, then there maybe some  
321 change as far as cultural. He states, he doesn't send juveniles away unless it is the last option, and  
322 choices are given to that individual before the last option.

323  
324 Rusty states, there are a lot of misconceptions regarding the judicial department. We had a meeting last  
325 week and our former legal representative, Upendra cleared up a lot of things within those two days  
326 regarding 2002 Ordinance, which is the basis of what Mr. Windy Boy mentioned, understanding that is  
327 basically is what the department is about. They are not going to be demanding this or that and this is  
328 where the misconception lies. We do more legal assistance.

329  
330 Bruce states, he wasn't at the meeting last a week and hasn't attended a CRD meeting because culture  
331 and religion when crossed over and this is what we are doing is crossing them over, it is not going to  
332 function as well as it should. Culture is guided by when growing up, and states he never got into  
333 religion, the spiritual part until he was 38 years old and thought about his children. He states, there is a  
334 fine line between culture and religion and you have to keep them separated and right now we don't have  
335 them separated, both are combined. Sweat lodge is a spiritual part of religion. He states, he is confused

336 on where we are going with this. We have CRD doing this function, courts doing one function and CDC  
337 doing this function and is unaware of how many functions taking place, going up in a parallel,  
338 everybody getting funded. He hopes someone will take care of our young ones, whoever is in trouble  
339 with alcohol or drugs. He states, hopefully we will meet somewhere, we have to define these things. He  
340 hopes that CRD will put together a function that we will follow and use these functions for healing to  
341 wellness or whatever. We have different functions going on, we have different money here and  
342 everyone is using culture and some of us use religion. At Stone Child College we created a  
343 clearinghouse on what we are going to use for grant as far as culture and religion go. He hopes to utilize  
344 these functions in a proper way to where we all get a long.

345  
346 Jonathan comments. He states, a couple of things and one of the things that CRD has been trying to  
347 accomplish along the way is to have an enhancement for the tribe and if we are going to do that it should  
348 be a true enhancement of the coordination of services and the coordination of efforts and states it should  
349 not just be a one way effort. If we are going to have a true collaboration, it has to be a give or take to  
350 make it happen. As councilmen, he understands there is a separation of powers and when you have one  
351 of the councilmen calling down to the courts and find out who he is and yell separation of powers and  
352 hang up on him, which shouldn't be that way. He believes if nothing else after today for all  
353 departments under the tribe come to the table and find out that command ground of coordination,  
354 including the judicial commission and the court system.

355  
356 **Motion by Jonathan Windy Boy to assist to orchestrate a meeting within the next few weeks with**  
357 **all tribal departments for a communication and coordination meeting. Seconded by John**  
358 **“Chance” Houle with a comment. He states, everybody’s roles will be defined as board chairs and**  
359 **vice-chairs, what our true role is and what role do we have. Jonathan states, he agrees and as a**  
360 **council find out what direction how we see fit, which will be the beginning. Chairman Parker**  
361 **comments. He states, there is an organization out there, bring him in to sit down with the council**  
362 **to set a vision to where we can better work together, and what are our roles and responsibilities as**  
363 **a government. Also sit with the directors and get their points of view from each department**  
364 **where they are going to be next year or two years down the road. He states, he doesn’t feel we**  
365 **should go to that extent, but if we do this, it needs to be a very open discussion and bring that**  
366 **mediator in to coordinate a strategic planning session. Question called for. All in favor, motion**  
367 **carried. (6) Yes – (0) No.**

368  
369 Jonathan comments. He states it would be good to bring a mediator to provide technical assistance.  
370 Richard, Janice, and Jonathan to research the cost of bringing in a mediator.

371  
372 **LAW & ORDER CODE:**

373  
374 Joel comments on separation of powers. What happened in the past, pressure coming from council and  
375 viewed as not being fair. He states, if we start talking about cases in which we are not allowed, but  
376 states he can talk about all the good things that are being done as far as the court process. He would lie  
377 to discuss the repeat attempt on the tribal code. If someone come in and wanted to challenge, they  
378 would win. There are some holes in the code since 1986, it is not comprehensive and has never been  
379 backdating. When the council makes an ordinance, it has never been cross-referenced. Chairman  
380 Parker questions what would be the solution. Joel states, as the legislative body, he would assume it  
381 would be the council role to provide the commission with codes and will be followed how the council  
382 specifies. He states he believes to hire a legal department and believes that one person cannot handle  
383 putting together a comprehensive code. Chairman Parker suggesting that Judicial Commission come

384 back with a proposal with areas of concern, that require bringing in legal to address the issues. If  
385 additional resources were needed, this would be council's role in conjunction working together to fix the  
386 codes. Kelly comments. He states, regarding the code, the Indian Law Clinic in the past has assisted  
387 with code issues and is unaware if services are still available to the tribe. It doesn't necessarily have to  
388 be the Indian Law Clinic out of Missoula, but there are other entities out there from other states and  
389 institutions that would assist to take on as a project. Bert comment. He states, we need someone to  
390 coordinate and not reinvent the wheel. Elinor comments. She states, we presented a draft of tribal codes  
391 to Leanne last year and if the council could get her some help to finalize the codes, and believes there  
392 were 3. Leanne states, she completed 3 drafts and doesn't want to be the only person drafting the codes.  
393 She states, she had brought all the departments together and reviewed the tribal drafts and approved  
394 from there. She is suggesting bringing all the departments back together and review the areas of concern  
395 and states we do need the extra help. Jonathan comments. He states, he is unaware if the ANA line item  
396 is exhausted for the code revision. Just to clarify on separation of powers, one of our colleagues called  
397 down to the courts to invite one of his friends to sweat, and the individual that answered the phone found  
398 out who was calling and stated, "separation of powers" and hung up on him.  
399

400 **Motion by Jonathan Windy Boy to direct Leanne Montes, Esq., Chippewa Cree Legal Department**  
401 **to coordinate with interested parties to get this code under fast track. Seconded by Brian "Kelly"**  
402 **Eagleman with a comment by Russell "Rusty" Gopher. He states, a few times he had made a**  
403 **comment that the legal department is short staffed and if we could have our grants writers work**  
404 **with Leanne to research possible grants to hire additional legal staff. Question called for. All in**  
405 **favor, motion carried. (6) Yes – (0) No.**  
406

407 Bert Corcoran comments. He states, we have Choochise Consulting coming in for a court review today  
408 and exit with the council.  
409

410 *Chairman Parker requests 5 minute break at 10:35 a.m.*  
411

412 *Back in session at 10:43 a.m.*  
413

414 **STONE CHILD COLLEGE – MELODY HENRY:**  
415

416 Melody comments. She states, last year Stone Child College received \$50,000 from Dry Fork Farms  
417 and \$50,000 from Water Resources, and \$100,000 from the Tribe, which the college did not receive yet.  
418 If the \$100,000 is not received the college will be in trouble. She states, this year the college is  
419 requesting \$50,000 from Water Resources and had talked to Jay Eagleman for the Higher Education  
420 Program. She is requesting another \$50,000 from Dry Fork Farms. She is also requesting \$50,000 from  
421 Chippewa Cree Construction. The amount requesting will still immobile the college to fund all, which  
422 is \$200,000 and obligation currently is \$150,000. With the \$100,000, the college will be able to fund up  
423 to a priority 4, so leaves out priority 5, which is 12 applicants that cost \$75,000. We have 25 late  
424 applicants with complete files, which is \$144,000 and we will be able to fund those, unless we decrease  
425 the scholarship amount. Chairman Parker questions scholarship amount. Melody states, it is \$700 a  
426 month for each student eligible, \$6,300 per year funded. Kelly comments. He questions if the requests  
427 for funding can be forwarded back to the respective entities. Melody states, she had talked to Tony and  
428 Jay and the amount specified is what they committed. Chairman Parker comments. He states, the  
429 college problem is they are having their board meeting scheduled for Tuesday and they need to notify  
430 the students on their funding. Melody states, we close the application deadline in June and try to get  
431 their letter to them by July. She states, if it is delayed, they can select as many as the college can and

432 rest have the rest on hold. She states, if we don't get the additional funding, then we will have to move  
433 to a priority 3, which is continuing students and not new freshman, and there will be some continuing  
434 students who will not be accepted. She states, also we would have to drop the graduate program at this  
435 point. Chance comments. He states, the amount from the 3 organizations is \$150,000.

436  
437 **Motion by John "Chance" Houle to authorize Melody Henry, President, Stone Child College in**  
438 **the Stone Child College Board meeting to notify students and if there is any shortfall from the**  
439 **three (3) organizations, the shortfall will go back to the Trust Account. Seconded by Brian**  
440 **"Kelly" Eagleman with a comment by Chairman Parker. He states, there is no way the Trust**  
441 **Account could cover the shortfall. There may be a possibility that it come out of compact, but the**  
442 **funding there is going to be tight. He states, he would like to urge colleagues not to commit any**  
443 **money out of the Trust Account due to the account being down to \$300,000. Kelly comments.**  
444 **Because of the way they changed a certain type of pipe that was going to be used at the**  
445 **Northcentral project, which would be steel and there is a prior cost to the change, and the**  
446 **engineers wouldn't accept the change. Tony was hoping Stone Child College could have some**  
447 **type of Vo-tech welding trade offered, and once they start building the steel pipe for the**  
448 **Northcentral project, we would have people with a welding degree. Tony was hoping to work**  
449 **something out with Stone Child College to get money in there in that way. Melody states, we have**  
450 **minimal for welding, but do not offer a welding degree. It is pretty comprehensive, yet we could**  
451 **do some of the basics, and can do more training. Chance states, Melody needs to let her students**  
452 **know one way or the other, and puts a little more pressure for the board chairs to come up with**  
453 **that commitment. Rick comments. He states, he cannot make a commitment until after harvest, it**  
454 **will be late, but the commitment will be there. Melody thanks Rick. Question called for. All in**  
455 **favor, motion carried. (6) Yes – (0) No.**

456  
457 **TESTING CHANGE – LARRY MORSETTE, JR.:**

458  
459 *Larry Morsette, Jr. not present.*

460  
461 **MOTOR POOL – ANGIE DURAN:**

462  
463 *Angie Duran not present.*

464  
465 **PLANNING UPDATE – JOAN MITCHELL:**

466  
467 *Joan Mitchell not present.*

468  
469 **BLM 638 CONTRACT – RICHARD SANGREY:**

470  
471 Richard states, each year we go down to Billings to negotiate Gilbert Russette's BLM contract. We  
472 need to do a budget modification, which will change the work plan. We have to rearrange the work plan  
473 and justify the BLM money. A meeting is scheduled in Billings on July 29, 2009. Gibby states, the  
474 work he will be picking up is the inspection that was done in prior years. The Cobell case impacted the  
475 Indian side of BLM, which they shut down. From the last 6 years, he had to go down to Great Falls and  
476 encode, so he had to move money around in his budget to cover the travel costs. Chairman Parker  
477 suggesting to send Gibby, Richard and a council member to attend the meeting. He states, we are in the  
478 process of finalizing our deal with NARP, and in that process we are currently working on negotiating  
479 with Devon to purchase all the on and off reservation development. He states, this would substantiate

480 additional duties for Gibby if this happens in the next year. He is unaware if this can be a negotiated  
481 item in Billings. Rick questions the meeting date. He states, he will attend as Natural Resources  
482 Chairman. Budget modification needs to be signed.

483

484 **CONSULTING FIRM/KENNY WRITING BIRD – CHANCE HOULE:**

485

486 Chance states, regarding the consulting firm, Kenny Writing Bird talked to him and right now until we  
487 get all our parameters set in place, he called him and last week paid a visit and stated he has a lot of  
488 clients he currently sees. He states, when we hired him, we never let Kenny do what he needs to do,  
489 initially when he come through and what he wanted to do if we could find the money he would go to the  
490 CDC, Courts and utilize the referral process from these departments and work with clients at his place.  
491 He states, he hopes that this can be revisited and go back to that concept. He is unaware of where  
492 Kenny is being paid under CRD, and questions if it is 100%. His thought is between the courts, which  
493 he realizes that there is a separation of powers and cannot mandate them, although we do hold the  
494 funding, but if there is a way that a the courts, CDC and CRD could cost share counseling services,  
495 which was the original intent with CRD. The courts, CDC would have a list of individuals for  
496 counseling services, and Toni would have an actual list of clients. He states, he would hope we could go  
497 back to the original intent.

498

499 **Motion by John “Chance” Houle to approve the Chippewa Cree Tribal Court, White Sky Hope**  
500 **Center, and Chippewa Cree Cultural Resource Department to draft a Memorandum of**  
501 **Agreement to cost share counseling services provided by Kenny Writing Bird. Jonathan**  
502 **comments. He states, getting back to Bruce’s’ comment on the definition of culture, it is pretty**  
503 **hard to pin point what some of the duties are and this has been one of the contentions that he has**  
504 **been pushing back on with Dr. Broderick who is the administrator for SAMSHA. He states, we**  
505 **have come to the conclusion, which Dr. Broderick has always tried to push us into evidence based,**  
506 **which is the tracking system. He did inform Dr. Broderick according to our old people; they**  
507 **didn’t want to go there, so it ended being we didn’t go there. In getting back to the point of our**  
508 **earlier comments regarding the Cultural Ordinance in place, right now we are still in the process**  
509 **of implementing the policy and procedures of that law to give us those parameters and until that**  
510 **happens, he states he would sure hate to jump the gun on anything until that is in place. He is**  
511 **projecting another two (2) months to provide a 2<sup>nd</sup> Reading of those policy and procedures. The**  
512 **way it is set up the CRD is paying 100% of his employment contract, and an employer of an**  
513 **employee there are policy and procedures that fall under that and until it happens otherwise, it**  
514 **has to be that way. Liability will be coming into play.**

515

516 **Chairman Parker recommends tabling this issue after Coochise Consulting presents. Chance**  
517 **states, he may not be here due to another commitment. Kelly comments. He questions if Chance**  
518 **could clarify what the request is. Kelly questions if it is our funding or a direct service. Chance**  
519 **states, when it first come through, and Enos needs someone to come forward where there is**  
520 **actually a place for someone to go to help to get healed and he sees his uncle doing that on a daily**  
521 **basis. He states, Kenny does not want to get into all the other parameters that need to take place.**  
522 **CDC also needs a place for folks to be referred. He states, all he is asking is that we need a**  
523 **payment source to pay his uncle and he would work with Courts, CDC, because ONI is not ready**  
524 **for it. Courts and CDC would have a list for his uncle, by individual choice, they would sit in**  
525 **talking circles and if they wanted other ceremonies, he would do that. The issue comes back to the**  
526 **funding source. Bruce questions if Kenny is getting paid now. Confirmed through CRD.**

527

528 **Motion by John “Chance” Houle to table Consulting Firm/Kenny Writing Bird item. Seconded**  
529 **by Jonathan Windy Boy. Call for comment or question. All in favor, motion carried. (7) Yes –**  
530 **(0) No.**  
531

532 **COOCHISE CONSULTING, LLC – JUDICIAL REVIEW:**  
533

534 The Honorable Coochise introduces the team. Honorable Elbridge Choochise is an enrolled member of  
535 the Hopi Tribe in Arizona. He retired 7/11/97 has been on the bench for 32 years. Semi-retired and  
536 owner & operator of Choochise Consulting, LLC, which provides services to tribes and tribal  
537 organizations, including lobbying, training, pro-tem judge, judicial services, administrative services and  
538 court evaluations.  
539

540 Charles D. Robertson, Jr., is an enrolled member of the Cheyenne River Sioux Tribe. Charles was born  
541 in Eagle Butte, South Dakota on the Cheyenne River Sioux Reservation, the son of two Indian teachers.  
542 In his formative years, he lived in a number of places before graduating from high school in Scottsdale,  
543 Arizona. He began his undergraduate work at Arizona State University and completed it in 1983 at the  
544 University of Minnesota. Charles completed his Juris Doctorate in 1988 at Georgetown University Law  
545 Center in Washington, DC. He has worked in several areas of Indian affairs, including education, law  
546 enforcement, Tribal Courts, health care, gaming, and legislative/legal.  
547

548 The Honorable Philip D. Lujan is a member of the Kiowa Tribe of Oklahoma and Taos Pueblo. HE  
549 grew up in the Rainy Mountain community of Kiowa County in Oklahoma. He is a graduate of  
550 Washburn University and the University of New Mexico, School of Law. He has worked exclusively  
551 with tribal governments and courts for over 30 years.  
552

553 Myrna Rivera is an enrolled member of the Washoe Tribe of Nevada and California. She graduated  
554 from Sherman Indian High School in Riverside, California. She was selected to Carson Colony  
555 Community Council and served as secretary/treasurer. She represented her community on the Washoe  
556 Tribal Council for a one 4-year term. In addition, she served on the Board of Directors of the Inter-  
557 Tribal Council of Nevada.  
558

559 The Honorable Coochise states, the tribal court review is part of the Division of Tribal Justice Support’s  
560 on-going review of courts supported by self-determination or self-governance funding. The reviews are  
561 intended to assess tribal court needs, and provide recommendations for improved operational activities.  
562 After the review is complete at the end of the week, there will be an exit meeting with the council upon  
563 completion of the review to go over findings. Although the findings reported are only preliminary, they  
564 offer an immediate snapshot of your court system. A final report will be submitted to the council and  
565 the court, BIA Regional Office and Washington, DC office. The court review is a project of the BIA,  
566 Division of Tribal Justice Support.

567 Chairman Parker questions if the Bureau of Indian Affairs hired Coochise Consulting. Honorable  
568 Coochise states, the firm is under a contract through OMB. He states, they are an independent team  
569 reviewing tribes who receive any funds from the Department of Interior.  
570

571 The Honorable Coochise states, the project actually started FY06, in FY04 the Central Office, the  
572 Bureau submitted a request for an additional \$20 million for Tribal Courts because at that time we were  
573 only receiving for 156 tribes, \$11.4 million for all 156 courts in Indian Country. Not all tribes are  
574 getting funded for their courts. DOJ does provide some funding for start up, initial operations and they  
575 have their own review team from their office. When it went over to OMB, \$20 million was rejected.

576 When the central office found out, they questioned why it wasn't considered. Several things come up to  
577 start this project. First they stated, they didn't know who tribal courts are, we don't know that they  
578 provide justice in Indian Country, and we don't know how they spend their money and do they really  
579 provide the forum for the tribes out there in Indian Country because we don't know who they are.  
580 Several other things come up. We understand when a judge rules against a government, they get fired.  
581 We know that some of the monies were diverted by tribes to other entities are not court related. Another  
582 issue that arouse was, there are no standards set for the tribal courts to operate under, and if they are  
583 going to receive funding, they feel they should propose a set of standards that is a foot hold like state  
584 court standards.

585  
586 Chairman Parker informs the consulting firm, Rocky Boy is a compact tribe and has been so since 1994.  
587 We negotiated the federal government for different departments and in this case the courts. We received  
588 \$171,000, currently receiving less, \$160,000. We have always had to subsidize the courts, from  
589 \$300,000 – to \$400,000 to help sustain our courts. Until recently we got aggressive to help fund our  
590 courts through federal grants, which alleviates the tribe producing the additional dollar. The courts are  
591 operating centrally from the government through the judicial commission, which is appointed by tribal  
592 government. When doing the review, qualifications will be reviewed meeting the standards that are  
593 required. Prior to the consulting firm coming in the council state with the judicial commission on some  
594 issues, one being the need to complete internal code development. We realize that there are some flaws  
595 within our law and order code and we authorized our legal department to work with our courts to  
596 identify these areas and then find resources to address them. He is unaware if there are dollars the  
597 consulting firm is aware of so that the tribe could apply for to upgrade our law and order code.  
598 Honorable Coochise states, this is one of the areas once the consulting completes the review, they are  
599 aware of a lot of areas that the firm could go to that wasn't typical for the tribes to go to. He states,  
600 another issue is, the tribe is not any different from the other tribes. In their findings among the tribes,  
601 the federal government and interior are only funding 26% of the total court budget and this is what OMB  
602 thought, they were funding the whole thing. Every year a final report is available to OMB and it was  
603 stated to OMB that the government is only funding 26% and the tribes are carrying 74%. He states,  
604 when you look at it, your expectations are higher than what is put forth in dollars and this is why the  
605 request was made. The other issue on a national level, this year and last year, there was an increase that  
606 went into tribal courts, \$2.4 million for last year and this year. Next year from Obahma's budget there is  
607 \$8 million to go into the tribal courts. The senate committee on Indian Affairs requested copies of the  
608 consulting firm's report so that they can help getting more resources. Chairman Parker questions how  
609 long will the review team take. Honorable Coochise states, all wee, and once completed, they will  
610 orally state findings to the council. He states, they will not make any recommendations at that time  
611 because all the documents will need to be reviewed. A written report will be sent within 30 days and  
612 will only be sent to the chairman and to the central office.

613  
614 Jonathan questions when the exit interview is scheduled on Friday. Honorable Coochise states, it would  
615 be up to the council. Jonathan states, he will be available on Friday in the afternoon.

616  
617 Chance comments. He states, by consensus of the Judicial Commission, Mr. Corcoran and hopefully  
618 through the Health Board, Kenny wanted a consulting contract between the CDC and courts to have a  
619 referral list for those they feel that his assistance is required. If ONI would give notice and carry Kenny  
620 for 2 more weeks, by law a 2-week notice is required. He states, ONI is paying him \$20 per hour and  
621 from August to the end of the September would be \$7,200, and if the Health Board and CDC would  
622 draft an MOU, which would be \$3,600 and if the Judicial would also come up with an MOU for \$3,600  
623 this would get Kenny and his services until September 30<sup>th</sup> and would give the Chairman and Treasurer

624 to budget in for 2010. First of all on the Health Board side if he could get consensus from colleagues to  
625 give him authority to have John and Fawn find the \$3,600. Jonathan states, what can be done is sit  
626 down, because there is going to be some other issues that will need to be dealt with such as  
627 confidentiality agreements, liability issues and all the other things to assure that we are on the safe side.  
628

629 Kenny comments. He states, CRD is good, right now on the WIA program we have 6 or 7 girls working  
630 and when the office girls are not there, a woman's part of cultural and traditional ways, it is not his place  
631 to talk to the young girls. Kenny questions the liability issue. Jonathan states, the liability issue is when  
632 someone comes back on breach of confidentiality. He just wants to assure everyone is covered because  
633 the programs are dealing with federal funds. Kenny states, in his mind to help our young people is  
634 cultural healing, he doesn't have a master degree in counseling. Every other day there are people  
635 coming to his home for his help.  
636

637 **Motion by Brian "Kelly" Eagleman to authorize John "Chance" Houle to work with Fawn Tadios,**  
638 **CEO and John Johnson, Assistance CEO of the Health Board to come up with an Memorandum**  
639 **of Understanding (MOU) through the White Sky Hope Center to share costs of Kenny Writing**  
640 **Bird's cultural services of \$3,600 and for the Elinor Nault, Court Administrator from the Judicial**  
641 **Commission to also come up with an MOU to cost share \$3,600 for Kenny Writing Bird's cultural**  
642 **services 2-weeks from Wednesday, August 5, 2009. Seconded by Jonathan Windy Boy with a**  
643 **comment. He states, he would just wants to made it clear that he doesn't dispute the services**  
644 **rendered, he just wants to assure as a tribe everyone is protected. Chance states, Judicial**  
645 **Commission and Health Board hopefully will figure their end out and this will go back to the**  
646 **budget committee for September 2010. Comment and question called for. All in favor, motion**  
647 **carried. (6) Yes – (0) No.**  
648

649 **Motion by Jonathan Windy Boy for all the tribal entities to come together through a**  
650 **Memorandum of Understanding (MOU) for the coordination of efforts on how the cultural and**  
651 **traditional aspects of services within tribal departments will happen. Seconded by Brian "Kelly"**  
652 **Eagleman with a question by Bert Corcoran. He questions whose responsibility it would be.**  
653 **Chairman Parker states, he would think it would be the directors to identify these roles, which**  
654 **would be an open discussion on how we could all better work together. Richard Sangrey**  
655 **comments. He states, Jonathan made the motion before that all departments work together on**  
656 **the coordination. Jonathan states, it is the same thing, every time we take action at this level,**  
657 **nothing ever happens. Call for question. All in favor, motion carried. (6) Yes – (0) No.**  
658

659 **RANGE RIDERS – CHANCE HOULE:**  
660

661 Chance states, we took action in the past on range riders and this item was supposed to be forwarded to  
662 the full council. He states, Rick Morsette, Bobby Lasalle, Frank Billy and he discussed range riders  
663 being paid out of the range improvement fund. His thought a while back this should have been  
664 separated, which it wasn't. Four programs were to cost share and the money should have gone into this  
665 account. He believes those positions should be segregated and needs to have its own account. To date  
666 one of the four programs pitched in. Rick states, in talking with Janice, only one program paid and the  
667 salaries have been taken out of range improvement fund. He states, Bobby Lasalle come to see him and  
668 stated he had 2 projects that needed to be completed and there are no funds available. Dry Fork cannot  
669 commit until after harvest.  
670