

ROSEBUD SIOUX TRIBE
Resolution No. 2020-111

- WHEREAS,** the Rosebud Sioux Tribe is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934 and pertinent amendments thereof; and
- WHEREAS,** the Rosebud Sioux Tribe is governed by a Tribal Council made up of elected representatives who act in accordance with the powers granted to it by its Constitution and By-laws; and
- WHEREAS,** the Rosebud Sioux Tribal Council is authorized to promulgate and enforce ordinances for the maintenance of law and order, and to safeguard the peace and morals, and general welfare of the Tribe, pursuant to the Rosebud Sioux Tribe Constitution and By-Laws Article IV Sections 1 (k), and (m), and
- WHEREAS,** the Rosebud Sioux Tribal Council has enacted RST Ordinance No. 80-02, creating and establishing the Rosebud Sioux Tribe's Governmental Affairs Committee, authorizing the RST Governmental Affairs Committee to review and recommend all proposed legislation; and
- WHEREAS,** the Rosebud Sioux Tribe Governmental Affairs Committee has recommended the Rosebud Sioux Tribal Council authorize and direct legal counsel for the Tribe to file a motion to compel Cottonwood Knoll, LLC, to perform its obligations under the Land Lease for confined animal facility, or hog farm site in federal district court; and
- WHEREAS,** the Rosebud Sioux Tribal Council has enacted RST Resolution No. 2020-81, approving the recommendation of RST Governmental Affairs to authorize and direct legal counsel for the Tribe to file a motion to compel Cottonwood Knoll, LLC, to perform its obligations under the Land Lease for the confined animal facility, or hog farm site, in federal district court; and
- WHEREAS,** on April 27th, 2020, representatives contacted the United States Department of Interior, Field Solicitor's Office, to provide copies of the Grassy Knoll Revised Closure Plan and Cottonwood Grove Revised Closure Plan and request approval of the both closure plans prior to the expiration of the Land Lease on May 19th, 2020; and
- WHEREAS,** After review of the documents and consulting with counsel on May 6, 2020, the RST Tribal Council made a motion to authorize Mark Marshall to proceed in federal court to address the points the Tribal Council and administration have addressed: for the money owed, disposal of waste, disposal of concrete, RST EPA monitoring, timelines of water and amount of water used for flushing and for the Tribal Attorney to draft a resolution authorizing this action; and
- THEREFORE BE IT RESOLVED,** that the Rosebud Sioux Tribal Council approves the recommendation to authorize Mark Marshall to proceed in federal court and address the points the Tribal Council and Administration have addressed, including a full and complete accounting of any moneys owed for Land Lease payments and water usage payments, the location of the deeded land where animal waste, sludge, and any other contaminated substances will be disposed, and whether or not to location of waste disposal is within the Treaty boundaries, further information the disposition of the concrete pads and other building materials, and whether or not they will either be excavated and removed, or simply buried on site, provision of site monitoring and environmental law and regulatory compliance by the RST Environmental Protection Agency, timelines for water used and amounts used in the closure plans, and for the Tribal Attorney to draft a resolution authorizing this action; and

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Delores Totes Waln

Delores Totes Waln
Antelope Council Representative

5-7-20

Date

Russell Eagle Bear

Russell Eagle Bear
Black Pipe Council Representative

5-8-20

Date

Lisa White Pipe

Lisa White Pipe
Bull Creek Council Representative

Date

C. Steve Brave

C. Steve Brave
Butte Creek Council Representative

5-8-20

Date

Arlene R. Black Bear

Arlene R. Black Bear
Corn Creek Council Representative

Date

Rita Means

Rita Means
Grass Mountain Council Representative

5-7-20

Date

Cliff Lafferty

Clifford Lafferty
He Dog Council Representative

5-7-2020

Date

Robert Rattling Leaf

Robert Rattling Leaf
Horse Creek Council Representative

Date

Shizue LaPointe

Shizue LaPointe
Ideal Council Representative

Date

Byron Andrews

Byron Andrews
Milks Camp Council Representative

Date

Wilda Wooden Knife

Wilda Wooden Knife
Okreek Council Representative

5-8-20

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Eileen Shot

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5-8-20
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Ring Thunder Council Representative

5-7-20
Date

Lenard Wright

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Soldier Creek Council Representative

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Lila Kills In Sight
Spring Creek Council Representative

Date

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St. Francis Council Representative

Date

James Leader Charge
James Leader Charge
Swift Bear Council Representative

05-07-2020
Date

Richard Whipple
Two Strike Council Representative

Date

Dwight Spotted Tail
Upper Cut Meat Council Representative

05/07/2020
Date

CERTIFICATION

This is to certify that the above Resolution No. 2020-111 was duly circulated and signed by representatives of the Rosebud Sioux Tribal Council. Said petition was duly passed, as signed by a majority of the Rosebud Sioux Tribal Council.

ATTEST:

Wayne Boyd
Wayne Boyd, Secretary
Rosebud Sioux Tribe

Rodney Bordeaux
Rodney Bordeaux, President
Rosebud Sioux Tribe

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Rodney Bordeaux

Rodney Bordeaux, President
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United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Rosebud Agency

Post Office Box 228

Mission, South Dakota 57555

IN REPLY REFER TO:
Office of the Superintendent

JUN 05 2020

Honorable Rodney Bordeaux
President, Rosebud Sioux Tribe
Post Office Box 430
Rosebud, South Dakota 57570

Attention: Louis Wayne Boyd, RST Secretary

Dear President Bordeaux:

The following resolutions, received in this office on 06/05/2020 have been reviewed and re-routed to the appropriate branches.

Resolution No. 2019-13 (Amended: 04/22/2020)
Resolution No. 2020-102
Resolution No. 2020-103
Resolution No. 2020-104
Resolution No. 2020-105
Resolution No. 2020-106
Resolution No. 2020-107
Resolution No. 2020-109
Resolution No. 2020-110

Resolution No. 2020-111
Resolution No. 2020-114
Resolution No. 2020-115
Resolution No. 2020-116
Resolution No. 2020-117
Resolution No. 2020-118
Resolution No. 2020-119
Resolution No. 2020-120
Resolution No. 2020-121

Sincerely,

Lee A. Beardt
Superintendent

Enclosure