

ROSEBUD SOUX TRIBE
Resolution No. 2020-150

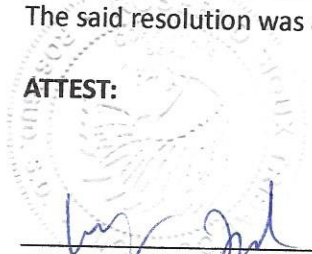
- WHEREAS,** The Rosebud Sioux Tribe is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934 and pertinent amendments thereof; and
- WHEREAS,** The Rosebud Sioux Tribe is governed by a Tribal Council made up of elected representatives who act in accordance with the powers granted to it by its Constitution and By-laws; and
- WHEREAS,** the Constitution and By-laws of the Rosebud Sioux Tribe Article IV Section 1 (a) authorizes the Tribal Council to negotiate with the Federal, State and local governments on behalf of the Tribe; and
- WHEREAS,** the State of South Dakota Department of Social Services Division of Behavioral Health has established standards for state Intensive Methamphetamine Treatment Expansion Programs to support treatment services for adults who are assessed with a severe methamphetamine use disorder, who require 24-hour structure and support due to the imminent risk for relapse. Clients require long-term treatment to allow for recovery of cognitive capacity as well as on-going case management, the length of service in any level of care shall be determined based upon the individualized needs presented by each client; and
- WHEREAS,** the Contract for Intensive Methamphetamine Treatment Expansion Program (the "Agreement"), effective from August 15, 2019, and shall end on May 31, 2020, in the amount of \$667,725.00, was approved in August 2019; and
- WHEREAS,** the Agreement provision, Controlling Law, provides the Agreement shall be governed by and construed in accordance with the laws of the State of South Dakota, without regard to any conflicts of law principles, decisional law, or statutory provisions which would require or permit the application of another jurisdiction's substantive law. Venue for any lawsuit pertaining to or affecting this Agreement shall be in the United States District Court, District of South Dakota; and
- WHEREAS,** the State of South Dakota Department of Social Services Division of Behavioral Health desires to renew the Agreement as amended effective from June 1, 2020 and ending on May 31, 2021, in the amount of \$581,080; and
- WHEREAS,** Federal law provides that a Tribe must unequivocally and clearly express any waiver of the sovereign immunity in writing; and
- THEREFORE BE IT RESOLVED,** that the Rosebud Sioux Tribal Council hereby agrees with the terms and provisions of the amended Agreement for Intensive Methamphetamine Treatment; and
- BE IT ALSO RESOLVED,** That the President of the Rosebud Sioux Tribe or his authorized delegate is authorized and directed to sign and execute the Agreement for Intensive Methamphetamine Treatment on behalf of the Rosebud Sioux Tribe effective June 1, 2020.

**ROSEBUD SOUX TRIBE
Resolution No. 2020-150**

CERTIFICATION

This is to certify that the above Resolution No. 2020-150 was duly passed by the Rosebud Sioux Tribal Council in session on June 29, 2020, by a vote of ten (10) in favor, zero (0) opposed and one (1) not voting. The said resolution was adopted pursuant to authority vested in the Council. A quorum was present.

ATTEST:



Wayne Boyd, Secretary
Rosebud Sioux Tribe

A handwritten signature in blue ink, appearing to read "R. Bordeaux", is written over a horizontal line.

Rodney M. Bordeaux, President
Rosebud Sioux Tribe

ROSEBUD SOUX TRIBE
Resolution No. 2020-150

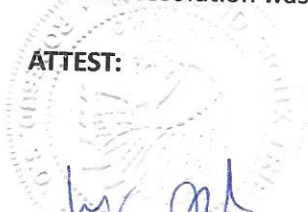
- WHEREAS,** The Rosebud Sioux Tribe is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934 and pertinent amendments thereof; and
- WHEREAS,** The Rosebud Sioux Tribe is governed by a Tribal Council made up of elected representatives who act in accordance with the powers granted to it by its Constitution and By-laws; and
- WHEREAS,** the Constitution and By-laws of the Rosebud Sioux Tribe Article IV Section 1 (a) authorizes the Tribal Council to negotiate with the Federal, State and local governments on behalf of the Tribe; and
- WHEREAS,** the State of South Dakota Department of Social Services Division of Behavioral Health has established standards for state Intensive Methamphetamine Treatment Expansion Programs to support treatment services for adults who are assessed with a severe methamphetamine use disorder, who require 24-hour structure and support due to the imminent risk for relapse. Clients require long-term treatment to allow for recovery of cognitive capacity as well as on-going case management, the length of service in any level of care shall be determined based upon the individualized needs presented by each client; and
- WHEREAS,** the Contract for Intensive Methamphetamine Treatment Expansion Program (the "Agreement"), effective from August 15, 2019, and shall end on May 31, 2020, in the amount of \$667,725.00, was approved in August 2019; and
- WHEREAS,** the Agreement provision, Controlling Law, provides the Agreement shall be governed by and construed in accordance with the laws of the State of South Dakota, without regard to any conflicts of law principles, decisional law, or statutory provisions which would require or permit the application of another jurisdiction's substantive law. Venue for any lawsuit pertaining to or affecting this Agreement shall be in the United States District Court, District of South Dakota; and
- WHEREAS,** the State of South Dakota Department of Social Services Division of Behavioral Health desires to renew the Agreement as amended effective from June 1, 2020 and ending on May 31, 2021, in the amount of \$581,080; and
- WHEREAS,** Federal law provides that a Tribe must unequivocally and clearly express any waiver of the sovereign immunity in writing; and
- THEREFORE BE IT RESOLVED,** that the Rosebud Sioux Tribal Council hereby agrees with the terms and provisions of the amended Agreement for Intensive Methamphetamine Treatment; and
- BE IT ALSO RESOLVED,** That the President of the Rosebud Sioux Tribe or his authorized delegate is authorized and directed to sign and execute the Agreement for Intensive Methamphetamine Treatment on behalf of the Rosebud Sioux Tribe effective June 1, 2020.

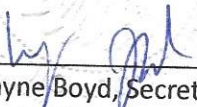
**ROSEBUD SOUX TRIBE
Resolution No. 2020-150**

CERTIFICATION


This is to certify that the above Resolution No. 2020-150 was duly passed by the Rosebud Sioux Tribal Council in session on June 29, 2020, by a vote of ten (10) in favor, zero (0) opposed and one (1) not voting. The said resolution was adopted pursuant to authority vested in the Council. A quorum was present.

ATTEST:





Wayne Boyd, Secretary
Rosebud Sioux Tribe



Rodney M. Bordeaux, President
Rosebud Sioux Tribe



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

JUL 07 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 07/06/2020 have been reviewed and re-routed to the appropriate branches.

Resolution No. 2019-42
Resolution No. 2020-45
Resolution No. 2020-117
Resolution No. 2020-123
Resolution No. 2020-132 (Amended: 06/17/2020)
Resolution No. 2020-133 (Amended: 06/07/2020)
Resolution No. 2020-142
Resolution No. 2020-143
Resolution No. 2020-144
Resolution No. 2020-145

Resolution No. 2020-146
Resolution No. 2020-147
Resolution No. 2020-148
Resolution No. 2020-149
Resolution No. 2020-150
Resolution No. 2020-151
Resolution No. 2020-152
Resolution No. 2020-153
Resolution No. 2020-154

Sincerely,

Ira Dean Wilson
Superintendent

Enclosure

ROSEBUD SOUX TRIBE
Resolution No. 2020-150

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 Constitution and By-laws of the Rosebud Sioux Tribe Article IV Section 1 (a) authorizes the Tribal Council to negotiate with the Federal, State and local governments on behalf of the Tribe; and

WHEREAS, the State of South Dakota Department of Social Services Division of Behavioral Health has established standards for state Intensive Methamphetamine Treatment Expansion Programs to support treatment services for adults who are assessed with a severe methamphetamine use disorder, who require 24-hour structure and support due to the imminent risk for relapse. Clients require long-term treatment to allow for recovery of cognitive capacity as well as on-going case management, the length of service in any level of care shall be determined based upon the individualized needs presented by each client; and

WHEREAS, the Contract for Intensive Methamphetamine Treatment Expansion Program (the "Agreement"), effective from August 15, 2019, and shall end on May 31, 2020, in the amount of \$667,725.00, was approved in August 2019; and

WHEREAS, the Agreement provision, Controlling Law, provides the Agreement shall be governed by and construed in accordance with the laws of the State of South Dakota, without regard to any conflicts of law principles, decisional law, or statutory provisions which would require or permit the application of another jurisdiction's substantive law. Venue for any lawsuit pertaining to or affecting this Agreement shall be in the United States District Court, District of South Dakota; and

WHEREAS, the State of South Dakota Department of Social Services Division of Behavioral Health desires to renew the Agreement as amended effective from June 1, 2020 and ending on May 31, 2021, in the amount of \$581,080; and

WHEREAS, Federal law provides that a Tribe must unequivocally and clearly express any waiver of the sovereign immunity in writing; and

THEREFORE BE IT RESOLVED, that the Rosebud Sioux Tribal Council hereby agrees with the terms and provisions of the amended Agreement for Intensive Methamphetamine Treatment; and

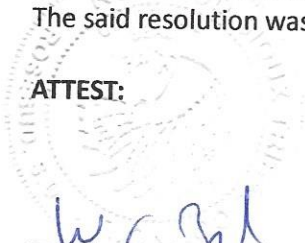
BE IT ALSO RESOLVED, That the President of the Rosebud Sioux Tribe or his authorized delegate is authorized and directed to sign and execute the Agreement for Intensive Methamphetamine Treatment on behalf of the Rosebud Sioux Tribe effective June 1, 2020.

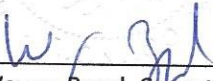
**ROSEBUD SOUX TRIBE
Resolution No. 2020-150**

CERTIFICATION

This is to certify that the above Resolution No. 2020-150 was duly passed by the Rosebud Sioux Tribal Council in session on June 29, 2020, by a vote of ten (10) in favor, zero (0) opposed and one (1) not voting. The said resolution was adopted pursuant to authority vested in the Council. A quorum was present.

ATTEST:





Wayne Boyd, Secretary
Rosebud Sioux Tribe



Rodney M. Bordeaux, President
Rosebud Sioux Tribe

ROSEBUD SOUX TRIBE
Resolution No. 2020-150

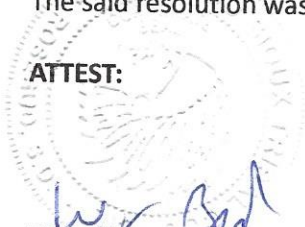
- WHEREAS,** The Rosebud Sioux Tribe is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934 and pertinent amendments thereof; and
- WHEREAS,** The Rosebud Sioux Tribe is governed by a Tribal Council made up of elected representatives who act in accordance with the powers granted to it by its Constitution and By-laws; and
- WHEREAS,** the Constitution and By-laws of the Rosebud Sioux Tribe Article IV Section 1 (a) authorizes the Tribal Council to negotiate with the Federal, State and local governments on behalf of the Tribe; and
- WHEREAS,** the State of South Dakota Department of Social Services Division of Behavioral Health has established standards for state Intensive Methamphetamine Treatment Expansion Programs to support treatment services for adults who are assessed with a severe methamphetamine use disorder, who require 24-hour structure and support due to the imminent risk for relapse. Clients require long-term treatment to allow for recovery of cognitive capacity as well as on-going case management, the length of service in any level of care shall be determined based upon the individualized needs presented by each client; and
- WHEREAS,** the Contract for Intensive Methamphetamine Treatment Expansion Program (the "Agreement"), effective from August 15, 2019, and shall end on May 31, 2020, in the amount of \$667,725.00, was approved in August 2019; and
- WHEREAS,** the Agreement provision, Controlling Law, provides the Agreement shall be governed by and construed in accordance with the laws of the State of South Dakota, without regard to any conflicts of law principles, decisional law, or statutory provisions which would require or permit the application of another jurisdiction's substantive law. Venue for any lawsuit pertaining to or affecting this Agreement shall be in the United States District Court, District of South Dakota; and
- WHEREAS,** the State of South Dakota Department of Social Services Division of Behavioral Health desires to renew the Agreement as amended effective from June 1, 2020 and ending on May 31, 2021, in the amount of \$581,080; and
- WHEREAS,** Federal law provides that a Tribe must unequivocally and clearly express any waiver of the sovereign immunity in writing; and
- THEREFORE BE IT RESOLVED,** that the Rosebud Sioux Tribal Council hereby agrees with the terms and provisions of the amended Agreement for Intensive Methamphetamine Treatment; and
- BE IT ALSO RESOLVED,** That the President of the Rosebud Sioux Tribe or his authorized delegate is authorized and directed to sign and execute the Agreement for Intensive Methamphetamine Treatment on behalf of the Rosebud Sioux Tribe effective June 1, 2020.

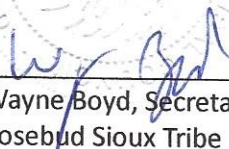
ROSEBUD SOUX TRIBE
Resolution No. 2020-150

CERTIFICATION

This is to certify that the above Resolution No. 2020-150 was duly passed by the Rosebud Sioux Tribal Council in session on June 29, 2020, by a vote of ten (10) in favor, zero (0) opposed and one (1) not voting. The said resolution was adopted pursuant to authority vested in the Council. A quorum was present.

ATTEST:





Wayne Boyd, Secretary
Rosebud Sioux Tribe



Rodney M. Bordeaux, President
Rosebud Sioux Tribe



Eric Antoine <eric.antoine@rst-nsn.gov>

Fwd: 2021 State Meth Contract

1 message

Lloyd Guy <lloyd.guy@rst-nsn.gov>

To: "Rodney M. Bordeaux" <rodney.bordeaux@rst-nsn.gov>

<wayne.boyd@rst-nsn.gov>, Stephan Denoyer III <stephan.denoyeriii@rst-nsn.gov>, Julie Peneaux <julie.peneaux@rst-nsn.gov>, Wayne Boyd

Cc: Dwight Damarian Spotted Tail <dwright.spottedtail@rst-nsn.gov>, Wilda Wooden Knife <wilda.woodenknife@rst-nsn.gov>, rflameans3970@gmail.com, Lisa White

Pipe <lwhitepipe@rst-nsn.gov>, Chums Lafferty <chums.lafferty@rst-nsn.gov>, Eileen Shot <eileen.shot@rst-nsn.gov>, Shizue M LaPointe <ideal@rst-nsn.gov>,

Martha Blue Thunder <martha.bluthunder@rst-nsn.gov>, Horse Creek Rep <robert.rattlingleaf@rst-nsn.gov>, Shadow Wright <shadow.wright@rst-nsn.gov>,

<soldier.creek@rst-nsn.gov>, Russel Eagle Bear <russell.eaglebear@rst-nsn.gov>, James Leadercharge <swiftbear@rst-nsn.gov>, Kathleen Wooden Knife

nsn.gov>, Sharon Swift <sharon.swift@rst-nsn.gov>, Corn Creek Rep <arlene.blackbear@rst-nsn.gov>, edparsells@hotmail.com, Marcida Eagle Bear

Good morning Council.

Please find attached the 2021 contract for the meth program as well as a resolution that needs to go through today. I have reviewed it and compared it to last year's council-approved contract and there are really two marked differences between this proposed new agreement:

1. There is an Israel Anti-boycott section, which was required per Kristi Noem's Executive Order 2020-01. It prevents the state from entering contracts with agencies who boycott Israeli companies for discriminatory reasons. To my knowledge, the Rosebud Sioux Tribe does not have any such dealings which would fall under this. I presume that this language was entered into every state contract that was coming up after January 2020.
2. The amount this year is less than what was given last year. Ed informs me that it is based on what we billed this past year.
3. Given that these are the only changes in this year's contract, I recommend this for approval.
4. **Please note that this needs to be effective 6/1/2020.** Ed informs me that they may lose about \$40,000 worth of billing if we don't act fast.

----- Forwarded message -----

From: Ed Parsells <ed.parsells@rst-nsn.gov>

Date: Mon, Jun 22, 2020 at 7:34 AM

Subject: 2021 State Meth Contract

To: Lloyd Guy <lloyd.guy@rst-nsn.gov>

Cc: Rodney M. Bordeaux <rodney.bordeaux@rst-nsn.gov>, Marcida Eagle Bear <marcida.eaglebear@rst-nsn.gov>, Skyla Fast Horse <skyla.fasthorse@rst-nsn.gov>

Hi Lloyd, can you please review the new meth contract (attached) and make recommendations. Thanks
Ed


6/29/2020

Rosebud Sioux Tribe Mail - Fwd: 2021 State Meth Contract

Lloyd E. Guy, III
Attorney General
Rosebud Sioux Tribe
P.O. Box 500
Rosebud, SD 57570
(605) 747-2900

2 attachments

 **state contract SFY-21 Rosebud (1).docx**
101K

 **Meth Contract Extension June 1 2020 resolution.docx**
16K