

Mike Faith  
Chairman

TRIBAL COUNCIL  
(AT LARGE)

Nola Taken Alive

Charles Walker

Avis Little Eagle

Kory McLaughlin

Warren Hawk

Jesse McLaughlin

Ira Taken Alive  
Vice Chairman



Susan Agard  
Secretary

John Pretty Bear  
Cannonball District

Brandon Mauai  
Long Soldier District

Wayne Looking Back  
Wakpala District

Delray Demery  
Kenel District

Joe White Mountain Jr.  
Bear Soldier District

Caroline Thompson  
Rock Creek District

Verdell Bobtail Bear  
Running Antelope District

Samuel B. Harrison  
Porcupine District

PLEASE POST

NOTICE TO PUBLIC

On October 21, 2019 the Standing Rock Sioux Tribal Council approved to post for comment(s) the attached **Liquor Ordinance, Title VIII (8)** of the Standing Rock Sioux Tribal Code of Justice for ten (10) days. Pursuant to Title XIX of the Code of Justice, any interested persons may submit comments on proposed amendments or any other part of **Title VIII (8), Liquor Ordinance** which the person believes should be amended.

Members of the Judicial Committee, In-House Counsel and counsel retained by the Tribal Court for Code of Justice revisions will accept oral, written and electronic comments until December 5, 2019. You may submit your electronic comments to the following:

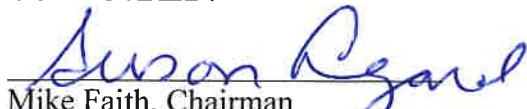
Spirit Grey Bull – [sgreybull@standingrock.org](mailto:sgreybull@standingrock.org)

If you are receiving this Notice and attachments in your role as District Officer, please post a copy at your local district offices and ensure it is available to other District Officers and District Members. In addition, please have copies available to distribute upon request.

Please note you can also access these proposed amendments to **Title VIII (8), Liquor Ordinance**, on the Tribe's website at [www.standingrock.org](http://www.standingrock.org). From the home page, click on Titles, followed by Proposed Changes, and find the link to **Title VIII (8), Liquor Ordinance**.

Dated this 25<sup>th</sup> of November, 2019.

CONCURRED:

  
Mike Faith, Chairman  
Standing Rock Sioux Tribe



**REGULAR TRIBAL COUNCIL ENTITY MEETING**  
**INTER-OFFICE FOLLOW-UP**

MEETING DATE: October 29, 2019

P A G E : 29

MOTION #58 IS CONTINUED.

MOTION CARRIED 3 – EXCUSED

#59. MOTION WAS MADE BY SUSAN AGARD, SECONDED BY VERDELL BOBTAIL BEAR, TO APPROVE OF THE CONTRACT FOR REDW FOR THE AUDIT PREP, FS PREP, AUDIT LIAISON, NOT TO EXCEED THE AMOUNT OF \$48,000.00 PLUS TRAVEL AND EXPENSES.

ROLL CALL VOTE: FAITH, JR., MIKE – NOT VOTING

BOBTAIL BEAR, Verdell	YES	AGARD, Susan	YES
DEMERY, Delray	EX.	HAWK, Warren	YES
HARRISON, “Ben” Samuel	YES	LITTLE EAGLE, Avis	YES
LOOKING BACK, Wayne	YES	MCLAUGHLIN, Jesse	YES
MAUAI, Brandon	YES	MCLAUGHLIN, Kory	YES
PRETTY BEAR, John	YES	TAKEN ALIVE, Ira	YES
THOMPSON, Caroline	EX.	TAKEN ALIVE, Nola	YES
WHITE MOUNTAIN, Jr., Joseph	YES	WALKER, Charles	EX.

VOTE: YES – 13 NO – 0 NOT VOTING – 1

MOTION CARRIED 3 – EXCUSED

**JUDICIAL COMMITTEE** – Ira Taken Alive reporting.  
October 21, 2019 [REGULAR] EXCERPT

#60. MOTION WAS MADE BY SUSAN AGARD, SECONDED BY WARREN HAWK, TO APPROVE TO POST TITLE VIII LIQUOR ORDINANCE FOR TEN (10) DAYS, WITH AMENDMENTS.

ROLL CALL VOTE: FAITH, JR., MIKE – NOT VOTING

BOBTAIL BEAR, Verdell	YES	AGARD, Susan	YES
DEMERY, Delray	EX.	HAWK, Warren	YES
HARRISON, “Ben” Samuel	YES	LITTLE EAGLE, Avis	NO
LOOKING BACK, Wayne	YES	MCLAUGHLIN, Jesse	NO
MAUAI, Brandon	YES	MCLAUGHLIN, Kory	YES
PRETTY BEAR, John	YES	TAKEN ALIVE, Ira	YES
THOMPSON, Caroline	EX.	TAKEN ALIVE, Nola	YES
WHITE MOUNTAIN, Jr., Joseph	YES	WALKER, Charles	EX.

**REGULAR TRIBAL COUNCIL ENTITY MEETING**  
**INTER-OFFICE FOLLOW-UP**

MEETING DATE: October 29, 2019

P A G E : 30

MOTION #60 IS CONTINUED.

VOTE: YES – 11 NO – 2 NOT VOTING – 1

**MOTION CARRIED** 3 – EXCUSED

**JUDICIAL COMMITTEE** – Ira Taken Alive reporting.  
October 22, 2019 [REGULAR] EXCERPT

#61. MOTION WAS MADE BY SUSAN AGARD, SECONDED BY VERDELL BOBTAIL BEAR, TO APPROVE: **NOW THEREFORE BE IT RESOLVED**, THE STANDING ROCK SIOUX TRIBAL COUNCIL HEREBY ACCEPTS THE GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE (BJA), FOR THE FY 2019 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE (JAG) GRANT #2019-DJ-BX-0718 IN THE AMOUNT OF \$10,567.00 TO FUND THE STANDING ROCK SIOUX TRIBAL COURT’S “SCRAMNET MONITORING ASSISTANCE PROJECT” WITH NO MATCH REQUIRED AND A 5% INDIRECT COST RATE, **BY RESOLUTION**.

ROLL CALL VOTE: FAITH, JR., MIKE – NOT VOTING

BOBTAIL BEAR, Verdell	YES	AGARD, Susan	YES
DEMERY, Delray	EX.	HAWK, Warren	YES
HARRISON, “Ben” Samuel	YES	LITTLE EAGLE, Avis	YES
LOOKING BACK, Wayne	YES	MCLAUGHLIN, Jesse	YES
MAUAI, Brandon	N.V.	MCLAUGHLIN, Kory	YES
PRETTY BEAR, John	YES	TAKEN ALIVE, Ira	YES
THOMPSON, Caroline	EX.	TAKEN ALIVE, Nola	YES
WHITE MOUNTAIN, Jr., Joseph	YES	WALKER, Charles	EX.

VOTE: YES – 12 NO – 0 NOT VOTING – 2

**MOTION CARRIED** 3 – EXCUSED

#62. MOTION WAS MADE BY SUSAN AGARD, SECONDED BY VERDELL BOBTAIL BEAR, TO APPROVE: **NOW THEREFORE BE IT RESOLVED**, THAT THE STANDING ROCK SIOUX TRIBE HEREBY ACCEPTS THE FY2019 ADAM WALSH SMART GRANT AWARD IN SUPPORT FOR ADAM WALSH ACT IMPLEMENTATION GRANT #2019-AX-BX-0032, A TWO (2) YEAR GRANT IN THE AMOUNT OF \$400,000.00 FOR THE SUPPORT OF THE STANDING ROCK SIOUX TRIBE’S ADAM WALSH SEX OFFENDER REGISTRY PROGRAM, **BY RESOLUTION**.

ROLL CALL VOTE: FAITH, JR., MIKE – NOT VOTING

Discussion on an agreement between the SRST and Accufacts to be approved by the Committee.

**#15. Motion was made by Kory McLaughlin, Seconded by Susan Agard, to approve a service contract between Standing Rock Sioux Tribe and Accufacts, Inc. for North Dakota Public Service Hearing Commission. See Attachments (H1 – H4)**

**VOTE: 3 – YES 0 – NO 1 – NOT VOTING MOTION CARRIED.**

#16. Motion was made by Susan Agard, Seconded by \_\_\_\_\_, to approve a Standing Rock Renewable Energy Project, with amendments.

Motion died to the lack of a second.

**#17. Motion was made by Kory McLaughlin, Seconded by Delray Demery, to approve to post Title VIII Liquor Ordinance for ten (10) days, with amendments. See Attachments (I1 – I3)**

**VOTE: 3 – YES 0 – NO 1 – NOT VOTING MOTION CARRIED.**

#18. Motion was made by Delray Demery, Seconded by Susan Agard, to approve to adjourn at 11:37 a.m.

**VOTE: 3 – YES 0 – NO 1 – NOT VOTING MOTION CARRIED.**



Proposed Code Change to Title 8 (Liquor Ordinance)

Section 8-104(g) of Title 8 currently reads:

“Satisfactory proof that neither the applicant nor the applicant’s spouse has ever been convicted of a felony.”

Proposed new language:

“Satisfactory completion of a criminal background check, performed by the Tribe, verifying that neither applicant nor applicant’s spouse has been convicted of any state, tribal, or federal felony.”

ATTACHMENT   I  

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ATTACHMENT \_\_\_\_\_

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SRST JUDICIAL COMM.

### TITLE VIII. LIQUOR

#### 8-101. Conformity with State Laws and this Title.

The introduction, possession, transportation, and sale of intoxicating beverages shall be lawful within the Indian country under the jurisdiction of the Tribe, provided that such introduction, possession, transportation, and sale in North Dakota, are in conformity with the laws of the State of North Dakota, and with the provisions of this Title, and that such introduction, possession, transportation, and sale in South Dakota are in conformity with the laws of the State of South Dakota, and with the provisions of this Title.

#### 8-102. Corporate and Tribal Entity.

The Standing Rock Sioux Tribal Council (hereinafter the "Council"), may charter, or form a corporation, or a subordinate tribal entity, or a tribal enterprise, to operate off-sale or packaged sale of intoxicating beverages, under such license or licenses as may be required by law.

#### 8-103. Tribal License or Permit Required.

No person shall engage in the sale of intoxicating beverages within the Indian country under the jurisdiction of the Tribe, unless duly licensed or permitted to do so by the Tribe in accordance with the terms of this Title and, in the case of non-Indians, by the Tribe and the State in which the licensee sells intoxicating beverages, provided that the Tribe, in the discretion of the Council, may require Indians to obtain licenses from the appropriate State.

#### 8-104. Application for Tribal Liquor License - Requirements.

No tribal license shall issue under this Title except upon a sworn application filed with the Council containing a full and complete showing of the following:

- (a) If the applicant is a non-Indian, satisfactory proof that the applicant is or will be duly licensed by the State in which he proposes to operate.
- (b) If the applicant is an Indian, and the Council determines that a State license should be obtained, satisfactory proof that the applicant is or will be duly licensed by the appropriate State, or that such license has been withheld or denied for reasons in excess of the powers vested in the State licensing authorities, or for arbitrary or capricious reasons.
- (c) Satisfactory proof that the applicant is of good character and reputation among the people of the Reservation, with particular reference to the Indian people, and that he is financially responsible.

ATTACHMENT

I 2

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