

IYAKAPTAPI BIG COULEE DISTRICT

Sisseton-Wahpeton Oyate

LAKE TRAVERSE RESERVATION

P.O. Box 825

Agency Village, South Dakota 57262

Phone: (605)938-4475 Fax: (605)938-5475

Lynn Halbert Removal Hearing
Thursday July 13, 2023 - 6:00PM

BCD Executives Present:

Chairperson:	Myrna Thompson
Vice Chairman:	William ‘Billy’ Kohl
Treasurer:	Lynn Halbert
Secretary:	Geraldine ‘Geri’ Opsal

District Members Present (36):

Quorum established by District Chairperson Myrna Thompson, meeting called to order at 6:07 PM.

Opening prayer given by Norma ‘Tiny’ Perko.

District Chairperson thanked everyone for coming to this removal hearing as this is the time that was set for the removal hearing at last weeks meeting and she stated she will read the charges that Lynn was presented with. Suspension pending of removal hearing, synopsis of charges on back table. Supporting evidence taped to table with suspension letter. (see attached removal hearing letter dated July 13, 2023) The Chairperson stated that these charges were all presented to Lynn Halbert at the July 6, 2023 District Meeting.

6:15PM: Chairperson Thompson called Lynn Halbert up to the Podium and she was given the floor to answer to her charges.

Lynn took the podium and asked if this was a special meeting? It was answered by Chairperson that the answer was yes. According to policies, page 2 #7 regarding the special meeting. She said it must be advertised for a minimum for 2 weeks. She said she will refuse to give a response to charges unless it's advertised for 2 weeks, she then went and sat down.

Chairperson took the stand again and has her policies under Article 5 Vacancies Removal and Recall. This is in the District Constitution and By-Laws that you were given the 5 days, and it was stated that we do not need to hold up district operations. She was served. Chairperson said she is following the District Constitution it is in the By-Laws. **She again asked Lynn Halbert to come up and give a response to her charges.** Lynn Halbert again refused. She said why did you just post it on FB today, Chairperson reminded her that she was served on July 6th and she read the Agenda is titled : Removal Hearing. She again reiterated that Lynn Halbert you were presented

BCD Minutes approved at Regular District Meeting August 31, 2023

with the charges and the date of the Removal Hearing. That removal hearings are not advertised to the general public.

Brenda Jackson said that she wants the process to be followed for 2 weeks, and said that she shouldn't have a problem with it if she is following the 2 weeks. She said 2 conflicting things and wants to weigh out. Brenda said that she wants to follow transparency. Lisa Jackson also asked for the information to be given the 2 weeks. Lisa said the membership wasn't given 2 weeks notice, Lisa said she feels the meeting is out of order. Chairperson said we don't deviate from the Tribal Constitution. 2 different things, said that according to the policy and constitution and affords all the members to be present. Lisa said there are 2 different issues here. Lynn Halbert said that she wants the membership to be here to hear her side. Dawn Godfrey said this has been going on for 3 months - . Chairperson said this was ongoing and was asked by District Membership to do something about the Treasurer's lack of cooperation. Lisa said that this is her point she said yes we have had talked about this for 3 months., give the members the opportunity to discuss this very important issue. Lisa is saying that the majority of membership would come for this important meeting.

Chairperson said that this is the track record of non-compliance, non-communication, what we have been dealing with, lack of accountability. Does the member not want to be accountable, these are serious matters. Lynn asked did she read the Treasurer job description. Lynn is reading it out loud for the membership. Lynn is saying she has given the last 2 months on her report in quick books. Leanne TallBear said she personally doesn't have a problem for 2 weeks, she said if she wants it in the paper if that will make everyone feel better. Leann TallBear said if they want a formal notice in the paper and do a formal removal hearing. Leann said on the other hand when she reads the charges. Lynn says all she responds with 2 week notice. She needs to address that and if not go to court. Did you or did you not give it to your Mother. Did you walk out of the district meeting with on July 6th, 2023 after being told to leave the district laptop, yes or no. Lynn Halbert refused to answer. She was asked again by Leann Tallbear but refused to answer.

Lynn Halbert was asked by Norma Tina Perko, "were you given notice?" Lynn Halbert said she was given on the packet on July 6, 2023 but refused to answer about being given the date of 7/13/23 for removal hearing. Leann Tallbear asked Lynn Halbert, "Why don't you want to respond?". Lynn Halbert she said she has been working non stop, Leann Tallbear said the issue is if your too busy to do the job, work or job, it's a personal decision, if you cant do the job to step down. Leann Tallbear reminded her on the walking out of District Meeting on May 25, 2023, dismissing meeting, disrespectful to members in the district, it's how she conducts herself as Treasurer. Leann asked her why she refuses to not work with the Executives? Again Lynn Halbert refused to answer. Leann Tallbear said she gets the impression that Lynn Halbert feels she doesn't have to be accountable to anyone. Scott German is asking for recount. Leann Tallbear said she will change her vote if it will allow Lynn Halbert her 2 weeks notice. Katy Hill stated how she ran off with the laptop after being told to leave the district property (laptop). Deann Huff asked why she refuses to answer to her charges. Katy Hill stated no accountability. Dawn Godfrey asked Lynn Halbert why she refuses to answer to her charges, Lynn said she doesn't want to she wants more district membership here. Leann how many is going to be enough? Lynn Halbert didn't answer.

Leann Tallbear said if she is asking for 2 weeks due to refusing to answer tonight that she would be fine with it to change to it. Leann Tallbear said again that the only thing you responded with was the 2 week notice. Leann Tallbear asked Lynn Halbert, why don't you respond to the other charges?

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No response. She said if you refuse to respond tonight someone make a motion to have it advertised in two weeks.

MOTION #1: By Lisa Jackson to have Big Coulee is going to have an meeting in 2 weeks, to have Treasure removal hearing, 2nd by Brenda Jackson, ? by Scott German. MVC. Lisa said she commended District Councilperson for tackling that problem. 15 for 16 Opposed, Motion Defeated.

Chairperson asked Lynn Halbert if she would respond to the charges. Norma Perko asked if she had sufficient time to respond, Lynn Halbert stated she didn't feel she had enough time. Leann Tallbear felt we were arguing over semantics and that she would like to change her vote to be for verses the opposed and that lets do the 2 week notice for removal hearing. Leann Tallbear said she doesn't know what to do.

Scott German asked why everyone didn't vote., that they abstained, he felt it's an important issue to abstain. Billy Kohl, Vice Chairman asked if Leann Tallbear can change her vote. Chairperson reminded everyone how Lynn Halbert kept denying she had all the information that she had her Mother deliver the information that she previously denied having. She told everyone the district that she didn't have it yet Viva Dubois wrote a letter and signed it that she gave it to Lynn Halbert.

Katy Hill stated how disrespectful Lynn Halbert was taking the laptop when she was directed to leave the laptop. Chairperson asked what did she do with all the information on the laptop, Lynn Halbert stated its on the Cloud, Leann Tallbear stated to Lynn Halbert why does she keep changing where the information is, why does she change her answer why does she feel the need to not tell the truth. Chairperson asked Lynn Halbert who has the laptop, Lynn Halbert responded I.T. Department has it. Chairperson said that is a good case of Lynn Halbert never communicating. Chairperson asked Lynn Halbert what about our information on the laptop where is it who has access to it? Lynn said its on the Cloud. Chairperson asked her about Quickbooks Lynn stated that's on laptop. Leann Tallbear reminded her she keeps changing her mind on her answers. Now Lynn Halbert is stating yes stuff is on the laptop all the checks written are on the laptop. Chairperson asked her who specifically has the information, Lynn said I.T. Leeann Tallbear said that its whitewashing the answer, that she keeps changing her answers and its why were basically here right now.

Deann Huff asked why we have to wait to just appease Lynn Halbert even though she was given the sufficient 5 day notice and she asked Lynn Halbert why doesn't she get up and answer to her charges. **Chairperson asked Lynn Halbert if she would get up and answer to her charges.** She declined.

Susy Amos said it wasn't only Eddie Halbert that got over \$1,000 paid for him that 2 others . too. Chairperson stated she never got this money and "to Susie Amos, Councilperson that as councilperson your lack of integrity bothers me, that you tell lies about me; and I don't appreciate it."

Motion # 2: by Leann TallBear made a motion to take the removal to Tribal Court, Leann asked that the Police Department and get the laptop turned over for safekeeping until the court process is over, 2nd by Dawn Godfrey, ? by Norma Perko, MVC.

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Chairperson reported that she did talk to the Chief of Police, a criminal complaint for theft and was told by Gary Gaikowski will go retrieve the laptop.

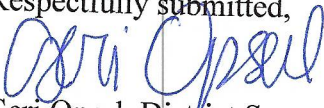
Motion #3: Dawn Godfrey authorize Chairperson Thompsons and Vice Chairman Kohl be authorized to sign checks as long as were in the black, 2nd by John Perko, ? by Norma Perko, MVC.

Motion to adjourn by Lorraine German , 2nd by Carrie Godfrey, MVP.

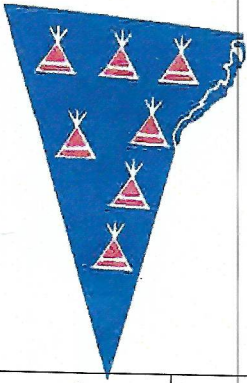
Chairperson thanked everyone for coming adjourned at 7:09PM.

Meeting adjourned.

Respectfully submitted,



Geri Opsal, District Secretary



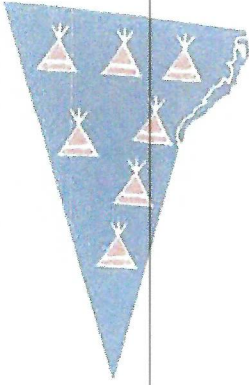
**BIG COULEE DISTRICT
WELCOME
LYNN HALBERT REMOVAL HEARING
THURSDAY, JULY 13, 2023 - 6PM
MEMBER SIGN IN ROSTER**

1	Beri Opaul
2	Effie Hill
3	Luella Best
4	Marjorie Pearson
5	Wayne Merman Sr.
6	Lynn Halbert A
7	Jefferson
8	Paul Mahan
9	Edna Mc Coy
10	Sue Ann
11	Dave Galt
12	Pete Beckwith
13	Randy Bradley
14	Lita Hill
15	Tom Perko
16	Cheyenne Quinn
17	Billy Kohl
18	Marcel Amos
19	Deann Huff
20	Nadene Merman - Fredericke

Big Coulee District
Member Sign In Roster
THURSDAY, JULY 13, 2023 - 7PM

21	Kate Hill
22	
23	Shirley Jewel
24	Julienne Phelps
25	
26	Jim
27	Jason Eastman
28	Brenda Jackson
29	Lusam Jackson
30	Marie Schaeffer
31	Barry
32	Scott
33	Mary A. Eagle
34	Lemora Jensen
35	Dustin Opel
36	Custyn Runkle
37	Maura Thompson
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36 #23
Skipped a line by
Sheila Ironheart



Sisseton Wahpeton Oyate

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IYAKAPTAPI-BIG COULEE DISTRICT

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July 13th, 2023

Removal Hearing for Lynn Halbert, District Treasurer
Big Coulee District

Reading of the Charges:

Charge #1. Gross Neglect:

The Big Coulee District Treasurer, Ms. Lynn Halbert, has not properly cared for the district funds and valuables, constituting Gross Incompetency-Unable or unwilling to perform the duties of the office.

1. The Exhibits will show that the Treasurer has not fulfilled her duties according to the Big Coulee District Constitution & By-Laws (Document of Jurisdiction and Procedure), under Duties of Officials; Treasurer, as listed:
 - a) Will keep and maintain, open to inspection by members of the District, adequate and correct accounts of the properties and business transactions of the District;
 - b) Will have care and custody of the funds and valuables of the District. Will deposit all funds in the name and to the credit of the Big Coulee District with such depository as the District may direct.
 - c) Will disburse the funds of the District as may be ordered by the District, taking properly signed invoices, vouchers or other instruments for said disbursements. All checks shall be countersigned by the District Chairperson or in his absence, his authorized designee.
 - d) Will make a monthly report to the District and account for all transactions involving the disbursement, collection and obligation of District funds.
 - e) The Treasurer and all officers and employees whose duties involve handling of District money or other valuables shall be bonded as required by the District.
 - f) The books and records of the Treasurer shall be reviewed at least once each year by an accountant or bookkeeper employed by the tribe or at such times the District may direct.

Exhibit II.

Due to the Treasurer, Lynn Halbert, exiting the district meeting on May 25th, and leaving for a vacation that we knew nothing about, a motion had to be made for the Chairperson and Vice Chair authorizing us to generate checks;

Exhibit III.

1-2 - Copies of checks written from January through March 3rd, 2023, that were never mailed to the district members and vendors; brought to the district on June 1, 2023 by her mother. The Treasurer did not fulfill her duty as Treasurer and did not protect these assets.

3 – Copies of unopened bank drafts dated February 2023 and a bill. Delivered by her mother on June 1, 2023;

4, 5, 6 – District Applications (several) with district member's personal identifiable information (PII) contained therein. Keeping these applications with PII in one's vehicle or home, is not safeguarding or taking care of our information;

7 – 10 – Pay Requests from Roll the Dice. Paid with check numbers listed. No Contract to support these payments to-date. These are items I have been asking for; the Treasurer shrugged her shoulders when I asked for the Contract File for Roll the Dice. The garage and payments made were with CARES Act funding; federal funding. No inspection on the garage; no RFP. She had sole authority over this project. These were with the paperwork brought to the District Center on June 1, 2023 by her mother.

11 – Copies of carbon copies of checks written. Out of sequence. These were also with information she sent her mother to deliver on June 1, 2023.

12-14 – The Website Development Agreement with Native Vision Quest was delivered on June 1st, 2023 by the Treasurer's mother with all of the other papers. This should have been in a file at the district center;

15-16 – Assistance Application for Covid Home Improvement for a district member, along with his Residential Lease and Bid, were returned by the Treasurer's mother on June 1st, 2023. There is no reason why a district member's personal identifying information would be kept in a person's home or vehicle. Not protecting our information.

17 – A district member's proposal for home repair with bid amount.

18-19 – Bank statements from 2021.

20 – Copies of checks that processed for 2020 District Days when Lydia Rivera was Treasurer.

21-22 – Marco information regarding printer/copier.

23 – Check re-order information with carbon copy of checks.

Exhibit IV – Pg 1 & 2 – Copies of unused check blanks beginning with check number 13400 and ending with check number 13567. These were delivered by her mother on June 2, 2023. This is not protecting our district assets.

Exhibit V – Motion 13 directing the Treasurer to get all of the missing information; a few of which was delivered by her mother on June 1st. Why did we have to have a motion in order for her to finally turn in these documents?

Exhibit VI – Letter dated May 23, 2023 from the former Treasurer stating that she turned all of this information over to Lynn Halbert on March 6th or 7th. And district membership information turned over on March 18th. Yet it wasn't until April 11th that Lynn brought a few things to our Executive meeting: pickup keys; old checkbook; applications.

Exhibit VII – Certified letter sent to former Treasurer requesting all of the missing information.

Charge #2. Improper Conduct – Converting tribal property or monies without authorization through omission or misrepresentation of facts.

Exhibit VIII – Email from Lynn to Ottetail Power Company telling them a check will be in the mail for Ed Halbert in the amount of \$1,571.53 for One-Time Energy Assistance. This was done without approval by any other executive and without an application and backup documentation.

District membership, we took an Oath of Office. I am merely trying to establish accountability and centralize our district government operations to the district center. This will ensure your personal identifiable information is protected. And we must do business according to the accounting principles established by the SWO. I am asking for you to make the decision to remove the Treasurer this evening.

Motion:

To remove Lynn Halbert, BCD Treasurer, for Gross Neglect; Gross incompetency-unable or unwilling to perform the duties of the office and Improper Conduct for which she was elected and took an oath to uphold, effective today, July 13th, 2023.