

Minutes of a special meeting of the Bois Forte Reservation Tribal Council held March 12, 2008 at Nett Lake, Minnesota.

Meeting called to order at 9:10 a.m.

Members Present: Kevin W. Leecy; David C. Morrison, Sr.; Ray Villebrun, Sr.; Mark Drift, Sr.; Ray Toutloff

Members Absent: None

Others Present: Barb Brodeen; Mark Anderson; Gene Goodsky; Nina Villebrun; Rose Berens; Marty Connor; Marcella Connor; Peggy Connor; Janella Whiteman; Daanis Chosa; Deanna Drift; Edith Villebrun; Angie Whiteman; Donald Chosa; Marge Holmes; Mavis Drift; Jerome Whiteman; Carol Burr; Angela Geshick; Brandon Benner; Billie Mason; Teresa Strong; Kathy Lasley; Nett Lake Student Council members; Corey Strong; Henry Goodsky; Brad Anderson; Kim King; Jeneal Goggeye; Kim Greiner; Angela Wright; Pete Drift

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve the agenda with the addition of Deanna Drift with a consultant contract for training. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve the minutes of a special meeting held February 6, 2008 at Nett Lake, Minnesota. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve the minutes of a special meeting held February 15, 2008 at Nett Lake, Minnesota. Carried 4-0-0.

Moved by David Morrison, Sr.; seconded by Ray Toutloff; to approve the minutes of a special meeting held February 22, 2008 at Duluth, Minnesota. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve the minutes of a special meeting held February 27, 2008 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota. Carried 4-0-0.

Moved by Mark Drift, Sr.; seconded by Ray Villebrun, Sr.; to approve the minutes of a special meeting held February 28, 2008 at Nett Lake, Minnesota. Carried 4-0-0.

Page 2
Special Meeting
March 12, 2008

Elders Committee: Marge Holmes said the elders said all the Band members are to have a say in the Big Island issue. Jerome Whiteman said to put it out for public comment. It is hard to find a place to put out sacred items because of all the cutting.

Marge Holmes said everyone was urged to turn in their postcards for the elders' trip. Terri Hill said she is starting to receive them back. They have five trip locations to choose from – Branson, Las Vegas, Grand Canyon, Niagara Falls, or the Badlands.

Marge Holmes said Mark Drift, Sr. told the elders the Elderly Needs Program would be up for discussion to have car repairs added to it. Mark Drift, Sr. informs Marge this item will be discussed in executive session.

Marge Holmes said the elders would like to see the military pictures back up on the wall at the community center. Jerome Whiteman said the elders were told they were in storage at the Heritage Center. Jerome said that some of those photos were taken, they were missing from the wall, that was why they were taken off the wall. Jerome said the pictures were discussed at the veterans' meeting and they said some of the pictures weren't allowed to be on the wall because they didn't fit the criteria to be on the wall. The pictures will be put back on the wall but in a more secure fashion.

New tribal government employees: Deanna Drift introduces Angie Whiteman who is the new Family Caregiver Aide. Billie Mason introduces Janella Whiteman and Daanis Chosa who are new employees at Head Start.

The Nett Lake School Student Council:

Corey Strong said he is the president of the student council. He wanted to say he was glad of the Tribal Council's leadership and he wants to follow in their footsteps. Today the student council wanted to talk about the community pow-wow and the Billy Mills presentation.

Felicia Mason said she is the vice-president of the student council. She wanted to thank the Council for all they did for the Nett Lake School. The student council had a bake sale to get hats and gloves for the people that don't have money to buy them. The student council had a dance.

Larissa Drift said she is the secretary for the student council. She said at the upcoming pow-wow they want to teach the other kids how to dance. On May 23rd they are having Billy Mills come up and it is exciting for all of them.

Courtney Bissbee said she is the treasurer for the student council. She said they are excited to have Billy Mills come up and talk to them.

Chairman Leecy says congratulations to them. Chairman Leecy, on behalf of the Council, said the Council is proud to assist the student council in bringing Billy Mills. Billy Mills will give an inspirational talk and is truly someone to admire and look up to. Chairman Leecy thanks the student council for coming and tells them it shows leadership by what they did today, and hopefully some day they might be sitting here as Tribal Council members.

Teresa Strong wanted to tell everyone in the audience how proud she is of the student council. They plan excellent activities at the school. Whenever she asks them to speak at an event they are very willing and very verbal in their communication skills, and she is impressed with that. Teresa wants to highlight the mini pow-wow. The student council is taking care of everything from raising funds, inviting drum groups, inviting Cook, Orr, and Tower students. The entire community is invited to attend. There will be a community potluck so please support the student council efforts by bringing a dish for the event. Teresa has asked that the tribal government employees be excused to attend. The student council has taken on a huge responsibility. If you think of the Bois Forte pow-wow committee's work they do to host the annual pow-wows', the student council is taking on that responsibility for the mini pow-wow. They are gaining valuable experience. In regard to the Billy Mills event, the student council is really encouraging the other students to walk, be physically active, and helping in the kitchen to make sure the kids are eating healthy. They are promoting positive lifestyles and healthy living. Teresa asks the Council to promote May as a Positive Living Month. The tribal government departments are going to sponsor different activities in May to promote positive living.

Chairman Leecy asks Student Council President Corey Strong to ask for a motion on the Positive Living Month. Corey Strong asks for a motion on declaring the month of May as Positive Living Month. Moved by Mark Drift, Sr.; seconded by Ray Villebrun, Sr.; to adopt resolution #103-2008, declaring May 2008 as "Positive Living Month". Carried 4-0-0.

Moved by Mark Drift, Sr.; seconded by Ray Villebrun, Sr.; to approve a \$7,168.00 donation to the Bois Forte Eagles Basketball Team to send all Bois Forte basketball players, 28 girls and 30 boys, to the Girls State Basketball Tournament and Boys State Basketball Tournament. Carried 4-0-0.

Kim King said she has temporary guardianship of her deceased sister's grandchildren. The mother is in treatment and the father is incarcerated. Kim needs financial assistance in getting one of the children to school. Moved by Ray Toutloff; seconded by Mark Drift, Sr.; to table Kim King's agenda item until executive session because this has to do with minors, and also donation requests are handled in executive session. Carried 4-0-0.

Moved by Ray Toutloff; seconded David Morrison, Sr.; to approve the consultant agreement with Lance Egley to provide Rule 25 Assessor training to the Chemical Dependency staff on April 14-18, 2008. Carried 4-0-0.

Page 4
Special Meeting
March 12, 2008

Moved by Mark Drift, Sr.; seconded by Ray Toutloff; to adopt resolution #104-2008, authorizing the Associated Contract Loggers & Truckers (ACLT) to conduct a raffle within the territory of the Band. Carried 4-0-0.

Ray Villebrun, Sr. informs the audience the Orr Braves won their basketball game last night and will move on to the next round in the Sectionals and will play Greenway. The game was broadcasted on the WELY radio station. Ray Villebrun, Sr. said these types of things are what the radio station was intended for. The next game will be broadcast too. It is on 94.5 FM.

Mark Drift, Sr. asks Gary Gotchnik if he received a letter from Brent Chosa in regard to the volleyball tournament at the end of the month. Gary Gotchnik said there is a committee at Fortune Bay now that gets donation requests, and that he will check on Brent's letter.

Rose Berens said she took to the elder meeting the resolution proposing to designate Big Island as a repository for cultural resources and to reserve it for spiritual uses and designating it as a no hunting area. Some of the elders thought that whole area should be no hunting and some of the elders thought the opposite, that it is okay to hunt, and to use Spirit Island as a repository. Someone had suggested building a mound as a repository, but Rose said a mound is not a repository for items, it is a repository for bones, and it is not our way it is the Sioux way. Another thought an area behind the Heritage Center for a repository. Phyllis Boshey when the Heritage Center was first built the idea was to set aside the cedar swamp to use as a repository. Rose said in the seven years she worked at the Heritage Center no one has ever been in there. Rose did talk with Andy Datko and he assured Rose that that area would not be developed. The elders also said the other elders should have input too because there were elders not present at the meeting. The elders thought the whole reservation should have input because it would be everyone who would be using that. Rose told them she would set up a community meeting in the first part of April for input on this. Rose is asking the resolution be tabled until after that meeting.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to table resolution #105-2008 (designating Big Island as a repository for cultural resources and reserving it for spiritual uses and designating it as a no hunting area) until after the community meeting. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Ray Villebrun, Sr.; to table the Powerpoint Presentation on the Iron Range Fibernet Project agenda item. Carried 4-0-0.

Moved by Mark Drift, Sr.; seconded by Ray Villebrun, Sr.; to write off four accounts with an outstanding balance at the MSC Store to Bad Debt Expense (Barbara Brown, Dorlean Gumps, Susan Strand, and Micheilla Leecy) for a total amount of \$128.36 (the MSC Store is now closed and the books are being closed). Carried 4-0-0.

Kim Greiner said she sent in the Indian Reservation Roads (IRR) Program Addendum to the Annual Funding Agreement to the Bureau of Indian Affairs (BIA) and they lost it. Marty Connor is updating his roads inventory so Kim put the addendum on the agenda to get it re-approved and will send it in with Marty's items. Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve the IRR Addendum. Carried 4-0-0.

Discussion on the Law Enforcement Memorandum of Understanding (MOU) between the Bois Forte Reservation and the Bureau of Indian Affairs (BIA). On #5.h of the MOU in regard to the BIA participating in quarterly meetings, Kim is to reword it so Elmer Four Dance comes to Nett Lake quarterly to meet with the Council. Mark Drift, Sr. asks about the selection of officers and getting Band member officers into the Bureau. Mark Drift, Sr. feels there should be something in place so our Band member officers can move up to become Bureau officers if they choose. Pete Drift, Sr. said the Council has input in selecting a Chief of Police but not the patrol officers. Pete has two positions to fill. He is planning to send letters to the Band members who are 21 to 37 years old, inviting them to community meetings, one in Nett Lake and one in Vermilion, to see if any of them are interested in a law enforcement career. Pete is asked about training and if there was any problem with the officers receiving training from the Bureau and if there is funding. Pete said the officers are mandated to complete 40 hours in-service. The Bureau sets up that in-service. There are other trainings but that 40 hours in-service covers everything.

Moved by Ray Villebrun, Sr.; seconded by Mark Drift, Sr.; to approve the Law Enforcement Memorandum of Understanding and Agreement between the Bois Forte Reservation and the Bureau of Indian Affairs. Carried 4-0-0.

Moved by Mark Drift, Sr.; seconded by Ray Toutloff; to approve the use of fleet cards at the Nett Lake Store and the Y Store for the government vehicles (instead of using purchase orders), for fuel purchases only. Carried 4-0-0.

Nikki Irving presents two options in regard to Esther Connor and the lot she is living on at Indian Point. The lot is in David Connor's name. David Connor has not lived there for years. There was a house fire in that house. Esther wants to get a home loan from the MCT but her name needs to be on the lease. Nikki had sent a letter to David asking him what he intended to do and that he needed to get it in writing to her. David had never responded. Nikki had talked to his wife once and she said it would be okay for Esther to be added to the lease. The first option is to cancel David's lease and assign it to Esther and the second option is to add Esther to the lease. Esther has a lot which needs to be cancelled if either one of these two options are approved.

Moved by Ray Toutloff; seconded by David Morrison, Sr. to approve option #2 which is adopting resolution #106-2008 - modification to resolution #142-91, adding Esther Connor to the David Connor, Dorothy A. Connor and Ginny Birdsall lease; and adopting resolution #107-2008, lease cancellation – Esther Connor. Carried 4-0-0.

There is a Band member who will be purchasing William B. Tibbetts III home from the State Bank of Tower. Moved by Mark Drift, Sr.; seconded by Ray Toutloff; to adopt resolution #108-2008, transfer of the leasehold interest in the William B. Tibbetts III premises to the State Bank of Tower and upon receipt of a proper application from the Band member who has executed an agreement to purchase the improvements on the leased premises from the State Bank of Tower the Reservation Tribal Council agrees to give favorable consideration to a new residential lease. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve the Master Agreement and Supplemental Contract with Short Elliott Hendrickson Inc. (S E H) for the Vermilion Trail Project. \$5,000.00 is to be deducted from the design cost, which Jeff Tillman from S E H agrees to (the total engineering will be \$75,820.00 instead of \$80,820.00). Carried 4-0-0. Marty Connor said the \$75,820.00 will come from the IRR funding.

Jeff Tillman said there will need to be discussion soon on the priorities of the sections of the Trail. Marty Connor to set up a meeting within the next month for this.

In the Bureau of Indian Affairs Road Inventory and Field Data System the Bois Forte Indian Reservation Roads (IRR) road inventory is split into two parts. Most roads are listed under "Nett Lake reservation no. 404" but there are three roads listed under "Vermilion Lake reservation no. 417". Splitting the tribe's inventory like this makes updating and managing the routes unnecessarily difficult so Marty is requesting to merge all 417 inventory into the 404 inventory and deleting the number 417 so it is no longer used. Moved by Ray Villebrun, Sr.; seconded by David Morrison, Sr.; to adopt resolution #109-2008, merging all 417 inventory into the 404 inventory and renaming it "Bois Forte 404". Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #110-2008, deleting the route #3023 and route #5065 from the Indian Reservation Road Inventory because they are duplicate listings of others on the inventory. Carried 4-0-0.

Moved by Ray Villebrun, Sr.; seconded by Ray Toutloff; to adopt resolution #111-2008, adding routes to the Indian Reservation Roads Inventory. Carried 4-0-0.

Moved by Ray Villebrun, Sr.; seconded by David Morrison, Sr.; to adopt resolution #112-2008, adding the Indian Reservation Roads list of roads to the Long Range Transportation Plan. Carried 4-0-0.

Moved by Ray Villebrun, Sr.; seconded by David Morrison, Sr.; to approve the Acknowledgement of Public Authority Responsibility, that if the Tribe enters into an agreement with the owner to share the costs of improving any of the following roads listed on the acknowledgement, that the owner shall continue to own and maintain them. Carried 4-0-0.

Special Meeting
March 12, 2008

Moved by Ray Toutloff; seconded by Ray Villebrun, Sr.; to approve the Inability to Provide Funding form, stating Bois Forte is not able to fund upgrades at this time for MN Hwys 1, 65, 53 and 169 (IRR routes 5001, 5065, 5053, 5169). Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve the Stop-Loss Agreement for the Self-Funded Medical Benefits Plan. Carried 4-0-0.

Moved by Ray Villebrun, Sr.; seconded by David Morrison, Sr.; to approve the Claims Administration Agreement with Comprehensive Care Services, Inc. for the Self-Funded Medical Benefits Plan. Carried 4-0-0.

Patti Wilkie is recommending the Tribal Council go on record to prohibit consumers from receiving communication from debt collectors during regular business hours. She is not recommending this to discourage employees from paying just debts but this is intended to reduce the number of non-work related calls received as well as allowing employees to focus on their work without the disruption of debt collection calls.

Moved by Ray Villebrun, Sr.; to approve the recommendation of Patti Wilkie and it will cover all tribal government and business offices on tribal lands at Bois Forte. Chairman Leecy calls for a second again. Seconded by David Morrison, Sr. Carried 3-0-1. Mark Drift, Sr. silent.

Darin Steen is requesting to put the Indian Point Sewer Project back out on bid. It was bid out last Fall and the lowest bid came in \$500,000 over budget. Darin has been working with the engineers on ways to reduce the project costs and is now requesting to put the project back out on bid with those modifications. The modifications are to 1) eliminate long force main runs to two sites (those sites have properly functioning septic systems that are not failing and have adequate room for future replacement if necessary; 2) share tanks between lots where feasible to reduce costs of tanks, pumps, and future O&M costs and eliminate tanks at vacant undeveloped lots, and 3) open trenching as a cheaper construction method than directional drilling for installation of sewer force main. Moved by Mark Drift, Sr.; seconded by Ray Villebrun, Sr.; to approve putting the Indian Point Sewer Project back out on bid with the modifications. Carried 4-0-0.

Ray Toutloff said he has been approached by some people that are considered disabled and they were concerned about the “no motor use” for netting. They can’t go netting because of the “no motor use.” Ray Toutloff is suggesting that it be changed to allow motor use but restrict it to “an electric motor as powered by no more than one (1) 12volt battery.” Ray Villebrun, Sr. said the 1854 Agreement says “by traditional means and methods” and he doesn’t know what the State would say if motorized use was allowed, that that might open up the agreement again. Ray Toutloff said he seen people using electric trolling motors for years, up until last year, and that the Council put the “no motor use” in last year. So this would just be reinstating the use, so those people that are considered disabled can get out there and practice traditional netting. Ray

Toutloff said the same thing could be said for snowmobiles and four-wheelers for hunters. Mark Anderson doesn't think this would be a violation of the agreement.

Moved by Ray Toutloff; to amend Section 3.13 of The Bois Forte Code For Non-Commercial Netting of Game Fish In the Waters Adjacent to the Vermilion Reservation to state "that no Band member shall use an electric motor that is powered by more than one 12-volt battery to propel watercraft in setting or removing a net, for disabled only." Chairman Leecy calls for a second.

Barb Brodeen feels this needs to go to the elders before it is acted on.

Chairman Leecy calls for a second again. Chairman Leecy calls for a second a third and final time. Motion dies for lack of a second.

Moved by Mark Drift, Sr.; seconded by Ray Toutloff; to approve the 2008 (1854) Spring Netting Season. Carried 4-0-0.

Corey Strong and Eileen Barney give an update on the CITGO Energy Program. The guidelines used for this program are the same as the Energy Assistance Guidelines. \$55,680.00 was spent out of \$80,000.00. There is a balance of \$24,320.00 which would cover 76 houses. Chairman Leecy wanted to get the word out so as many Band members as possible can be helped and also to make it a little easier for them to access those funds. Chairman Leecy asks Corey what can be done to make it easier. Corey said the Reach Out For Warmth and the Energy Assistance Guidelines are identical at 110% of the poverty guidelines, and the Elderly Needs is 250% of the poverty guidelines so the Elderly Needs would have a bigger window. Corey said in the contract with CITGO, one of the guidelines was to help people that were eligible for energy assistance. Also a portion of that was to go to the government buildings and last year it helped out Head Start. Mark Anderson said it provides assistance to low income households which is determined by the donee (which is the RTC).

Moved by Mark Drift, Sr.; seconded by Ray Toutloff; to open the CITGO Energy Program up to all Band members, no matter where they live, if they meet the Elderly Needs Program Income Guidelines, with the exception of the age requirement. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #113-2008, requesting Congress to fully fund the Indian Land Consolidation Program at the amounts authorized in Pub. L. 108-374, Act of October 27, 2004. Carried 4-0-0.

Moved by Mark Drift, Sr.; seconded by Ray Villebrun, Sr.; to approve out of state travel for

- 1) Louis Drift and Mike Connor to attend the Statistical Methods for Water Quality Data Analysis Training for Tribal water Resources Staff held March 5-7, 2008 in Chicago, Illinois.

- 2) Chesley Knott to attend The Best and Promising Practices for Tobacco Control in American Indian and Alaskan (AIAN) Native Communities Regional Meeting held February 21-22, 2008 in Denver, Colorado.
- 3) Deanna Drift to attend the Crimes Against Children in Indian Country Conference held March 4-6, 2008 in Baraboo, Wisconsin.
- 4) Billie Mason and Leanne Barto to attend the 2008 Western Multi-Regional Employment & Training Conference held February 25-29, 2008 in Spokane, Washington.
- 5) Donald Chosa to attend HUD's Office of Native American Programs "Improving Future Indian Community Development Block Grant Applications" Training to be held March 25-27, 2008 in Green Bay, Wisconsin. Donald will be flying instead of driving.
- 6) Barb Brodeen and Terri Hill to attend the National Indian Gaming '08 Trade Show & Convention to be held April 20-23, 2008 in San Diego, California.
- 7) Rose Berens and Bev Miller to attend the Tribal Museum Leadership Institute Training to be held March 24-28, 2008 in Clewiston, Florida.
- 8) Kathie Holman, Linda Tibbetts-Barto, Charles Helleloid, Stephanie Christianson, Paula Hoover, and Randy Long to attend the Resource Patient Management System Electronic Health Record Clinical Application Coordinator & Implementation Team Training to be held March 17-21, 2008 in Red Cliff, Wisconsin.
- 9) Jeneal Goggleye and Barb Brodeen to attend the 2008 Annual Tribal Self-Governance Department of Health & Human Services and Department of the Interior Conference to be held April 27 – May 1, 2008 in Las Vegas, Nevada.
- 10) Jerome Whiteman to attend the Opening Ceremony for the 2008 Annual Tribal Self-Governance Department of Health & Human Services and Department of the Interior Conference being held on April 28, 2008 in Las Vegas, Nevada.
- 11) Kathleen Adams, Geraldine Hanks, Troy King, and Lynette Villebrun to attend the Falmouth Institute's 15th Annual Tribal Secretaries Conference to be held April 21-24, 2008 in Las Vegas, Nevada; and to approve Troy King to get a rental car for the secretaries while they are in Las Vegas.
- 12) Corinne Whiteman to attend the National Skills Enhancement for All Secretaries and Administrative Support Staff Conference to be held April 24-26, 2008 in Albuquerque, New Mexico.
- 13) Darin Steen to attend the 2008 Indian General Assistance Program Conference and the Region 5 Tribal Operations Committee Meeting to be held April 1-3, 2008 in Chicago, Illinois.
- 14) Pete Drift, Sr. to attend the 2008 Mandatory Chief of Police In-Service Training to be held April 28 – May 3, 2008 in Artesia, New Mexico.
- 15) Bill Latady to attend the Advanced Section 106 Training to be held April 7, 2008 in Salt Lake City, Utah.
- 16) Margaret Treuer to attend the Federal Bar Association 33rd Annual Indian Law Conference to be held April 10-11, 2008 in Albuquerque, New Mexico.

Page 10
Special Meeting
March 12, 2008

17) Corey Strong to attend the USDOJ Tribal Modernization Advisory Committee Meeting to be held March 17-18, 2008 in Denver, Colorado.
Carried 4-0-0.

Barb Brodeen states that some of the out of state travel requests are on the agenda for formal approval.

Moved by Mark Drift, Sr.; seconded by Ray Toutloff; to adjourn the meeting at 11:50 a.m.
Carried 4-0-0.