

Minutes of a special meeting of the Bois Forte Reservation Tribal Council held May 4, 2009 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota.

Meeting called to order at 9:04 a.m.

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

Members Absent: None

Others Present: Barb Brodeen; Henry Goodsky; Darin Steen; Virgil Sohm; Gary Donald;
Rose Berens; Bill Latady; Linda Barto; Lela Goodsky; Elaine Tibbetts;
Janella Burton; Christine Bloom; Brad Anderson; Marilyn Geshick; Andy
Datko; Deanna Drift; Jeneal Goggeye; Marcella Connor; Marty Connor;
Corey Strong; Mary Strong; Mike Connor; Donald Chosa; Corinna Lyons;
Doris Isham; Robyn Geshick; Edith Villebrun; Nikki Irving; Gary
Gotchnik; Andy Hubbly; Dave Anderson; Norm Adams; Patti Wilkie;
Justin Boness; Wendy Thompsoin; Dawn Benner; Toni Wakemup;
Breanne Peterson

Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the agenda with the following changes: 1) delete Christine Bloom with the ARRA Funding Application, and 2) add discussion on the abandoned houses/trailers, and burnt houses on the reservation. Carried 4-0-0.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to approve the minutes of a regular meeting held April 1, 2009 at Nett Lake, Minnesota. Carried 4-0-0.

Elders Committee: Chairman Leecy congratulates Jerome Whiteman on being elected as Chairman of the Elders Committee. Jerome Whiteman said the other officers of the elders committee are Justin Boness, Vice-Chairman; Margaret Strong, Vermilion Representative; Marcella Connor, Treasurer; and Marilyn Geshick, Secretary. Jerome said the elders meetings are held the 2nd Monday of every month. Jerome said there were issues that came up, nothing heavy, but the elders are concerned, and will either send a letter or discuss at a meeting.

Deanna Drift said the elders committee is requesting approximately \$9,500 for a part-time cook for the Nett Lake ENP because right now the work is too strenuous for the elder cooks. Chairman Leecy asks Barb to meet with Kim Greiner and look at the budget and do a budget modification because this was not a planned expense.

Deanna Drift said the vote count results on the elders trip came back and the trip is cancelled. Chairman Leecy said he received that letter from the elders and the elders, unselfishly, because of the economy, declined the trip for this year. Chairman Leecy thanks the elders and says that this can be discussed at the next meeting between the elders and the council.

There is no new staff.

Janella Burton thanks the Council for sending employees to the Blandin Leadership training. They learned a lot on how to be more effective people in the Bois Forte community. The others attending were Virgil Sohm, Linda Barto, Marty Connor, Corinna Lyons, Mike Connor, Barb Brodeen, Tara Wagner, Breanne Peterson, and Kristal Strong.

Virgil Sohm said they are working on a home team that will do something to enhance the culture and language projects on the reservation. They teamed with Fond du Lac at the conference and things went well. Mike Connor said he liked the conference. He said they got to see our strengths and weaknesses in the community. Chairman Leecy congratulates them on attending the leadership program and they represented Bois Forte well. This was the second year for the program and he thinks it is successful. There are a lot of good comments about the program.

Donald Chosa is requesting to bring Jana to come and perform at Bois Forte, maybe one day at Fortune Bay and one day at Nett Lake, sometime in July. Jana has a strong message for the youth on anti-drug use, and empowerment for Native youth. She is a positive role model. Cathy Chavers said Bob Villebrun talked to them and the cost was a little high. Donald said they – Jana, are willing to negotiate and would rather have Bob Villebrun do the negotiations. Donald is to contact others - the summer youth, and the Nett Lake School, and the culture committee to see about sharing the cost.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve the Agreement for Professional Services with the Arrowhead Regional Development Commission for the tribal transit planning grant. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Ray Villebrun, Sr.; to table Supplement Agreement #21 with SEH (proposal for architectural and engineering services for the design for a transit/bus storage garage) until more information is received on this document and why it is different from the other projects and for SEH to be here when this is presented. Carried 4-0-0. Ray Toutloff said the original agreement with SEH was Bois Forte would assign them projects and SEH would seek funding and their fee would come from those funds.

Darin Steen presents an amendment to the contract for engineering services for the Indian Point Sewer Project. Due to delays in the contracting process, the project needed to be rebid and the engineers incurred additional costs outside the scope of the original contract for the Final Design, Bidding, and Construction Services in the amount of \$36,377.38. The money will come

from contingency. Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the amendment to the contract with Ayres Associates Inc. for engineering services for the Indian Point Sewer Project. Carried 4-0-0.

Corey Strong said Great River Energy will be changing the power line poles on Hwy #115 and #77 and will need permission to survey on trust lands. Corey is requesting that the Bois Forte Department of Natural Resources be delegated authority to grant permission to Great River Energy to survey on trust lands, and also for other companies in the future if necessary. The Commissioner of Natural Resources and the Bois Forte Realty Office will sign off. Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the delegation of authority to Bois Forte Natural Resources Department to grant permission for companies to survey on trust lands for this type of project. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to table Supplemental Agreement #20 with SEH for architectural and engineering services for the new DNR Office Building. Carried 4-0-0. Barb Brodeen will set up a meeting with SEH and RTG staff involved with this project to discuss all the details/fees, (not exceeding design development and negotiations).

Moved by David Morrison, Sr.; seconded by Cathy Chavers; to adopt resolution #119-2009, lease termination, William D. and Terry L. Johnson. Carried 4-0-0.

A meeting is to be scheduled between the Council and the Bois Forte Department of Natural Resources to come up with a policy on what is done with the property acquired when individuals quit paying their lease and don't remove the property in the timeline for it. The policy would be posted for comment and brought back to a Council meeting for action.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #120-2009, lease cancellation, Cory King. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #121-2009, residential lease, Dennis Kenny. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #122-2009, residential lease, Lance A. Pete. Carried 4-0-0.

David Morrison, Sr. leaves the meeting.

Moved by Cathy Chavers; seconded by Ray Toutloff; to adopt resolution #123-2009, lease termination, Daniel Morrison, Sr. Carried 3-0-0.

David Morrison, Sr. enters the meeting.

Corey Strong is asked about the abandoned houses/trailers, and the burnt house. Corey said he had submitted a proposal to the Council for additional funding for the abandoned trailers because the leasing program does not have enough money for demolition and to clean up those sites, but he did not receive any additional funding. It had been suggested that a company from Big Falls would come and haul the trailers out but those would need to be cut up into a certain size first but there is no money for someone to cut them up. Nikki Irving called around to different contractors and they want from \$3,000 to \$10,000 to come and cut them up. Another option was that IRR would come and clear the sites but Nikki Irving hasn't had a response from them yet. Corey Strong and Nikki Irving are to get the Council recommendations and costs on the two trailers at Indian Point and the two at Vermilion.

Lela Goodsky said Carol Burr is getting bids to clean the debris on the burned house. The insurance is covering the cost. Ray Toutloff said he would like to see it cleaned up as soon as possible because it is an eyesore and also a safety hazard for the children.

Moved by Cathy Chavers; seconded by Ray Villebrun, Sr.; to approve the request from Doris Isham for funding in the amount of \$1,862.00 to send 8 elders to the Wisdom Steps Conference to be held June 16-18, 2009 in Hinckley. Carried 4-0-0.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to approve the request from Doris Isham (Doris goes on record that she has not discussed this with Ray Toutloff) that all Bois Forte Reservation programs utilize the company Infinity Wireless which is owned by David Toutloff, for all mobile/portable radios/pagers community alert systems community alert systems in order that 1) there is one standard radio/pager system that employees are familiar with operating as opposed to the multiple types of radios currently in use, 2) there is one dealership that is familiar with the reservations resource, capabilities, and needs, and 3) there is one dealership that would be a resource for employees to go for questions, concerns and advice in radio/pager/systems, and 4) utilization of a Band member business. Carried 3-0-1. Ray Toutloff silent.

Patti Wilkie said our third party administrator for our medical plan, Comprehensive Care Services (CCS) has advised us that we are eligible for Medical Like Rates (MLR) for members of our medical plan who are also eligible for Contract Health Services. This could mean a substantial savings to the medical self-funded plan. Patti is recommending that Comprehensive Care Services be directed to go forward with setting up our medical plan to participate in Section 506 Medicare Like Rates. CCS would bring back a contract for administrative costs for this. This would start June 1, 2009. Patti is told to proceed with this.

Moved by Ray Toutloff; seconded by Ray Villebrun, Sr.; to waive Section 402.1 of the personnel policy which prohibits a compressed work schedule. The waiver will be for the period of June 1, 2009 to September 4, 2009. The word "or" is to be stricken from Section 402.5 of the personnel policy and the word "and" is to be inserted so that part reads, "All alternate work schedules and changes must be approved by the Commissioner "and" Executive Director." Carried 4-0-0. The

commissioners are to make sure there is service coverage 5 days a week. The commissioners are to discuss holidays so everyone does the same. If a person works 4 tens, Monday through Thursday, and a holiday falls on a Friday, then they can't pick their own day to take off for the holiday, because the holiday is the Friday, and that is when the offices are closed.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to adopt resolution #124-2009, repatriation of a drumstick and a drum from the Science Museum of Minnesota. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to approve the Vault Coupon Procedures for Fortune Bay Resort & Casino. Carried 4-0-0.

Meeting is recessed at 11:15 a.m.
Meeting reconvenes at 11:20 a.m.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve the 24-month GPS Agreement with GPS Industries Inc. for the golf carts for The Wilderness, effective June 1, 2009. Carried 4-0-0.

Andy Datko is requesting to table Supplemental Agreement #19 with SEH for architectural and engineering services for the new government services building project, for the same reasons the other two agreements were table earlier in the meeting. Moved by Ray Toutloff; seconded by Cathy Chavers; to table Supplemental Agreement #19 with SEH. Carried 4-0-0.

Andy Datko and Dave Anderson said they met with project architect and discussed ways for the most efficient way to do the bidding and construction management for the government building project to keep it moving along in a timely fashion. Instead of a general contractor method, they are recommending to use the Construction Management at-Risk option for that project because different portions of the project could be bid out at different times. The advantage to this is the Council would have more flexibility in selecting the contractors. The site work could begin June 15, 2009. Moved by Cathy Chavers; seconded by Ray Villebrun, Sr.; to approve the Construction Management at-Risk method for the government building project. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the Summer Youth 2009 Eligibility Criteria. Carried 4-0-0.

Moved by Ray Villebrun, Sr.; seconded by Cathy Chavers; to reappoint Sharyn Strong to the TERO Commission for a 4-year term. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to appoint Pam Hughes as an Alternate member to the TERO Commission. Carried 4-0-0.

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Sally Fineday from the Native Vote Alliance of Minnesota (NVAM) sent a letter requesting the appointment of an alternate Board member to the NVAM Board of Directors to attend their meetings when the current member, Kristal Strong is unable to make the meetings. Barb Brodeen is recommending Miranda Lilya be appointed. Miranda Lilya would like more information on this before such as how much time involved, before she can commit to doing it. Moved by Ray Toutloff; seconded by David Morrison, Sr.; to table the appointment of an alternate Board member to the Board of Directors of Native Vote Alliance of Minnesota. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to adjourn the meeting at 11:47 a.m. Carried 4-0-0.