

Minutes of a special meeting of the Bois Forte Reservation Tribal Council held June 19, 2009 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota.

Meeting called to order at 9:37 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; Gene Goodsky; Vicki Villebrun; Andy Datko; Jim Johnson; Justin Boness; Jeneal Goggeley; Leanne Barto; Marcella Connor; Janice Connor; Carol Burr; Lela Goodsky; Corinna Lyons; Wes Martins; Eugenia Boshey; Marilyn Geshick; Edith Villebrun; Jerome Whiteman; J. Kay Davis; Deanna Drift; Doris Isham; Lester Drift, Sr.; Donald Chosa; Dawn Benner; Corey Strong; Nikki Irving; George Mihelich; Gordon Adams; Chris Durfee; Kevin Koski;

Moved by Ray Villebrun, Sr.; seconded by Cathy Chavers; to approve the agenda. Carried 4-0-0.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to approve the minutes of a special meeting held May 26, 2009 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota. Carried 4-0-0.

Elders Committee: Jerome Whiteman said they talked to the individual who was feeding the bears and asked him to cease because of the potential safety issue. The individual said the bears are getting used to people because of the bear sanctuary.

Marilyn Geshick said she has a concern about the young people and drug problems. You hear who has it and who is selling it. No one is doing anything about the drug problem. Chairman Leecy said he asked for a \$2,000 reward for people who turn in individuals under the Crimestoppers Program. More signs need to be put up so people are aware of this program and utilize it.

Cathy Chavers said she attended a youth conference this week. The other reservations have youth councils. Bois Forte needs to look at pursuing a youth council because the youth can tell what will work and what won't.

It was decided that Deanna Drift, Pete Drift, Sr., and Brandon Benner are to meet and work on a plan for activities for the youth to do. They are to bring the plan to the elders to review, and then bring to the Council. Jerome Whiteman and Gene Goodsky are to be invited to help work on the plan.

New Staff: Edith Villebrun introduces Eugenia Boshey who is the new Background Investigator.

Barb Brodeen informs the audience that Corinna Lyons is back in the Vermilion Office Manager position.

Wes Matins is requesting a \$40,000 contribution for the Indian Legal Assistance Program for the period July 08 to June 09. The past three years they received \$30,000.00, \$19,000.00, and \$15,000.00. Wes is told the money was sent in October. Wes said that was for the period July 07 to June 08.

Wes Martins is asked if Indian Legal Assistance helps non-Indians. Wes says they do, because of the state and county funding they receive they can't discriminate. Wes is told that Bois Forte contributes to help Band members but after contributing some of that money goes towards non-Indian's against Band members on Band land. Wes said that occasionally happens but it's a rarity. When it does happen they try to work it out first between the two otherwise try to make sure the other party is represented.

Barb Brodeen said there was \$15,000 budgeted for 09. The budget is not yet set for 2010 which is the fiscal year he is requesting funding from. That budget won't be decided until October of this year. Chairman Leecy said our Chief Financial Officer is on vacation but will look at the budget and discuss it.

Moved by Ray Toutloff; seconded by Cathy Chavers; to adopt resolution #149-2009, authorizing the Bois Forte Ambulance Service to conduct monthly bingo sessions at Nett Lake for the benefit of the Bois Forte Ambulance Activities. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #150-2009, submission of grant application to USDA Rural Development for funding for the purchase of a new utility vehicle and equipment for the Vermilion Water and Sewer system. There is a match required of 45%. Because of the cost of the trucks, the match will probably be around \$35,000 so this is contingent on there being funds available in the Vermilion Reserve Fund. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Villebrun, Sr.; to adopt resolution #151-2009, Bois Forte Re-Development Corporation business lease for the lot for the new government and community services facility. Carried 4-0-0.

Andy Datko asks about the limited waiver of sovereign immunity for the new government and community services facility project because the Bois Forte Re-Development Corporation does not have to authority to grant a limited waiver of sovereign immunity. Andy will bring a resolution to the next Council meeting in regard to having similar language used in other major construction projects in regard to dispute resolution by arbitration, or bringing the dispute to any court of competent jurisdiction, which would be the tribal court. Next week interviews will be held with various firms for the Construction Management at Risk firm for the project and this will be an issue with them in regard to dispute resolution.

Andy Datko is asking for a consensus of direction on the Project Labor Agreement with the Building Trades Union for the construction of the project. The Project Labor Agreement would ensure there are no strikes or lockouts. It would have specific language that recognizes the TERO Ordinance and workers need to be hired through the TERO Office when appropriate. Chairman Leecy asks Dawn Benner, TERO Officer, if she is in agreement with this. Dawn says yes.

Ray Toutloff said he asked Kim Greiner for an outline of the payback schedule for this project. He was sent an outdated one. Ray also asks Andy about the impact the payback plan has on the programs that are going to be housed in the buildings. Andy said Kim is working on the final financing package and it is almost done. Chairman Leecy directs Andy to set up a meeting with the Council to clarify Ray's questions. It is to be held when Kim gets back to work from vacation so she can be present.

Moved by Cathy Chavers; seconded by Ray Villebrun, Sr.; to adopt resolution #152-2009, submission of the Indian Community Development Block grant application to HUD for the Nett Lake "Streetscapes" project. Carried 4-0-0. The project will be 5 feet concrete sidewalks instead of 10 feet bituminous paths because it lasts longer and lower maintenance. Andy said if there was no indirect cost added more could be added. Edith Villebrun said indirect cost is not added to construction projects. Andy said in future years more money would need to be found for Palmquist, so that would be another phase. Andy is told the other phases are to be Palmquist, then Indian Point and then Vermilion. Andy said part of Vermilion would be covered by the trail project. Andy is told that there needs to be a lighting component on Farm Point at Vermilion.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #153-2009, transfer of the Forestry Office/Warehouse and Forestry Annex from the Bureau of Indian Affairs to the Band. Carried 4-0-0.

Corey Strong said the BIA wanted to know if Bois Forte wanted the BIA Roads Garage and BIA Grader and Corey told them they should contact Marty Connor about those. Ray Villebrun, Sr. said to tell Marty if Public Works takes them they are to tell the BIA to fix them before they are turned over.

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Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the amendment to the FY 2010 Mental Health Program Grant #436396. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #154-2009, lease cancellation – Gene Carlson and Carol Carlson. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #155-2009, recreational lease – Sharon M. Allen and Jessica L. Allen. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to adopt resolution #156-2009, lease modification to Donald Chosa, Lester Drift and Karen Drift lease by removing Lester and Karen Drift from the lease. Carried 4-0-0.

J. Kay Davis said she has applied for a lot three times (different lots) over a period of time. She paid an application fee each time. She said she never got a lot. She wants to know what happens with the money. Nikki Irving said she would have to look because she doesn't make people pay again when they renew their application. Barb Brodeen said the money goes into the leasing program fund for part of the leasing coordinator's salary and for the operating costs.

Ray Toutloff said at the last meeting abandoned properties was discussed. Ray is asking what happens with those properties because the Band owns two now. Does this information get sent to the people on the waiting list and how does the value get determined. Nikki Irving asks if those should be appraised or demolished. Corey Strong said the survey fund is zeroed out and any survey costs would need to come from the Council. Chairman Leecy thinks Nikki and Corey should come with recommendations on these because we might spend a lot of money for surveying and the cost of the property is not worth very much. Barb Brodeen directs Nikki Irving to call Dick Chapman's Appraisal in Cook to get quotes on surveys and to bring those back to the next Council meeting. Corey Strong said people ask a lot for their properties but we should find out what those people put down when they pay their taxes to the County. Corey is to bring this information back too to the next Council meeting.

Moved by Cathy Chavers; seconded by Ray Villebrun, Sr.; to adjourn the meeting at 11:25 a.m. Carried 4-0-0.