

Minutes of a special meeting of the Bois Forte Reservation Tribal Council held September 15, 2010 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota.

Meeting called to order at 9:18 a.m.

Members Present: Kevin W. Leecy; Cathy Chavers; Brandon Benner; Ray Toutloff

Members Absent: David C. Morrison, Sr. (excused)

Others Present: Barb Brodeen; Mark Anderson; Vicki Villebrun; Kate Donahue; Carol Donahue; Rae Edstrom; Marcella Connor; Corey Strong; Marty Connor; Lori Herrly; Brad Anderson; David Farmer; Marlene Farmer; Pam Hughes; Charles Graue; Wendy Thompson; Doris Isham; Kim Greiner; Dave Anderson; Andy Datko; Kevin Strong; Marilyn Geshick; Jerome Whiteman; Carol Burr; Gordon Adams; Mary Strong; Dave Farmer; Jeneal Goggeye; Pete Drift, Sr.; Stan Day; Edith Villebrun; Miranda Lilya; Jim Johnson; Jason Sherman; Karlene Chosa; Mike Dunkley; Simona Benner; Gary Gotchnik; Gene Boshey

Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the agenda with: 1) the Land Expansion – Duffy Point and Skogman Road being placed under Ray Toutloff instead of Terri Hill, and 2) the Bois Forte Property on Whiskey Point – Underbid and the resolutions for new leases being placed under Corey Strong instead of Terri Hill, and 3) add Mark Anderson, who is still on his way, with a couple of items. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to approve the minutes of a special meeting held August 18, 2010 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota. Carried 3-0-0.

Elders Committee: Jerome Whiteman said the elders' wanted the council to go ahead with the Elder Protection Code, and they talked about it again and it is still the consensus of the elders that they want it.

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Jerome Whiteman said there is an issue with a landing at Vermilion. Ray Toutloff said an issue came up with the ice road at the landing and also the canoes at the landing during netting. The landing is not adequate right now because it does not have proper adequate gravel or parking spaces. It was requested that the Council look into it and see what can be done to resolve it.

Ray Toutloff said other issues brought up were what the Council could do to fix up the powwow grounds and providing an arbor, and redoing the ball field. Ray said he told the elders those would be appropriate items to bring up at the community meeting on September 22 when projects are discussed for the Community Development Block Grant.

Jerome Whiteman said they also wanted some sort of Veteran's Center for Vermilion because there are issues with traveling to Nett Lake.

Jerome Whiteman said another issue was concerning the ricing. He said it was brought up/asked how was ricing allowed at the end of August, who gave the authority for that. That has never happened before, normally it is September 10 through the 14. The elders said there was no rice out there and if there was, it was milky. Jerome said the elders wanted to know who is on the rice committee, that they should be well versed in the culture aspects of ricing. He said most spiritual people are shy to be vocal about that, so they asked Jerome to bring it up. He said if the elders committee needs to decide on the ricing they can.

Chairman Leecy thanks the elders for reviewing the Elder's Protection Code and said the Council will move forward on that. In regard to the ice road and the parking, those will be referred to Marty Connor. In regard to the ball field and the powwow grounds arbor – those have been on the radar but there are a number of projects and all the projects are prioritized, but the Council will try to have those done as soon as possible. In regard to the Vermilion Vets, Chairman Leecy said it is his personal opinion that certainly we want recognition, but we're one people here at Bois Forte and wherever the veteran's memorial is located we should stand collectively together. In regard to the ricing, Chairman Leecy said at the MCT the climate issue was discussed. Blueberry picking was two weeks earlier. There are raccoons in Grand Portage which they've never had before. Chairman Leecy asks Doris Isham to go over the ricing issue.

Doris Isham said the people on the Rice Committee are the same people on the Conservation Committee and comprised of Jeneal Goggeye, Bill Isham, Jr., Kelly Dunkley, Mike Connor, Marybelle Isham, Marcella Connor, and Marge Holmes. The alternates are Marty Connor, Dawn Benner, Doris Isham, and Brandon Benner. The committee starts meeting in August, the

meetings are posted. People start monitoring the rice in August. The rice this year was thin over a wider area, and from the report the committee got, the committee voted to allow people to go ricing. The thin rice was ripe and the committee wanted the people to get that rice before it fell in, also there was a report of a storm coming. The first day they riced four hours and paddles only. The conservation officers and the conservation committee members talked to people at the landings when people got off the lake. Most said too green, some said ripe so the conservation committee held it for a week. As the rice ripened the rain, wind, and worms took it.

Corey Strong said the rice did come up three weeks early. After the lake was held for the week, all it did was rain and was windy. Only 3,500 pounds of rice was bought this year. The difference between this year and last year was the weather.

Brandon Benner said traditional people are very shy, but if they would come forward and help the committee. Even if it means sending out the elder van to go get them. The committee needs all the help it can get. A year ago the committee were hailed as heroes because of the way the committee handled the lake, but it was a bumper crop.

Mary Strong said she was in the thin rice and it was milky. The weather doesn't have anything to do with when ricing starts. You need to wait until it is ripe. If elders are needed, she said she will volunteer next year. She said there should be a camp for kids before ricing. She seen them hitting the rice with a paddle.

Stan Day said the rice ripens from the outside in. No one is teaching people how to rice. People should be penalized for going in the green rice.

Jeneal Goggleye said some elders should be at that camp to teach the youth what they should do and not do.

Chairman Leecy said next year they will ask the elders to come forward.

Gordon Adams, Jr. said every year the state has a take a kid fishing day, we should have something – take a kid ricing. Gordon asks about the cutter and if there are any side effects happening to the lake because of it. He said he is on the lake a lot and sees a lot of milfoil, that it doesn't die, it regenerates.

Corey Strong said some of the best rice beds are where is was cut. One cutting won't take it away. They have to keep re-cutting. The cutter cuts from the top to the sediment, then it cut the sediment. The vegetation floats to the top and the other machine picks it up and takes it away. There are a lot of issues from that dam and also the beavers. Corey is looking for money to remodel the Nett River Dam.

New tribal government employees: Carol Burr introduces Chuck Graue who is the new Custodian.

Ray Toutloff said he has a concern with Band member leaseholders at Vermilion. Some of the lots are quite small and they can't do what they want. There is no room for a house and a garage. There are areas where there is a possibility of expansion of the lots but there are things like road easements and utility easements to take into consideration. Expansion of lots would take a lot of research. Ray sent an email to the Council and the leasing department to start discussing and researching to see what can be done to accomplish the expansion of lots. The new lots that are being developed at Vermilion are quite large, some are two to three times larger than those first developed and set up for non-Band member leaseholders. But now Band members are moving back to the reservation and need a residence and some of the lots are too small for what they want to do. Ray said there are people in the audience with this issue and he asks them if they want to tell the Council about their issues.

Dave Farmer said he was asking for an additional 75 feet on top of his property, the reason being that if he met all the criteria for setbacks, lakeshore offsets, he would have no property in the back. The top of his lot can't be used because it is a cul-de-sac turnaround. He wants to put in a garage and have a yard.

Chairman Leecy said that is a big issue that needs to be discussed. Indian Point has those issues too. Chairman Leecy asks Corey Strong to schedule a working session for these issues.

Corey Strong said he and Terri Hill were working on that issue. There are not a whole lot of lots like that but there are a few. They wanted to wait for the infrastructure projects to be completed first so they know exactly where the setbacks are and the right-of-ways for the utility lines. Corey said the setbacks are there, but they are there only for guidance. They, also THPO and environmental, will look at each and every individual lot and give them a recommendation on what they can do with the lot to help them build on their lots.

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Corey Strong said there were two properties, one at Whiskey Point and one at Duffy Point, that were put out on bid, with a minimum bid, to Band members. They were given thirty days to submit a bid. (These were properties owned by non-Indians that didn't pay on their lease agreement, so the Band acquired the properties). The one on Duffy Point did not receive any bids. The one on Whiskey Point did receive a bid but it was underbid. Corey told Terri Hill to see if the Council wanted to resubmit those for more bids, or to let the individual buy the one on Whiskey for the underbid price. The minimum bid came from the appraisals that were done on the cabins.

Chairman Leecy asks if they were put in the Bois Forte News. Corey said he is not sure, but it was put on the website. Chairman Leecy said to get the word out, to utilize the Bois Forte News because more people get that.

Corey is directed to resubmit those two properties for another bid because the policy needs to be followed, if a minimum is required, it needs to be followed.

Moved by Ray Toutloff; seconded by Cathy Chavers; to rescind resolution #77-2010. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to adopt resolution #21-2011, new residential lease – Emma Jennings. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the revised Conservation Code. Carried 3-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to approve the updated Leash Law. Carried 3-0-0.

Mavis Drift is not present so her agenda item, Identifying our lives-A survey of Elders Participation, is taken off the agenda.

Brandon Benner said we need to look at the agenda when there are conflicts between our people and keeping them separate, that we need to be sensitive to that type of stuff. Barb Brodeen said the items are placed on the agenda in the order they come in.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the Lease Agreement with James A. Cowgill – The Cowgill Building, for office space at 203 Third Street in International Falls for the chemical dependency program. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the University of Minnesota Agreement of Institutional and Program Affiliation between the UMD Department of Social Work and Bois Forte Health and Human Services to establish a program of education and training for students to obtain necessary clinical experiences. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to adopt resolution #22-2011, Annual Funding Agreement with the Indian Health Service. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to table the request from Dave Anderson for funding for the Nett Lake Cemetery fence replacement. Carried 3-0-0. Dave Anderson is to bring the information on the fence to the elders first to select the type of fence.

Moved by Cathy Chavers; seconded by Ray Toutloff; to approve an additional \$7,500 for the Ambulance stipend account. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to approve the FY 2010 Indirect Cost Proposal and the indirect cost rate of 23.73%. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to approve the 2010-2011 Commercial Insurance Package Policy proposal from Boyd Carlblom, Range Reliable Agency, Inc./Travelers Insurance Companies. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to approve the catering contract with the Nett Lake School for meals catered to the Nett Lake Head Start and Child Care Program. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to approve the Bois Forte Child Care logo. Christine Bloom and Billie Mason are to put a feather on it on the side, pending the March of Dimes giving the Bois Forte Child Care program a free use license. Mark Anderson will call the March of Dimes. Carried 3-0-0.

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Moved by Ray Toutloff; seconded by Brandon Benner; to adopt resolution #23-2011, National Congress of American Indians (NCAI) 2010-2011 membership dues. And to approve the 2010-2011 NCAI individual membership dues for Kevin W. Leecy, David Morrison, Sr., Cathy Chavers; Brandon Benner, Ray Toutloff, and Barb Brodeen. Carried 3-0-0.

Chairman Leecy states for the audience and for the record, he called Gary Frazer this morning about his concern of the elections on the federal level and going the way they are and if anything will be accomplished on the Nelson Land Claims. Gary Frazer has a meeting with Congressman Oberstar in Washington, D.C. on September 23 to push for the Nelson Land Claims distribution.

Moved by Cathy Chavers; seconded by Brandon Benner; to adjourn the meeting at 10:57 a.m. Carried 3-0-0.