

Minutes of a special meeting of the Bois Forte Reservation Tribal Council held February 16, 2011 at Nett Lake, Minnesota.

Meeting called to order at 9:14 a.m.

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

Members Absent: None

Others Present: Barb Brodeen; Mark Anderson; Vicki Villebrun; Nikki Pieratos; Mary Strong; Justin Boness; Bernard O'Leary; Carol Burr; Wendi Hildebrand; Andy Datko; Gordon Adams, Jr.; Jeneal Goggleye; Edith Villebrun; Billie Mason; Kim Greiner; Hank Missabe; Miranda Lilya; Janelle Burton; Marcella Connor; Marty Connor; Sidra Starkovich; Dawn Benner; Wendy Thompson; Jerome Whiteman; Dennis Coty; Mike Larson; Brad Reifsteck; Doris Isham; Don Chosa; Chris Holm; Dave Larson; Toni Wakemup

A moment of silence is observed because there has been a death in the community.

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

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to approve the minutes of a regular meeting held January 19, 2011 at Nett Lake, Minnesota. Carried 4-0-0.

Elders Committee: Justin Boness said the elders are working on their mission statement. They are also working on their trip.

Brandon Benner introduces Hank Mesabe who is coming to the council for direction. Hank has an invention and he spent money for research for a patent on it and he found out it is viable patent. Hank is looking for guidance, either legally, financially or both.

Hank Mesabe is referred to Gordon Adams Jr., who is in the audience, who is the contact person for the small business loan program.

Jerome Whiteman said the elders hope to have their mission statement finalized by the next elder meeting. Jerome asks if the council wants to be involved or recognized. Chairman Leecy asks

the elders to bring this for council input to the council/elder quarterly meeting being held on February 28.

Jerome Whiteman said in regard to the fencing for the cemetery, the elders would rather have new posts instead of the new fencing. He said there are local guys that can do the work.

Jerome Whiteman said at the elder meeting, Corey Strong gave a brief presentation on the IIM accounts. It answered most of the questions the elders had. About half of the elders were indifferent. Others felt it was too little.

Justin Boness said for the town meetings, to get a list of people who can cook because there are others that can cook and who want to earn money. Chairman Leecy said this was talked about and in fairness to everyone there will be a bidding process or a rotation process. There is food handling criteria. Brandon Benner said there are two people certified, Jane Villebrun and Kelly Dunkley, but he doesn't see any difference in what they do versus the taco fundraisers or other fundraisers. Cathy Chavers said Indian Health Service provides food certification and training. Cathy tells Justin to get a list of people interested in cooking and the council can have Indian Health Service come up to provide training.

Mary Strong said she worked at the State of the Band, and she felt bad about throwing all the wild rice away – the leftovers. There was a lot of wild rice that had to be scraped and thrown away. No one ate it. She feels bad because people work hard to get the rice. She offered to teach the chef how to cook it, and she also talked to Gary Gotchnik. Gordon Adams Jr. said he talked to the chef the next day. Somehow the rice got mixed up – the hand parched and the machine finished. The chef took a lot of heat and still hears about it today. He feels bad about it too.

New staff: Jeneal Goggeley introduces Dennis Coty who is the new LPN, and Bernard O'Leary who is the new Fitness Trainer/Instructor at the Vermilion Wellness Center.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to approve applying under the express chartering process to receive certification from the National Credit Administration to establish the credit union. Carried 4-0-0.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to approve the contract proposal from Cimarron Medical Informatics, LLC in the amount of \$8,500 to implement the Cimarron Basic RPMS Radiology-to-PAC Interface for the clinic. Carried 4-0-0.

Andy Datko said the monument stone with the list of veterans' names needs to be ordered for the veterans' memorial so the list of names needs to be approved. The list was in the Bois Forte News and on the website requesting input for additional names. There are some names on the list that are members of the Bois Forte community but not enrolled.

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Jerome Whiteman said some of the vets contacted him and said there were names on the list that shouldn't be there. Either don't have DD214's or dishonorable discharge. One person on the list was honorably discharged in World War I and was dishonorably discharged in the Korean War, which one is used.

Andy Datko is to meet with Jerome Whiteman and Ernie Steel and the veterans' committee for a final review to decide who all should be included on the monument, 1) if only enrolled or if non-enrolled, non-Indian will be included, and 2) try to get the DD214's of the ones in question. The veteran's committee is to sign/authorize the list of names they want included on the monument, the list is also to go to the elders' committee, then brought back to the council.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the Band members' names that are not in question for the list of names for the monument. Carried 4-0-0. The names on the monument will be updated every year.

Moved by Ray Toutloff; seconded by Cathy Chavers; to authorize Andy Datko and Ernie Steel to make a request to the Department of Veterans Administration, on behalf of the Bois Forte Band, that the circumstances of a discharge be disclosed, that the information is for governmental purposes and the information the tribal government obtains will not be disclosed. Carried 4-0-0.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to approve the cost of approximately \$7,750.00, depending on availability of funds, for four directional signs for Nett Lake. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to approve of Architectural Resources, Inc. for architectural and engineering services for the Nett Lake Law Enforcement Center upgrade project, with a fee of 10% of total construction costs including all normal reimbursables except the cost of printing and distributing plans and specifications or any required services of a structural engineer, and to authorize the Chairman to execute the contract document upon review by the Tribal Attorney. Carried 4-0-0.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to adopt resolution #62-2011, submission of grant application to the IRRRB for \$50,000 matching funds for the Woody Biomass Utilization Grant, for engineering services for bio-oil demonstration facility. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; submission of grant request to the USFS, Woody Biomass Utilization Grant, for engineering services for bio-oil demonstration facility. Carried 4-0-0.

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Moved by Cathy Chavers; seconded by David Morrison, Sr.; to adopt resolution #63-2011, survey and plat of Pineview East Plat. Carried 4-0-0.

Moved by David Morrison, Sr.; seconded by Brandon Benner; to adopt resolution #64-2011, submission of grant request of \$100,000 to Iron Range Resources towards the infrastructure costs of the Nett Lake Duplex project. Carried 4-0-0.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to approve the Memorandum of Agreement with the Indian Health Services for construction of water and sewer infrastructure to serve the Nett Lake duplex housing project on the Bois Forte Reservation, and to authorize the Chairman to execute the MOA on behalf of the Bois Forte Band. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the Supplemental Letter Agreement #27A with S.E.H. Inc. for engineering, surveying, and construction related services in connection with the Westly Drive Watermain Loop Improvement, as part of the Nett Lake Duplex project. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #65-2011, acceptance of St. Louis County Housing and Redevelopment Authority's funding for the New Moon supportive housing project and to authorize the Chairman to execute the funding agreement on behalf of the Bois Forte Band and other necessary documents related thereto, subject to review by Tribal Attorney. Carried 4-0-0.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to approve the amendment to the contract for services between Broen Housing Consultants, Inc. and the Bois Forte Band and to authorize Carol Burr to sign the amendment. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the management agreement and the management plan with D.W. Jones for the New Moon Supportive Housing project, with a start date of March 1, 2011. Carried 4-0-0.

Moved by Brandon Benner; seconded by Cathy Chavers; to approve the agreement with Tonya Connor to provide technical writing services for three water quality documents that are required by a grant agreement with the US Environmental Protection Agency. Carried 4-0-0.

David Morrison, Sr. leaves the meeting.

Moved by Cathy Chavers; seconded by Ray Toutloff; to adopt resolution #66-2011, residential lease – David Morrison Jr. and Kristen L. Strong. Carried 3-0-1. David Morrison, Sr. silent.

David Morrison, Sr. enters the meeting.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #67-2011, lease cancellation – Doreen Cameron and Curtis Camerson. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to adopt resolution #68-2011, lease cancellation – Clarence Roy Jr. Carried 4-0-0.

Wendi Hildebrand said Clarence Roy Jr. purchased a trailer house and is requesting a lot at Vermilion on Cemetery Road. Wendi is asked since Clarence is not first on the list of individuals waiting for lots, if that lot that is available was sent out to the individuals on the waiting list. Wendi said no. Wendi is informed there was discussion of no more trailer houses on lakeshore property, which will be put in the policy. Wendi is asked if there is any way for the waiting list to be published for people to see the waiting list so they know where they are on the list or is it under the data privacy policy.

Moved by Ray Toutloff; seconded by Cathy Chavers; to move Clarence Roy Jr's request to executive session. Carried 4-0-0.

Sidra Starkovich and Janelle Burton are requesting to pursue partnering with an agency out of Duluth to apply for a grant through the Family Homelessness Prevention and Assistance Program which the goals are to prevent homelessness, minimize the number of days homeless, and eliminate repeated episodes of homelessness.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to approve the Intent to Apply for the Family Homelessness Prevention and Assistance Program grant. Carried 4-0-0.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to adopt resolution #69-2011, submission of funding proposal to the BIA to continue and update the Integrated Resource Management Plan Development project. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to table the Bois Forte Youth Education & Experience Policies. Carried 4-0-0. Billie Mason is to schedule a meeting with the council to discuss the policies.

Doris Isham said Bois Forte received a grant from the Northeastern Region Radio Board for 4 mobile and 5 portable radios for the Bois Forte Ambulance and Fire Departments. The grant was contingent on a matching share of 25% from the tribal government. The tribal council did approve the matching share. Between the time it took to submit the grant, the Radio Board approving the grant, processing the bid documents, the price of the radios were no longer sale priced. Doris is requesting an additional \$7,870.95 for the purchase of the radios.

Moved by Cathy Chavers; seconded by Brandon Benner; to approve and additional \$7,870.95 for the purchase of radios for the Bois Forte Ambulance and Fire Departments. Carried 3-0-1. Ray

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Toutloff silent. Ray Toutloff states he is silent because he is related to the owner of the company where the radios will be purchased from.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to table the Bois Forte Tribal Government Employee Dress Code for further review by the council and legal review. Carried 4-0-0.

Moved by Brandon Benner; seconded by Cathy Chavers; to approve the letter of support for the Indian Legal Assistance Program who are applying for a grant from the Shakopee Mdewakanton Sioux Community. Carried 4-0-0.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to adjourn the meeting at 12:05 p.m. Carried 4-0-0.