

Minutes of a special meeting of the Bois Forte Reservation Tribal Council held March 16, 2011 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota.

Meeting called to order at 9:19 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; Marilyn Geshick; Justin Boness; Edith Villebrun; Wendi Hildebrand; Carol Burr; Randy Long; Connie Harju; Mary Strong; Phyllis Boshey; Pete Drift Sr.; Brad Anderson; Jeneal Goggeye; Marcella Connor; Leanne Hoffman; Martha Anderson; Marty Connor; Gary Gotchnik; Dave Anderson; Kim Greiner; Andy Datko; Corey Strong; Tara Geshick; Karlene Chosa; Janelle Burton; Jerome Whiteman; Sidra Starkovich; Gordon Adams Jr.; Nikki Pieratos; Wendy Thompson; Jane Villebrun; Norm Adams; Mike Dunkley; Simona Benner; Jason Sherman; Clarence Roy III; Miranda Lilya

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to approve the agenda with the addition of Dave Larson with the prescribed fire burn plan, and Janelle Burton with a letter of support. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve the minutes of a special meeting held February 16, 2011 at Nett Lake, Minnesota. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to approve the minutes of a special meeting held February 17, 2011 at the Lake Vermilion Sector of the Bois Fore Reservation, Minnesota. Carried 4-0-0.

Elders Committee: Marilyn Geshick said in regard to child protection she seen Angela Wright who had to talk to the court. They wanted to know about a smoking policy in homes. Angela said it is up to the home. Marilyn said most people in the homes in Vermilion and Nett Lake go outside to smoke.

Chairman Leecy lets Marilyn know there is a long-standing resolution that the tribal council does not interfere in court matters.

Page 2
Special Meeting
March 16, 2011

Justin Boness said the alcohol and drug problem is worse in Nett Lake. No one holds AA meetings, or there is no one hired for that.

Chairman Leecy said the council has always been concerned about the illegal drug problem and more recently the prescription medication problem which is slowly escalating. Things have been put in place like the Crimestoppers to help combat the drug problem. Chairman Leecy asks the elders if the problem is specifically in Vermilion. Marilyn said that is what the individual said. Marilyn said they don't have meetings like they used to have.

Karlene Chosa said the CD Program runs a 96 hour outpatient program and a phase II relapse prevention program. Both alternate between Nett Lake and Vermilion. The people in recovery have the option to start AA.

Jerome Whiteman said it is up to the people as individuals to start it, but a lot of the shnobs are shy. No one wants to be in the spotlight.

Justin Boness said after treatment there should be a good follow up program.

Ray Toutloff said he brought this up at the last meeting, that there has been a diminished service at Vermilion. There are a lot of retirements. We need to look at increasing staff.

Jeneal Goggeye said people need to take into consideration the amount of reimbursement that has been received has changed significantly. The amount has declined dramatically. That funding was what paid for a lot of those salaries. Right now the CD Program gets reimbursed but at a much lower rate. Jeneal said they are looking at the funding level and if possible they will increase the staff. Jeneal said she can't increase the staff right now without knowing that they have the money. She doesn't want to bring someone on and in two months they would be done. Jeneal said if people have ideas on better followup for people on the recovery path to contact Karlene Chosa, Katie Laitenen, Terry Strong, or herself, and they will set up a meeting and write down the ideas and try to implement the ideas that people want. Jeneal said they are trying to provide services but the funding is limited.

Phyllis said there needs to be someone at the Vermilion office after 4:30 p.m. because when someone needs to see someone they need them right away. Karlene said she will go to the elders meeting.

Phyllis Boshey said the dump needs to be closed. There is a dump started on an old road. It should be cleaned up and gravel hauled there. Also the dogs are getting into the garbage cans because people are not feeding their dogs.

Page 3
Special Meeting
March 16, 2011

Corey Strong said he talked to the owners of the dogs. He said it is a cycle process, the conservation department takes the dogs and a month later the people have a puppy. Corey said they are getting complaints about the dogs and are trying to address that issue.

Ray Toutloff said there are ordinances and they need to be enforced, and people need to know the consequences.

Ray Toutloff said in regard to the garbage issue, the curbside pickup is going to be implemented. There is the issue of the temporary residents who are not home on the pickup days. Ray would like the utility board address that issue.

Phyllis said another issue is there needs to be containers/compacter for people to put their fish stuff. Corey Strong said there is a compacter by the treatment pond. Tara Geshick said her and Theresa Drift are working on a fish composting project. Tara said they will keep the Vermilion transfer station open for six months during the transition of going to curbside pickup. There needs to be one or the other – either the curbside pickup or the transfer station. The transfer station is being manned and they only take in 1-2 bags a month. There were 0 bags in January. Ray Toutloff said if the transfer station is going to be kept open it should be during the period of time when the seasonal residents are here.

Corey is to post the compacter at the treatment pond because netting is coming up.

Chairman Leecy said the curbside pickup was implemented because a lot of people didn't have the money for the transfer station. The garage was being piled up in the homes. Curbside pickup was one of the requirements for the tax credit homes.

There are no new tribal government staff to be introduced.

Moved by Cathy Chavers; seconded by Brandon Benner; to appoint Norm Adams to the Iron Range Rehab Center Board of Directors. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve awarding the following bids to United Truck Body in the amount of \$1,129 for the Transfer Tank and Pump; to Bobcat of Duluth in the amount of \$70,176 for the Track Loader and \$5,500 for the Trailer; to Lundgren ford in the amount of \$37,400 for the Pickup Truck with Plow. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the Bois Forte Housing Department Indian Housing Plan Renewal 2011. Carried 4-0-0.

Corey Strong has the draft 2011 code for netting. He said the only difference is there will be a requirement that there be a buoy on both ends of the net because there are more people netting

Page 4
Special Meeting
March 16, 2011

now and they are coming within the fifty foot mark, and also some Band members nets are getting run over by motorboats.

Moved by Ray Toutloff; seconded by Cathy Chavers; to approve the 2011 Bois Forte Code for Non-Commercial Netting of Game Fish in the Waters Adjacent to the Vermilion Reservation and to set the netting season dates of January 1-December 31, 2011 (excluding May 31-September 15, 2011). Carried 4-0-0.

Phyllis Boshey said people are setting nets all the way from the island to shore. She said if Indians did that long ago there wouldn't be any fish now. She said small mesh nets should be used for the smaller fish because there is mercury in the big fish.

Corey Strong said the conservation officers will watch for that because there will be a requirement that there be a buoy on both ends of the net so it will be easier to tell where the nets are.

Phyllis Boshey asked about the net size. She said people are putting in two 200 foot nets. She thought it was one 200 foot net.

Corey Strong said it is 200 foot per person. The mesh sizes are 1 ¾ to 2 ¼. In the fall they use the 2 ¼. He said they would watch the mesh size too.

Dave Larson said a fire dozer (Caterpillar D4G dozer) was purchased for the Forestry department. After it was purchased they needed to have the dozer modified to attach their old firefighting plow to it. The work needed to be done at a dealership to keep from voiding the warranty. Not knowing the cost, Dave expected it to be around \$2,000 and he had no way to solicit competitive bids. The cost came in at \$6,232.91 which he negotiated the fee reduction down to \$5,167.91. Dave is requesting a waiver of the competitive bid requirement of the procurement policy and to authorize the modification work from Ziegler Caterpillar dealership. Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the waiver of the competitive bid requirement for the modification work for the fire dozer and authorize the work to be sourced. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to adopt resolution #73-2011, 2011 Timber Harvest Plan. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to adopt resolution #74-2011, Prescribed Fire Burn Plan. Carried 4-0-0.

Moved by David Morrison, Sr.; seconded by Ray Toutloff; that the January 19, 2011, award of the contract for the Nett Lake Duplex Project should properly reflect that the award was intended to be to the general contractor, MB Customs, Inc. Carried 4-0-0.

Danielle Pieratos is a third year student at Stanford University. She is working on an internship research project and is proposing a collaboration with the Bois Forte Credit Union to create a customized Individual Development Accounts (IDA) program for Bois Forte. IDAs are matched savings accounts where the money deposited by a customer is matched by an organization; money can only be withdrawn for asset-building activities, i.e. purchasing a home, education, or starting a business. It would be no cost to Bois Forte and Bois Forte will retain any research information. Her work plan will go through the Credit Union steering committee. Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the collaboration with Danielle Pieratos to develop an Individual Development Accounts (IDA) program for Bois Forte. Carried 4-0-0.

The roof on the old rice plant collapsed and the walls buckled due to heavy snow. The interior has been gutted. The building had been heavily vandalized. Andy Datko said there were inquiries about the possibility of the council refurbishing the building for Band members for small business start up space but the building is too far gone to rehab. Andy said there were inquiries about people salvaging some of the usable materials.

Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the cost of approximately \$8,500 for the demolition of the old rice plant building, including the debris around the site, with the stipulation that the materials be disposed of at the Nett Lake demolition landfill site. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #75-2011, loan resolution for the MCT loan for the Nett Lake Duplex Project. Carried 4-0-0.

Andy Datko updates the Council of the time capsule project. Martha Anderson runs the "Age to Age" program which works with youth and elders on community orientated projects and that group will be involved in the project determining what items will be placed in the capsule. The capsule will be placed and sealed in a wall in the government center with a plaque indicating it is there and a date when it will be opened. They are trying to put together the time capsule in time to dedicate it during the veterans' day celebration. They are asking if the council thinks it is a good idea and if that is how they should proceed. The council thinks it is a good idea and Martha is to publicize the age-to-age meeting when the time capsule project is being discussed because the community would be very interested and excited about it and would have input.

Moved by Ray Toutloff; seconded by Cathy Chavers; to approve the Bois Forte Youth Education & Experience Assistance Program Policies with the following changes: 1) add "home schooling only part of local school events."; 2) on Limitations, number 5, change "whichever is first." to "whichever is less."; and 3) add a timeline of "within one (1) calendar year" for reimbursements under number 5 of Limitations. Carried 4-0-0.

Chairman Leecy leaves the meeting. Vice-Chair Chavers chairs the meeting.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #76-2011, Data Sharing Agreement between Bois Forte Health Services and the Minnesota Department of Human Services Health Care Eligibility and Access Division to enable Bois Forte Health Services to provide application assistance for Minnesotans interested in applying for Minnesota Health Care Program. Carried 3-0-0.

Chairman Leecy enters the meeting.

Moved by Cathy Chavers; seconded by Brandon Benner; to adopt resolution #77-2011, grant application to the Department of Health and Human Services Center for Medicare and Medicaid Services for funding to help reach American Indian Children who qualify for, but are not yet enrolled, in Medicaid and the Children's Health Insurance Program. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to approve mandatory payroll deductions from Bois Forte Tribal Government and Entity employees for Water & Sewer (\$15.00 water and \$18.00 sewer for Nett Lake, Palmquist and Vermilion; and \$8.00 water and \$40.00 sewer for Indian Point); and for Solid Waste/Curbside Collection (\$20.00 for Nett Lake, Palmquist, Indian Point, and Vermilion). Carried 3-1-0. Ray Toutloff against. He feels it's a little too much government control. That way they would have an option to do it or not. He would rather see something where if someone commits to a payroll deduction that they can't withdraw it as long as they are employed.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to approve a letter of support for the Paul Bunyan Telephone Company to expand it "Fiber Optic" to the community of Nett Lake. Carried 4-0-0.

Frontier services Vermilion. Randy Long is to call Frontier about the concerns of not having the capacity and reliable service for Vermilion – the government and businesses.

Moved by Ray Toutloff; seconded by Cathy Chavers; to adopt resolution #78-2001, revisions to the Indian Reservation Road Construction Priority List to provide an updated list of IRR construction projects on the Bois Forte Reservation and requesting the BIA to include those projects in the Transportation Improvement Plan (TIP). Carried 4-0-0.

Moved by David Morrison, Sr.; seconded by Ray Toutloff; to approve the contracts with KGM Contractors Inc for the Public Works and Village Street Ball Park Drive project, the Farm Point road project, and the Palmquist Road and Indian Point Road project. Carried 3-0-1. Cathy Chavers silent.

Moved by Cathy Chavers; seconded by Brandon Benner; to adopt resolution #79-2011, award of contract to Ulland Brothers for resurfacing of streets in the Village of Nett Lake. Carried 4-0-0.

Page 7
Special Meeting
March 16, 2011

Moved by Cathy Chavers; seconded by Brandon Benner; to approve the letter of support of the Corporation for Supportive Housing and their work with tribes to maximize the use of third party billing for supportive housing. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to accept the resignation of Frances Isham from the Utility Board. Carried 4-0-0.

Moved by Brandon Benner; seconded by Cathy Chavers; to appoint Tara Geshick as Chair of the Utility Board. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to appoint Jacque Wilson as Bois Forte Representative to the American Indian Opportunities Industrialization Center (AIOIC) Board of Directors. Carried 4-0-0.

Moved by David Morrison, Sr.; seconded by Cathy Chavers; to decline the offer from Vermilion Law, Ltd. for Bois Forte to purchase property near Hoodoo Lake north of Cook. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to adjourn the meeting at 11:31 a.m. Carried 4-0-0.