

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

Meeting called to order at 9:20 a.m.

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

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

Others Present: Andy Datko; Mark Anderson; Vicki Villebrun; Leanne Johnson; Crissy Irrgang; Sue Anderson; Michael Wade; Edith Villebrun; Wendy Thompson; Wendi Hildebrand; Sidra Starkovich; Martha Anderson; Randy Long; Miranda Lilya; Corey Strong; Mary Strong; Cedric Littlewolf; Carol Burr; Justin Boness; Jerome Whiteman; Marty Connor; Marcella Connor; Jeneal Goggeye; Marilyn Geshick; Brent Chosa; Axel Holmes Jr.; Janelle Burton; Gary Gotchnik; Billie Mason; Paul Day; Gordon Adams Jr.; Teri Morrison; Ellen King; George Strong; Donald Chosa; Norm Adams; Rocky King

Moved by Ray Toutloff; seconded by Cathy Chavers; to approve the agenda with the following changes: 1) add Janelle Burton and Carol Burr with a request to conduct a housing survey; 2) move Michael Wade to executive session, 3) delete Corey Strong with the request for funds to pay engineering for the Indian Point Sewer Project, 4) add a resolution in regard to enforcing tribal codes, and 5) add a resolution amending the code in regard to unlawful solicitation. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to approve the minutes of a special meeting held April 21, 2011 at Nett Lake, Minnesota. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to approve the minutes of a special meeting held May 11, 2011 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to approve the minutes of a special meeting held May 27, 2011 at Nett Lake, Minnesota. Carried 3-0-0.

Elders Committee: Jerome Whiteman said the elders have their mission statement. That is what they will go by.

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Jerome said some individuals made suggestions to them. One was to have invocation at their meetings with giving tobacco. In regard to the elders trip there are usually issues that come up but the elders will try to iron them out before the trip, like in regard to the chemical dependency area. The elders will still voice their concerns with what they see on the reservation. They will bring these up at the council/elder meeting being held next week, also the issue of the cats and dogs. Some other items they will bring up is the beaver bounty issue at West Boundary, cutting brush along the roads, and Polymet mining.

Chairman Leecy thanks the elders. The council/elder meetings have been working well. He asks Jerome to write down the list of issues and bring to the council/elder meeting.

There are no new staff to introduce.

Moved by Ray Toutloff; seconded by Brandon Benner; to adopt resolution #94-2011, agreement with Anishinabe Legal Services, Inc. to perform tribal prosecutor services for the Band. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the Articles of Incorporation to form a Minnesota Nonprofit Corporation called Bois Forte Plinzho Organization that will apply for funding for the New Moon Supportive Housing development project. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to authorize Janelle Burton to conduct the Survey of Homeless Persons on the Bois Forte Reservation. Carried 3-0-0.

Teri Morrison introduces Ellen Morrison who is the Statewide Health Improvement Program (SHIP) Coordinator.

Moved by Brandon Benner; seconded by Cathy Chavers; to authorize Bois Forte Health Services to conduct the Statewide Health Improvement Program (SHIP) survey on the Bois Forte Reservation. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to adopt resolution 95-2011, SHIP Grant Continuation with Leech Lake. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the waiver of the sole source part of the procurement policy to purchase fencing from Lowe's for the Nett Lake cemetery. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to approve the memorandum of understanding with U.S. Steel – Minnesota Ore Operations in regard to the Twin Lakes Wild Rice Monitoring Project. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to table the request from John Villebrun for a residential lot out by the police station. Wendi Hildebrand is to see if there is a lease for this lot that has the legal description on it and the leasing policies are followed to cancel the current lease if there is one, and to go through the waiting list for lots. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to adopt resolution #96-2011, lease modification for Jaunita J. Anderson lease to correct the lease lot and with the correct rental rate. Carried 3-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to adopt resolution #97-2011, residential lease – Jewel Walker; and to adopt resolution #98-2011, residential lease – Beverly Steel. Carried 3-0-0.

Moved by Brandon Benner; seconded by Cathy Chavers; to adopt resolution #99-2011, recreational lease – Ray and Victoria Toutloff. Carried 2-0-1. Ray Toutloff silent.

Moved by Cathy Chavers; seconded by Ray Toutloff; to adopt resolution #100-2011, lease cancellation – Loretta F. Knutson. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to adopt resolution #101-2011, lease modification to remove Ellen King aka. Ellen Morrison from Troy and Ellen King lease. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to approve the Bois Forte Head Start Shared Decision-Making Process policy. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to approve the Bois Forte Head Start Internal Dispute Resolution policy. Carried 3-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to move the appointments to the Interview Committee to executive session for more discussion on the people on the sign-up list. Carried 3-0-0.

Brandon Benner wants to see a study of how many times the Council went with the interview committee's selections. Ray Toutloff would like it to be reposted for more members later because there is no one signed up from Vermilion on the interview committee.

Moved by Ray Toutloff; seconded by Cathy Chavers; to adopt resolution #102-2011, to ratify the action on June 7, 2011 to amend the Bois Forte Reservation 401(k) retirement plan. Carried 3-0-0.

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Moved by Ray Toutloff; seconded by Cathy Chavers; to approve the memorandum of understanding with Indian Health Services for funding for the water and sewer portion for the New Moon project. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to adopt resolution #103-2011, rescinding resolutions #89-2011 and #90-2011 in regard to the Nett Lake Duplex and the New Moon Supportive Housing Projects. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to adopt resolution #104-2011, loan from the Minnesota Housing Finance Agency to assist in the financing for the construction of twenty rental housing units identified as the New Moon Supportive Housing Project. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to adopt resolution #105-2011, loan from the Minnesota Housing Finance Agency to assist in the financing for the construction of twelve rental housing units (six duplex units) identified as the Nett Lake Duplex Project. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to table the request from accounting to take credit balances on a customer's account and apply it to any of their other accounts that have an outstanding balance for further review. Carried 3-0-0. Edith Villebrun to redo this so the customer's voluntarily reassign the money to a different account.

Moved by Cathy Chavers; seconded by Brandon Benner; to close the 13 bank accounts that are no longer used. Carried 3-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to approve the Internet Streaming Service Agreement with StreamGuys, Inc. d/b/a StreamGuys for KBFT Radio to be able to stream its broadcast signal via the internet to listeners outside its primary broadcast area. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to approve the Satellite Service Agreement with Public Radio Satellite Service (PRSS). PRSS is a provider for renowned nationally syndicated live programming for non-commercial stations. By utilizing PRSS, KBFT Radio will be able to offer Native American programming targeted towards a National audience. Carried 3-0-0.

The Corporation for Public Broadcasting has community service grants that provide non-commercial stations with funding for stations that provide a valuable public service to the communities it is intended to serve. George Strong said these grants are intermittent as funding windows become available. George will be applying for this and will work on the preparations that need to be in place to apply such as there needs to be a board in place.

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The U.S. Board on Geographic Names has received a proposal to name an unnamed island on Lake Vermilion "Blue Heron." The Bois Forte elders had been asked about this and they are okay with it but with two names, one in English, and one in Anishinabe which would be Zhashagi.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the proposed names for the unnamed island on Lake Vermilion. Carried 3-0-0.

Marty Connor wants to purchase a Model 68 Orbital Screener. It would be paid with ARRA funding. He is requesting to get bids for it. Moved by Ray Toutloff; seconded by Cathy Chavers; to put out on bid for quotes for an Orbital Screener. Carried 3-0-0.

Marty Connor is requesting for approval to waive the procurement policy to purchase a John Deere 6615 tractor with 25' Boom and 50" Rotary from Diamond Mowers at a cost of \$59,000. If he purchased it from another company it would cost over \$100,000 because the boom would need to be purchased separately.

Moved by Brandon Benner; seconded by Ray Toutloff; that since Marty Connor already got bids although they were verbal, that the procurement policy does not need to be waived, to approve the purchase of a John Deere 6615 w 'Boom and 50" Rotary from Diamond Mowers, pending Marty Connor get the other two bids in writing since they were only verbal bids. Carried 3-0-0.

Marty Connor is requesting approval to exchange the old 150 Kamatsu Excavator to Doug Waitala for work on the Ford 1-ton truck. The work on the truck costs \$7,000. To fix the Kamatsu Excavator would cost \$35,000 - \$40,000. That piece of equipment is too old and would keep breaking down and would just keep costing more to try to keep it repaired. Moved by Ray Toutloff; seconded by Brandon Benner; to approve the trade. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to authorize Marty Connor to sell old public works vehicles through the bidding process, the green tanker truck, the 1996 black Chevy pick-up truck, and the 1996 Jeep. Carried 3-0-0.

Moved by Brandon Benner; seconded by Cathy Chavers; to sell the old blue and white End Dump Truck to Gerald Goggeye Jr for \$700.00. Carried 3-0-0.

The Bois Forte Powwow Committee, the Vermilion Powwow Committee, and the Culture Committee are being combined to form one committee which will be called the Bois Forte Culture Committee. A sign up sheet was posted for members and 24 people signed up. Discussion was held on there needing to be bylaws for the new culture committee.

Moved by Cathy Chavers; seconded by Ray Toutloff; to appoint the 24 individuals listed on the sign up sheet to a steering committee to develop a new set of bylaws and procedures for the new

culture committee with Rose Berens as the coordinator for their meetings until the bylaws are developed and in place. After the bylaws are in place then the new culture committee members will be appointed. Carried 3-0-0.

Donald Chosa said the summer youth immersion camp is coming up and asks if the culture committee will be in place by then. He said the summer youth workers were also involved in the camp. Billie Mason said last year they were told they can't make the summer youth attend so she doesn't know if they can give them any funds for the camp. There were a couple workers and a coordinator that refused to go to the camp. Donald is told to get the committee together and come up with something to present to the council and to include the funding, the program date, the objective of the camp, and what will happen at the camp, all the specifics.

Moved by Ray Toutloff; seconded by Cathy Chavers; to participate in the Native American Rights Fund's National Indian Law Library's *Access to Tribal Law Project*. The Native American Rights Fund is gathering and publishing online tribal codes and constitutions in order to provide tribes with easier access to their own and other tribes' laws. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to table the request from the Minneapolis American Indian Center's Seniors Programs for a letter of support for their proposal to the Shakopee Mdewakanton Sioux Community Business Council. The council would like more information on what services will be provided and how many Bois Forte Band members are served. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to adopt resolution #106-2011, amending the Tribal Code by adding Section 654.01 Unlawful Solicitation. (a) It shall be unlawful for any person to stand, sit or position one's self in or on a public street, a parking lot adjacent to a public street or in a public building for the purpose of soliciting through spoken, written or printed word, or by other means of communication a donation of money or other item of value from another person. (b) Unlawful solicitation is a Class 3 misdemeanor. The amendment is effective June 16, 2011. Carried 3-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to adopt resolution #107-2011, officers authorized to enforce the Tribal Code with the Bois Forte Development District of the Lake Vermilion Reservation from June 18-20, 2011. Carried 3-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to adjourn the meeting at 12:25 p.m. Carried 3-0-0.