

Minutes of a special meeting of the Bois Forte Reservation Tribal Council held August 26, 2011 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota.

Meeting called to order at 9:23 a.m.

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

Members Absent: None

Others Present: Kim Greiner; Mark Anderson; Vicki Villebrun; Vanessa Little; Kay Davis; Simona Benner; Corey Strong; Bill Isham; Ed Villebrun; Martha Anderson; Axel Holmes Jr.; Marilyn Geshick; Jerome Whiteman; Justing Boness; Jeneal Goggleye; Doris Isham; Carol Burr; Marcella Connor; Billie Mason; Marty Connor; Pam Hughes; George Strong; Sidra Starkovich; Dave Anderson; Dawn Benner; Tara Geshick; Kevin Koski; Gordon Adams Jr.; Dennis Tabbert; Wes Martins; Virgil Sohm

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve the agenda with the following additions: 1) Mark Anderson with a resolution to close out the Columbia Funds money purchase plan, 2) Mark Anderson with discussion on the tax litigation appeal, and 3) add Marty Connor with agreements for rental of a loader and screener. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the minutes of a regular meeting held July 7, 2011 at Nett Lake, Minnesota. Carried 4-0-0.

Elders Committee: Jerome Whiteman said the elders from Mille Lacs are coming to visit Bois Forte. The Bois Forte elders are coming up with a plan for things to do such as giving them a tour of the reservation.

Jerome Whiteman said a big issue is the beaver. The reservation is being flooded and it is getting bigger. The conservation department is limited in what they can do.

Jerome Whiteman said the elders have been discussing the issue about the individual that tried to burn down the forest. That individual was enrolled at Bois Forte but the mother was from Leech Lake and the father was from Red Lake. The elders didn't like that and want to know how that happened. Jerome said the council needs to give an answer to the elders. He said when the people run for office they use the elders, but they don't listen to them so what is the function of the elder committee if their suggestions and ideas are going to be ignored.

Chairman Leecy said he isn't sure what the issue is that the council didn't address, that the council tries to address the issues including the beaver situation. Chairman Leecy said he will ask Corey Strong to comment on the beaver issue. Chairman Leecy said the elections and the enrollments are handled by the Minnesota Chippewa Tribe. In regard to the enrollment issue one parent has to be enrolled at Bois Forte. The council can look into that.

Mark Anderson said he is pretty sure he knows who Jerome is talking about. Mark said the proper steps were followed to make that person eligible. One of the parents, the one that was enrolled at Leech Lake, transferred to Bois Forte. The language of the ordinance says that still qualifies the person as being born to a member.

David Morrison, Sr. said the individual's grandmother was enrolled at Bois Forte and his grandfather was enrolled at Leech Lake. His grandmother and grandfather enrolled their children at Leech Lake and Bois Forte, the oldest at Leech Lake, the next one at Bois Forte, etc. The individual's mother was enrolled at Leech Lake but transferred to Bois Forte and the father was enrolled at Red Lake. When the mother was enrolled at Leech Lake the individual transferred his enrollment from Red Lake to Leech Lake and when the mother enrolled at Bois Forte he transferred from Leech Lake to Bois Forte. The individual plead guilty to the charges and got a hefty fine. David said all along people can transfer from one Band to another if they have a parent enrolled at one of the reservations. There have been Band members who were enrolled at Bois Forte, relinquished Bois Forte and transferred to the other Band. They didn't like the way there were being with the other Band so they transferred back to Bois Forte.

Justin Boness said the individual burned down the reservation, got enrolled, and got a better paying job.

Mark Anderson said the requirement for membership is you need to be ¼ Minnesota Chippewa blood, born to a member, and a United States citizen if you were born after 1961, and not enrolled elsewhere. It doesn't say anything about if you were a good person or a bad person. That is something the tribes have never did nor does Mark think they ever will.

Chairman Leecy said there are a number of Bois Forte Band members who are in prison but they followed the rules to get enrolled.

David Morrison said in regard to crimes, there was an individual that was tried and convicted in tribal court when he took over Fortune Bay several years ago. He was elected to tribal council and served a number of years. Nothing was said about that. People have to look at everything. You can't pick and choose what cases you want to point your finger at.

Cathy Chavers said the elder council was established when Gary Donald was chairman. Joanne Donald assisted with the bylaws. The main purpose was to get the elders involved and understand the tribal government and to serve as an advisory board to the tribal council. Cathy

said the council does take what the elders say under advisement. Cathy said with regards to the enrollment issue there is a procedure in place the tribal council has to abide by. Cathy said she did provide LuAnne a copy of the enrollment ordinance when the issue came up because there is nothing in it that says they can't enroll him because of that.

Jerome Whiteman said on a personal note, he has medical issues and will have to step aside from the elder committee.

Chairman Leecy thanks Jerome for his years of service because it does take time to sit on committees and serve the Band, and wishes him the best.

Marilyn Geshick asks when the next quarterly meeting will be. She is told in October. She asks that it be scheduled after the elders get back from their trip.

Corey Strong said the beaver control program has \$3,000 left. There were contracts this spring for people to go trap the beaver. They get paid \$25.00 a carcass. Four contracts were filled. One individual filled two contracts. These just kept the roads open. The big expense is the explosives. It costs about \$1,500 a case. Corey is asked that instead of a contract, why don't they make it a part-time job. Corey said a contract is the easiest way instead of a lengthy hiring process. With contracts the work is spread out to give all the guys an equal chance to do it.

Chairman Leecy said he asked the DNR Commissioner to come to the next 1854 Authority meeting and the DNR Commissioner has confirmed. Chairman Leecy asks Corey to attend the meeting too because Bois Forte might need to ask the state to assistance, so there could be a joint venture.

Jerome Whiteman said they are going to ask the conservation committee waive the limited contracts so the guys who can do a lot should be able to do it. Corey said there is a conservation committee meeting on Tuesday.

New tribal government employees: Corey Strong introduces Bill Isham who is the new conservation officer.

Moved by Ray Toutloff; seconded by Cathy Chavers; to approve a \$1,000 donation for the Hope Health Incentive Program. The program provides the tribal government employees with a Hope Health newsletter and sends out a survey and provides an incentive for the employees to send back the survey. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to adopt resolution #10-2012, residential lease – Mary Porter. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to adopt resolution #11-2012, recreational lease – Pamela and Leroy L. Jenson. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #12-2012, lease cancellation – Michael Poola, Michael Lesnau and Scott Lesnau. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to adopt resolution #13-2012, residential lease – Nicole Pieratos. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to approve a waiver of the procurement policy to purchase a server to replace the server that crashed, to purchase phones from Cross Telecom and Avaya to add the DNR building to the government building phone system, and for support from Cross Telecom to fix the telephone issues such as paging. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve the cost of \$7,400 for onsite training to be provided by the Falmouth Institute for the accounting department. Carried 4-0-0.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to approve the 2011 per capita distribution in the amount of \$775.00. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Cathy Chavers; to approve the 2012 BIA Annual Funding Agreement, the reprogramming request, and the BIA Law Enforcement Memorandum of Understanding. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to adopt resolution #8-2012, support of the application of the Great Lakes Inter-Tribal Epidemiology Center for the 2011-2016 Indian Health Service Cooperative Agreement. Carried 4-0-0.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to adopt resolution 9-2012, authorizing the Bois Forte Planning and Community Development Division to seek a grant from the Otto Bremer Foundation for the development of a credit union. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to table the request from Wes Martins for a contribution to the Indian Legal Assistance Program because Wes Martins is not present. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to approve the request from Corey Strong for a waiver of the Indirect Cost for the Wild Rice Budget. They will use the money to buy reseeded rice. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to table the request from George Strong and Dave Anderson for the subcontracting bids for the radio station build out project until they bring in the right information. Kim Greiner said if they submit this in the 2012 funding budget cycle and if this is included in the budget process they do not need to bring this to the council meeting. Carried 4-0-0.

Dennis Tabbert and Sidra Starkovich present documents for the loan closing for the Vermilion public works equipment (2012 Ford Diesel Snowplow with attachments and a trailer). Chairman Leecy signs the documents.

Moved by Ray Toutloff; seconded by Cathy Chavers; to approve the letter of support for the Indian Legal Assistance Program who is requesting funding from the Legal Services Advisory Committee. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to adopt resolution #14-2012, National Congress of American Indians membership dues and individual membership dues. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to forward the invoice for the Minnesota Indian Gaming Association membership dues to Fortune Bay to pay. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Brandon Benner; to appoint Janelle Burton to the St. Louis County Homelessness Planning Committee. Carried 4-0-0.

Moved by Cathy Chavers; seconded by Ray Toutloff; to appoint Brandon Benner as the alternate for the St. Louis County Homelessness Planning Committee. Carried 4-0-0.

Marty Connor said the front end loader broke down. He is requesting to rent one for two months while he gets quotes for a new one. He also wants to rent a screener with a conveyor belt for two months to make Class 5 gravel which will be used on the back roads during the winter. The funding for the rental of the equipment would come from the ARRA funding.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve Marty Connor to rent a front end loader for two months while he looks for quotes on a new one, and to approve the rental of a screener/conveyor belt for two months. Carried 4-0-0.

Wes Martins is requesting an increase to the contribution to the Indian Legal Assistance Program for the period of July 1, 2011-June 30, 2012. He said they did not get the Legal Services Advisory Committee funding this year. They were planning to have a computer at Nett Lake and Vermilion for people to access Indian Legal Services. Wes Martins is told the Bois Forte Tribal Government's fiscal year starts October 1, 2011 and that the contribution for the Indian Legal

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Assistance Program is included in the budget each year, and that the Council can't make a commitment today without the budget being finalized but the Council will consider his request for an increase of the contribution.

Moved by Ray Toutloff; seconded by Cathy Chavers; to adopt resolution #15-2012, liquidating the Columbia Funds Money Purchase Plan and directing the funds be distributed to the participants or their heirs. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve Bois Forte to sign on to the amicus brief being filed by Shakopee Mdewakanton Sioux Community. Carried 4-0-0.

Moved by Cathy Chavers; seconded by David Morrison, Sr.; to adjourn the meeting at 11:22 a.m. Carried 4-0-0.