

Minutes of a regular meeting of the Bois Forte Reservation Tribal Council held July 10, 2013 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota.

Meeting called to order at 9:05 a.m.

Invocation by Gene Goodsky.

Members Present: Kevin W. Leecy; David C. Morrison, Sr.; Brandon Benner;

Karlene Chosa; Ray Toutloff

Members Absent: None

Others Present: Corey Strong; Mark Anderson; Vicki Villebrun; Clint Miller; Kim Greiner; Cathy Chavers; Jeneal Goggeley; Tara Geshick; Peggy Connor; Mary Strong; Joel Astleford; Dave Larson; Bernie O’Leary; Vanessa Little; Tina Stanley; Tom Burr; Carol Burr; Josh Villebrun; Angie King; Jennie Rowland; Norm Adams; Billie Mason; Randy Long; Gary Gotchnik; Dawn Benner; Brian Moyer; Beverly Steel; Tracey Dagen; Miranda Lilya

Moved by Brandon Benner; seconded by Karlene Chosa; to approve the agenda with the addition of 1) Randy Long with discussion on the fiber optic project, and 2) the summer youth employment. Carried 4-0-0.

Moved by Karlene Chosa; seconded by Ray Toutloff; to approve the minutes of a regular meeting held April 11, 2013 at Nett Lake, Minnesota with a correction to page 6 to add Jr. to Roger A. Toutloff. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve the minutes of a special meeting held May 15, 2013 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota, with a note that the name change for Roger A Toutloff Jr. for the April 11, 2013 meeting minutes was to be corrected from this meeting. Carried 4-0-0.

Moved by David Morrison, Sr.; seconded by Ray Toutloff; to approve the minutes of a special meeting held May 23, 2013 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota with a correction in the 2nd, 3rd, and 4th paragraphs that “Saa Gee Ba Gaa” should be “Saa Gii Ba Gaa”. Carried 4-0-0.

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Moved by Karlene Chosa; seconded by Ray Toutloff; to approve the minutes of a special meeting held June 19, 2013 at Nett Lake, Minnesota. Carried 4-0-0.

Elders Committee: Bernie O'Leary thanks Corey Strong for his help with the raffle. Bernie thanks Fortune Bay for the gift certificates for the raffle, and the Heritage Center for the birchbark basket.

Bernie O'Leary said at the elder meeting it was asked about the garbage rate and why does someone with only 1 or 2 bags of garbage pay the same rate as someone with 10 bags. The elders suggested the garbage fee be by the bag.

Bernie O'Leary asks where the spiritual list is.

Tara Geshick said there are problems with a per bag system. If a person has 10 bags and someone else has 1 bag, the recommended limit to accept is 4. If people are charged \$1.00 a bag over the four bag limit, people will start dumping in the woods to avoid that fee. People would need to neighborhood watch, that kind of thing. Accounting would need to data entry each and every bag each week.

Corey Strong said when the transfer station was open it was \$1.00 a bag, people would store like 100 bags in their basements, others would store garbage on their back porch. It costed money to clean up the houses when people moved out. Since going to the new system, people haven't been storing their garbage.

Tara Geshick said DNR has been tracking how much garbage each household puts out each week. She said recycling education should be increased.

Ray Toutloff said the list of the spiritual advisors will be given to Angie King to give to the grieving family. Corey Strong said he has been working with Miranda Lilya on the list and they will bring something to the next meeting.

Peggy Connor said the elders have had fundraisers and raised about \$650 for the trip they are going to in Cass Lake tomorrow. Peggy asks if the council can let Vicki Villebrun know when they will be meeting with the elders on the elder trip, so arrangements can be made for the rooms.

Peggy Connor said the elders would like to see more youth working on the summer youth program so they can make money for school clothes, etc. The elders are suggesting if there is a GPA requirement of 2.0, that the youth that make more than that be paid more money. The elders also want the supervisors are making sure the youth are doing their job.

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New tribal government employees: Carol Burr introduces Brian Moyer who is the Vermilion Maintenance Technician, and Jeneal Goggeye introduces Cathy Chavers who is the Patient Benefits Case Manager.

Cathy Chavers thanks the council for allowing her to work. Cathy wants to clarify that back in April there was an issue with a contract, and that was her contract. Cathy wants to let people know if anyone has an issue with the process to see her and she will share it. She said the procedures were followed and she feels she is qualified for that position. Cathy wants this on record.

Moved by Ray Toutloff; seconded by Karlene Chosa; to adopt resolution #1-2014, lease cancellation – Pamela & Leroy L. Jenson. Carried 4-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to adopt resolution #2-2014, new recreational lease – James T. Hand. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adopt resolution #3-2014, Budget and Use Plan for the Forest Management Deduction account for funds to construct a “machine shed” building. Carried 4-0-0.

Moved by Karlene Chosa; seconded by Ray Toutloff; to adopt resolution #4-2014, Timber Sale Policies and Procedures. Carried 4-0-0.

Miranda Lilya said the personnel policy change – 313 Contracted Employees was presented to senior management. It defines what a critical position is and explains the procedures to be followed for an employment contract. It was given to Mark Anderson for review. This hasn't been given back to the senior management after the revision.

Moved by Karlene Chosa; to approve a personnel policy change – 313 Contracted Employees.

Jeneal Goggeye said the senior management did not have a chance to review the personnel policy change the way it is now. Jeneal asks if there is a clause in it for an emergency situation, like if a worker gets hurt, she needs a mechanism in place for that.

Chairman Leecy said he thinks the commissioners need to be more time to review it instead of rushing into it.

Chairman Leecy calls for a second. Seconded by Brandon Benner.

Ray Toutloff opposes. He said he isn't opposed to the change, but it because senior management hasn't reviewed it yet.

David Morrison Sr. asks when it was given to them. Miranda Lilya said it was given to them on a Monday and wanted it back by Friday. There was four days to respond and there were about 4-5 responses. David Morrison Sr. votes against it because he feels the commissioners should have more time to review it.

Vote is 2-2-0. Chairman Leecy breaks the tie by opposing, in order to give the commissioners more time to review it. Vote is 2-3-0.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to table the personnel policy change – 313 Contracted Employees to allow more time for review. Carried 3-1-0. Karlene Chosa against. Karlene Chosa said all it was meant to do was to put more wording in it so it wouldn't be abused.

Cathy Chavers explains the Medicare Part D and the Tribal Sponsorship Program. Cathy said there are 642 people on contract health and as of April there are 42 can get on Medicare Part D but haven't because they have to pay for it. Medicare Part D coverage is for seniors/disabled. It covers the prescriptions costs. A study was done at the clinic of eight seniors. It costs the pharmacy \$44,000 a month for those eight individuals and they don't have prescription drug coverage. Cathy is proposing to use contract health dollars to purchase Part D premium coverage for the contract health eligible medical population. The cost would be for Humana and it would be \$18.50 a month per person. For 42 people a year it would cost about \$10,000. The enrollment period is October through December. Staff will be attending training on Medicare Part D. Cathy will be setting up community meetings on Medicare Part D and also the Affordable Health Care for community education. Cathy will also do an annual report to the council.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to approve moving in the direction of paying premiums for Medicare Part D for contract health service eligible individuals that live on the reservation. Carried 4-0-0.

Cathy Chavers said the Affordable Health Care Act is going into effect January 1, 2014. That is where everyone is required to have health insurance. Enrolled Native Americans are exempt from that. However the Bois Forte health department wants to encourage everyone to apply for the health insurance exchange program. Cathy would like to implement a tribal sponsorship program where contract health dollars would be used to enroll contract health service eligibles for the health insurance exchange program. Out of the 642 individuals that are on contract health about 20% do not have any type of insurance. That means contract health pays 100 % for them if they are in the hospital. Cathy does not know how much it would cost yet. Cathy is requesting approval to pursue the Affordable Health Care Act.

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Moved by Brandon Benner; seconded by Karlene Chosa; to approve Cathy Chavers to pursue the Tribal Sponsorship for the contract health service eligibles for the Affordable Health Care Act. Carried 4-0-0.

Moved by Karlene Chosa; seconded by Ray Toutloff; to authorize Mark Anderson, Randy Long and Thomas Burr to represent to AT&T that the Band will warrant that it has title to the premises to the Fortune Bay water tower, and authorize Mark Anderson and tribal staff to issue documentation as are necessary to prove the Band has title and they can rely on it. Carried 4-0-0.

Moved by David Morrison, Sr.; seconded by Brandon Benner; to authorize Northeast Cooperative to cross tribal tracks along old Highway 23 from the reservation boundary to Joe Roy's field for the fiber optic project. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to adopt resolution #5-2014, resolution providing for the issuance and delivery of a \$2,475,000 health clinic facility bond of 2013 to the United States of America. Carried 4-0-0.

Moved by Karlene Chosa; seconded by Ray Toutloff; to approve the project labor agreement with the Iron Range Building Trades Council for the Vermilion Clinic Project and to authorize the Chairman to execute the document. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to adopt resolution #13-2014, that the Bois Forte Reservation Tribal Council declares that whenever a resolution, ordinance or other official document refers to the Bois Forte Human Services Division or to the Bois Forte Health Services as singular entities, the reference shall be construed as a reference to the Bois Forte Division of Health and Human Services. Carried 4-0-0.

Karlene Chosa would like to add to the criteria to the summer youth criteria in regard to the 2.0 GPA requirement. She would like to see the ones with a 2.0 GPA be paid a higher wage than the ones below that GPA. This would mean more youth would be working this year.

Moved by Karlene Chosa; to add to the summer youth criteria, to allow the youth below the 2.0 GPA to work, ( which would be 8 more summer youth workers at six weeks), and to hire the ones with the ones with the 2.0 GPA at a slightly higher wage than the ones below the 2.0 GPA. Chairman calls for a second. Chairman calls for a second again. Motion dies for lack of a second.

Moved by Ray Toutloff; seconded by David Morrison, Sr.; to adjourn the meeting at 10:56 a.m. Carried 4-0-0.