

Minutes of a special meeting of the Bois Forte Reservation Tribal Council held September 17, 2014 at Nett Lake, Minnesota.

Meeting called to order at 11:21 a.m.

Members Present: Kevin W. Leecy; David C. Morrison Sr.; Brandon Benner;  
Karlene Chosa; Ray Toutloff

Members Absent: None

Others Present: Corey Strong; Mark Anderson; Gene Goodsky; Vicki Villebrun; Kim Greiner; Hank Mesabe; Mary Strong; Kay Davis; Wendy Thompson; Joel Astleford; Sidra Starkovich; Billie Mason; Louise Isham; Shane Drift; Darren Landgen; Bill Latady; Lance Kingbird; Angela Wright; Peggy Connor; Dawn Benner; Rochelle Bristol; Donald Chosa Jr.; Beverly Steel; Jeneal Goggleye; Rae Edstrom; Edith Villebrun; Myra Thompson; Janet Thompson; Karen Drift; Julia Wilde; Ellen Little; Tara Geshick; Jerome Whiteman; Jennie Rowland; Eddie Chavers; Miranda Lilya; Gary Gotchnik; Andy Datko; Gordon Adams Jr.; Cathy Chavers; Dorothea Kletschka; Jennie Woodenfrog; Roxanne Goggleye; Erynn Morrison; George Strong; Jeanine Whiteman; Josef Seibet

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the agenda with the following changes: 1) add Rochelle Bristol and Miranda Lilya with fund allocation change requests to the 401(k) plans, 2) move Cathy Chavers agenda item after Jerome Whiteman's item, 3) add the consent agenda after Cathy Chavers; and 4) add Karlene Chosa with Janet Thompson's letter requesting ownership of a house. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Karlene Chosa; to approve the minutes of a regular meeting held July 31, 2014 at the Lake Vermilion Sector of the Bois Forte Reservation. Carried 4-0-0.

Karlene Chosa would like follow up on items from the meeting held July 31, 2014. One is the study session between the council, Tom Burr, and Peggy Connor in regard to Peggy's lot boundary. And the other is the public meeting that was to be held in regard to requesting the BIA to come up to explain the leasing and questions re land.

Karlene Chosa also said in an email from Tom Burr, that he is in charge of filing important documents for the Band, and he spelled her name wrong on the email.

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Elders Committee: Donald Chosa Jr. said at the last elder meeting, Roberta Drift brought up that when she was out picking blueberries, there were BIA officers that were target practicing. The elders would like that when the officers target practice that they use the shooting range in Eveleth.

Peggy Connor said there was a wake/funeral, and the family didn't know who to contact to make the box. Peggy said she contacted Corey Strong and he contacted someone to do it.

Corey Strong said the box is made by housing and public works does the gravesites. Angie King contacts those departments when needed.

The elders would like Ken Boney added to the list of spiritual advisors for funerals.

Peggy Connor said the family needed firewood and they contacted Forestry but did not get a response. Corey said they should contact Tara Geshick and she will make sure it gets done. Peggy said the family requested a police escort on the day of the funeral. Peggy contacted the police department and they came up and escorted the procession. Peggy thanks the police department.

Peggy Connor said there is an elder worker who works for the elders. The elders would like another person assigned to him. The elder worker has also been working with other people who are not elders. The elders would like that looked into.

Peggy Connor said in the elder unit next to the store, there is a big dog and a small dog. There are not supposed to be any animals in the elder units. The elders would like this looked into too.

Peggy Connor said there were comments on the cemetery not being mowed. Some elders say do not mow, the majority say to mow. The elders feel the ones that don't want it mowed should put a flag or something where they don't want it mowed. Jerome Whiteman said many years ago that same issue came up. The council at that time let the families decide.

Peggy Connor said another issue is that some of the ones who want them mowed are not able to.

Chairman Leecy said the council looks to the elders for guidance on this issue.

Karlene Chosa said she visited an elder. That elder said they were grateful for Ron LaRoque who fixed the pipes under their house that needed fixing.

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Cathy Chavers said she attended the last elder meeting. The elders declared a state of emergency in regard to drug and alcohol use which is getting out of hand. The elders would like the council to revisit this issue.

Chairman Leecy said the council needs to look at this issue. This will be put on the quarterly council/elder meeting agenda. Facts need to be obtained on how drugs are affecting the community. Corey Strong said he will get a list of the police department's calls in regard to this.

Dawn Benner asks why the elder committee meetings are closed. She understood they were to help the council with culture.

Donald Chosa Jr. said the elder bylaws said the elders bring concerns to the council. They don't say what concerns.

Peggy Connor said Mavis Drift and Shirley Benner have their work. The elder committee board helps the elders with events and things to get the elders out of their homes. Peggy said in looking at the bylaws it looks like the elder committee are doing things that should be done by other departments. Peggy said the elders feel they should be able to make whatever comments they want.

Cathy Chavers said the elder committee was started in the 1990's. Gary Donald was the chairman. The intent was to get elder's out and be active, and active in the community. Cathy said she is willing to help the elders.

Chairman Leecy said this can be talked about at the council/elder meeting.

Karlene Chosa sis at the council/elder meeting to talk about the funding for the elder committee too.

New tribal government employees: Joel Astleford introduces Ellen Little who is the new Administrative Assistant at Public Works.

Moved by David Morrison Sr.; seconded by Ray Toutloff; to name the eagle staff the "Bois Forte Veteran's Memorial Staff" in honor of all veteran's. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the Provider Rate Quotation Agreement – to be used for negotiating percentage discount amounts for medical providers – off reservation for the Bois Forte Purchased/Referred Care Program (formerly Contract Health). Cathy Chavers is also given the authority to go to the providers to negotiate the agreements. Section p on

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page 4 is to be changed from "Bois Forte PRC does not pay for State or County inmates." To "Bois Forte PRC does not pay for inmate medical care." Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the consent agenda as follows:

Approve to sole-source the purchase of software from Sundancer Solutions for the Contract Health Program,

Approve the contract with McGladrey to review Health's 3rd party billing process and make any recommendations to improve proficiency in that process,

Contracts with Jane Villebrun, Marilyn Geshick, and Phyllis Collard, for cooks for KBFT's Traditional Foods Event held August 27,

Resolution #19-2015, adopting Title VI Policy which states that Bois Forte Transit will operate their program and services without regard to race, color and national origin,

Editing resolution #1,2015 to change the language to correct the percentage from 15% to 50% of the operating deficit,

The purchase of road salt from North American Salt Company and the contracts/agreements for treated salt and untreated salt,

Nutrition Consultant contract with Peggy Hiestand Harri for Head Start from September 2, 2014 – May 29, 2015,

Sole-source contract with Greg Meyers, Midwest Environmental Consulting, for the Lead Program,

Resolution #20-2015, accepting two grant awards, one for \$69,589 from the Minnesota Housing Finance Agency Long Term Homeless Housing Trust Fund, and one for \$25,000 from the Minnesota Department of Human Services – Housing with Support for Adults with Serious Mental Illness (New Moon Operating Subsidy Grant), and

Engineering Services Agreement with S.E.H. for a Biomass District Heating Feasibility Study. Carried 4-0-0.

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Karlene Chosa said a couple weeks ago she received a request from Janet Thompson that she believes she is entitled to ownership of the house on 5496 East St. Mary's Drive. Karlene emailed the council on this, and received a response from Brandon Benner that he wanted this in open session. Karlene reads the letter which Janet said she lived in the house for over 15 years from 1974 - 1989. Karlene said houses were conveyed to individuals like her mom and dad. After talking with Housing and Mark Anderson it is Karlene's understanding that Housing will get some more documentation on this. Karlene said after the research is done, she will be placing this item on the next RTC agenda for action.

Mark Anderson said the records are stored at the old housing building. The housing staff that worked at that time are not working at housing anymore. Mark said they will try to get the records and see what those records say.

Moved by Karlene Chosa; seconded by Ray Toutloff; to FY 2015 BIA Self-Governance Annual Funding Agreement and Reprogramming Request. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the Bois Forte Public Transportation Big Woods Transit Operating Policies & Procedures. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to accept the bid in the amount of \$94,579.00 from NTS Environmental Science & Engineering for the mineral assessment for potential gravel pits on the Bois Forte Reservation. Carried 4-0-0.

Moved by Brandon Benner; seconded by David Morrison Sr.; to approve the submission of the 2015 Federal Head Start Grant. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Karlene Chosa; to approve the extension of the licenses for the operation of the Nett Lake and Vermilion Head Start Centers and the Nett Lake Child Care Center. Carried 4-0-0.

Moved by Karlene Chosa; seconded by Brandon Benner; to adopt resolution #21-2015, authorizing the Chairman and Secretary-Treasurer as directed by the RTC, to act on behalf of the Band with respect to financial transactions involving trust accounts, and authorized to initiate tribal disbursements and provide investment instructions to the Office of the Special Trustee. Carried 4-0-0.

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Moved by Ray Toutloff; seconded by David Morrison Sr.; to adopt resolution #22-2015, reimbursing the Tribal Council for six tribal members per capita fund per the Nelson Act Settlement and using those funds for equipment. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the 401(k) fund allocation change request by eliminating the Voya International Value Fund (228) and moving any participant money in that fund to the American Funds Europacific Fund (573) effective October 1, 2014 for Bois Forte Enterprises (PHB223) 401(k) Plan. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the 401(k) fund allocation change request by eliminating the Voya International Value Fund (228) and moving any participant money in that fund to the American Funds Europacific Fund (573) effective October 1, 2014 for Bois Forte Reservation (tribal government) (PHB222) 401(k) Plan. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to add "the Pioneer Strategic Income Fund" as an additional option within the bond asset class in the Enterprise Plan. (The Reservation Plan already offers that fund as an option). Carried 4-0-0.

Moved by Karlene Chosa; seconded by Ray Toutloff; to approve the proposal from Travelers Insurance Company for the 2014-2015 commercial Insurance Package Policy. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Karlene Chosa; to approve the agreement with Teletrac for GPS Tracking for the transit buses. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the agreement with United Taconite, LLC for Traditional Cultural Properties (the Survey). The Band will identify and where possible provide documentation on any historic properties of significance to the Band on lands within the direct APE of the proposed project (limited scope Environmental Assessment for the UTAC Tailings Basin 3 Project). Carried 4-0-0.

Moved by Brandon Benner; seconded by Karlene Chosa; to approve the contracts with Jim Northrup, Keith Secola, Linda LeGarde Grover, Al Hunter, Victor "Rocky" Makesroom, and Micco Sampson to provide services for KBFT's Writing Festival. Carried 4-0-0.

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George Strong has a blank contract for cooks for the KBFT Traditional Food Event being held Saturday, September 27. The cooks have until Thursday to sign up. The contracts will be for \$100 a dish and the recipe. George is informed these contracts can be done by council poll on Thursday.

George is asked about the recipes. He said a recipe book will be made.

Moved by Karlene Chosa; seconded by Brandon Benner; to approve the contract with Allison Herrera to serve as "Pow Wow – The Dance producer and to produce other segments for Bois Forte Tribal Community Radio; the contract with Josef Seibert to serve as producer for the Native Foods Festival, the Native Arts Exposition, and the Native Writing Festival; and the contract with Terry Goddsky to produce a compilation of Tradition Pow Wow Music for KBFT. Carried 4-0-0.

Moved by Ray Toutloff; to approve the bid from Lenci Enterprises for the Y-Store Addition Phase II Project subject to funds being available. Chairman Leecy calls for a second. Chairman Leecy calls for a second again. Motion dies for lack of a second.

Moved by Brandon Benner; seconded by Karlene Chosa; to waive the procurement policy to award the contract to MB Customs for the Y-Store Addition Phase II Project subject to adequate funds being available, and to authorize staff to negotiate price and completion date. Carried 4-0-0.

Gary Gotchnik has the Tim Horton's contract for signature. Gary is to have Mark Anderson review it.

Moved by Ray Toutloff; seconded by Karlene Chosa; to adopt resolution #23-2015, National Congress of American Indian tribal membership dues and individual membership dues. Carried 4-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to adjourn the meeting at 1:56 p.m. Carried 4-0-0.