

Minutes of a regular meeting of the Bois Forte Reservation Tribal Council held April 15, 2015 at Nett Lake, Minnesota.

Meeting called to order at 9:11 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; Vicki Villebrun; Karen Drift; Ira Brown; Kay Davis; Tara Geshick; Carol Burr; Tom Burr; Miranda Lilya; Millie Holmes; Dennis Udovich; Eddie Chavers; Kim Greiner; Lance Kingbird; Missy Fisher; Lynette Villebrun; Angie King; Pam Hughes; Ron King; Dawn Benner; Louise Isham; Darren Landgren; Marybelle Isham; Jennie Rowland; Cathy Chavers; Brad Anderson; Joel Astleford; Linda Tibbetts-Barto; Beverly Steel; Jeneal Goggleye; Edith Villebrun; Michael Adams; Kristen Strong; Kathleen Adams; Gloria Love; Robert Mathis; Tyla Adams; Billie Mason; Doris Isham; Frank Villebrun Jr.; Trudy King; Cory King; Lorna Landgren; George Strong; Robbie Goggleye; Jeanine Whiteman; Jaylen Strong; Adrianna Day

A moment of silence is observed.

Moved by Karlene Chosa; seconded by Brandon Benner; to approve the agenda with the following changes: 1) remove the resolution in regard to smoke-free indoor/outdoor tribal events, 2) add sole-source contract with Herb Nelson for environmental services for application to place lands into trust status, and 3) add Dennis Udovich with information on the Vince Shute Bear Sanctuary's public meeting they will be having. Carried 4-0-0.

Chairman Leecy informs the audience there will be a community meeting tomorrow which the main topic will be in regard to Lake Vermilion netting. The council heard concerns from Bois Forte Band members about netting by other tribes. The council sent a resolution and letter to the Fond du Lac Tribal Council. Chairman Leecy reads the letter and resolution which urges Fond du Lac not to allow

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Fond du Lac members to net or spear walleyes at Lake Vermilion this year, and to meet with Bois Forte and Grand Portage to find a way to exercise treaty rights in the 1854 ceded territory.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the minutes of a special meeting held March 4, 2015 at Nett Lake, Minnesota. Carried 4-0-0.

Elder Activities Committee: Beverly Steel congratulates and introduces the new Elder Activities Committee officers who are: Cathy Chavers, President; Karen Drift, Vice-President; Gloria Love, Treasurer; Millie Holmes, Secretary; and Muriel Deegan, Vermilion Rep.

Cathy Chavers said they look forward to working on elder issues for the next two years. Cathy thanks the previous elder committee members for their work. Cathy said one item they will be addressing on is updating the elder activity committee bylaws.

Chairman Leecy thanks the new elder activities committee officers for stepping forward and that he looks forward to working with them.

New tribal government employees. Tara Geshick introduces Linda Tibbetts-Barto who is the new Environmental Services Manager. Linda Tibbetts-Barto introduces Frank Villebrun Jr. and Mike Adams who are the new Solid Waste Technicians. Andy Datko introduces Missy Fisher who is the new Administrative Assistant in Planning.

Tara Geshick introduces Dennis Udovich who is the President of the Vince Shute Wildlife Sanctuary. Tara said they are collaborating on the bear issue and will be having the meeting on the bear situation in early May. Dennis Udovich said the bears showed up at the bear sanctuary two days ago. He said they are managing a pre-existing situation there, which probably should never have been started. He said people will see the bears on the Nett Lake road. They tell people not to stop and feed them. He said if anyone has problems with the bears to contact Tara because she has their contact numbers. Dennis said they will be having their 20<sup>th</sup> Year Celebration on May 12 & 13. He invites everyone to stop in for that. He said Bois Forte Band members always get into the Vince Shute sanctuary free of charge, all they have to do is let admissions know they are band members.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the consent agenda items as follows:

- 1) To pay the cost of \$2,974.00 for Nelson-Collie electric, Inc. to complete the electrical work that is needed at Hide-away Pines,
- 2) Resolution #62-2015, submission of a grant application under the Family Violence Prevention and Services Act,

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- 3) Sole-source the selection of Architectural Resources Inc. for \$60,000 for engineering and architectural services for the Early Head Start Vermilion renovation project,

- 4) Sole-source from Watch Guard in Texas for the purchase of an in car camera system for the Bois Forte Police Department,
- 5) Resolution #63-2015, to grant a temporary construction easement for constructing and improving tribally owned parking lots at Vermilion,
- 6) To appoint the following to the Utility Advisory Committee: Beverly Steel as the Nett Lake Representative with Eddie Chavers as the Alternate; Robbie Goggeye as the Palmquist Representative with Tara Geshick as the Alternate; Troy King as the Indian Point Representative; Bernard O'Leary as the Vermilion Representative; and to re-post for the Indian Point Alternate and the Vermilion Alternate,
- 7) Resolution #67-2015, appointing Christopher Anderson, John Jacobson, Tadd Johnson as appellate justices of the Bois Forte Court of Appeals with Robert T. Anderson as Alternate appellate justice for four year terms. John Jacobson is appointed as Chief Justice of this panel of appellate justices,
- 8) To approve the request for continuous/ongoing of the exercise use policy of excusal for Bois Forte Tribal Government employees for one hour per day, with supervisor approval, to use the Native Hearts Fitness Center and the Vermilion Wellness Center,
- 9) Approving the Bois Forte Code for Non-Commercial Netting of Game Fish in the Waters Adjacent to the Vermilion Reservation – 2015 Version, Valid January 1-December 31, 2015,
- 10) Sole-source from McKesson Medical Surgical for supplies for the Bois Forte Clinic,
- 11) Resolution #64-2015, authorizing the Associated Contract Loggers to conduct a raffle within the territory of the Band for their 2015 Annual Meeting April 14 being held at Fortune Bay,
- 12) Resolution #65-2015, authorizing the Lake Vermilion Resort Association to conduct a raffle within the territory of the Band for their 2015 Annual Meeting May 9 being held at Fortune Bay,
- 13) Resolution #66-2015, authorizing the NWTF Tall Timber Toms Chapter for their 2015 Annual Meeting March 27 being held at Fortune Bay,
- 14) The FY2015 Indirect Cost Proposal at 25.98%, and
- 15) Resolution #68-2015, use of lands at Lake Vermilion Reservation during the non-commercial netting from the date of this resolution until May 9, 2015.

Carried 4-0-0.

Moved by Karlene Chosa; seconded by Brandon Benner; to approve the revisions to the Personnel Policy sections 1-5. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the revision to the Drug and Alcohol Testing Policy & Procedures to add oral fluid drug testing to the policy, to be effective June 1, 2015, and

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to approve the purchase of an alcohol detector or testing devices to be used solely by HR staff for alcohol testing. Carried 4-0-0.

Miranda Lilya presents resolution #70-2015, which would designate the authority of the Judges now on the Bois Forte Tribal Court to hear Ordinance 9 hearings on dis-enrollments. The hearings would not be open to the public unless all parties consented. Karlene Chosa asks if it was posted for comment. She wants this resolution posted on the website, newspaper, social media and a town meeting for a 30-day public comment period.

Moved by Karlene Chosa; to post resolution #70-2015 for 30 days. Chairman Leecy calls for a second. Chairman Leecy calls for a second again. Motion dies for lack of a second.

Miranda Lilya said two individuals got dis-enrolled and are requesting a hearing. Four attorneys and the judge didn't want to hear it. Miranda said the resolution says the tribal court judge will hear it.

Chairman Leecy said the motion failed for posting. The options are to table it or pass it. Chairman Leecy asks for a motion.

Moved by David Morrison Sr.; seconded by Ray Toutloff; to adopt resolution #70-2015, designating the Judges now on the Bois Forte Tribal Court to conduct Ordinance 9 hearings on any day that civil matters are heard, provided that said hearings shall not be open to the public without the express consent of the parties. Carried 3-1-0. Karlene Chosa against because she wants 30 day for the Band members to look it over.

Jaylen Strong, Tyla Adams, and Adrianna Day are in the Niij Nation Student Group at North Woods School. The Niij Nation Student Group is going on an end of year trip to Wisconsin in May to see places like Madeline Island and mineral caves. They are requesting a donation of \$600 for their trip. They raised \$1,500 so far and their goal is \$3,000. They will be having an Indian Taco sale next Wednesday.

Moved by Brandon Benner; seconded by Ray Toutloff; to approve a \$600 donation to the Niij Nation Student Group for their trip to Wisconsin. Carried 4-0-0.

Moved by David Morrison Sr.; seconded by Karlene Chosa; to approve the agreement with Schwab-Vollhaber-Lubratt Service Corp. to provide maintenance services for the Aeon RM-10 rooftop unit at the Native Heart Fitness Center for 2015. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to KBFT Radio to sole-source the contract with National Public Radio (NPR) in the amount of \$7,989.00 to purchase their Satellite Interconnect Service. Carried 4-0-0.

Darren Landgren is requesting that Minnesota's conceal and carry permit of handguns be honored so Band members can also conceal and carry on the reservation to protect themselves. Right now Bois Forte has a resolution that bans that.

Corey Strong said he thinks a separate section would need to be developed to deal with conceal and carry. The tribal law would need to be shaped to fit federal law. There would have to be some of the same requirements like if you took a class off the reservation pertaining to conceal and carry. There would need to be more than just a resolution.

Chairman Leecy said this would need public comment to get input from the membership. He said he doesn't know what happened or why the resolution was passed.

Darren said people who get a Minnesota permit for conceal and carry go through a background check and other things. Darren is asking that that be honored, that this would allow people to protect themselves. Darren said he called the other reservations and they do not have a law that bans conceal and carry.

Chairman Leecy said since this was brought forward he feels the council has a due diligence to address it with the Band membership. It will not be approved or denied today. Chairman Leecy asks the council to table this for further discussion and to make a decision whether to bring this forward to the greater community.

Moved by Ray Toutloff; seconded by Karlene Chosa; to table the request on conceal and carry for further discussion. Carried 4-0-0.

Angie King is requesting to switch the Tribal ID to a new one. The current one is brown and has a background on it. The new one would not have a background, just a white background. The new one would have all the same information. The new one would save Angie's program \$4,500. Chairman Leecy said right now the ID card has all the safeguards the State requires, even exceeds those. Chairman Leecy asks if the new card would have all those safeguards. Angie said yes and goes through the list. The only thing the new one does not have that the old one has is the invisible UV but Angie said she can work with Progeny to get the embedded in the card.

Moved by Karlene Chosa; seconded by Brandon Benner; to approve switching to the new Tribal ID card. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to adopt resolution #71-2015, to approve participation in the 2015 Reservation Homeless Survey to be conducted in October by Wilder Research. Carried 4-0-0.

Brandon Benner leaves the meeting.

Moved by Karlene Chosa; seconded by Ray Toutloff; to approve a 6-year hosting of a new AS/400 and software for accounting software. Carried 3-0-0.

Brandon Benner enters the meeting.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to adopt resolution #72-2015, application to the Bureau of Indian Affairs to place Land into trust, the 80 acres on the east boundary of Nett Lake (formerly owned by Potlatch Minnesota Timberlands Company). Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the Professional Services Agreement with Herb Nelson from Pine Beach LLC to provide environmental consulting services for the applications to place land into trust, one is the Y-Store parcels on Hwy 169 and the other is the 80 acres on the east boundary of Nett Lake. Carried 4-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to agreement with Timbuktu Marine for billboard advertising for KBFT Radio. The billboard will be just south of Cook MN. Carried 4-0-0.

Trudy King is requesting changes to the ATV laws which she thinks are outdated and old. Trudy had given the council information on incidents she was documenting that she sees with ATV's at Indian Point. She said she is still documenting. She said something needs to be done because little children 1-3 years old are being transported on them. She said she spoke to the people she has been having problems with and she let them know she called the police. She said it has gotten worse since then. She said the police told her children 14 and older with a helmet can ride anywhere on the reservation. Trudy feels there needs to be changes to the law. She got the laws last night from the PD and she looked at them and feels there needs to be additions to the laws. The problem with the four-wheelers is they are driving through her yard, there are little trails in her yard. There is the noise. And the little children being transported. Sometimes they wear helmets and sometimes they don't. Trudy said this has been going for about three years.

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There are three different resolutions in regard to the ATV's.

Mark Anderson asks what issues they are seeking review on. The age of children that are operating them?

Cory King said in Minnesota you need to be 16 years old and have a driver's license to operate an ATV. The vehicle has to be registered and have insurance on it. He said out there you don't have to register it and you can ride up and down the main road. Cory said his truck is parked out there and if someone runs into his truck, who will pay for his truck. Cory feels they should be able to ride to get to a trail, not ride up and down the road where cars are going on daily.

Lynette Villebrun said they can't register here. They have to ride by her house to get to where they can ride.

Chairman Leecy said that is being worked on but in the meantime go to the state to get registration.

Corey Strong said safety classes need to be put on again for ATV's. He said Ed Villebrun and Tara Geshick are willing to do it again.

Lynette asks which resolution does everyone follow?

Chairman Leecy said this is something that also should go for public comment.

Mark Anderson said to apply the off-road vehicle ordinance adopted in 2002 and as amended by resolution #48-2003.

Chairman Leecy said he is going to ask the council for a community discussion by July 1 to discuss the ATV issue and the Conceal and carry.

Moved by Ray Toutloff; seconded by Brandon Benner; to have a community meeting in Nett Lake by July 1 to discuss the ATV issue and the Conceal and carry. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to adopt resolution #73-2015, designating Beverly Miller, Bill Latady, and All Members of the Reservation Tribal Council as the officials authorized to represent the Band for the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) in regard to the process of recovering items protected by the statute. Carried 4-0-0.

Moved by Karlene Chosa; seconded by David Morrison Sr.; to adopt resolution #74-2015, requesting Governor Mark Dayton appoint Sharon M. Day as the Tribal Government Representative on the Clean Water Council. Carried 4-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to appoint Louise Isham, Char Lewis, and Paul Debelak to the Bois Forte Culture Committee, and to appoint Megan Ruzic as Vermilion Youth Advisor to the Bois Forte Culture Committee. Carried 4-0-0.

Moved by Brandon Benner; seconded by David Morrison Sr.; to adjourn the meeting at 11:58 am. Carried 4-0-0.