

Minutes of a special meeting of the Bois Forte Reservation Tribal Council held August 3, 2016 at Nett Lake, Minnesota.

Meeting called to order at 9:10 a.m.

Invocation by Gene Goodsky.

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

Members Absent: None

Others Present: Corey Strong; Mark Anderson; Gene Goodsky; Vicki Villebrun; Jeneal Goggleye; Honore Lehtinen; Sue Carlson; Donna Hoffer; Billie Mason; Randy Long; Eddie Chavers; Louise Isham; Joel Astleford; Andy Datko; Lela Goodsky; Wendy Thompson; Tracey Hawg; Tom Burr; Carol Burr; Jerome Whiteman; Sidra Starkovich; Dani Pieratos; Linda Tibbetts-Barto; Lance Hill; Jennie Rowland; Karen Drift; Marybelle Isham; Gordon Adams Jr.; Millie Holmes; Kim Greiner; Tara Geshick; Darren Landgren; Dawn Benner; Simona Benner; Josh Villebrun; Derek Strong; Bill Latady; Norm Adams; Dave Larson; Helen Wilkie

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the agenda. Carried 4-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to approve the minutes of a regular meeting held July 6, 2016 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota. Carried 4-0-0.

New tribal government employees: Wendy Thompson introduces Tracey Hawg who is the new Clerk of Court. Linda Tibbetts-Barto introduces Lance Hill who is the new Lead Program Specialist.

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

- 1) Sole-source from Angry Kitchen Catering (Betty Bowstring) in the amount of \$3,450.00 for the food for the Urban Office Picnic being held August 6 (poll vote was 4-0-0).
- 2) Set date of August 12, 2016 for the issue of per capita checks.
- 3) Submission of Head Start/Early Head Start grant for one time funding for health and safety: generator for Vermilion Center, repair playground equipment for Nett Lake and Vermilion, update security camera system at Nett Lake, upgrade telephone systems in Nett Lake and Vermilion, illuminated emergency exit signs at Vermilion, sink thermostats at Nett Lake, bus garages at Nett Lake and Vermilion; waiver on the NFS (poll vote was 4-0-0).

Carried 4-0-0.

Moved by Brandon Benner; seconded by Travis Morrison; to approve the request from the Bois Forte Police Department to sole-source from Emergency Automotive Technologies, Inc. in the amount of

\$3,054.56 to purchase in-line flashers and labor fees to install emergency vehicle equipment in the 2016 Tahoe. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the request from the Bois Forte Police Department to sole-source from Watch Guard in the amount of \$5,370.00 to purchase a digital in car video system. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the intern from UMD, Alena N. Tofte, to shadow Shanna Vidor, MD at the Bois Forte Clinic in August. Carried 4-0-0.

Discussion was held on if an internship policy could be drawn up, because there are interns that come to other departments. Mark Anderson said there has been interns through the years, and he and Sue Larson will look at those and come up with standards for interns.

Moved by Brandon Benner; seconded by Travis Morrison; to approve the transfer agreement with Essentia for OB/GYN patients. Dr. Shanna Vidor is doing pre-natal care for patients but when it comes time for the actual delivery or complications arise the responsibility needs to be transferred to Essentia. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the Patient Controlled Substance Agreement for the Nett Lake and Vermilion Clinics, effective September 1, 2016. This replaces the current agreement and the key items that were added are: random pill counts, random or required urine test, no alcohol use while taking the prescribed medication, no inappropriate behavior or speech to Bois Forte staff. Carried 4-0-0.

Moved by David Morrison Sr.; seconded by Travis Morrison; to approve the request to sole-source the food from Fortune Bay for the Nett Lake Elementary and High School Awards Banquets. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the grant agreement with the Minnesota Housing Finance Agency CBI, for funding for a consultant to review the housing maintenance services. The information will be shared with the tribal council, the Minnesota Indian Housing Director's Group and as a training session at the 2017 Indian Housing Conference. Carried 4-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to approve the purchases made during the emergency when the power went out due to a severe thunderstorm. An emergency plan was implemented to make sure the residents were okay, had a cooling station, and were fed. Mike Connor needs to submit a preliminary report to FEMA by Friday. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Travis Morrison; to adopt resolution #13-2017, officials authorized to act on behalf of the Band at the Office of Special Trustee involving trust accounts. Carried 4-0-0.

Moved by David Morrison Sr.; seconded by Ray Toutloff; to adopt resolution #14-2017, that Cathy Chavers and David Morrison Sr. are authorized signators on tribal accounts, including accounts held in the name of Bois Forte Enterprises d/b/a Fortune Bay Resort & Casino, Bois Forte Development Corporation, Tim Horton's, the Y-Store, the Nett Lake Convenience Store and any other Band-owned affiliate. Carried 4-0-0.

Moved by David Morrison Sr.; seconded by Brandon Benner; to adopt resolution #15-2017, confirming David C. Morrison, Sr. as a trustee of the Plan and Trust and appointing Cathy J. Chavers as a trustee of the Plan and Trust. Carried 4-0-0.

Moved by David Morrison Sr.; seconded by Ray Toutloff; to amend the 401(k) to appoint Cathy J. Chavers as a Trustee of the Bois Forte Reservation 401(k) Retirement Plan. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the Tribal Transportation Program Addendum to the FY 2016 Annual Funding Agreement. Carried 4-0-0.

Moved by David Morrison Sr.; seconded by Brandon Benner; to approve Amendment #1 to the Tribal Transportation Program Addendum to the FY 2016 Annual Funding Agreement. Carried 4-0-0.

Moved by David Morrison Sr.; seconded by Travis Morrison; to approve the 2016 Per Capita Payment as follows: the 2016 per capita will be paid to all band members enrolled before March 31, 2016 and still living as of August 1, 2016. The amount will be \$1,125 (\$845 from the 1854 Moneys, \$235 from the balance of the Nez Perce Settlement, and \$45 from the remaining balance of the Nelson Acts Claim). The 2016 per capita is subject to garnishment for defaults on payback agreements, court fines, Bois Forte Tribal Court Judgments, elderly needs-overpayment/ineligible items, and misc. few small items. The checks will be mailed for majority of band members to receive their checks in the mail on Friday, August 12. All checks with an address will be mailed. Checks with an address can be picked up after 1 pm on August 12. Checks with incorrect address can be picked up in person or will be mailed if a new address has been submitted, after the US Post Office has returned the check. Checks that are picked up must be picked up only by the Named individual on the check and present an ID. An updated address will need to be submitted at that time. If an individual is sent in to pick up a check for another band member, the band member must submit a written, signed authorization and an updated address. Addresses must be original signature. Changes will not be accepted by phone, fax, e-mail or scan. Stop payments will not be issued until 30 days after the issuance of the check. If a band member requests a stop payment the fee associated with this will be deducted from the replacement check. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to adopt resolution #16-2017, Nelson Act withdrawal from the Office of the Special Trustee and closing the bank account after distribution of the account balance. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Travis Morrison; to approve the Investment document with the Office of the Special Trustee. Carried 4-0-0.

Moved by Travis Morrison; seconded by Ray Toutloff; to approve the signature page for the tribal officials authorized to initiate disbursements and receive information on tribal accounts with the Office of the Special Trustee. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the request to sole-source with Mitch Factor to provide a one day “Head Start Employee Team Building” training on September 2, 2016. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the language change to the “Water & Sewer” section of the Residential/Recreational Leases for Bois Forte as follows: “Lessee agrees that any water supply or individual sewage treatment system, which is installed on said land, shall be located, constructed and operated in compliance with such standards and rules as may be adopted by the Bois Forte Reservation Tribal Council. The Lessee agrees to pay water and sewer fees assessed by the Bois Forte Public Works Department and is required to stay current with all assessments failure to pay assessments when due is a basis for termination.” Carried 4-0-0.

Moved by Ray Toutloff; seconded by Travis Morrison; to adopt resolution #17-2017, modification to Daniel Zika and Laura Zika lease, to delete Lot 6 due to sale of structure on lot. Carried 4-0-0.

Moved by David Morrison Sr.; seconded by Ray Toutloff; to adopt resolution #18-2017, residential lease – Duane A. Huisentruit. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Travis Morrison; to adopt resolution #19-2017, modification to William B. Tibbetts lease, to extend current lease an additional twenty-five years in order to qualify for refinancing, and to change the annual rental rate from \$1.00 per year to \$0.00. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to adopt resolution #20-2017, modification to Darrell L. Larson lease, to add wife Susan Kay Larson and son Michael John Larson to lease. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to adopt resolution #21-2017, recreational lease – Noreen Mae and Theresa Hermanson. Carried 4-0-0.

Tom Burr, Andy Datko, and Dave Larson given an update on the storm damage at Red Pine Court at Vermilion. Numerous trees fell down between houses. Some were removed but there is still a lot left. All trees will be removed within 50 feet of a unit. The timber will be sold. Dave Larson will be doing a report and will send a timber sale form to Chairwoman Chavers for signature. Chairwoman Chavers asks Dave Larson to assess the trees on the whole reservation.

Moved by Brandon Benner; seconded by David Morrison Sr.; to approve the concept and creation of a Telepharmacy at the Vermilion Health Center, and for Randy Long to apply to the State for a variance to open a pharmacy in Vermilion under a telemedicine concept. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to appoint Travis Morrison to the Minnesota Chippewa Tribe Education/Health & Human Services Subcommittee. Carried 4-0-0.

Moved by Brandon Benner; seconded by Travis Morrison; to adjourn the meeting at 10:44 a.m. Carried 4-0-0.