

Minutes of a special meeting of the Bois Forte Reservation Tribal Council held March 8, 2017 at Nett Lake, Minnesota.

Meeting called to order at 9:13 a.m.

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

Members Absent: None

Others Present: Corey Strong; Gene Goodsky; Vicki Villebrun; Evertt Huisman; Kim Greiner;
Eddie Chavers; Louise Isham; Jaime Burdick; Karlene Chosa; Karen Drift; Barb Brodeen; Angela Wright; Roxanne Goggeley; Carol Burr; Miranda Lilya; Gary Donald; Bill Tibbetts; Tara Geshick; Jeneal Goggeley; Billie Mason; Marybelle Isham; Simona Benner; Josh Villebrun; Wendy Thompson; Dave Villebrun

Invocation by Gene Goodsky.

Moved by Travis Morrison; seconded by Brandon Benner; to approve the agenda with the addition of Brandon Benner with 1) discussion on having open executive session minutes minus personnel items available to the Band membership, and 2) making salary schedule available to Band members. Carried 3-1-0. Ray Toutloff against.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the minutes of a special meeting held February 15, 2017 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota. Carried 4-0-0.

There are no new tribal government employees to introduce.

Moved by Travis Morrison; seconded by Ray Toutloff; to approve the consent agenda as follows:

- 1) Approved to sole source the food from Fortune Bay for the State of the Band 2017, not to exceed \$9,500.00.

Carried 4-0-0.

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Moved by Brandon Benner; seconded by Ray Toutloff; to approve the request from Karlene Chosa for the Powwow for Hope fund raising team to hold a raffle for the American Indian Cancer Foundation Powwow for Hope being held May 6, 2017. Carried 4-0-0.

During discussion on the 2017 Bois Forte Netting Code for Lake Vermilion, it was asked where Fond du Lac was going to net this year. Fond du Lac will be netting on the Tower end of Lake Vermilion. Marybelle Isham said at the conservation committee meeting held yesterday there was discussion on enlarging the boundaries for the area where Bois Forte nets. There was just discussion with no action taken. Tara Geshick will have the conservation committee come up with a draft border and then she will present it to the council.

Moved by David Morrison Sr.; seconded by Ray Toutloff; to approve The Bois Forte Code For Non-Commercial Netting of Game Fish In the Waters Adjacent to the Vermilion Reservation, valid January 1-December 31, 2017 and amend it later with the boundary issue. Carried 4-0-0.

Bill Tibbetts said he had an offer from a lady in Duluth who wants to buy Tulipe for \$2.00 and Whitefish for \$4.00. Bill asks if he can sell the fish. Bill is told he can't right now because that would be commercial netting. There would have to be a revision to the netting code, and the conservation committee would have to address that, and it would also have to be discussed at the 1854 Authority because of the agreement with the state.

Moved by David Morrison Sr.; seconded by Brandon Benner; to approve the 2017 Northeast Regional Project Provider Agreement by and between Hearth Connection and Bois Forte Reservation Tribal Government. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Travis Morrison; to adopt resolution #91-2017, grant application for a Public Transportation on Indian Reservations grant-Capital Funding to acquire radio communications for all Big Woods Transit buses and a base station for dispatch. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the Personnel Policy change to Section 611.1 by adding "For an absence by reason of service in the uniformed services, see section 612, below." and Section 612, adding, In accordance with federal law, "an employee who is absent by reason of service in the uniformed services, shall be deemed to be on a leave of absence while performing such services, However, the employee may use annual leave during such a period of service but shall not be required to do so." And deleting "leave without pay will be granted to employees to fulfill military obligations." The personnel policy change is effective immediately. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the Interagency Agreement with the State of Minnesota for FY 2017 and for FY 2018-FY 2019, for Adam Welsh Background Checks. Carried 4-0-0.

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Kim Greiner presents two options/scenarios for a budget modification #2 to the FY 2017 Budget for the remainder of the year for the tribal youth program (former Boys & Girls Club). The first is \$236,573.24 for operations from March 1, 2017 to September 30, 2017. This is with an additional position for a CPO/CEO. The second is \$188,477.50 for operations from March 1, 2017 to September 30, 2017. This is without the additional position of CPO/CEO.

Moved by Travis Morrison; to approve option/scenario #2 for \$188,477.50 for operations from March 1, 2017 to September 30, 2017 without the CPO/CEO position and with the option to hire a CPO within the budget year. Chairwoman Chavers calls for a second. Chairwoman Chavers calls for a second again. Motion dies for lack of a second.

Moved by Travis Morrison; to approve option/scenario #1 for \$236,573.24 for operations from March 1, 2017 to September 30, 2017 with the additional position of a CPO/CEO. Chairwoman Chavers calls for a second. Chairwoman Chavers calls for a second again. Seconded by Brandon Benner. Carried 4-0-0.

Brandon Benner would like to see the resolutions rescinded that were put in place in regard to the Data Privacy Ordinance so that Band membership can see the executive session minutes. He would like at the next meeting, to move forward and make executive minutes available to those that want to see them. In regard to the salary schedule, grantees said those couldn't be made available. But people can see what the state and federal employees make. The Band membership has a right to know. Brandon wants to 1) rescind the resolution that says we can't disclose information, 2) change the Code of Ethics, and 3) bring forth a motion that says it is okay to disclose the information.

Chairwoman Chavers said the council met on Wednesday to discuss putting the salary information out to the membership. The Data Privacy Ordinance and the Code of Ethics need to be updated. The council agreed to have Band members sign up to sit on a committee to look at updating the Code of Ethics. It will be for Band members anywhere because with today's technology they can attend by conference call or skype. The Code of Ethics hasn't been revised for ten years. The other thing that was discussed was if the council was going to be open and transparent, they need to put out all the information, which would be housing rents, water and san, what everybody owes the tribal government.

Brandon Benner asks Chairwoman Chavers to explain why people have to sign a paper at the State of the Band for the financials. Chairwoman Chavers said people can review the documents at the tribal government building, that all they need to do is write a letter to David Morrison Sr., Secretary-Treasurer. With regards to the State of the Band, there is a non-disclosure form that people are asked to sign. It isn't to keep Band members from telling other Band members, it is to not tell the state and other organizations what the financials and revenues are. It is the Band's information and the Band needs to keep that information within the Band. Kim Greiner said releasing information like casino revenues may hurt us with state agencies with grants and other competitors.

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Chairwoman Chavers said her recommendation with the request is to continue meeting on it and have legal counsel present, and take time and do it right whichever way the council goes.

Moved by Brandon Benner; seconded by Travis Morrison; to adjourn the meeting at 10:56 a.m. Carried 4-0-0.