

Minutes of a regular meeting of the Bois Forte Reservation Tribal Council held on April 12, 2017 at Nett Lake, Minnesota.

Meeting called to order at 9:09 a.m.

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

Members Absent: None

Others: Corey Strong; Vicki Villebrun; Rick Anderson; Bev Miller; Pam Hughes; Tom Burr;
Angela Villebrun; Sue Larson; Roxanne Goggeye; Barb Brodeen; Evertt
Huisman; Louise Isham; Randy Long; Andy Datko; Carol Burr; Dani Pieratos;
Destinie Villebrun; Kim Greiner; Billie Mason; Joel Astleford; Arianna Zapata;
Edith Villebrun; Mike Connor; Miranda Lilya; Troy King; Simona Benner; Darren
Landgren; Tracey Dagen; Barbara Sanders

A moment of silence is observed in place of invocation.

Moved by Travis Morrison; seconded by Brandon Benner; to approve the agenda with 1) send Shawn Jensen's sponsorship/donation request to the donation committee, 2) remove George Strong's request to sole-source a vendor for web development services because George said he needs to obtain more information, and 3) add Brandon Benner who said he will be asking for an official vote on making salaries accessible to the Band membership and making executive session minutes accessible to the Band membership. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the minutes of a special meeting held March 8, 2017 at Nett Lake, Minnesota. Carried 4-0-0.

During approval of the minutes, Chairwoman Chavers asks about the netting code, that the conservation committee did come up with an expanded area and restricted area for netting but it is not on today's agenda. Troy King said Eddie Chavers and Alex Mehne are working on a map. Ray Toutloff explains that the code can be amended today, to make the maps available showing where Bois Forte members can net and the restricted area where no one can net. Troy King will get a copy of the map before the end of today's meeting.

Moved by Ray Toutloff; seconded by Travis Morrison; to approve the minutes of a special meeting held March 29, 2017 at the Lake Vermilion Sector of the Bois Forte Reservation, Minnesota. Carried 4-0-0.

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

- 1) Adopted resolution #92-2017, authorizing the North West Turkey Federation Tall Timber Toms Chapter to conduct a raffle at Fortune Bay Resort Casino at their annual meeting being held on March 31 (council poll vote was 4-0-0).
- 2) Approved two \$35 gift cards to help purchase candy and other small items for the community Easter parties (council poll vote was 4-0-0).

Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to adopt resolution #95-2017, appointing Richard J. Anderson as Trustee of the Bois Forte Enterprises 401(k) Retirement Plan. Carried 4-0-0.

Moved by Travis Morrison; seconded by Ray Toutloff; to approve the request from the culture committee to hold a 50/50 button sale/raffle for the Saa Gii Ba Gaa Powwow in June. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve Tracey Dagen's request to hold the following raffles at the Lake Vermilion Traditional Powwow each session: button, pick your own, and 50/50. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the funding for Bev Miller to travel to the Denver Museum of Nature and Science to bring back to the Band a Dream Symbol. Bev will also be taking an elder, Diane Lightfeather to help out with the journey. Carried 4-0-0.

Moved by Travis Morrison; seconded by Brandon Benner; to award the Maintenance Consultant Contract to Shepherd Solutions, LLC to develop an Annual Facilities Maintenance Plan for the housing department. Carried 4-0-0.

Moved by Brandon Benner; seconded by David Morrison Sr.; to adopt resolution #96-2017, Ordinance Governing Rights of Entry to Rental Property, effective on May 1, 2017. Carried 4-0-0.

Dani Pieratos is requesting approval of a contract with Pinnacle Marketing to develop a website for the housing department. Chairwoman Chavers asks Rick Anderson if Fortune Bay can do it, and that George Strong also will be requesting a website for KBFT. Rick Anderson said they might need some technical assistance but should be able to do a majority in-house.

Moved by Ray Toutloff; seconded by Travis Morrison; to table the contract with Pinnacle Marketing to develop a website for the housing department until research is done to see about the possibility of it being done by Fortune Bay. Carried 4-0-0.

Moved by Brandon Benner; seconded by Travis Morrison; to approve the request from Mike Connor to sole-source from Geographic Science Lab University of Minnesota to update the Bois Forte Hazard Mitigation Plan. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to adopt resolution #97-2017, requesting BIA to record the Pineview East Plat (Bois Forte Housing Tax Credit #3 Project Nett Lake Sector). Carried 4-0-0.

Ray Toutloff said there are houses scheduled to be demolished. There are two outbuildings at one of the houses at Eagle Point Road that could be salvaged. Ray is proposing that the council act to notify the public that the buildings may be salvable and to offer them at no cost to the public. Whoever wants them would need to contact Andy Datko by 4 pm, April 20 and removed by 4 pm, May 15. It would be

on a first-come basis. Tom Burr said there are also other outbuildings at another site that could be added to the list.

Moved by Ray Toutloff; seconded by Travis Morrison; to approve notifying the public of the outbuildings that may be salvageable, and if anyone wants them, they can contact Andy Datko by 4 pm, April 20 and removed by 4 pm, May 15. Carried 4-0-0.

Moved by David Morrison Sr.; seconded by Travis Morrison; to adopt resolution #98-2017, appointing Cathy Chavers as Trustee of the Bois Forte Reservation 401(k) Retirement Plan. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; that the Bois Forte RTC: (1) authorizes Professional Pension Services to file the VCP forms necessary to cure the late filing in 2016; (2) ratifies all actions taken in good faith by Enterprise and Development Corporation managers with respect to the 401(k) Retirement Plan (Commercial); and (3) designates the Chairwoman and Secretary-Treasurer of the RTC as authorized to sign on behalf of the Plan Sponsor. Carried 4-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to approve the Prepaid Debit Card Policy as requested by the Bois Forte Tribal Accounting department. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the 2017 Indirect Cost Rate Proposal at 20.64%. Carried 3-1-0. Brandon Benner against based on what is in it and what the money goes for.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the Personnel Policy Revision: Section 315, Section 316. The first sentence in Section 315 TRANSFER EMPLOYEES to read, "An employee may transfer to another position within the tribal government when successfully obtaining a new position through the regular hiring process." Section 316 SUBORDINATE ENTITY TRANSFER EMPLOYEES to read, "Employees who transfer to or from the Bois Forte Tribal Government to or from a subordinate entity of the Band shall not be considered to have had a break in service for purposes of determining eligibility for benefits, provided the transfer is approved or directed by official Tribal Council action." Carried 4-0-0.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve the request from Sue Larson to sole-source from Dexcare Basic Renewal for technical support for the x-ray system at Health. Carried 4-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to table the appointments to the Code of Ethics Revision Board so the council can discuss this further. Carried 4-0-0. Corey Strong is to set up a meeting for the council to discuss a plan of action for the Code of Ethics revision.

Troy King gives the council a copy of the map that shows the expanded boundaries for the Bois Forte netting area and the restricted zone.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to amend the Bois Forte Netting Code for Lake Vermilion by approving the expanded boundaries for the Bois Forte Band member netting area and the restricted zone. Carried 4-0-0. Troy is to put labels on the areas and use different colors on the map,

and get the map to Fond du Lac DNR as soon as possible. Next year he is to put the legal description on the map.

Moved by Brandon Benner; seconded by Ray Toutloff; to table the submission of the application for membership to the Native American Boys & Girls Clubs of America, to look further at the options, either operate our own Boys & Girls Club, go back and join the Duluth Boys & Girls Club, or go with the Native American Boys & Girls Club. Carried 4-0-0. David Morrison Sr. recommends that a golf tournament be held at The Wilderness for the Boys & Girls Club like it is done for the Bois Forte Scholarship Program.

Moved by Brandon Benner; seconded by Travis Morrison; to open up the executive session minutes for all the non-personnel items, as far back as the executive minutes go. Vote is 2-2-0. David Morrison Sr. against. Ray Toutloff against. Chairwoman Chavers breaks the tie by voting against because she does not want to rush into a decision. She would like to see the minutes and she would like legal counsel opinion so she can make an informed decision. Chairwoman Chavers said this issue can be brought forth again. The vote is 2-3-0.

Moved by Brandon Benner; seconded by Travis Morrison; to open and publish the salaries, minus the health professionals. Vote is 2-2-0. Ray Toutloff against. David Morrison Sr. against. Chairwoman Chavers breaks the tie by voting against. She would like to discuss this more in detail and with legal counsel. Vote is 2-3-0. Chairwoman Chavers said there are issues with things like how people got to where they are – length of employment, education - staff were allowed to get their degrees and then get an increase.

Brandon was asked if it would be tribal government employees or would it also be Fortune Bay employees. Brandon said both, but the sub-entities would need to be done at a gaming commission meeting.

Moved by Brandon Benner; seconded by Travis Morrison; to adjourn the meeting at 11:46 a.m. Carried 4-0-0.