

Minutes of a regular meeting of the Bois Forte Reservation Tribal Council held October 4, 2017 at the Lake Vermilion Sector of the Bois Forte Reservation, 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; Vicki Villebrun; Andy Datko; Dani Pieratos; Evertt Huismann; Barb Brodeen; Angela Wright; Sidra Stakovich; Jaime Burdick; Janell Smith; Wendy Thompson; Tara Geshick; Donna Hoffer; Joel Astleford; Doris Isham; Pam Hughes; Dawn Benner; Billie Mason; Simona Benner; Kim Greiner; Rick Anderosn; Charmaine Jourdain; Carlos Hernandez; Lorna Landgren

A moment of silence is observed.

Moved by Ray Toutloff; seconded by Travis Morrison; to approve the agenda with the addition of 1) a letter to the MCT Tribal Executive Committee requesting a waiver of the Election Ordinance because Bois Forte will not be using the automated ballot tabulating system in the 2018 election cycle, 2) a sole-source request to purchase food from Fortune Bay for the sobriety feast, 3) Kim Greiner with the 2018 budgets for approval, and 4) Brandon Benner with discussion/direction on questions/concerns on residency. Carried 4-0-0.

Moved by Travis Morrison; seconded by David Morrison Sr.; to approve the minutes of a special meeting held September 20, 2017 at Nett Lake, Minnesota. Carried 4-0-0.

New tribal government employees: Donna Hoffer introduces Charmaine Jourdain who is the new Victim Services Advocate.

Chairwoman Chavers makes the announcement that the tribal council signed an agreement to sell the WELY radio station.

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

- 1) Adopted resolution #30-2018, application to IRRRB for funding for the Family Health & Human Services HVAC system replacement project (council poll vote was 4-0-0).
- 2) Approved the renewal of the licensing for Early Head Start and Day Care for the Nett Lake and Vermilion centers for October 1, 2017 to September 30, 2018 (council poll vote was 4-0-0).
- 3) Authorized the Early Head Start Parent Committee to do a 50-50 raffle on September 30 and October 1 during the pow-wow to raise money to provide the Head Start children with rewards and graduation materials (council poll vote was 4-0-0).
- 4) Adopted resolution #31-2018, refinancing of the loan for the government building in Nett Lake to a tax-exempt loan (council poll vote was 4-0-0).

Carried 4-0-0.

Moved by Brandon Benner; seconded by David Morrison Sr.; to adopt resolution #32-2018, grant application to the Minnesota Department of Health for health education for off-reservation Indians and to supplement the pharmacy for diabetic related supplies. Carried 4-0-0.

Moved by Brandon Benner; seconded by Travis Morrison; to approve the submission of an application to the Native Community Development Institute program hosted by the Minnesota Housing Program for Bois Forte to participate in the program to conduct a community needs assessment. Some things the data would be used for is to apply for grants, and to better structure the housing program. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the changes to the Personnel Policy RTCE leave:

Reinstate: Bereavement Leave; Cultural Activity Leave; School Conference and Activities Leave; Organ Donor Leave; Leave Sharing Policy (reinstate once revised); Military Leave (USERRA Leave); Jury Duty Leave; Advocate/Emergency Medical Technician/Volunteer fire Department; Compensatory Time (only unless a threat to life or property); Educational Leave.

Suspend: Elder Activity Leave; Fitness Center Leave; Extracurricular Activities Leave.

Carried 4-0-0.

Moved by Ray Toutloff; seconded by Travis Morrison; to approve the request to sole-source for the Health & Human Services Department to purchase food from Fortune Bay for the Sobriety Feast in the amount of \$3,434.75. Carried 4-0-0.

Moved by Ray Toutloff; seconded by Travis Morrison; to not use the automated ballot tabulating system in the 2018 election cycle (the rental of the machines cost approximately \$35,000) and to submit a letter to the MCT TEC requesting a waiver because pursuant to Section 2.1(A)(1) of the Election Ordinance,

that requires a waiver from the Tribal Executive Committee. Chairwoman Chavers and Secretary-Treasurer Morrison will make the appropriate motion at the October 12, 2017 TEC meeting. Carried 4-0-0.

Brandon Benner has a question on residency. He would like a different resolution that makes it clear and concise what determines residency. The one now is vague.

Chairwoman Chavers said this can be looked into and will get a hold of Mark Anderson in regard to it.

Kim Greiner explained how the budget process worked. One challenge was being unsure of how much money the government would be getting from Fortune Bay. There are 292 programs that Kim has to work with when doing budgets. Kim reviewed the budgets with the programs and after review most of the requests were lowered from their original requests. Kim said an estimate of how much people owe the government is \$124,000 for one year. Kim has a list of budget items that the council will vote on to be funded from the Fortune Bay Distribution.

Moved by Brandon Benner; seconded by Travis Morrison; to approve up to 2.5% match for the 401(k) pension fund replacing the 5% match, effective January 1, 2018. It will save \$309,067. Carried 4-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to freeze the salary increases/performance pays for one year for those with anniversary dates after October 1, 2017. It will save \$434,766.05. Carried 4-0-0.

The money saved is not all Fortune Bay Distributions, it is also from programs and that will mean the program money can be redirected towards services.

The Community Clean Up program does not need action. They had requested \$16,500 and with changes from the reviews it will come from general fund dollars.

Moved by Ray Toutloff; seconded by Brandon Benner; to approve \$25,600 from Fortune Bay Distributions for the Curb Side Pick Up program. They had originally requested \$96,400 and after review they only need \$25,600. Carried 4-0-0.

The Conservation Enforcement/Director program does not need action. They had requested \$34,600. That program is primarily funded with BIA dollars and those dollars came through so there is no need for tribal dollars.

The Elder Housing Repairs program does not need action. They had requested \$57,700 and with budget modifications and a temporary elder fund which wasn't used for two years they do not need to request any from Fortune Bay Distributions.

The Registrar program does not need action. They had requested \$18,100 and with budget modifications and general fund dollars they do not need to request any from Fortune Bay Distributions.

Brandon Benner leaves the meeting.

Moved by Travis Morrison; seconded by Ray Toutloff; to approve \$53,900 for the Emergency Preparedness program. Carried 4-0-0. They had originally requested \$76,100 but the rest will be covered by carryover. Carried 3-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve \$8,973 from Fortune Bay Distributions for a grant match for the Pre Disaster Mitigation Plan program. Carried 3-0-0.

Brandon Benner enters the meeting.

The Summer Storm July 2016 does not need action. They had requested \$10,793 for the shortfall and costs for the emergency shelters and cleanup costs. 75% of the money was reimbursed by FEMA. The rest was covered by the General Fund carryovers.

The Real Estate – Tribal program does not need action. They had requested \$30,000 but it will be covered by BIA dollars.

Moved by Brandon Benner; seconded by Travis Morrison; to approve \$11,306 from Fortune Bay Distributions for the 2016 Transit Formula Capital Funds program for a grant match for buses. Carried 4-0-0.

The Nett Lake Fire Department – Tribal program does not need action. They had requested \$10,000 but it will be covered by General Fund carryovers.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve \$60,650 from Fortune Bay Distributions for the Vermilion Center operations program. They had originally requested \$188,000 and the rest will be covered by carryovers and the General Fund. Carried 4-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to approve \$71,454 from Fortune Bay Distributions for the Elder Housing Repairs - Workers for Vermilion. They had originally requested \$79,000 and with the budget process they are requesting \$71,454. Carried 4-0-0.

The IRRRB Demolition Project for Vermilion does not need action. They had requested \$11,072 for a grant match but it will be covered by General Fund dollars.

Moved by Brandon Benner; seconded by Ray Toutloff; to approve \$200,000 from Fortune Bay Distributions for the match for the Indian Community Development Block Grant (ICDBG) – Tribal for the improvements at the community center at Nett Lake. Carried 4-0-0.

The Grant Writing program request for training dollars does not need action. They were requesting \$10,500 and it will be covered by carryover funds from program 729.

Moved by David Morrison Sr.; seconded by Ray Toutloff; to approve \$394,500 from Fortune Bay Distributions for the Scholarship-Tribal Program. They were requesting \$459,000 and the rest will be covered by carryovers and BIA funds. Carried 4-0-0.

Moved by David Morrison Sr.; seconded by Travis Morrison; to approve \$31,500 from Fortune Bay Distributions for the Summer Youth program. They had originally requested \$33,000 and the rest will be covered by carryovers. Carried 4-0-0.

It was decided to give the Vermilion LIEC and the Nett Lake LIEC each \$28,207 for the year. The LIEC-Vermilion does not need action. They do not need any from the distribution this year. Nett Lake will need \$16,113.

Moved by Ray Toutloff; seconded by Travis Morrison; to approve \$16,113 from Fortune Bay Distributions to the Nett Lake LIEC program. Carried 4-0-0.

Moved by Brandon Benner; seconded by Travis Morrison; to approve \$154,000 from Fortune Bay Distributions for KBFT-Tribal. They were requesting \$200,000 for compliance and the rest will come from other programs and outside sources. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve \$35,100 from Fortune Bay Distributions for the Tribal Early Child Hood-In Kind match. Carried 4-0-0.

Moved by Travis Morrison; seconded by David Morrison Sr.; to approve \$160,800 from Fortune Bay Distributions for the Funeral Fund. They were requesting \$195,200 and the rest will come from carryovers. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve \$65,200 from Fortune Bay Distributions for the Tribal Council Unemployment Fund. Vote was 2-2-0. Travis Morrison against. Brandon Benner against. Chairwoman Chavers breaks the tie by voting for. Carried 3-2-0.

Moved by David Morrison Sr.; seconded by Ray Toutloff; to approve \$9,371 from Fortune Bay Distributions for the Vermilion Water fund for operational costs. Carried 4-0-0.

Page 6  
Regular Meeting  
October 4, 2017

Moved by Travis Morrison; seconded by Ray Toutloff; to approve \$56,000 from Fortune Bay Distributions for the Indian Point Sewer operational costs. Carried 4-0-0.

Moved by Brandon Benner; seconded by Travis Morrison; to approve \$88,700 from Fortune Bay Distributions for the Nett Lake Water & Sewer operational costs. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve \$46,000 from Fortune Bay Distributions for the Court Fines/Tribal Court. Carried 4-0-0.

Moved by Brandon Benner; seconded by Travis Morrison; to approve \$50,450 from Fortune Bay Distributions for the Minneapolis Urban Office. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve \$22,300 from Fortune Bay Distributions for the Duluth Urban Office. Carried 4-0-0.

Brandon Benner leaves the meeting.

Kim Greiner said the Nett Lake Water & Sewer originally requested \$178,000 and the \$88,700 would be eliminating a position.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve \$128,000 from Fortune Bay Distributions for the Heritage Center Operations. This would be restructuring some of the staffing costs. The THPO Officer would work two days a week. The Director would work three days a week. And the Gift Shop employee would be three days a week. The Heritage Center would be open each day with different staff. Carried 3-0-0.

Brandon Benner enters the meeting.

Moved by Travis Morrison; seconded by Ray Toutloff; to approve \$335,000 from Fortune Bay Distributions for the Youth Centers-Nett Lake/Vermilion. Carried 4-0-0.

The PowWows at Nett Lake and Vermilion does not need action. They were reallocated funds from an old program.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve \$181,445 from Fortune Bay Distributions for the Indirect Cost Shortfalls for the Executive Direction/Accounting/Human Resources/IT/Maintenance/Planning/Urban Office Duluth/Urban Office Minneapolis. Carried 4-0-0.

Moved by Travis Morrison; seconded by Ray Toutloff; to approve \$20,000 from Fortune Bay Distributions for Donations. Carried 4-0-0.

Page 7  
Regular Meeting  
October 4, 2017

Moved by David Morrison Sr.; seconded by Brandon Benner; to approve \$6,000 from Fortune Bay Distributions for the Youth Football, the Youth Basketball, and the Little League (for a total of \$18,000). Carried 4-0-0.

Moved by Brandon Benner; seconded by Travis Morrison; to approve \$91,000 from Fortune Bay Distributions for the General Election Board. This will be eliminating the voting machines and there will be two polling sites, one at Nett Lake and one at Vermilion. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve \$22,525 from Fortune Bay Distributions for the Cultural Resource Coordinator. This will be a part-time position. Carried 4-0-0.

Moved by David Morrison Sr.; seconded by Brandon Benner; to approve \$78,000 from Fortune Bay Distributions for the RTC Special Projects. This is the elders dinner, the veterans gifts, and other events for the community. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve \$61,500 from Fortune Bay Distributions for the RTC Communications. This covers the printing of the Bois Forte News and the State of the Band. Carried 4-0-0.

Moved by David Morrison Sr.; seconded by David Morrison Sr.; to approve \$167,000 from Fortune Bay Distributions for the Northern Eagle Federal Credit Union. Carried 4-0-0.

Moved by Travis Morrison; seconded by Brandon Benner; to adjourn the meeting at 11:42 a.m. Carried 4-0-0.