

Minutes of a special meeting of the Bois Forte Reservation Tribal Council held April 18, 2018 at Nett Lake, Minnesota.

Meeting called to order at 9:08 a.m.

Vice-Chair Toutloff informs the audience Chairwoman Chavers will be late because of medical appointments.

Invocation by Gene Goodsky.

Chairwoman Chavers enters during invocation.

Roll Call taken.

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; Noah Buchholz; Jaime Burdick; Louise Isham; Wendy Thompson; Eddie Chavers; Donna Hoffer; Steve Hertig; Andy Datko; Kim Greiner; Carlos Hernandez; Joel Astleford; Dawn Benner; Gordy Adams; Panda Whiteman; Barb Brodeen; Billie Mason; Marybelle Isham; Aaron Bonelli; Miranda Lilya; Alex Mehne; Darren Landgren; Millie Holmes; Waynette Larson

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the agenda with the addition of Miranda Lilya with a request to have two contracts instead of one for the 401(k) Plan, and to delete Tara Geshick with the selection of members to the conservation committee, until she is present. Carried 4-0-0.

Moved by Travis Morrison; seconded by Ray Toutloff; to approve the minutes of a regular meeting held April 4, 2018 at the Lake Vermilion Sector of the Bois Forte Reservation. Carried 4-0-0.

New tribal government employees: Donna Hoffer introduces Waynette Larson who is the new Homeless Program Case Manager.

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

- 1) Approved a sole source request from KBFT and Earl Villebrun for the agreement with The Sioux Chef in the amount of \$4,999 for the Native Food Presentation being held April 25. Council poll vote was 4-0-0.

Carried 4-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to approve the contract with Dalco (Georgia-Pacific) for cleaning supply company services for the Vermilion Clinic. (Changing from Hillyard to Dalco, and also Fortune Bay, the Vermilion Government Center, and Y-Store use this vendor). Carried 4-0-0.

Moved by Travis Morrison; seconded by David Morrison Sr.; to approve the renewal of the contract with Medical Disposal Systems Inc. for the Vermilion Clinic infectious waste disposal. Carried 4-0-0.

Gordon Adams Jr. is requesting approval of an agreement with Range Credit Bureau (RCB) for collection services of medical and non-medical accounts. There are people not paying on things like housing arrears, water and sanitation, leasing, medical accounts. Those people would be held accountable for the money they owe the programs. A lot of those accounts are not reflected on their credit reports or credit scores. RCB would be able to do that. No one would be referred to RCB if they have a payroll deduction, and administrative offset or agreement to pay out of per capita, or have a current payback agreement.

Chairwoman Chavers said one of the questions was sovereignty in regard to jurisdiction for the accounts on the reservation and being collected. Mark Anderson, the Band attorney, said for civil matters there is a concurrent jurisdiction. Civil matters can be in either State or Tribal court. We are not giving away our sovereignty. The other comment was the people who are referring accounts should not refer if there is a payroll deduction, administrative offset, agreement to pay out of per capita, or a current payback agreement. The council needs to designate who has the authority to approve legal action to proceed with the litigation. The council just approved a resolution for claims on behalf of the Band that it will be the division directors. There is almost close to a million dollars in debt from everybody, whether it is Band members, other MCT Band members, and tribal members that are not in the area. It is very many years of people not paying on their accounts. The council was looking at ways to try to regain some of that revenue and this is the way that Gordy researched.

Ray Toutloff asked if there is a statute of limitations on the debts.

Aaron Bonelli said 6 years is the statute of limitations for going to court. 6 years from the date of last service or the date of last payment.

Kim Greiner said that is going to state court. There is no statute of limitations for tribal court.

Gordon Adams said the way it would work is that once the accounts are submitted to RCB, the account holders will be notified one way or another, last known addresses, phone numbers, whatever. They will be contacted by RCB. After one month it goes on their credit report. After six months of sending letters and calling, it would go to court. Aaron Bonelli said it would be recommended for court. RCB would see if they have any means to pay that would make it not necessary to go to court. Not everything goes to court.

Chairwoman Chavers asks Gordon that if it is approved could he put it in the Bois Forte News. Gordon said yes.

Kim Greiner said a policy will need to be set up for when the accounts will be turned over. In accounts receivable right now, there are between 100-150 people in that status.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the agreement for collection services for the medical accounts and non-medical accounts with Range Credit Bureau, effective today, April 18, 2018. Carried 4-0-0.

Moved by Travis Morrison; seconded by Ray Toutloff; to approve the request from Gordon Adams Jr. for the Housing department to sole-source from Guardian Pest Solutions for the treatment of bed bug infestations in the amount of \$3,865.50. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the grant renewal agreement for the Office of Justice Programs – VAWA STOP Special Projects for Tribal Reservations 2018 for the Victim Services Program. Carried 4-0-0.

Moved by Brandon Benner; seconded by David Morrison Sr.; to award the construction manager at risk to MB Customs (one of two bids received) for the Bois Forte Courts Addition Project. Carried 4-0-0.

Alex Mehne presents the 2018-2019 Timber Harvest Plan. Chairwoman Chavers said some Band members asked how he selects what projects get cut and when. One concern from a Band member was on Highway 65 there was a huge amount of pine that was cut, and it was a combination of maybe four sales. Alex said there were three sales on Highway 65. The one she is asking about was three stands but one timber sale. The acreage on that was about 66 acres. The timber sale areas on the map vary from four acres to 98 acres. To determine what stands to harvest can be complicated to pick. The one on Highway 65 was one his predecessor had selected. That stand was chosen because the pine had gotten to the size where it was old and wasn't having much growth. It was chosen so there could be the next rotation of trees. It could have been left but the trees fall over. The sooner you get the next crop of trees going the soon you get another return on that. The biggest one on the map is ST340 and there are two next to that site and will be three sales totaling about 110 acres. Alex said he does not try to do 200 acres at a time because of the wildlife.

Gordon Adams asked if the Timber Harvest Plans have ever gone out for public comment for public input. Gordon said as a Band member he is an avid hunter, gathers blueberries and things like that. There is a tremendous amount of cutting on the reservation. Alex said if it is the desire of the council he could make a copy of the harvest plan available. Each individual timber sale is posted for public comment for 30 days as per the environmental access requirements. Gordon asks where they are posted because he has never seen one. Alex said at the Forestry, the RTC office, and the BIA office. Alex said perhaps an email to all Bois Forte would also be a further means of posting. Gordon said he would suggest also the Bois Forte website.

Gordon said his other concern was in regard to non-tribal cuttings. Why are those properties being bermed or trenched to prevent access to hunters. Gordon said he was under the assumption that on those lands the Band members are granted access to hunt and when those are blocked, who does that get reported to.

Ray Toutloff said a lot of the mass logging is Koochiching County and Potlatch. They should be contacted because it is hard to get into hunting areas.

Chairwoman Chavers said Corey can set up a meeting with Koochiching County and Potlatch. For now things can be reported to Forestry and Corey.

Corey Strong asks Alex if Forestry still meets with the foresters from Koochiching County, Potlatch, and Boise Cascade. Forestry used to meet annually with them. Alex said he was unaware those meetings were held. Chairwoman Chavers asks Alex to invite them to forestry and start the meetings again.

Ray Toutloff asks Alex what he said about Vermilion. Alex hands out a map of a timber sale. Corey asks Alex if he met and discussed this with THPO because there are a lot of burial sites in that area. Alex said that timber sale will be run by THPO and he plans to go over to the Heritage Center. Ray Toutloff said community members are concerned that that area is a fire danger. Alex said this timber sale won't be sent to open market, it will just be for tribal loggers.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to adopt resolution #76-2018, 2018-2019 Timber Harvest Plan. Carried 4-0-0.

Moved by David Morrison Sr.; seconded by Travis Morrison; to adopt resolution #77-2018, lease cancellation for Eric Milbridge pending the sale of the structure. Carried 4-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to adopt resolution #78-2018, residential lease for Charlene J. Evans pending the purchase agreement and her obtaining financing. Carried 4-0-0.

Moved by Brandon Benner; seconded by Ray Toutloff; to approve the Nett Lake Parent Committee to hold a lamp raffle for activities for the children. Carried 4-0-0.

Darren Landgren said the parent committee also wanted to request permission to use the RTG parking lot for a big truck activity for the kids. All the programs would bring in trucks, dump trucks, whatever they have. Chairwoman Chavers said there doesn't need to be a motion for the parent committee to use the parking lot. Corey Strong said they just need to let Big Woods Transit know what day the event will be held so they can move their buses.

Kim Greiner said Comprehensive Care Services, Inc. (CCStpa) was sold to AmeriHealth Administrators, Inc. (AHA). CCS was the third party administrator for the health insurance which is self-funded for the tribal government employees and Fortune Bay employees. The service agreements need to be changed from CCS to AHA so AHA will be authorized to access the billing information for the claims can be processed. It will also be changed from an ENPI network to the Blue Aware network. The CCS staff will change to AHA staff on May 1. The network change will be October 1. The new cards will come in the fall.

Moved by Travis Morrison; seconded by David Morrison Sr. to approve the change of service agreements from Comprehensive Care Services, Inc. to AmeriHealth Administrators. Carried 4-0-0.

Moved by Ray Toutloff; seconded by David Morrison Sr.; to approve the correction to the MetLife contract. There needs to be two contracts instead of one. One for the tribal government employees and one for the Fortune Bay employees. Carried 4-0-0.

Miranda Lilya said the council had previously approved the Investment Committee to move the Recordkeeper for the 401(k) from VOYA to MassMutual. The original plan was one contract so the Tribal Government, Bois Forte Enterprises, and Bois Forte Commercial Businesses was one contract with MassMutual. The Investment Committee since then split the TPA's. The tribal government's 3rd Party Administrator is Bryan Marker. Bois Forte Commercial Businesses, and Bois Forte Enterprises will be using MassMutual as their TPA. It is no longer one contract. It will be two contracts. One contract for the Tribal Government and one contract for Bois Forte Enterprises and Bois Forte Commercial Business. The Investment Committee needs council approval to go forward with it, and once MassMutual sends back the two contracts then they will be brought to the council.

Moved by David Morrison Sr.; seconded by Ray Toutloff; to approve the Investment Committee to move forward for the two contracts with MassMutual with different TPA's for the 401(k) plans. Carried 4-0-0.

Moved by Travis Morrison; seconded by David Morrison Sr.; to adjourn the meeting at 10:20 a.m. Carried 4-0-0.