

THE MINNESOTA CHIPPEWA TRIBE  
TRIBAL EXECUTIVE COMMITTEE

Regular Meeting  
April 24, 2019

Invocation: David Aubid

President Chavers requested a moment of silence be observed for the loss of White Earth Chairman Terry Tibbetts.

Swearing In: Eugene Tibbetts, Acting Chairman, White Earth by President Chavers

A Regular Tribal Executive Committee meeting was called to order at 8:35 a.m. by President Chavers at Grand Portage Lodge & Casino, Grand Portage, Minnesota.

Members: Acting Chairman Tibbetts, Secretary-Treasurer Roy, Chairman Dupuis, Secretary-Treasurer Martineau, Chairman Jackson, Secretary-Treasurer LaRose, Chairwoman Chavers, Secretary-Treasurer Morrison, Chief Executive Benjamin, Secretary-Treasurer Boyd, Acting Chairwoman Spry, Secretary-Treasurer McCormick

Others: Shane Drift, Rep., Bois Forte; Wally Dupuis, Rep., Fond du Lac; Steve White, Rep., Leech Lake; Laurie Harper, Education Director, Leech Lake; Bert Howard, Controller, Leech Lake; Tammy LaRose, Enrollment, Leech Lake; Emily Johnson, Strategic Initiatives Coordinator/Deputy Asst., Mille Lacs; Shena Matrious, Government Affairs Area Relations/Special Projects, Mille Lacs; Nora Benjamin, Special Events Coordinator, Mille Lacs; Shelly Diaz, Urban Rep., Mille Lacs; Marie Powell, Enrollment Coordinator, Mille Lacs; Shannon Heisler, Enrollment, White Earth; Faith Algren, Niigi Radio, White Earth; Patty Olby, Superintendent, BIA-MN Agency; Annabell Kingbird, Realty Specialist, BIA-MN Agency; Jane Harstad, Director, MDE; Vern LaPlant, Director of Indian Policy, MN DHS; Linda Aitken, Agatha Armstrong, Executive Assistant, Grand Portage; Tadd Johnson, Professor, UMD; MCT Staff and other interested parties.

Motion by Chief Executive Benjamin to approve the agenda with additions. Seconded by Chairman Jackson. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chief Executive Benjamin to approve the Minutes of February 20, 2019 with corrections. Seconded by Secretary-Treasurer Morrison. 11 For, 0 Against, 0 Silent, Carried.

## **RESOLUTIONS**

Motion by Acting Chairwoman Spry to approve Resolution 69-19 State of MDHS Grant for MCT Behavioral Health Program. Seconded by Acting Chairman Tibbetts. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chairman Jackson to approve Resolution 70-19 supporting GLRI funding. Seconded by Chief Executive Benjamin. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chairman Dupuis to approve Resolution 71-19 regarding enrollment: Fond du Lac Eligibles (19). Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chairman Dupuis to approve Resolution 72-19 regarding enrollment: Fond du Lac Ineligibles (11). Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent, Carried.

Chairman Dupuis asked with the information presented yesterday at Legislative sub-committee, should we hold off on ineligibles action?

Joel Smith presented a document prepared by White Earth enrollment staff which identified 1,089 individuals who are listed as full bloods in one Census from early 1900's then listed as mixed bloods on the 1941 Base Roll. Is it something that could be corrected in mass to properly establish them as full-bloods? There had been some discussion with Shannon, Enrollment Coordinator for White Earth. Enrollment staff discovers issues like this during research on enrollment appeals and, rather correct those one by one as they come up, we could do it in mass as these individuals should be full bloods. We would then need to do blood degree corrections for all of their descendants. Chairman Dupuis' question is should we hold off on acting on the ineligibles. The opinion is these have been researched and they are being done now.

Chairman Dupuis asked do we put into our hand as a tribe. If you go to 1910 Indian rolls, but by doing so do we fix a wrong? Research for ineligibles, if we do the way we should do we hold off on ineligibles?

Joel responded in order to proceed we need to do denials to allow individuals the right to the appeals process. If TEC decides on moving forward, we could then re-establish full blood status for these individuals and begin the process of making the corrections to current day.

A request was made by Secretary-Treasurer Roy for an Enrollment Impact Report. This report would first: show those impacted by the White Earth enrollment staff information. Second: recommendation of how many individuals (descendants) that would be affected. Deadline of report is October 2019 with a rough draft provided to the TEC in September 2019. We need hereditary information. Stand still and need to look at information. Look at information presented by staff and come back.

Chairman Jackson stated can another tribe be in the same scenario?

Secretary-Treasurer Roy, could impact thousands of people. John Morrin responded it could well be over 10,000. Request that Shannon discuss the research project.

Shannon stated that in working on enrollment appeals, research is done at Bureau of Indian Affairs. In researching we found that full bloods in allotment records were listed with different blood degrees. In discussing with WELSA staff they stated that there was a list of people who had given up their full blood status to sell their lands. Just finished identifying four or five bands that were impacted within the Minnesota Chippewa Tribe. We want to correct the historical trauma, cut down on the appeals. Correct affected membership.

Chairman Jackson stated in descendance claiming someone was grandparent at the time; we should look at this also.

Shannon - open enrollment in 1996 loss.

Chairman Jackson responded it's not right, denied at 1%, talk about doing the constitution. We need to look at enrollment process at the Constitutional level.

Gertrude Buckanaga, Executive Director Upper Midwest American Indian Center stated she's been researching all laws protecting the members. The Preamble, there are lot of laws. A lot of people with mixed blood in them. The father Leech Lake, mother Oneida and Red Lake, all these children with more than 1/4 Indian blood not be recognized. In Hennepin County children not enrolled are taken out of ICWA unit who have multi-tribal blood. We need to recognize these children as being Indian. Gertrude informed the Committee of a seminar she attended provided by the University of Tucson in Arizona. The Tribes that had to deal with Indian blood quantum determined by the Federal government, created genocide. The IRA was supposed to defend the members. Descendants should be recognized. Have all the research and plan on moving forward sensibly. It's important to look at who belongs there are lots of tribal people in places not recognized by anybody.

Rep. Drift, Bois Forte, stated we need to look at the blood quantum; genealogy research done by an elder showed information on family with two brothers that took different last names. We need to fix this.

President Chavers asked to continue with Fond du Lac ineligibles.

Joel informed the Committee that some ineligibles included in the resolutions may not have a father listed on birth certificate. In going through the denial process it gives them the right to the appeals process and time to provide information on the biological father, such as DNA testing, so there are some mixed applicants included in this list.

Motion by Chairman Dupuis to approve Resolution 73-19 regarding enrollment: Fond du Lac Blood Degree Change. Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chairman Dupuis to approve Resolution 74-19 regarding enrollment: Fond du Lac Removal. Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent, Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 75-19 regarding enrollment: Bois Forte Eligibles (8). Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent, Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 76-19 regarding enrollment: Bois Forte Ineligibles (5). Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent, Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 77-19 regarding enrollment: Bois Forte Relinquish to Keweenaw Bay Tribe of MI. Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent, Carried.

Motion by Secretary-Treasurer Morrison 78-19 regarding enrollment: Bois Forte Blood degree change. Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chief Executive Benjamin to approve Resolution 79-19 regarding enrollment: Mille Lacs Eligibles (18). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chief Executive Benjamin to **TABLED** Resolution regarding Mille Lacs Ineligibles (10). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chief Executive Benjamin to approve Resolution 80-19 regarding enrollment: Mille Lacs No Parent Enrolled. Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chairman Jackson to approve Resolution 81-19 regarding enrollment: Leech Lake Eligibles (36). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chairman Jackson to approve Resolution 82-19 regarding enrollment: Leech Lake Ineligibles (13). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chairman Jackson to approve Resolution 83-19 regarding enrollment: Leech Lake Relinquish from Red Lake (3). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chairman Jackson to approve Resolution 84-19 regarding enrollment: Leech Lake Relinquish from Red Cliff (1). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chairman Jackson to approve Resolution 85-19 regarding enrollment: Leech Lake Blood Degree Change (1). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chairman Jackson to approve Resolution 86-19 regarding enrollment: Leech Lake Blood Degree Establishment. Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chairman Jackson to approve Resolution 87-19 regarding enrollment: Leech Lake No Parent Enrolled (2). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent, Carried.

Motion by Chairman Jackson to approve Resolution 88-19 regarding enrollment: Bois Forte Transfer to Leech Lake (2). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent, Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 89-19 regarding enrollment: White Earth Eligibles (27). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent, Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 90-19 regarding enrollment: White Earth Ineligibles (27). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent, Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 91-19 regarding enrollment: White Earth Transfer to Leech Lake (1). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent, Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 92-19 regarding enrollment: White Earth Relinquish to Red Lake (1). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent, Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 93-19 regarding enrollment: White Earth Blood Degree Change I. Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent, Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 94-19 regarding enrollment: White Earth Blood Degree Change II. Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent, Carried.

Motion by Acting Chairman Tibbetts to approve Resolution 95-19 regarding enrollment: White Earth No Parent Enrolled (4). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent, Carried.

Resolution 96-19. Phil informed the Committee that this resolution was under legal but can be taken care of now. Land Resolution 33-19 is being replaced. He is asking the Tribal Executive Committee move forward with Minnesota Chippewa Tribe Trust Lands Resolution 96-19.

More input was needed on the new language updated for bill 96-19. Editing done through Mille Lacs lobbyist in Washington, DC included stylistic changes. The Bureau of Indian Affairs would have 2 yrs. to act on this. The main change is to the time from of no less than 90 days the Secretary of the Interior shall move.

Deb requested more information regarding the land transfer, would like to know more detail about it. Asked that it be explained before you pass anything, we do own MCT lands in common.

Phil provided brief overview: the reservation were pursuant to treaty, the lands sold continued to remain 1936 act of information, retitled as Minnesota Chippewa Tribe lands. In passing this resolution the Minnesota Chippewa Tribe land would return to the reservation in which it is located which would be the individual band that exercises authority over this land; nothing would change as who is exercising jurisdiction.

Response - Maybe this is actually good in the long run, to keep all together.

Deb – land held in common, all in together, 1855 treaty beneficiary would be able to exercise these rights anywhere. Slow this process down and listen to the people. You are not taking time to understand what the people have to say. In the Natural Resources meeting discussion about wolves and Mahnomen, we as constituents have a trust in this also. Instead of protecting our land and reservations we are more than just reservations, Treaties do matter. Get out into our communities, talk to membership and hear what they have to say. Protect our land and stay together and offer a place of healing and tradition, let's protect who we are.

Secretary McCormick stated this discussion first started a few years ago here in Grand Portage and there are a lot of layers to the land transfer; we need to understand the land ownership. The modern standard is land title. If Minnesota Chippewa Tribe lands are titled back to Grand Portage, we see this as reserved by treaty(ies) to our band members. The Title as Minnesota Chippewa Tribe land was the structure at that time. The Bands have been respectful in transfer of the land on paper. It is in respect that land is transferred back to the reservations. Past research has shown that there is a lot of land that was lost, we see this as a restoration.

Deb stated this also gives each reservation the authority to allow a pipeline to go through.

Phil responded under the current land ordinance, the individual bands have authority to oversee/monitor MCT lands.

President Chavers stated it's up to each individual band.

Deb responded if this fails you would open your boundaries to everyone.

Nancy Beaulieu referenced 1855 Treaty – pipeline through FDL – so it would go through 1855 Treaty area if Enbridge intent. Our intent is to protect hunting, fishing and gathering on our reservations. She referenced a video – “It's More Than a Pipeline.” If one band allows pipeline to go through it will affect all of us. This puts our water and air at risk, environment injustice is related to racial injustice. Traditional life/values are being put at risk. We need to get past what we normally do, treaties matter.

Nancy Beaulieu stated as a tribe you will be able to take Fond du Lac's 4200 members, is this what the land ordinance is saying - need clarification. So what happens to one does not happen to all. You guys are the ones asking.

Secretary McCormick responded we appreciate the comments but need clarification on what you're asking. By supporting this bill it is one way of looking out for one another. This is solving a problem that has been in existence for a long time. We don't really own the land. This is a way to take care of an issue that keeps impacting us.

Sheri Couture - 1854 Treaty – relatives saying this thing about Minnesota Chippewa Tribe land. Everyone fought hard against this pipeline. Fond du Lac was forced by Public Utilities Commission to allow pipeline to go through. How does the Tribal Executive Committee have authority for the pipeline on Fond du Lac? Why hasn't other bands stood up to this? Explained the Cherokee Nation vs Georgia case. How come there is no appeal on the pipeline. Now we're all divided by lands we can all do what we want to do. Sovereignty Day – only half full attendance. The State disrespects us and you. No tribal leaders were there in attendance.

Chairman Dupuis – just to clarify – there were tribal leaders there, I was there.

Member – what are we going to do about Polymet Mining? We're letting another nation boss us around. Where is our control? 84 thousand people fought against it.

President Chavers thanked everyone for the comments and calls for vote on Resolution 96-19.

Motion by Chief Executive Benjamin to approve Resolution 96-19, Minnesota Chippewa Tribe Land Transfer Bill. Seconded by Secretary-Treasurer McCormick. 10 For, 1 Against (Chairman Dupuis), 0 Silent, Carried.

Motion by Chairman Dupuis to approve Resolution 97-19 regarding support for Tribal Initiative Stockholm Convention. Seconded by Acting Chairman Tibbetts. 11 For, 0 Against, 0 Silent, Carried.

Chairman Dupuis requested a signature page attached to the body so it looks more like a professional document.

Nancy Beaulieu informed the Committee of two wells being shut down near Bemidji airport due to chemicals in fire retardant foam. Bemidji is already in a premature crisis. Going to cost millions to correct it. We have tribal members living in that area, close to Leech Lake. There are chemicals involved in Line 3 too. When we talk about threats to our water it does affect all of us. Why aren't you doing anything about it now – why wait another 3 months to take action on something? Put public health first. Chairman Dupuis asked does response avoid argument. Beaulieu replied we are not arguing just encouraging that as a nation we get together.

Chairman Dupuis discussed the foam drop on forest fires. That foam goes directly into lakes; we do have this digression at Fond du Lac. Foam is toxic chemical that if your affected you probably would die, this is not brought to public awareness and has been hidden for a very long time.

President Chavers – there are chemicals we are finding every day.

## **QUARTERLY REPORTS**

*Administration:* Joel Smith

Joel presented the quarterly Administrative report.

Motion by Secretary-Treasurer LaRose to approve the quarterly Administrative Reports as presented. Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent, Carried.

*Finance Corporation:* Rick Wuori

Rick Wuori presented the quarterly Finance Corporation report.

Motion by Chief Executive Benjamin to approve the quarterly Finance Corporation report as presented. Seconded by Secretary-Treasurer Morrison. 11 For, 0 Against, 0 Silent, Carried.

*Economic Development:* Jeff Brunelle

Jeff Brunelle presented the quarterly Economic Development report.

Motion by Acting Chairman Tibbetts to approve the quarterly Economic Development report as presented. Seconded by Chief Executive Benjamin. 11 For, 0 Against, 0 Silent, Carried.

*Education:* George Gogleye

George informed the committee of an amendment related to Browns Valley, MN school district opting out of H2400A128. He turned over to Laurie Harper for discussion and questions. Laurie informed the Committee the good news is that this amendment wasn't introduced. However, an omnibus bill with expected amendments would be presented on the senate floor. This bill infringes on tribal sovereignty and policy that Minnesota Department of Education has to comply with. This would set a dangerous precedence for schools and native students, choosing whether or not to consult with tribes. The responsibility to fund is currently in place. The question is why the State of Minnesota is supporting students that are from out of state – it's a tax issue for us.

Phil was authorized in the Education Subcommittee to prepare a letter for signature immediately but not send out until necessary.

Laurie informed the Committee that the bill is being heard in senate tomorrow.

Motion by Acting Chairman Tibbetts to approve the education letter for signature. Seconded by Acting Chairwoman Spry. 11 For, 0 Against, 0 Silent, Carried.



Vern LaPlant, Director of Indian Policy DHS/Linda Aitken

Vern, DHS pasted around document – Executive Order signed by Governor and Lieutenant Governor on Government to Government relations (consultation policy). The Governor reauthorized order for all state agencies to meet with tribes. The twenty-four state agencies are scheduled to meet with tribes. The requirement of June 30<sup>th</sup> for state agencies to sign on with tribes.

Vern informed the Committee of a draft tribal state agreement and some of protocols that could be followed. He would reach out for representative from the bands to meet and assist with draft, or you could choose to draft independently that would be useful also. DHS Commissioner Lourey has been notified. Some bands may have agreement in place that may need modification. There are 40 working days to visit with eleven (11) tribes. A few dates set are with Grand Portage - June 16<sup>th</sup>/17<sup>th</sup>, when tribal relations training, Fond du Lac and Mille Lacs around that same date. Indian Affairs Council meeting is scheduled for the early part of June with the Tribal State ICWA. On June 26<sup>th</sup>, plan on meeting with White Earth, Red Lake and Leech Lake at the same time. Vern stated that he would reach out for delegates that may want to assist in putting together the tribal/state agreement.

Prior to Sept 1<sup>st</sup>, the Department of Human Services identifies priorities that should be addressed and included in government proposal. Proposals drafted would be packaged for Governor's review. The Governor would make determination on what to include in package for legislature.

Historic in getting into legislature.

Department of Human Services, there are six advisory bodies that work and meet with tribal health directors, received good recommendations from them. All those identified would be forwarded for Advisory bodies to start work on these priorities. Suggestion is to have a combined summit in mid-August, include Red Lake and Sioux communities to discuss priorities: ICWA, unemployment and health. Good for tribal leadership to put heads together. There is a lot of work on state end and tribes end. Work to engage in a process that these are accomplished in a good way.

Chairman Dupuis suggested time on the agenda would be realistic for all tribes to get together. If the tribes can come up with a collective principle, like three goals per year to pursue. By September 1<sup>st</sup> need to submit to the Commissioner – how do we monitor progress by the state. It's historic, we need to move forward collectively come up with three goals a year that would benefit all of us.

Linda Aitken stated that she has worked on training since 2012. They started planning and developing a baseline that they feel state employees need to know about tribes. Make training work, get Executive Order 13-10 rescinded and replaced with 19-24. Overwhelmed with what we submitted but also with what the Governor added to our draft priorities. June 30<sup>th</sup> is the date for Consultation Policies with September 1<sup>st</sup> and October 31<sup>st</sup> is aggressive and will take a lot of your time. Training on tribal/ state relations with 25 trainings planned for 2,500 state agency staff members. Tadd Johnson is the instructor.

We appreciate his expertise on federal Indian law. Linda read: #8 of the Executive Order 19-24: “The State has instituted Tribal State Relations Training (“TSRT”) which will be the foundation and basis of all other tribal relations training sources. All agencies must direct certain staff to complete training to foster a collaborative relationship between the State of Minnesota and Minnesota Tribal Nations. In addition to all Commissioners, Deputy Commissioners, and Assistant Commissioners, all agency employees whose work is likely to impact Minnesota Tribal Nations will attend TSRT training; Tribal Liaisons will actively support and participate in the TSRT.”

The plan is for training in June at Grand Portage, November at Fond du Lac. Have to narrow down training in Grand Portage due to event capacity. It is important to train the heads of agencies first. Added two more trainings: August at Red Lake and October 7<sup>th</sup>/8<sup>th</sup> Treasure Island - Prairie Island would host. The Governor’s office has been active in coordinating training. The Governor and Lieutenant Governor will be inviting all tribal leaders with an added 3.5 hours for interaction with Commissioners. Linda would be working with Minnesota Indian Affairs to get information out. We want to work with everyone on developing how the agenda will work.

President Chavers thanked Linda Aitken for her work on the training.

Acting Chairwoman Spry welcomed everyone.

Break 10:37 a.m. to check out.  
Resume meeting at 11:07 a.m.

Acting Chairwoman Spry informed everyone that when we break for lunch, sign name at station, Grand Portage would provide lunch.

*Human Services:* George Gogleye

Had the opportunity to attend the house meeting at Mille Lacs, it was good to listen to members. Something the state should do more often. Yesterday afternoon had a meeting with MIAAA Liaison, hopefully progress has been made with Board on Aging staff.

Caseloads in Duluth and Virginia tend to increase, looking at possibly bringing one more individual on board. A new employee, Mille Lacs band member will be assisting the Duluth office and possibly Virginia office.

Chairman Dupuis asked about the caseload, burn out issue. We are currently at 60 individual caseload/staff member. George stated that he keeps eye on staff with access to Workforce One.

*EDA GAP: Michael Northbird*

Michael Northbird presented the EDA GAP report as follows:

Thanks for approving the Great Lakes Resolution as it effects the Northern Minnesota Community as a whole.

Currently in the process of finalizing and closing out the GAP grant, and as previously reported the grant is ending June 30<sup>th</sup>, 2019. Fond du Lac (Project P2-FDL Assessing Potential Hydrological Changes in the St. Louis River Basin from Past and Future Land Uses, \$39,425) continues to make progress towards completing the FLOW modelling necessary for MCT to close-out the grant. Grand Portage portion (Project P1-GP Evaluation of Anthropogenic Micro Pollutants in Waters and Subsistence Species, \$43,338) has been completed.

The Program Manager has maintained grant administration functions. The Program Manager attended the quarterly State/Tribal Mining Meeting and MN Tribal Environmental Council Meeting held in Fond du Lac at the Resource Management Complex. The Program Manager will also be attending trainings for new grants and funding opportunities over the next quarter, as well as developing the next EPA GAP grant (Oct. 2019-Sept.2021).

The Program Manager, in partnership with the University of Minnesota, has finalized the planning for the 2019 Household Hazardous Waste (HHW) Waste-Site Worker Training that will take place from May 6<sup>th</sup>-10<sup>th</sup> in Fond du Lac. A total of 24 spaces were available and not all have been filled at this time.

As a reminder this training is intended for any Band staff that comes in contact with HHW during the performance of their job duties, including but not limited to: Gaming; Environment/Natural Resources; Housing; Health; Tribal Waste Management; and basically any custodial/janitorial staff from any department.

The purpose of this training is to facilitate proper training techniques and procedures for Band staff safety, the safety of Band members, the safety of Tribal venue patrons, protection of the environment, and saving the Bands training costs for capacity development. The training itself is a 24-hour OSHA module for safety certification.

The MCT Environmental Program continues to be ready to assist in any HHW collection event for 2019. In addition, assistance with disseminating community outreach/education and awareness material to MCT members is also available at the request of the Bands or their staff.

The MCT Environmental Program continues to review developments, such as changes in State/Federal/Tribal regulations, management updates, and pertinent environmental/natural resource issues. Any assistance related to these topics can be further pursued at the request of the TEC or NREC, and the individual Bands or their staff.

The MCT Environmental Program has pursued Great Lakes Restoration Initiative funding in order to assist in the facilitation of Mooz (Moose) research being conducted by the Grand Portage Band on behalf of the Minnesota Chippewa Tribe and its members. The MCT Environmental Program continues to pursue additional funding opportunities, as well as, conduct necessary trainings pertinent to environmental protection in collaboration and partnership with both Tribal and non-Tribal entities.

The current ETEP began implementation on October 1<sup>st</sup>, 2018. This 4-year plan will continue to build on the successes of the program and the direction being taken until 2022. The next EPA GAP grant is in development based on the projections identified in the ETEP and following the GAP guidance.

Motion by Chief Executive Benjamin to approve the EDA GAP quarterly report. Seconded by Acting Chairwoman Spry. 11 For, 0 Against, 0 Silent, Carried.

#### **LIQUOR LICENSE:**

Motion by Secretary-Treasurer LaRose to approve Liquor License for Cedar Lakes Casino. Seconded by Chairman Jackson. 11 For, 0 Against, 0 Silent, Carried.

#### **14<sup>TH</sup> ANNUAL INDEPENDENT TV FESTIVAL:** Philip Gilpin, Jr.

Group of story tellers starting to make films, this is one of 3 TV Festivals. We are looking at Minnesota as a long term home. There are a lot of creators looking for a place to move outside cities. The focus is finding new story tellers. It is an opportunity for story teller that would like to create a film to go to Duluth. This is open to public, a long term vision. Nothing happens unless voted through. The long term goal is to have production facilities to move into Duluth. The amount of jobs is tremendous, 92 thousand film jobs. The end game is to bring studios here.

Chief Executive Benjamin asked about contact information. Phil responded [ITVfst.com](http://ITVfst.com) [festivalitvfest.com](http://festivalitvfest.com).

President Chavers stated it sounds exciting and thanked Phil for coming. Arts and culture are something the youth are getting interested in.

#### **BIA MN AGENCY:** Patty Olby, Superintendent; Roger Heger, OST

Superintendent Olby provided an update on the following programs:

Forestry/Wildland Fire Staff consist of Agency Forester, Forestry Assistant, Fire Management Officer. (Other staff, such as Foresters and Fire personnel located in the field). Annual fire safety refreshers have been completed for all MCT Bands, and some prescribed burning has taken place already. (White Earth). The Bemidji Tanker base is now open in preparation for fire season and both the Helicopter and Fire Boss (fixed wing aircraft) contracts have begun. Recruiting Prescribed Fire/Fuels Specialist position at MN Agency.

Probate Staff are Supervisory Legal Administrative Specialist, Legal Administrative Specialist, 4 Contact Representatives. Everything is number driven, need to show resolut. The Goal for year are 150 probate cases to Office of Hearing and Appeals (OHA). Received and processed 69 Appraisal reports for OHA for 13 estates where the Bands have requested to purchase fractionated land interests during probate. Minnesota Chippewa Tribe Bands and MN Agency are blazing the trail on this effort. Recruiting Contact Representative Position at MN Agency. The Bureau was greatly impacted by the government shutdown.

Administration Staff, Office Automation Clerk, Administrative Officer position is vacant. Recruiting Administrative Officer, currently reviewing applications and hoping to make a selection soon.

Real Estate Services Staff, Lead Realty Specialist, 2 Realty Specialists. Continue to meet quarterly with the Tribal Land Offices, working together, discussing issues, and developing solutions.

We would also be sending out 4,000 post cards on the Landowners workshop, working with Gary & Joel for meeting space. We already conducted Land Owners Workshops on April 10<sup>th</sup> at Minnesota Chippewa Tribal Headquarters. There were two classes held with 60 people per session. It was a huge success, with much interest for future workshops. Topics included: BIA History, How we got to this point (fractionated interests), Treaty Era, Dawes Act, Forced Fee Patents, IRA, Self-Determination/Self Governance, Fractionated interests, Sources of revenue, Distribution of revenue, Consent requirements, Estate Planning, Selling, Gifting, Will Writing and Family Land Consolidation Plans. There was a waiting list of a couple dozen people. We hope to partner up and conduct more workshops.

Tribal TAAMS Users - Coordinating TAAMS training locally. Important for Tribal TAAMS users to attend, especially with Tribal Leasing Regulations (Hearth Act) being approved. Will be replacing Tribal TAAMS Users computers because they are pretty old now and are due to be replaced. Very important that Tribal TAAMS Users attend trainings. Could lose credentials, and will not have permissions within the system needed to perform all tasks. Could begin weeding out the BIA in certain tasks, where the Band could be scanning documents in (Leases under the Hearth Act) directly to LTRO (Land Title Records Office).

Partners in Action Conference - Planning for August this year. Most likely in Minnesota - Date and location to be determined.

The new BIA MN Agency building target date is set for fall of 2019. Hopefully be able to host own workshops there.

Chairman Dupuis asked with Bureau of Indian Affairs short staffed, what can tribes do to expedite the process. Superintendent Olby responded budget formulation, become involved in that. This is one time that Bureau of Indian Affairs can ask for own funding. Bureau of Indian Affairs the tribes are priority. Probate never makes it there.

Chairman Jackson stated his appreciation on the information regarding land. He asked if the Superintendent could include as a cc: Land Director. He would appreciate her working with Land Director on Leech Lake. Superintendent Olby responded yes.

Secretary-Treasurer McCormick informed the Superintendent that President Chavers was trying to have Tribal Executive Committee meet, and look at records located at the Bureau. Secretary-Treasurer McCormick asked the Superintendent for a bullet or one page summary for future meetings. Superintendent Olby stated she would try and provide.

Mr. Heger informed the Committee that Fond du Lac withdrew their Indian Land Consolidation Program monies. Bois Forte exceeded the \$100,000 of Indian Land Consolidation Program monies to be returned to the Tribe and must use this money for the purchase of future land interests. The Probate process – Fond du Lac is doing great with the process of purchasing at probate fractional interests and moving that purchased land back to tribe. A couple of White Earth's purchase at probates did not remit payment within thirty (30) days of the judge's order approving the purchase. Mille Lacs had one purchase at probate that was sent in and waiting to see if the judge would accept payment. There are things that can be done to move the probates along. OST had taken over the land buyback program. There are 638 contract monies available, need to get titles corrected. He would encourage them to come back before other tribes to get the opportunity.

Secretary-Treasurer McCormick stated the band staff and realty staff have been working hard to get together. She really wants to advocate, cohost events. In submitting the necessary information the program and took Grand Portage off the list. Grand Portage is ready to advocate, willing to work together with other bands. Consistently get beneficiaries that want to know process to sell their land.

Under the system Indian Affairs, Office of Special Trustee had a huge computer conversion. We redid the contract and saved money on a new system. We stay on top of Realty Departments to get the probates done and submitted within the 30 day timeframe.

Chairman Dupuis asked Mr. Heger to explain for the public's information the chain of command.

Mr. Heger informed the Committee that the Office of the Special Trustee for American Indians (OST) is now reporting to the Assistant Secretary of Indian Affairs under the Secretary, Department of the Interior. OST performs the accounting for income earned on trust lands for the benefit of Native Americans throughout the United States and disburses that income to the respective beneficiaries and Tribes. All these monies derived from trust lands come through our office. OST collects more than three billion dollars each year for the benefit of the Native Americans. The Cobell settlement was a lawsuit filed by Eloise Cobell Blackfeet Indian against the Federal Government for historic mismanagement of trust funds and land. The Cobell Lawsuit was settled for three billion dollars to be paid out in cash, scholarships and the land buyback program. The Cobell Land Buy Back Program now falls under OST.

Superintendent Olby stated that the Indian Land Owner Workshop goes over the chain of command what the Office of Special Trustee does and money vs land. Also Who's Who in Bureau of Indian Affairs.

A member asked if the training is offered in the urban area. Superintendent Olby stated that she is willing to travel anywhere invited, right now there is no budget for space.

Chairman Dupuis stated that the tribes and bands are always on a restriction of a timeline. Always an issue with the tribes, if it's directly affecting us, there should be something in place. The point is a time restriction, is there a way to do this. We need a waiver provision.

Mr. Heger responded that he thinks there should be an extension. One thing they stated that a tribal resolution is needed to make a payment. The Statue is in place for the 30 days. There should be an extension period in the process. Chairman Dupuis responded yes, with the man hours and resources put into the work.

Superintendent Olby stated that all the mail that is received is large for all. How can we prevent this from happening? Work together and come up with some solution.

Mr. Heger stated that tribes may want to pass a blanket resolution

Secretary-Treasurer Roy responded that we need to track all monies that are spent. We need to do what we need to do; we will take care of our business.

Secretary McCormick stated letters from band opposing the timeframe, who could we contact. Mr. Heger would forward information to him, he would bring it forward. Secretary McCormick stated that she is excited to get started and would send to Roger and Robbie.

Marcie (band) member stated that she didn't participate in the land buyback program. Told never to sell off your land by elders, there are a lot of people that haven't sold. I have a great amount of heirship land. Financial motivation is to get monies for your land. You have no say in what happens to the minerals or land after you sell. It's the individual rights to sell off your land, the next step is termination. The land is in trust with the federal government; the question is whenever they want to cut timber a letter is sent for signature requesting power of attorney to cut the timber. I live here and am not in it for the money.

Superintendent Olby stated the consent requirements go with what land owner says. If majority consent is not received through the land owners, nothing can be done. Attend the workshop which discusses land ownership, you don't need to sell; there is also estate planning to help keep in the land in the family. It's an individual's choice.

Beaulieu informed the Committee that there was 80 acres of land divided up, if no one does anything what happens to the land. What if I don't get 51% consent?

Superintendent Olby responded, individuals have the right to sell, majority consent (51%). Individuals who hold title now can do whatever they want with the land. As a group the majority can consent to sell.

Beaulieu asked, if the land sits there can tribe do what they want with it, if nothing is done.

Superintendent Olby stated when the interest gets to a certain fraction (5% or less), the tribe has the option of purchase at probate. Estate planning would keep the interest within the family. When a probate is complete it goes to the judge's office where it can sit for two years. Encourage people that want to keep land to start the process now.

Secretary-Treasurer Roy informed Mr. Heger that it's a common courtesy to bring issues to the individual bands. Bring issues to band leadership prior to meeting.

President Chavers asked for any additional questions or comments.

**LEGAL:** Phil Brodeen

Dealt with Stockholm

Phil stated that Gary, Joel and himself met with White Earth land staff regarding title issues. He would be getting tribal land staff together; there is a person at Regional Office that will look at it. The information their staff provided was good and needs to be shared. Before moving forward a Letter to Bureau of Indian Affairs Regional office on title issues needs to be submitted.

The second issue is the delisting of wolves. In March 2019 information was provide on delisting the grey wolf from endangered species list. All comment must be submitted before May 14, 2019. Phil would like to provide information on issues such as biological, cultural and public health response. He would like direction to act on behalf of the Minnesota Chippewa Tribe or the individual bands. State both. He would work on coordinating with staff in drafting commentary. By next week he would provide a draft report on May 10<sup>th</sup> to the Committee. It is apparent they are going to move forward even with our opinion. He feels it best to provide our comments to them anyway.

Chairman Dupuis asked if it is specific on hunting. Phil responded it takes off the regulations. Chairman Dupuis stated that Fond du Lac would post boarders - Closed to wolf hunting.

Phil stated note, the Commissioner of Department of Natural Resources would bring up. Beaulieu responded is this where the rights of nature comes in.

Kevin – yes, look at right now, with our teachings.



Johannsen spoke on behalf of the Constitutional Convention Delegates. He informed the Committee that they would like to mail a survey to the entire Minnesota Chippewa Tribe membership but have no budget to work with. He asked if the delegates get a survey together could they submit to the Minnesota Chippewa Tribe to mail out. So we can get a good idea of what's going on for our next meeting on May 17<sup>th</sup>. Marcie McIntyre stated the survey would be on agenda. Band members are excited about meeting and sharing information on face book. The information would be provided to Executive Director Frazer for distribution.

Beaulieu informed the Committee of their small collation – RISE - Resilient Indigenous Sisters Engaging. Their goal is to engage people in decisions that are made to include us. Quoted Mark Solheim (MLB) from 1998 – For centuries the Chippewa have hunted and for the identity of the Chippewa. Treaties are living documents. Tribes have inherited the right to manage their lands. Tribes have rescinded their land. Sovereignty is the power for a tribe to govern itself. The Minnesota Chippewa Tribe doesn't constitute a tribe. Failure to consult is not consent. Engage people on decisions affecting them. Treaties matter.

What should be on agenda under new business is wild rice Manoomin – we have critical issue at hand. Here for the future protection of wild rice, not popularity. Critical matters like this shouldn't have to wait another three months. We need to have special meetings, for critical issues, didn't have to wait until next month. The rights to Manoomin was signed by White Earth. 1855 should have been on agenda.

President Chavers stated the rights of Manoomin are important. Bois Forte did address this issue at Tribal Council meeting. Don't like to reinvent the wheel but support that.

Beaulieu responded the 1855 Treaty – climate change and saving traditional way of life. We should be having special meetings. The elected officials are to represent the people. Leaders would have led the way without questioning what our motives are. We should have respect when asking questions. We are here because we care; we don't feel the Tribal Executive Committee has done enough regarding the protection of wild rice.

President Chavers stated the meeting with the Governor's Stewardship Council was on wild rice. We want more information on a stewardship Council regarding wild rice. In February the Tribal Chairs met with MPCA at the MIAC meeting, including Lakota tribes. We are working on the wild rice issue we do have a wild rice task force. We developed our own wild rice task force. There is other factor and we are making other strides. They state it doesn't impact the water. They should follow us because we are the keepers of the wild rice.

Beaulieu informed the Committee we should have legislative to go since closing legislation in a month. Are we bringing to the Governor? We need the Minnesota Chippewa Tribe to sign, asking to unite and sign paper to protect this wild rice.

Phil responded that he is committed to bringing this to the next meeting.

President Chavers called for order.

Beaulieu asked why are you still finding reasons to not discuss.

President Chavers responded you need to respect elders. We are going to move on, you've disrespected Acting Chairwoman Spry.

**INFORMATIONAL:** Executive Director Frazer

Executive Director Frazer informed the Committee of a letter requesting the effect of the government shutdown on tribes. Request for a detail respond by June 30 2019.

Motion by Chief Executive Benjamin to adjourn the meeting at 12:35 p.m. Seconded by Acting Chairwoman Spry. 11 For, 0 Against, 0 Silent, Carried.