

**THE MINNESOTA CHIPPEWA TRIBE  
TRIBAL EXECUTIVE COMMITTEE**

Regular Meeting  
October 30, 2018

A Regular Tribal Executive Committee meeting was called to order at 8:50 a.m. by President Kevin Dupuis, Sr. at Northern Lights Casino Hotel & Event Center, Walker, Minnesota.

Invocation: Mike Smith

**ELECTION OF OFFICERS:**

Executive Director Gary Frazer opens nominations for President:

Melanie Benjamin nominated Catherine Chavers, Chairwoman, Bois Forte for President. Seconded by Sheldon Boyd.

Executive Director Gary Frazer calls for any other nominations three times, nominations closed.

Catherine Chavers President by acclamation.

Executive Director Gary Frazer calls for nominations for Vice President:

Alan Roy nominated Faron Jackson, Chairman, Leech Lake for Vice President. Seconded by Norman Deschampe.

Executive Director Gary Frazer calls for any other nominations three times, nominations closed.

Faron Jackson Vice President by acclamation.

Executive Director Gary Frazer calls for nominations for Secretary:

Melanie Benjamin nominated April McCormick, Secretary-Treasurer, Grand Portage. Seconded by Catherine Chavers.

Executive Director Gary Frazer calls for any other nominations three times, nominations closed.

April McCormick Secretary by acclamation.

Nominations for Treasurer:

Roger Smith, Reservation Business Committee Representative from Fond du Lac stated that White Earth representation was absent from last election of officers at TEC meeting held in White Earth. The election of officers was delayed at that time; today there is only one representative from Fond du Lac sitting on the Tribal Executive Committee, no proper representation for Fond du Lac today.

Catherine Chavers responded to the issue. Tribal Executive Committee members received an email from Ferdinand Martineau, Secretary-Treasurer, Fond du Lac stating that he did not wish to be considered for any officers' positions. Had concerns been voiced earlier she agreed that there could have been a hold, but the voting process had already started and Secretary-Treasurer Martineau expressed his wishes. Chairwoman Chavers responded to proceed with nominations.

Executive Director Gary Frazer calls for nominations for Treasurer:

Terrance Tibbetts nominated David Morrison. Seconded by Faron Jackson.

Executive Director Gary Frazer calls for any other nominations three times, nominations closed.

David Morrison, Treasurer by acclamation.

Roll Call: Dave Morrison, Secretary-Treasurer, Bois Forte; Catherine Chavers, Chairwoman, Bois Forte; Norman Deschampe, Chairman, Grand Portage; April McCormick, Secretary-Treasurer, Grand Portage; Sheldon Boyd, Secretary-Treasurer, Mille Lacs; Melanie Benjamin, Chief Executive, Mille Lacs; Kevin Dupuis, Sr. Chairman, Fond du Lac; Faron Jackson, Chairman, Leech Lake; Arthur LaRose, Secretary-Treasurer, Leech Lake; Terrance Tibbetts, Chairman, White Earth; Alan Roy, Secretary-Treasurer, White Earth.

Absent: Ferdinand Martineau, Secretary-Treasurer, Fond du Lac.

Other Present: Gary Frazer, Executive Director MCT, Phil Brodeen, Legal Counsel MCT, Joel Smith, Director of Administration MCT, Syngen Kanassatega, Legal and Policy Counsel, Mille Lacs; Brad Harrington, Commissioner of Natural Resources, Mille Lacs; Shena Matrouis, Government Affairs Area Relations/Special Projects, Mille Lacs; Bridget Donahue, Dir. Real Estate, Mille Lacs; Emily Johnson, Strategic Initiatives Coordinator/Deputy Assistant, Mille Lacs; Nora Benjamin, Special Events Coordinator, Mille Lacs; Brad Harrington, Commissioner of Natural Resources, Mille Lacs; Wendy Merrill, Legislative Office Manager, Mille Lacs; Shelly Diaz, Urban Rep., Mille Lacs; John Morrin,

Others Present: Rep., Grand Portage; Marie Spry, Rep., Grand Portage; Agatha Armstrong, Executive Assistant, Grand Portage; Leroy Staples, Rep., Leech Lake; Ben Benoit, Environmental Director, Leech Lake; Tammy LaRose, Enrollment Director, Leech Lake; Lenny Fineday, Legal, Leech Lake; Dale Greene, Self-Governance, Leech Lake; Diane Osceola, Executive Assistant, Leech Lake; Wally Storbakken, Government Relations, Leech Lake; Corey Strong, Executive Director, Bois Forte; Roger Smith, Rep., Fond du Lac; Dennis Olson, Executive Director, MIAC; Tim LaPointe, Regional Director, BIA-Midwest Region; Patty Olby, Superintendent, BIA-MN Agency; MCT staff and other interested parties.

**SWEARING IN OF OFFICERS:** Kevin Dupuis, Sr.

Motion by Chief Executive Benjamin to approve the agenda with additions. Seconded by Secretary-Treasurer Roy. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve the minutes of May 3, 2018, Special meeting. Seconded by Chairman Tibbetts. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Decshampe to approve the minutes of June 11, 2018, special meeting with corrections. Seconded by Secretary-Treasurer Morrison. 10 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer LaRose to approve the minutes of July 9, 2018, regular meeting with corrections. Seconded by Secretary-Treasurer Roy. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Tibbetts to approve the minutes of August 21, 2018, special meeting with corrections. Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

**RESOLUTIONS:**

Executive Director Frazer presented updated version of the FY 2019 Operating Budget with two (2) options – one that included salaries for Officers and one without Officers' salaries. It also included a \$60,000 budget for elections next year that Secretary-Treasurer Roy discussed and recommended at Legislative sub-committee meeting on October 29, 2018.

Discussion: Chairman Dupuis asked to clarify what the options are for the audience. Does Cost of Living Adjustment (COLA) apply to Officers? I am opposed to this if it is. Secretary-Treasurer Roy responded that there are no considerations for COLA for Officers, it is only for employees of the MCT.

Motion by Chairman Deschampe to approve Operating Budget Option #2. Seconded by Secretary-Treasurer LaRose. 9 For, 1 Against (Chairman Dupuis), 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 01-19 FY 2019 Operating Budget Option #2. Seconded by Chairman Dupuis. 10 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Roy to approve Resolution 02-19 regarding Cost of Living Increase for MCT employees only. Seconded by Chairman Dupuis. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 03-19 regarding Circle of Flight FY2018 Funding. Seconded by Chairman Deschampe. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 04-19 regarding request to BIA for Carryover funding. Seconded by Chairman Jackson. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 05-19 regarding Memory Keepers Medical Discovery Team. Seconded by Secretary-Treasurer Morrison. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 06-19 regarding enrollment: Fond du Lac Eligibles (23). Seconded by Secretary-Treasurer Morrison. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 07-19 regarding enrollment: Fond du Lac Ineligibles (13). Seconded by Secretary-Treasurer Morrison. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 08-19 regarding enrollment: Fond du Lac No Parent Enrolled (3). Seconded by Secretary-Treasurer Morrison. 10 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 09-19 regarding enrollment: Bois Forte Eligibles (10). Seconded by Chairman Deschampe. 10 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 10-19 regarding enrollment: Bois Forte Ineligibles (1). Seconded by Chairman Deschampe. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Tibbetts to approve Resolution 11-19 regarding enrollment: White Earth Eligibles (36). Seconded by Secretary-Treasurer Roy. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Tibbetts to approve Resolution 12-19 regarding enrollment: White Earth Ineligibles (30). Seconded by Secretary-Treasurer Roy. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Tibbetts to approve Resolution 13-19 regarding enrollment: White Earth Blood Degree Change I. Seconded by Secretary-Treasurer Roy. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Tibbetts to approve Resolution 14-19 regarding enrollment: White Earth Blood Degree Change II. Seconded by Secretary-Treasurer Roy. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Tibbetts to approve Resolution 15-19 regarding enrollment: White Earth Blood Degree Change III. Seconded by Secretary-Treasurer Roy. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Tibbetts to approve Resolution 16-19 regarding enrollment: White Earth Blood Degree Change IV. Seconded by Secretary-Treasurer Roy. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Tibbetts to approve Resolution 17-19 regarding enrollment: White Earth Blood Degree Change V. Seconded by Secretary-Treasurer Roy. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Tibbetts to approve Resolution 18-19 regarding enrollment: White Earth Blood Degree Change VI. Seconded by Secretary-Treasurer Roy. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Tibbetts to approve Resolution 19-19 regarding enrollment: White Earth Blood Degree Change VII. Seconded by Secretary-Treasurer Roy. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Deschampe to approve Resolution 20-19 regarding enrollment: Grand Portage Eligibles (3). Seconded by Secretary-Treasurer McCormick. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Deschampe to approve Resolution 21-19 regarding enrollment: Grand Portage Ineligibles (4). Seconded by Secretary-Treasurer McCormick. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 22-19 regarding enrollment: Leech Lake Eligibles (58). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 23-19 regarding enrollment: Leech Lake Ineligibles (23). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 24-19 regarding enrollment: Leech Lake Transfer to Bois Forte (1). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 25-19 regarding enrollment: Leech Lake Relinquish from Red Lake (2). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 26-19 regarding enrollment: Leech Lake Relinquish from Rosebud Sioux Tribe (1). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 27-19 regarding enrollment: Leech Lake Blood Degree Change I (1). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 28-19 regarding enrollment: Leech Lake Blood Degree Change II (1). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 29-19 regarding enrollment: Leech Lake No Parent Enrolled (5). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 30-19 regarding enrollment: Leech Lake Removal Dual Enrollment (3). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 31-19 regarding enrollment: Bois Forte Transfer to Leech Lake (1). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

#### **QUARTERLY REPORTS:**

Joel Smith presented the quarterly Administrative report.

Motion by Secretary-Treasurer McCormick to approve the administrative quarterly report as presented. Seconded by Terrance Tibbetts. 10 For, 0 Against, 0 Silent. Carried.

Rick Wuori presented the quarterly Finance Corporation report.

Discussion on the appraisals, only loan money to clients up to appraisal cost, above and beyond that is the client's responsibility. Appraiser charges can be expensive, their difficulty with trust properties, often finding multiple appraisers is not time effective. Example given, if appraisers come in at different amounts, so there is the time frame there that 'X' purchase could affect the purchase depending on the timing of the purchase agreement. Chairman Dupuis asked is it better with three appraisals as opposed to one? Rick responded that the appraisers use the same comparisons so it's not any different. Chairman Dupuis asked does the homeowner pay for appraisal. Can't the homeowner choose or select their appraiser. Rick stated, no one know the appraisers that would be selected. Chairman Dupuis responded that Fond du Lac gets 3 appraisers and utilizes the best deal. Chairman Jackson asked Rick about the interest rate percentage through the tribe. Rick responded percentage can be as low as 3% but not higher than 6%. Chairman Jackson asked about members living outside the reservation. Rick stated the loan are available for members regardless of where they live as our service area is the State of Minnesota.

Motion by Chief Executive Benjamin to approve the quarterly Finance Corporation report as presented. Seconded by Chairman Jackson. 10 For, 0 Against, 0 Silent. Carried.

Jeff Brunelle presented the quarterly Economic Development report.

Motion by Secretary-Treasurer LaRose to approve the quarterly Economic Development report as presented. Seconded by Secretary-Treasurer McCormick. 10 For, 0 Against, 0 Silent. Carried.

Billie Annette presented the quarterly Education report.

Billie informed the Committee that it's a New Year and new cycle. Office of Indian Education, Dr. Harstad, has Early Childhood scholarships available. Information will be mailed out in FY20-21. MRA – American Indian Aide grant – used for non-native kids – should be used for Native American Children. American Indian Aide – identification of native student is an on-going conservation. What kids should to be able to receive services? Billie informed the Committee, that MIEA is scheduled for November 14-16, 2018 in Hinckley. Conference cost is \$650.00. In addition, there is a quiz bowl competition during the conference with 20 Ojibwe teams competing along with some Dakota tribes. Chairman Dupuis stated that tribe should be determining our tribal membership and rules established by federal/state agencies should not apply. We lose funding and it is an infringement on our sovereignty. Not enough funding guaranteed. Need legislation to change this.

Motion by Chairman Jackson to approve the quarterly Education report as presented. Seconded by Terrance Tibbetts. 10 For, 0 Against, 0 Silent. Carried.

George Goggeley presented the quarterly Human Services report.

President Chavers expressed her concern with the MIAAA Board selection of non-natives providing services that we can provide. They are utilizing non-natives, which is not right for us, we need to get involved with state committee and government. This is a dis-service to our programs. Not a lot of people will appreciate non-natives coming into our communities telling us how things should be. Chairman Jackson stated that it's sad to hear the Adult Day Services program for elders is closing. It's important we have the services out there that elders can utilize. Hate to look at it as an expense and cost issue, but can't we come up with options as opposed to closing the doors? Trying to get elders together, don't see how it costs so much. George responded that it's not something new; the program has been struggling, unable to sustain itself as a business. The \$150,000/year cost in rent, lights, etc., isn't small stuff. The MIAAA staff is providing services by going into the Communities and sharing activities. The activities haven't stopped happening they are still continuing. Secretary-Treasurer Roy stated at the Legislative subcommittee there was a potential amendment re: ICWA. Requested administration to reach out to White Earth ICWA Board regarding code inconsistency between bands, creating complications. George stated we could bring some experts to the table, we still need to respond to ICWA questions. Secretary-Treasurer Roy stated it's urgent, some of our tribal standards are below the State or BIA requirements. Chairman Dupuis agreed; we need to consistency across the board. Anytime we have others telling us what to do, we need to push back and dictate how we move forward. President Chavers stated the more we sit back the more they take, it's important to get together and discuss these issues. Recommend further discussion at next Legislative and Human Services/Education subcommittees.

Motion by Secretary-Treasurer Roy to approve the quarterly Human Services report as presented. Seconded by Chairman Dupuis. 10 For, 0 Against, 0 Silent. Carried.

Michael Northbird presented the quarterly EPA report.

Michael informed the Committee that he had no information in his report pertaining to the Wild Rice Task Force and asked if any Committee member would be able to provide an update.

Secretary McCormick informed the Committee that the Wild Rice Task Force was moving forward. Michael stated that there would be an in person meeting scheduled for November 28th in Mille Lacs, and then we have a two week timeframe to provide our response to the Governor (December 15<sup>th</sup> deadline). President Chavers asked if there was a timeline established for representative to be on the taskforce. Michael stated that he would like to know by Friday November 2<sup>nd</sup> in order to get moving with setting up the meetings. President Chavers reminded



the Tribal Councils to have their Wild Rice taskforce members selected and names to Michael by Friday. Secretary-Treasurer Roy asked for a report that would include a series of recommendations to the House and Senate. Sulfate standards, we need to push for legislation to raise the standards. If we can get ahead, we need pressure to raise or keep the guidelines where they are at. President Chavers stated we are always fighting battle on sulfate and liked the idea on legislation. We are the experts on Wild Rice.

Motion by Chief Executive Benjamin to approve the quarterly GAP report as presented.  
Seconded by Chairman Deschampe. 10 For, 0 Against, 0 Silent. Carried.

10:52 a.m. – 15 minute recess called

11:19 a.m. – resume meeting

**BIA-MN AGENCY:** Patty Olby, Superintendent

Superintendent Olby presented an overview of the Bureau's activities. She informed the Committee that a budget formulation webinar is schedule for tomorrow at 9:00 a.m. Midwest Regional Office Coordinator is Delores Reeves, Deanna DeJesus is assisting. There are vacancies for Probate staff up to two positions pending the budget. The probate office met 100 % of its GPRA goals this past fiscal year. Superintendent Olby noted that Greg Peterson, Fire Management Officer retired in August 2018 and we will be advertising to fill that position. The Realty Department has been restructured, there are currently three Realty Specialists: Anne Garrigan (Fond du Lac/Mille Lacs), Rita Cannon (Bois Forte/Leech Lake), Annabell Kingbird (Grand Portage/White Earth).

The Minnesota Agency completed its trust audit: discussed leasing of trust lands – each Band uses their own forms, be each of them need to contain required provisions. A template has been sent to reservation Realty staffs and additional information is in the Leasing handbook. Superintendent Olby offered an open invitation to the Committee for a tour of the BIA offices.

Tim LaPointe, Regional Director, Midwest Regional office discussed the budget FY20-21 on November 14 – 16 is the Tribal Interior Budget Committee meeting in Washington, D.C. He also stated that they are short staffed in the Realty Department. The continuing resolution for operations is through December 8<sup>th</sup>. Discussion on land transfer: Minnesota Chippewa Tribe to bands, opinion issued. Authority to approve transfers, opinion in place – under statute 25 USC 177. Once tribe has land in trust it can't be taken out of trust. Chairman Jackson asked wouldn't it go to federally recognized tribe, the six bands give it the federal recognition. Regional Director LaPointe responded the Minnesota Chippewa Tribe is viewed as a separate tribe; his recommendation is to obtain legislation. Chairman Jackson stated this has been talked about for years; this land belongs to the tribe, going to people who rightfully own this land. Regional Director LaPointe stated the issue is authority, 1893 – 2009, documentation where it's been

looked at thoroughly, can go back and look at differently. Secretary-Treasurer Roy asked when 25 USC 177 was passed. Regional Director LaPointe responded that it was done in the twentieth century. Secretary-Treasurer Roy asked legal team, how did individual reservation land end up as Minnesota Chippewa Tribe lands. Superintendent Olby stated that she provided a jump drive with source documentation on how the Minnesota Chippewa Tribe acquired the lands at the last regular Tribal Executive Committee meeting. Secretary-Treasurer Roy asked is it possible that some of these transactions are in violation of 25 USC 177. Superintendent Olby responded these lands were deeded/probated, the issue is tribe disposing of land to tribes that's the issue. Regional Director LaPointe informed that Committee that it can be looked at. Chairman Jackson responded the Minnesota Chippewa Tribe was established in 1934 – don't think tribes relinquished lands to the Minnesota Chippewa Tribe at that time. Secretary-Treasurer Roy stated that it goes back to authority. Chairman Dupuis asked if there are any Minnesota Chippewa Tribe lands with individual interests. Superintendent Olby responded no, it is 100% Minnesota Chippewa Tribe land. Chairman Dupuis asked if Minnesota Chippewa Tribe land was transferred wrong and if the tribe pursues, what does it render. Regional Director LaPointe stated that it needs legislation. Chairman Dupuis asked could an individual sue the BIA. Secretary McCormick asked how long this has been an issue, and, as Federally recognized tribes we stand on our inherent tribal sovereignty. The point is the Minnesota Chippewa Tribe and the Tribal Executive Committee as a body is ready to move forward. What's needed from the BIA is support. It's a unique relationship that the bands have together through Minnesota Chippewa Tribe that is different from other tribes; the bands have given the authority to do this and are united and ready to move forward. What can you do to move this process forward? Regional Director LaPointe stated it goes to delay to approve transfers. Phil Brodeen, Legal Counsel advised Committee that our premise was on ILCA transfer authority and to go forward, keep exploring other options not foreclosing either option, and looking into the rational of why is this not working as proposed? Plan on conducting meetings going forward. President Chavers stated, I think you are right Phil, I think what Alan, Kevin, Faron and April have said is we are ready to move forward with this, that there is a lot of history with this proposal to get our land back; identify the stumbling blocks, we need to figure out how to get around this. Maybe our legal teams from the reservations can get together with Phil and hash this out. This would give us more drive to move forward. I appreciate you coming here today (Director LaPointe) and letting us know that you its disheartening to know that if submitted today it would not be approved. We've been communicating this for years this is what we want to do, we are not going to give this up, the time has come to do it. Regional Director LaPointe stated that he would commit any resources to look at options. Chairman Jackson stated that this gets complicated when land belongs to us. We've always advocated to manage the lands located on our reservations. Examples of percentage of land ownership owned by the band within its respective reservation, there are different scenarios. If the Minnesota Chippewa Tribe disbands what would become of the land?

Superintendent Olby was asked by audience member who's trust responsibility is it to – individual members or the Tribes? The trust responsibility extends to our ancestors from the 1800s – 1900s should be first. Then the IRA. Legally you're alienating me from MCT trust lands. Part of the issue 'is there is good record keeping'. Regional Director LaPointe stated alienation is transfer of the property, not reference to individuals. Mention definition of American Indian, encourage you to take U.S. out of your Constitution. Try very hard to promote fee-trust, any applications you have, submit today we would like to get as much land into trust as possible.

**Office of Special Trustee:** Roger Heger, BIA-MN Agency

Mr. Heger informed the Committee that his office is currently working with the Fond du Lac Band on the buy-back program. He would be the first office to move into the new office building in June 2019. Continually working on Individual band members' accounts and keeping addresses updated. Fond du Lac, Leech Lake and White Earth is active with the purchase at probate option – Administrative Law Judges can make those decisions during probate proceedings. Office of Special Trustee's recent trust audit issued with no issues. Mr. Heger thanked all tribal councils for assisting in getting all forms completed and properly done.

**FOND DU LAC NCAI RESOLUTION:** Chairman Dupuis

Chairman Dupuis gave an updated from last NCAI meeting. Stated there are issues with NCAI staff, regarding nature of complaints raised by female employees. Question is asked, why this wasn't addressed immediately – the NCAI Executive Director has been placed on leave. Why was there no disciplinary action done. Fond du Lac drafted a resolution to NCAI regarding the nature of complaints. Sexual misconduct is taken seriously. Fond du Lac did this on our own (referenced resolution) and not coming from MCT as a whole. There is no Tribal Executive Committee Resolution. President Chavers stated this is an important issue and needed to be addressed.

**LEECH LAKE LEGAL:** Grace Elliot

Ms. Elliot discussed the Supreme Court ruling regarding the State tax on internet sales generate 130-200 million dollars. The State of Minnesota is collecting on tribal members that live on the reservation, they do not have the authority to do so. The Options are exempt forms or separate agreements. A fair balance would be purchases over \$1000.00 are exempt and money goes to the tribal members. Her recommendation would be to form an agreement with the State. State drafting process new exemption forms. The new quarter date is October 1<sup>st</sup>, they would know how much was generated and paid back to individuals. The State is saying they only heard from Leech Lake and would like to make the reservations aware and be more unified to get monies paid back. They need a formula to do in a uniform manner. Ms. Elliot appeal to the Tribal

Executive Committee to reach out to State on tax monies they are not entitled to. Look at how to get the monies back to the tribal members.

Phil Brodeen stated that it was a good idea that all six bands get on board, move in uniform fashion would be beneficial. In South Dakota, the state pits tribes against each other.

Dennis Olson responded that some tribes are looking at other tax issues. This is an opportunity to be unified. She recommended as soon as possible get a timeline on looking at formula we propose.

President Chavers stated the longer we wait, the worse it gets. Let's get together and get on this December 1<sup>st</sup>, Phil would coordinate and email the information out.

Phil responded we might have a little time with transition in the Governor's office.

**HOMELESS ENCAMPMENT UPDATE & VETERAN TOPIC:** Secretary-Treasurer Roy

Secretary-Treasurer Roy informed the Committee on October 26<sup>th</sup> the site would be demolished. Budget formulated in next few weeks. So far 18 families have been placed in homes. He would provide information to the Committee. Delegation was sent to the encampment from White Earth, Leech Lake and Fond du Lac. White Earth is monitoring closely as there are lots of White Earth members living at the encampment.

Secretary-Treasurer Roy discussed the Veterans. He stated that there are three main issues: 1. Accountability, 2. Veterans, 3. Constitution. White Earth is currently revising their Veterans Employment Policy. This should be considered at the next Tribal Executive Committee meeting along with the individual bands recommendations. 17% Native American Veteran unemployment rate. What is tribal sector doing for Native American Veterans? Not one program that is Native American Veteran orientated, he would consider recommendations. President Chavers stated that one of their IT staff at Bois Forte is deployed in Kuwait and his job is ready for him when he comes home. My mother was a WWII veteran, there is a lot more we can do for our veterans.

**STATEWIDE TRIBAL TOUR:** Barb Fabre

Ms. Fabre presented a report on Healthy Children, Healthy Nation. She stated they would like to have an Early Childhood tour at the following reservations: Mille Lacs, Leech Lake Red Lake and White Earth. A meet and greet. A summary of the tour will be provided. President Chavers responded that Early Childhood education is critical.

Ms. Fabre also commented that the Education report by Billie Annette resonated with her as she's been a school board member for eight years. When was the last time you heard our kids speaking Ojibwe? How many are speaking Spanish now – that's what's being taught in schools. She is working with Close the Gap. Early childhood education is key. Children of color are coming into kindergarten with a 3000-4000 word vocabulary. Higher and mid-income students of the same age are coming in with 30000-40000 word vocabulary. "Epigenetics" may account for the disparities – but, it can be changed.

**LEGAL:** Phil Brodeen

Phil Brodeen congratulated President Chavers on being the first female president of the Minnesota Chippewa Tribe.

Phil discussed the Censorship Ordinance, stating that he would like to set a date to receive information from each band in regard to their review and present to the Committee at the next quarterly meeting scheduled for January, 2019.

Phil then discussed the analysis on removing the Secretary of the Interior from the Secretarial Election requirements. The advantages: Constitutional amendment by election called by the Secretary of the Interior – conduct Secretarial Election removing the Secretary of the Interior from the Constitution.

Secretary-Treasurer Roy provided the following commentary:

1. Free people do not ask permission to govern themselves.
2. Government, tribal or otherwise, is not to be trusted.
3. Asked for resident breakdown by band/reservations. Produce and post the primary and general election results from 2000 to current on MCT website. Include polling places and candidates as well as the 2005 Secretarial Election results.

Requirement – live on the reservation (12,000) Article XII – majority for amendment. Article XIII – referendum - Article XIV – petition. Need accurate numbers. The Secretary of the Interior is mentioned 17 times in the Constitution. Tribal members need protections from their governments. Need court/judiciary established for those protections. Article V/Article VI – need to be looked at.

Secretary-Treasurer Roy asked if removing Secretary of the Interior would affect our recognition as a tribe. Phil Brodeen responded no. He then asked if it would affect the funding to which Phil responded no. Secretary-Treasurer Roy stated the Tribal Executive Committee must show good faith that the TEC is serious as well. If we don't, we will lose this opportunity. Secretary-Treasurer Roy stated the Secretarial election to remove the Secretary of the Interior and introduce independent courts, make a decision by December. He believes that if we give the

people the opportunity, the people would show up to vote. Secretary-Treasurer Roy it was a strategic move to add \$60,000 to the budget. I truly believe if we commit, the people will vote. President Chavers commented that Constitutional reform will happen and Secretary-Treasurer Roy, I like your drive and motivation. We need to let the people decide. I want to welcome all of the delegates who are in attendance today and thank you for your commitment. Get further into the Constitution; delegates would need to work hard. Secretary-Treasurer Roy – Madam President can we, in December have a special meeting to vote on this? President Chavers responded yes.

White Earth, Bois Forte, Fond du Lac Constitution Reform delegates –

Frank Reese – How did Bois Forte select delegates? President Chavers – letter submitted on why they wanted to be a delegate. We also went to the metro area to get our members involved. Secretary-Treasurer LaRose stated Leech Lake would provide their delegate listing in about seven days.

Eugene Summers, delegate from White Earth. Held town hall meetings in all Districts, voted on delegates. All spots filled except Rice Lake Township (District I), but will have a re-vote.

Jason Burnett, delegate from Grand Portage. Asked about the process for selection, I'm a little confused on how we're doing this at Grand Portage. Irene Benjamin stated Mille Lacs hasn't selected delegates yet.

Chairman Deschampe stated that Grand Portage posted notices. We need to do more recruiting, but the question is from young parents is what is the time commitment, timeframe, it seems that no one can answer that for them. Jason – identified number of problems, asking questions, trying give some answers.

Secretary-Treasurer Roy responded that at White Earth, we will be passing a resolution to allow those who are working time to do this as a civic duty without having to take leave or jeopardize their jobs.

Missy Fairbanks (White Earth) – we put together work groups, set up town hall meetings, explained what is going on. We have a uniform, diverse group that is dedicated and committed from elders to future generations – it needs to come from the heart. Native humor, caring and dedicated.

Irene – I would like to see hands of Mille Lacs delegates. East Lake and Sandy Lake is carrying on meetings. Irene stated if you're passionate about it, you will find a way to commit. I'm raising two grandkids now, grandpas and grandmas need same support too.

Public radio, social media – use this to get people to connect.

Brackeen vs. Zinke

ICWA case – appeal in the 5<sup>th</sup> circuit Court.

Potential amendment MN law regarding child endangerment – take a strong position on it – can come up with language proposal and send comments on.

**MOU/MCT – Drug testing**

The Minnesota Chippewa Tribe is contracting with the Leech Lake Reservation for drug testing. Joel stated he was provided the contact number and would get draft together.

Motion by Chairman Deschampe to approve the MOU between the Leech Lake Reservation and the Minnesota Chippewa Tribe for Drug testing service, Seconded by Secretary-Treasurer Roy. 10 For, 0 Against, 0 Silent. Carried.

**NEW BUSINESS:**

Tanya Aubid (Niibi) – Resolution opposing Line 3 presented. First Nations people in Canada were not consulted. As a governing body, you need to talk about it. Need to consult. 1855 ceded territory belongs to us. Document provided by Irene Benjamin, read by Niibi. Pass it on to your people back home.

Nancy Beaulieu commented on resolution, 72-17 Cumulative Impact Assessment. The Native Taskforce on Wild Rice needs to consider all threats to Mahnomen, not just sulfates.

Motion by Chief Executive Benjamin to adjourn the meeting at 1:25 p.m. Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.