

THE MINNESOTA CHIPPEWA TRIBE
Tribal Executive Committee
Regular Meeting
January 31, 2020

A regular Tribal Executive Committee meeting was called to order at 8:47 a.m. by President Chavers at Shooting Star Hotel, Casino & Event Center, Mahnommen, Minnesota.

Invocation: Murel Deegan
White Earth Drum Group

Roll Call: Michael J. Fairbanks, Chairman, White Earth; Alan Roy, Secretary/Treasurer, White Earth; Faron Jackson, Chairman, Leech Lake; Archie LaRose, Secretary/Treasurer, Leech Lake; Beth Drost, Chairwoman, Grand Portage; April McCormick, Secretary/Treasurer, Grand Portage; David Morrison Sr., Secretary/Treasurer, Bois Forte; Catherine Chavers, Chairwoman, Bois Forte; Ferdinand Martineau, Secretary/Treasurer, Fond du Lac; Kevin Dupuis, Chairman, Fond du Lac; Sheldon Boyd, Secretary/Treasurer, Mille Lacs; Melanie Benjamin, Chief Executive, Mille Lacs;

Quorum

Others: Shannon Heisler, Enrollment, White Earth; Tony Villebrun, Enrollment, White Earth; Robert Lintelman, Forester, BIA-MN Agency; Annabelle Kingbird, BIA-MN Agency; Peter Boney, Rep., Bois Forte; Nora Benjamin, Mille Lacs; John Morrin, Grand Portage; Emily Johnson, Strategic Initiatives Coordinator/Deputy Asst., Mille Lacs; Steve White, Rep., Leech Lake; Peter Nayquanobe, Mille Lacs; Tammy LaRose, Enrollment, Leech Lake; Rick Smith, MHFA; Shane Drift, Rep., Bois Forte; Bruce Savage, Rep., Fond du Lac; Shelly Diaz, Mille Lacs; Kurt Kalk, Mille Lacs; Kaleb Dog Eagle, Syngen Kanassataga, Mille Lacs; Faith Algren, Nijjii Radio, White Earth; Lee Staples, Spiritual Advisor, Mille Lacs; Mary Otto, MCT Staff and other interested parties.

Motion by Secretary/Treasurer Roy to add Land Transfer issue to agenda.

Subsidiary motion by Chief Executive Benjamin to table the Land Transfer issue until court cases are addressed. Seconded by Secretary/Treasurer Boyd.

President Chavers stated there is an initial motion on the floor by Secretary/Treasurer Roy. Secretary/Treasurer Roy retracts his original motion.

President Chavers called for a vote on subsidiary motion by Chief Executive Benjamin. 8 For (Jackson, LaRose, Drost, McCormick, Morrison, Martineau, Benjamin, Boyd), 3 Opposed (Dupuis, Fairbanks, Roy). Motion carried.

Chief Executive Benjamin addressed the Tribal Executive Committee and audience stating due to the funeral of a district Judge today she may need to leave early, around 11:30 a.m.

President Chavers called for a vote on approval of the agenda.

Motion by Chief Executive Benjamin to approve the agenda. Seconded by Chairwoman Drost, 10 For, 1 Against (Roy), 0 Silent. Motion carried.

Motion by Secretary/Treasurer Martineau to approve the minutes of October 30, 2019 and December 9, 2019. Seconded by Chief Executive Benjamin. 11 For, 0 Against, 0 Silent. Motion carried.

RESOLUTIONS:

Motion by Chief Benjamin to approve Resolution 37-20 Supporting the Minnesota Housing Finance Agency. Seconded by Secretary/Treasurer Boyd. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Secretary/Treasurer Roy to approve Resolution 38-20 Native American CDFI Assistance Program (NACA) FY2020/2021. Seconded by Chairwoman Drost. 11 For, 0 Against, 0 Silent. Motion carried. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Fairbanks to approve Resolution 39-20 Grant submission for MIAAA unmet needs and budget shortfall. Seconded by Secretary/Treasurer Roy. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Jackson to approve Resolution 40-20 regarding enrollment: Leech Lake Eligibles (47). Seconded by Secretary/Treasurer LaRose. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Jackson to approve Resolution 41-20 regarding enrollment: Leech Lake Ineligibles (13). Seconded by Secretary/Treasurer LaRose. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Jackson to approve Resolution 42-20 regarding enrollment: Leech Lake Blood Degree Change I. Seconded by Secretary/Treasurer LaRose. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Jackson to approve Resolution 43-20 regarding enrollment: Leech Lake Blood Degree Change II. Seconded by Secretary/Treasurer LaRose. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Jackson to approve Resolution 44-20 regarding enrollment: Leech Lake No Parent Enrolled (1). Seconded by Secretary/Treasurer LaRose. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Dupuis to approve Resolution 45-20 regarding enrollment: Fond du Lac Eligibles (12). Seconded by Secretary/Treasurer Martineau. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Dupuis to approve Resolution 46-20 regarding enrollment: Fond du Lac Ineligibles (29). Seconded by Secretary/Treasurer Martineau. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Dupuis to approve Resolution 47-20 regarding enrollment: Fond du Lac Blood Degree Change. Seconded by Secretary/Treasurer Martineau. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Fairbanks to approve Resolution 48-20 regarding enrollment: White Earth Eligibles (57). Seconded by Secretary/Treasurer Roy. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Fairbanks to approve Resolution 49-20 regarding enrollment: White Earth Transfer to Leech Lake (3). Seconded by Secretary/Treasurer Roy. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Fairbanks to approve Resolution 50-20 regarding enrollment: White Earth Relinquish to Red Lake (2). Seconded by Secretary/Treasurer Roy. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Fairbanks to approve Resolution 51-20 regarding enrollment: White Earth Blood Degree Change. Seconded by Secretary/Treasurer Roy. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Fairbanks to approve Resolution 52-20 regarding enrollment: White Earth No Parent Enrolled (2). Seconded by Secretary/Treasurer Roy. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Secretary/Treasurer Morrison to approve Resolution 53-20 regarding enrollment: Bois Forte Eligibles (26). Seconded by Secretary/Treasurer Martineau. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Secretary/Treasurer Morrison to approve Resolution 54-20 regarding enrollment: Bois Forte Ineligibles (9). Seconded by Secretary/Treasurer Martineau. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Secretary/Treasurer Morrison to approve Resolution 55-20 regarding enrollment: Bois Forte to Keweenaw Band of Michigan. Seconded by Secretary/Treasurer Martineau. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Secretary/Treasurer Morrison to approve Resolution 56-20 regarding enrollment: Bois Forte Blood Degree Change. Seconded by Secretary/Treasurer Martineau. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairwoman Drost to approve Resolution 57-20 regarding enrollment: Grand Portage Ineligibles (2). Seconded by Secretary/Treasurer McCormick. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chief Executive Benjamin to approve Resolution 58-20 regarding enrollment: Mille Lacs Eligibles (42). Seconded by Secretary/Treasurer Boyd. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chief Executive Benjamin to approve Resolution 59-20 regarding enrollment: Mille Lacs Ineligibles (32). Seconded by Secretary/Treasurer Boyd. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chief Executive Benjamin to approve Resolution 60-20 regarding enrollment: Mille Lacs No Parent Enrolled (13). Seconded by Secretary/Treasurer Boyd. 11 For, 0 Against, 0 Silent. Motion carried.

Motion by Chairman Dupuis to approve Resolution 62-20 reaffirms position to directly report to tribal liaison. Seconded by Secretary/Treasurer Martineau. 11 For, 0 Against, 0 Silent. Motion carried. 11 For, 0 Against, 0 Silent. Motion carried.

Chief Executive Benjamin informed the Committee of Jane Harstad and her position as Director of the Office of Indian Education and tribal liaison within the Minnesota Department of Education (MDE). Ask TEC to do resolution in support for Jane regarding the reapplication to the position as was required by MDE. Chief Executive Benjamin gives Dr. Harstad her support and Mille Lacs supports her in this role also. Seconded by Chairman Jackson. 11 For, 0 Against, 0 Silent. Motion carried.

Gary informed the Tribal Executive Committee of an additional Resolution 63-20 added to the agenda regarding addressing the 'formula' for Tribal Transportation Programs to be based upon need rather than population to allow tribes to receive more funding than the formula restructured under MAP-21 Act (Moving Ahead for Progress in the 21st Century Act) (data demonstrates between 2011-2020 Minnesota Tribes have lost thirteen million and an eleven percent decrease in funding).

Motion by Chief Executive Benjamin to approve Resolution 63-20 FAST Act (Fixing America's Surface Transportation Act) . Second Chairman Dupuis. 11 For, 0 Against, 0 Silent. Motion carried.

President Chavers stated next on the agenda are the quarterly reports. She waved reading of quarterly reports.

Motion by Secretary/Treasurer Roy Second by Secretary/Treasurer Morrison to approve the quarterly reports. 11 For, 0 Against, 0 Silent. Motion carried.

BIA-MN Agency: Robert Lintelman, Agency Forester

Forrester Lintelman reminded the Committee that the deadline for budget and formulation deadline is actually today, check with your budget people. Second, Patty Olby is currently serving active detail at the region office and not at the MN Agency (Bemidji, MN). Acting Superintendent for MN Agency is Mary Manydeeds who is serving 120-day detail.

Roger Heger stated that the Land Buy Back Program has been very successful with Bois Forte, and is one of the highest responses for Cobell Land Buy Back Program in the entire United States. Fond du Lac is also completed the Land Buy Back Program (LBBP). Secretary/Treasurer McCormick referenced the LLBP and issues with the federal administration separating all six bands out from a collective Minnesota Chippewa Tribe application in 2016. All of the Band's Tribal Realty and Land Managers worked collaboratively because we knew our tribal members have fractionated interests that can exist in among multiple band trust land tracts, we were ready to help one another with outreach events, etc. Since we were informed of OST administering the LBBP in previous TEC meeting in Grand Portage, is OST willing to allow other Band's to participate? Roger stated he would work on getting a formal answer. Chairman Jackson's question is with Leech Lake as second largest tribe. There are hundreds of members on Leech Lake waiting for land leases. Roger responded that OST does not handle land leases.

Phil Brodeen brought to the committee's attention the Department of Interior Memo regarding litigation support funding.

INTERPRETATION 11-09:

Motion by Secretary/Treasurer Roy to rescind Interpretation 11-09. Seconded by Chairman Dupuis. 4 For (Dupuis, Martineau, Fairbanks, Roy), 6 Opposed (Jackson, LaRose, Drost, McCormick, Benjamin, Morrison) 1 Silent (Boyd). Motion failed.

ORDINANCE: PETITION AND CENSURE PROCESS (DISCUSSION)

Secretary/Treasurer Roy discussed the "District Representative" and "At Large" positions related to petition and censure process by eligible voters. There should be a revision to the Ordinance to make petitions and censure processes district specific, intending that the voters within in the district can vote to remove an elected official from their position, rather than the currently 20% resident eligible voters. President Chavers referenced Article 3, Section 10 of the Minnesota Chippewa Tribe Constitution. Chairman Dupuis stated "any Band member" is in the Constitutional language – does it narrow it to districts? Constitution states Committeeperson. Chairwoman Drost responded Grand Portage doesn't have districts, by putting that language in what does it open up? President Chavers responded we need to discuss this further.

Sandy Lake (Sandra Skinaway)

Chief Executive Benjamin informed the Committee that Mille Lacs has to vote silent on the issue and gave an explanation as to why this is the case and also acknowledged the meetings that the Mille Lacs Band has had with Sandra and others from Sandy Lake presenting the resolution.

Sandra Skinaway asked that the Tribal Executive Committee respectfully to rescind this Resolution 114-96. We are trying to restore recognition, not members of Mille Lacs or the Minnesota Chippewa Tribe. I have attached the proposed Resolution. The resolution is in support of Sandy Lake as federal status and recognition. We are seeking a Resolution of support from Minnesota Chippewa Tribe for recognition of NRML Sandy Lake Band. We would like the Tribal Executive Committee to vote to rescind Resolution 114-96 and approve the attached resolution in support and recognition.

Motion by Secretary/Treasurer Roy to rescind Tribal Executive Committee Resolution 114-96. Seconded by Chairman Dupuis, with a question. If this is rescinded and next resolution goes forward, how does that affect enrollment? If these go through what is the status of enrollment for Sandy Lake? Are there members of Sandy Lake enrolled in White Earth? If this goes through what does it mean for the enrollment status of those enrolled.

Statements made by audience members and committee members.

President Chavers stated there is a motion to rescind resolution 114-96 on the table and called for a vote. 8 For (Jackson, LaRose, Drost, Dupuis, Martineau, Fairbanks, Roy, Morrison) 0 Against, 3 Silent (Benjamin, Boyd, McCormick). Motion carried.

Chief Executive Benjamin left meeting as advised at the start of the meeting.

Motion by Secretary/Treasurer Roy to support Sandy Lake resolution as presented by Sandra Skinaway. Seconded by Chairman Dupuis. Phil Brodeen had a question for Sandra on the 2nd WHEREAS. Sandy responded that Phil could modify that part.

Motion by Secretary/Treasurer Roy to include modification of language in 2nd paragraph. President Chavers called for vote. 8 For (Jackson, LaRose, Drost, Dupuis, Martineau, Fairbanks, Roy, McCormick), 1 Against (Morrison), 1 Silent (Boyd). Motion carried.

Motion by Chairman Jackson to adjourn the meeting at 11:51 a.m. Seconded by Secretary/Treasurer Morrison. 10 For, 0 Against, 0 Silent. Motion carried.