

THE MINNESOTA CHIPPEWA TRIBE
Tribal Executive Committee
Regular Meeting
January 29, 2021

A regular Tribal Executive Committee meeting was called to order at 8:50 a.m. by President Chavers at Black Bear Resort Casino (Committee, Zoom available for Committee, staff and members), Grand Portage, Minnesota.

Invocation: Gordon Jourdain.

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; Robert Deschampe, Chairman, 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

Other: Gary Frazer, Executive Director; Phil Brodeen, Legal Counsel; Carrie Day Aspinwall, Alan Fogarty, Annemarie Gutsch, Cheryl Edwards, Joseph Henderson, Will Mantyh, Al Olson, Anna Deschampe, Caleb Dogeagle, Corey Strong, Emily Johnson, Grace Elliott, Helen Waqui, Katie Draper, Laurie Harper, Leonard Geshick, Mary Otto, Melanie Franks, Monica Hedstrom, Muriel Deegan, Valerie Harrington, Veronica Skinaway, MCT staff and other interested parties.

Motion by Secretary-Treasurer LaRose to approve the agenda. Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried

Motion by Chief Executive Benjamin to approve the minutes of October 23, 2020. Seconded by Secretary-Treasurer Morrison. 11 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Martineau to approve the minutes of December 9, 2020. Seconded by Chairman Deschampe. 11 For, 0 Against, 0 Silent. Carried.

RESOLUTIONS:

Motion by Secretary-Treasurer Morrison to approve Resolution 26-21 regarding enrollment: Bois Forte Eligibles (7). Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 27-21 regarding enrollment: Bois Forte Ineligibles (3). Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Deschampe to approve Resolution 28-21 regarding enrollment: Grand Portage Eligibles (1). Seconded by Secretary-Treasurer McCormick. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 29-21 regarding enrollment: Mille Lacs Eligibles (19). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 30-21 regarding enrollment: Mille Lacs Ineligibles (17). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 31-21 regarding enrollment: Mille Lacs No Parent Enrolled (2). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 32-21 regarding enrollment: White Earth Eligibles (26). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried

Motion by Chairman Fairbanks to approve Resolution 33-21 regarding enrollment: White Earth Ineligibles (28). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried

Motion by Chairman Fairbanks to approve Resolution 34-21 regarding enrollment: White Earth No Parent Enrolled (17). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 35-21 regarding enrollment: White Earth Relinquish to Red Lake (6). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 36-21 regarding enrollment: White Earth Transfer to Bois Forte (1). Seconded by Secretary-Treasurer Roy. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 37-21 regarding enrollment: Leech Lake Eligibles (31). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 38-21 regarding enrollment: Leech Lake Ineligibles (18). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 39-21 regarding enrollment: Leech Lake Relinquish to Red Lake (2). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 40-21 regarding enrollment: Leech Lake No Parent Enrolled (2). Seconded by Secretary-Treasurer LaRose. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 41-21 regarding enrollment: Fond du Lac Eligibles (16). Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 42-21 regarding enrollment: Fond du Lac Ineligibles (7). Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried.

QUARTERLY REPORTS

President Chavers asked to forego reading of quarterly reports.

Motion by Chief Executive Benjamin to approve quarterly reports. Seconded by Secretary-Treasurer McCormick. 11 For, 0 Against, 0 Silent. Carried.

BIA MN AGENCY: Alan Forgarty, Superintendent BIA-MN Agency

Superintendent Forgarty reported operations to the Tribal Executive Committee. Secretary-Treasurer McCormick and President Chavers asked Mr. Forgarty to submit the Superintendent's oral report in writing.

CONSTITUTIONAL REFORM UPDATE: Cheryl Edwards, Carrie Day Aspinwall

Cheryl and Carrie presented to the Committee and answered questions. Request to post the draft document online on MCT and Band websites. Timeline was requested. Tribal Executive Committee members thanked the Committee for working on the constitution.

Motion by Chairman Jackson to approve the request from the Minnesota Chippewa Tribe Constitution Reform Committee to utilize the remaining \$9,589.00 for marketing and printing expenses, and travel stipends (\$100 per person, for those who are not already funded by their respective Band governing body). Seconded by Chairman Dupuis. 11 For, 0 Against, 0 Silent. Carried.

President Chavers discussed the Minnesota Chippewa Tribe Constitution Reform Committee's request for MCT's distribution of COVID-19 funding and explained the restrictive language of the first round of COVID-19 funding, due to this funding from this source is unlikely but the TEC will look into the regulations regarding the proposed second distribution of COVID-19 funding.

MEMORY KEEPERS MEDICAL DISCOVERY TEAM – UMD:

Anna Marie Hill G, Liason, presented on the Memory Keepers Initiative, Alzheimer's and Dementia Research pilot project in Bois Forte.

RURAL NATIVE VETERAN HEALTH CARE NAVIGATOR PROGRAM:

Dr. Carol Kaufman, Veterans Health Administration, presented on the project to survey veterans and veterans' families regarding access to rural veteran health care.

LEGAL: Phil Brodeen, Attorney

Phil introduced the draft policy on Resolutions and Letter of Support, as instructed at the last meeting. Secretary-Treasurer McCormick stated that there should be a point person coordinating the approval verbally from the TEC members, and disagreed with the section about 'no response after 5 business days' meaning no opposition/support on the issue citing that emails are too easily lost in inundated inboxes or blocked by firewalls; we need a point person to do the legwork and communication.

Motion by Secretary-Treasurer Roy to approve *XIV. Resolution/Letter of Support Policy* (with the additional language). Seconded by Secretary-Treasurer Martineau. 10 For, 0 Against, 0 Silent. Carried. (Note: The following votes recorded at 10 members - Chief Executive Benjamin had left the meeting to attend a funeral which she announced earlier in the meeting.)

DISCUSSION:

2015 Enrollment Resolutions No. 31-15 and No. 31-15: Chairman Jackson

Chairman Jackson presented an opportunity for discussion on two enrollment resolutions that were passed by the Tribal Executive Committee, February 24, 2015 in St. Paul, MN (9 For, 0 Against, 3 silent). Tribal Executive Committee discussed the Resolutions 31-15 and 32-15 regarding requesting a Secretarial Election on Minnesota Chippewa Tribe enrollment criteria to include First Nations and Federally recognized Anishinaabe, Ojibwe, Chippewa blood.

Clean Water and Manoomin: MPCA Class 3 and 4, Administrative Law Judge Hearing

Secretary/Treasurer McCormick presented information to the Natural Resources and Legislative Subcommittee yesterday. The MPCA is proposing less-protective changes to Class 3 and 4 designations (agricultural and industrial uses) and the Tribes have continually stated that no change should occur to Class 3 and 4 that will cause harm to the more sensitive wild rice and aquatic life (that MPCA considers Class 2). There will be an Administrative Law Judge hearing on the proposed rule-making on February 4, 2021. Secretary/Treasurer circulated draft comments prepared for the hearing by Margaret Watkins, Grand Portage Water Quality Specialist, Nancy Schuldt, Fond du Lac Water Projects Coordinator, and Sara Van Norman, Legal Counsel. Tribes may also prepare independent tribal comments for the hearing, and we will reach out to all 11 tribes about filing comments jointly.

Motion by Secretary-Treasurer LaRose to approve Secretary-Treasurer McCormick to read the joint tribal comments on behalf of the Minnesota Chippewa Tribe at the Administrative Law Judge Hearing on February 4, 2021 regarding the opposition to the Minnesota Pollution Control Agency's proposed changes to Class 3 and 4 Waters. Seconded by Secretary-Treasurer Deschampe. 10 For, 0 Against, 0 Silent. Carried.

Secretary-Treasurer McCormick stated that she was honored by the nomination to speak and thanked the Tribal Executive Committee for their position on the issue for protection of clean water and manoomin.

Haaland Nomination: Executive Director Frazer

Executive Director Frazer presented the letter to the Legislative Subcommittee yesterday – asking TEC to approve an endorsement for Representative Deb Haaland. Discussion on the importance and significance of this nomination for tribes and Indian Country at this level of the Department of Interior.

Motion by Chairman Deschampe to approve the MCT issuing a letter of support for the nomination of Deb Haaland for Secretary of the Department of the Interior. Seconded by Secretary-Treasurer McCormick. 10 For, 0 Against, 0 Silent. Carried.

NOT ON THE AGENDA:

Motion by Chairman Fairbanks to 'resend' 'the letter'. Seconded by Secretary-Treasurer Roy. Clarification that he intended the motion to mean the same letter that was recently recalled, a MCT letter dated December 2, 2020 to Governor Walz regarding the Line 3 project.

Secretary-Treasurer McCormick offered points that were discussed at the TEC special meeting about that letter was not properly circulated, that no Band's had input in the content, let alone many of the TEC members had not received that letter prior to its sending. When the staff member on their own decided to send the December 2, 2020 letter without this protocol there was extreme loss, we could have been provided the opportunity to work on a letter that incorporates traditional ecological knowledge, sound science, legal language to make a more robust letter that actually states the position of the Minnesota Chippewa Tribe and acknowledges the individual Band's positions. I will not vote on this issue because it is a poorly written letter and needs to be properly vetted by the TEC, RBC's and their respective attorneys and tribal staff.

Motion by Chairman Fairbanks to amend his previous motion to rewrite the aforementioned December 2, 2020 letter to be a properly written letter.

Subsidiary Motion by Secretary-Treasurer McCormick to meet on this topic to discuss further the Band's positions on the content of the letter, prior to deciding to send a letter, recommended that we properly draft the content of the letter and circulate the letter among the Band's.

Secretary-Treasurer Roy asked Chairman Fairbanks whether issuing another letter after the PUC Commission meeting has passed, does it have any effect?

Further discussion by the Tribal Executive Committee on how the letter should follow the policy *XIV. Resolutions/Letters of Support Policy* that was just passed regarding Minnesota Chippewa Tribe protocol for governance correspondence. President Chavers asked Chairman Fairbanks if he would like to withdraw his motions, clarifying that the letter draft can be routed by the new policy.

No second on the subsidiary Motion made by Secretary-Treasurer McCormick was heard.
No second on the Motion made by Chairman Fairbanks to amend his motion was heard.
No vote was taken on these three motions, and ultimately the Tribal Executive Committee determined the letter would be drafted and follow the protocol of the new policy.

Motion by Secretary-Treasurer LaRose to adjourn the meeting at 12:25 p.m. Seconded by Chairman Deschampe. 10 For, 0 Against, 0 Silent. Carried.