

**TRIBAL EXECUTIVE COMMITTEE
REGULAR MEETING**

Friday, April 29, 2022
Fortune Bay Resort & Casino
Vermilion, Minnesota

A regular Tribal Executive Committee meeting was called to order at 8:42 a.m. by President Chavers at Fortune Bay Resort & Casino, (Zoom available for Committee, staff and members), Vermilion, Minnesota.

President Chavers expressed the great loss of Gene Goodsky.

Invocation: Vern Adams, Spiritual Advisor

Roll Call: Catherine Chavers, Chairwoman, Bois Forte; Melanie Benjamin, Chief Executive, Mille Lacs; Kevin Dupuis, Chairman, Fond du Lac; David Morrison Sr., Secretary/Treasurer, Bois Forte; 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.

Zoom: Ferdinand Martineau, Secretary/Treasurer, Fond du Lac; Sheldon Boyd, Secretary/Treasurer, Mille Lacs.

Excused: Alan Roy, Secretary-Treasurer, White Earth

Other: Gary Frazer, Executive Director, MCT; Phil Brodeen, Legal, MCT; Joel Smith, Director of Administration, MCT; Michael Northbird, GAP Coordinator, MCT; Sally Fineday, Leech Lake; Emily Johnston, John Morrin, Rep., Grand Portage; Faith Algren, Niigi Radio, White Earth; Nora Benjamin, Mille Lacs; Kayleb Dogeagle, Mille Lacs; Lenny Fineday, Attorney, White Earth; Shannon Heisler, Enrollment Coordinator, White Earth; Tammy LaRose, Enrollment Coordinator, Leech Lake; Shena Matrious, Mille Lacs; Cheryl Edwards, Fond du Lac; Cory Strong, MHFA; Jamie Edwards, Mille Lacs; Marie Spry, Rep., Grand Portage; Steve White, Rep., Leech Lake; Shane Drift, Rep., Bois Forte; MCT staff and other interested parties.

Zoom: Alan Fogarty, Superintendent, BIA-MN Agency; Bruce Savage, Rep., Fond du Lac; Robert Lintelmann, Forester, BIA-MN Agency; MCT staff and other interested parties.

President Chavers stated there were additions to the agenda - Resolution presented by Micha will be under information and new business: Jean Skinaway with resolution.

Motion by Chairman Jackson to approve the agenda with additions. Seconded by Chairman Deschampe. 9 for, 0 against, 1 Silent (Chief Executive Benjamin). Carried.

Minutes – January 2022, packets were sent out in advance. Correction Phil Brodeen zoom.

Motion by Chairman Deschampe to approve the minutes with correction. Seconded by Secretary-Treasurer Morrison. 10 For, 0 Against, 0 Silent. Carried.

Minutes of March 2022 Emergency meeting. Discussion Chairman Jackson question on minutes for March, re: Election Ordinance clearly states, final. Phil, thanked Chairman Jackson and stated the Election ordinance additional information was presented at this time. Chairman Jackson responded all evidence was there since 1991 wasn't brought forward until now, don't understand. Phil replied, Gary as clerk of court forwards on information. In 2018, could use other information pursuant to election ordinance, this new election ordinance information could be presented. Chairman Jackson stated since that decision was made in 2018, should that candidate be able to serve out his term. Doesn't candidate have obligation to fill out his term. Phil responded for purpose of certification; you are correct. Chairman Jackson stated the TEC needs to go back and visit 2006, didn't make any errors. If you changed something in the constitution. Didn't get to finish meeting at Northern Lights to present information. The way law determines it, doesn't state its retroactive. Trying to get an understanding of the process. Phil stated anyone convicted of a felony, the way enacted by voters was challenged by the IBIA. Didn't call into question the 2006. Chairman Jackson responded that he wasn't made aware of secretarial election in 2006. All of them years that elapsed from 2006 to today, question in my mind, always look at member as being redeemable. Sit down at TEC to rectify something that would be seen as illegal. Need to take some steps to correct.

President Chavers asked Chairman Jackson if he was requesting a working session of the TEC. Chairman Dupuis stated its not the point of ever convicted of a felony, question is the waiver principle. 30% entitled to vote, if 30% of registered voters it wasn't there. Issue entitled to vote 30%, waiver put into place did waiver meet 30%. Phil responded the waiver didn't go to the 30%, that didn't change until 2018. Until then it was based on registered voters. Waivers were something different – in person voting and allowed to same day registration. Chairman Dupuis stated it still goes back to the 30%, still the question.

President Chavers request for vote on March Emergency meeting minutes. Chairman Jackson stated, didn't get to finish meeting it was cut short.

Motion by Chairman Deschampe to approve the minutes of March emergency meeting. Seconded by Chairman Fairbanks. 7 For, 3 Against (Chairman Dupuis, Chairman Jackson, Secretary-Treasurer LaRose. 0 Silent. Carried.

Secretary McCormick asked is there something that needs to be reflected in meeting. Secretary-Treasurer LaRose responded the full agenda wasn't followed; due process was violated. Secretary McCormick stated that the minutes would be transcribed.

RESOLUTIONS:

Motion by Chairman Fairbanks to approve Resolution 21-22 regarding enrollment: White Earth Eligibles (37). Seconded by Chief Executive Benjamin. 10 For 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 22-22 regarding enrollment: White Earth Ineligibles (33). Seconded by Chief Executive Benjamin. 10 For 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 23-22 regarding enrollment : White Earth Blood Degree Change (1). Seconded by Chief Executive Benjamin. 10 For 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 24-22 regarding enrollment : White Earth No Parent Enrolled (4). Seconded by Chief Executive Benjamin. 10 For 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 25-22 regarding enrollment: Bois Forte Eligibles (34). Seconded by Chairman Dupuis. 10 For 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 26-22 regarding enrollment: Bois Forte Ineligibles (4). Seconded by Chairman Dupuis. 10 For 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 27-22 regarding enrollment: Bois Forte Relinquish to Red Lake (minor). Seconded by Chairman Dupuis. 10 For 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 28-22 regarding enrollment: Fond du Lac Eligibles (7). Seconded by Secretary-Treasurer Martineau. 10 For 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 29-22 regarding enrollment: Fond du Lac Ineligibles (14). Seconded by Secretary-Treasurer Martineau. 10 For 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 30-22 regarding enrollment: Fond du Lac No Parent Enrolled (1). Seconded by Secretary-Treasurer Martineau. 10 For 0 Against, 0 Silent. Carried.

Motion by Chairman Dechampe to approve Resolution 31-22 regarding enrollment: Grand Portage Ineligibles (2). Seconded by Secretary-Treasurer McCormick. 10 For 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 32-22 regarding enrollment: Leech Lake Eligibles (48). Seconded by Secretary-Treasurer LaRose. 10 For 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 33-22 regarding enrollment: Leech Lake Ineligibles (32). Seconded by Secretary-Treasurer LaRose. 10 For 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 34-22 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 35-22 regarding enrollment: Leech Lake Blood Degree Change II (2). Seconded by Secretary-Treasurer LaRose. 10 For 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 36-22 regarding enrollment: Leech Lake Relinquish from Red Lake (1). Seconded by Secretary-Treasurer LaRose. 10 For 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 37-22 regarding enrollment: Leech Lake No Parent Enrolled (2). Seconded by Secretary-Treasurer LaRose. 10 For 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 38-22 regarding enrollment: Mille Lacs Eligibles (24). Seconded by Secretary-Treasurer Boyd. 10 For 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 39-22 regarding enrollment: Mille Lacs Ineligibles (16). Seconded by Secretary-Treasurer Boyd. 10 For 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 40-22 regarding enrollment: Mille Lacs No Parent Enrolled (2). Seconded by Secretary-Treasurer Boyd. 10 For 0 Against, 0 Silent. Carried.

LEGAL: Phil Brodeen,

Tribal leader letter, DOI seeking revisions on 25CFR 151 Fee to Trust 25CFR293 Class III State gaming pact regulations. You can help control the agenda, bring forward now. The dates are included in the letter.

Brackeen v. Haaland – challenge to ICWA.

QUARTERLY REPORTS

President Chavers stated the reports were presented yesterday at subcommittees.

Billie Annette informed the committee that legal prospective with tribal education department. Applied for a grant looking at for tribal education department. Need formal approval, working with Phil. A letter for every tribal nation, that would include a template to move forward. Need to do investigation on what funding would be available.

Phil request authorization to move forward with investigation process and circulate letter.

Approval pending approval by TEC. Chairman Dupuis stated this will require legislation, bill circulating parental bill of rights for education. Its something that the tribes continue to argue about, ability for parents to chose what kids are taught. Issue with education department – if we

go no where with this are we ready to sue the state of MN. Phil stated moved through MN senate, don't see moving before the house or being signed into law by governor. Chairman Dupuis responded these are things that are in Indian country now. President Chavers knows other stated that have approved this, this is something we need to work on. Need to come up with issues that address the needs of tribal members across the nation. Not just today but for long term future. Need to give future generation assistance. Need to get together to fight these issues. Secretary-Treasurer Morrison stated MIAC meeting next week, information to present. President Chavers stated Upper Sioux is not part but a good idea. Phil good idea to come up with a strategy, legislative/administrative input. Chairman Deschampe stated someone needs to reach out to Upper Sioux. Micha – Minnesota continues with genocidal policies against our children. President Chavers stated I think with all tribal leader present we can start that discussion.

BIA-MN Agency: Alan Fogarty, Superintendent

Superintendent Fogarty stated that there is not a lot of updates outside of report presented. Number of positions open, working on 20 Fee to Trust applications.

REFERENDUM BALLOT APPROVAL: Gary Frazer

Approval of language and format. April, packets - start process. Open to adjustments. Cheryl Edwards – explains referendum and that it would be in the mail. Call MCT members to update addresses. The letter includes a delegate telephone numbers from each of the reservations that can answer questions. Sally read the questions that would be on the ballot. She stated that they were asked by TEC, to provide and let the decision be made by the people. What criteria do you want your tribal leaders to honor? This is something positive for the people, critical. A nonbinding referendum.

Patti Strob stated that White Earth went on record to oppose referendum. There are two outstanding resolutions on record that address different options: First nation and Ojibwe blood. Our purpose as a delegate group was to revision and make changes to our constitution. White Earth feels that they are being ignored. Sally responded this is a process and ongoing process. This is just a start, non-binding. Blood quantum terms us, measures our blood. What will we put in place?

Cheryl request approval on this referendum. President Chavers responded this started as constitution reform and they came up with a process. This is just a process, start the process. Enrollment is a huge issue, how do we do so people can decide what they want. There are so many layers involved. Just a process to deal with one layer.

Chairman Fairbanks responded the delegation hasn't even discussed article 1. We need to do something with resolutions sitting out there.

Sally stated we are the drafting committee; members need to come to meetings to voice your opinion.

Michaa responded let people vote more. This is non-binding. All delegates didn't come to this conclusion.

Individual stated, understand as delegate you are to provide people with the information. Many things that need to slow down.

Wally Storbakken stated invite everyone to organization, movement/call to action immediately after this meeting. First, firm yes, Second, firm No. Would like to see local control over issues that affect our lives as Anishinaabe. Why are you pushing so hard for #2, you have an Enrollment Ordinance? This has been an unconstitutional practice for years. You think we don't deserve a choice. This was pushed on us by five lawyers, their decision is final and unappealable. Sovereign is not this body but five judge panel. Haven't seen a waiver of sovereignty.

President Chavers thanked the committee for meetings.

Doug Lee – if referendum goes, still need secretarial election. Have to have secretarial election to change constitution. Sally responded give the people the right to vote.

Cheri stated that at FDL the blood quantum is a distraction from other issues. Why not have referendums on other pending issues that are as important. If I live off the reservation, you want my vote to elect you. But I can't vote if there's other issues. Maybe we should fire you all today!

Chairman Dupuis stated in 2015 the BIA ruling, Secretary Election to have no more Secretarial Elections. A Secretarial Election to remove the Secretary of Interior from the constitution, when things can be done by ordinances. To separate Secretary of Interior from the constitution. Distraction of enrollment. What stopped it all the time was enrollment. Knowledge of process. opt in or out of ordinance. Still obligation by TEC. Resolutions that were approved more than once, enrollment resolution present in 2015. A fractionated system, how do you do that. Opportunity to move forward. Fighting over blood quantum. Looked at that time, can raise blood to full blood under the requirements. Stating it non-binding, but it does become binding. This affects everyone else the next day. Enrollment is always a distraction. Look at we have to rewrite; a simple ordinance can resolve. Just haven't put ordinance into place to move forward. What are the priorities that can be handled at band level? Is enrollment the key thing to move forward. Always referring to TEC and RBC, who's to say there is an RBC/TEC. By ordinance

these things can be changed, outside of government. Just ideas, why is everyone locked into something.

Motion by Chairman Deschampe to approve the referendum ballot for mailing. Seconded by Chairman Jackson. 9 For 1 Against (Chairman Fairbanks), 0 Silent. Carried.

CONSTITUTIONAL REFORM: Cheryl Edwards, Millie Holmes

Update on constitutional reform meetings. What they are working on to date.

Alan Roy attending meeting currently on zoom at 10:30 a.m.

Break 10:39 am – 11:00 am

Melanie Benjamin informed the committee that the threat presented was violence against women. The threat stated “I’m coming after you”. Going forward I feel the need to take precautions, I take any threat personally. Think this was uncalled for. Taking measures going forward.

REPRESENTATIVE OF CHIPPEWA FEDERATION: Pete Bigboy

Pete Bigboy stated this is a Formal Invite to the next federation. A reach out to unite as one. Peace.

OPIOID CRISIS: Suzanne Nash

Legislation to address the opioids chemical use and misuse. A center for native Americans and people of color. Most of the money is going through Department of Health and Human Services. I am here because of a personal loss, Fentanyl, loss my son. Most native Americans experience alcoholism or some type of loss.

I am asking to help change the drug culture and acceptance of alcoholism, support of the Minnesota Chippewa Tribe. Suzanne described the bill, opioid help center.

President Chavers expressed her condolences; addiction is rapid in our communities. Bois Forte is working on this with her, she came to Tribal Executive Committee for support for her bill.

Pam Hughes stated the MN advisory council would like to invite Suzanne to their next meeting. May be able to help, completely understand. At times it’s a struggle and fight to get people to understand, addiction is an illness. Being silent is not helping our relatives. We all need to stand together; these are our relatives.

President Chaver asked if she would like a letter of support along with bill.

Motion by Secretary-Treasurer Morrison to support the bill and provide a letter of support. Seconded by Chairman Dupuis. 11 For 0 Against, 0 Silent. Carried.

INFORMATION:

Letter MN Indian board on aging: President Chavers and Chief Executive Benjamin both sit on board. The board includes LL, BF, WE program for our elders (MIAAA). There are issues with MEA and we are trying to get a better understanding. MIAAA obligation to serve all elders on all the reservations. Task to move forward with Indian elders. Those types of situations. Better understanding of tribes. What we see as technical issues is not what we are getting assist with.

Nancy stated the chat questions in the zoom are not being addressed. President Chavers responded yes, we will have a moderator for the next meeting to address the questions in chat and bring to our attention.

Secretary-Treasurer Morrison asked is wisdom steps part of this. President Chavers explained MIAAA.

11:20 p.m. Chairman Jackson left meeting.

STAC: Executive Director Frazer

Executive Director Frazer informed the committee of enclosed letter from Secretary of Interior regarding Secretary's Tribal Advisory Committee (STAC) requesting nominations from Tribal leaders for a primary and alternate member, formulation and the nomination process is also attached. This is to advance a regular, meaningful, and consistent government-to-government relationship.

SANDY LAKE: Michaa Aubid

Micha present a Resolution – acknowledging reservation boundaries.

Just received letter today, with nine (9) objectives. Mille Lacs objects. The Chief did sign, sent treaty around. In 1864 treaty journal. How allotments, Fond Du Lac knows and hold title. Evidence, Phil compiled information. #5 want to be seen and heard. Fond Du Lac opposed to mine, reason asking to defend what we say together. Be acknowledged, that this reservation does exist. #6 #7 intention that 7th band be added to Minnesota Chippewa Tribe. Want to be part of tribe but want to be on our own. #8 never a vote to join Mille Lacs or not join Mille Lacs. No vote. #9 did submit report to Mille Lacs, 100,000. Maybe we should put away some money for research.

Mille Lacs band assembly received report, ratified report and acted on it. Mille Lacs didn't do anything. That's why we come before this body. Met with each band privately and personally. I will release all this information to everybody if this is what you want. Just trying to preserve what we have.

Shingobe – hope we get this resolved. Thought it was already resolved.

President Chavers stated why not added to agenda immediately. January minutes, read section on Sandy Lake. At meeting resolution was table, timeline for information as requested. Told Michaa, the letter he was referring to February 2nd. Made aware there was no response. Read last section of resolution. President Chavers stated we gave you the support of federal recognition. You're not federally recognized. Michaa responded Mille Lacs is lobbying against 64-20. The Tribal Executive Committee supported federal recognition. If the laws are broken of 2 individuals – what about 64-20. The lobbyist are telling Washington not to support 64-20. 64-20 is Minnesota Chippewa Tribe law, Minnesota Chippewa Tribe law is being violated every day. Actively being lobbying against.

Chief Executive Benjamin stated we do have legal representation, but no one assigned to work on this. Mille Lacs band hasn't moved forward on this issue. Voted silent on, did send out correspondence asking for report. A 100 thousand was allocated to do this research. Wouldn't have allocated this money if we were against them. 150 households, discussed with elders to have community meetings. Mille Lacs is in standing level, not against them. Haven't received report. Request has not been made to put on agenda. Sandy Skinaway did come a couple years ago to present. Letter was asking questions, simple request asking for copy of research, hasn't been received.

Michaa stated money wasn't given to him. Just the person saying who to pay. All reports are in there. Will release all the reports today.

Tashena - Sandra Skinaway daughter, putting together with Rice Lake. 30 years of meeting minutes. Sandy Lake is separated from Mille Lacs. Why wouldn't Melanie just help us. Most of our family is gone. Standing here for support on reservation boundaries.

Michaa state we hold community meetings every week. Some surveys were sent before primaries. Demanded names. Was never sent the survey, Mille Lacs never had hearing on. Fond du Lac band member stated Land transfer in 2022. October 9, 2019, motion to rescind land transfer.

Chief Executive Benjamin stated the people of Mille Lacs band put her in this chair.

President Chavers stated this is not how we conduct ourselves.

Nancy Beaulieu discussed land transfer, congressional bill. Minnesota Chippewa Tribe land that belongs to the stake holders. Land belongs to the people. Informed bill could be pushed forward.

Doug Lee – some get paid and some don't. nothing against people that get paid. Can we put to referendum vote?

Sally, Leech Lake band, question: why aren't you federally recognized. Michaa – 1935 voted to join organization. Gave history lesson.

Irene – Chief walked out. Solicitor General can say some words on this.

Long history of trying to join Minnesota Chippewa Tribe, basically a land base. Didn't come to fight looking for help, have a bigger dream to take care of our kids in the future. Do believe our dreams can be reached. Here to let you know that we are here.

Band members reiterate Michaa, come to understanding what Chief wants.

President Chavers stated get report to Mille Lacs. Michaa will call solum. President Chavers stated things take time, there is an issue with bottom of resolution. Support as a federally recognized tribe when you're not a federally recognized tribe.

President Chavers moving forward with agenda. Submit report and will check with lobbyist. Discuss with before next meeting.

Michaa – July meeting agenda.

President Chavers asked the committee - do you want to take action on resolution today?

Chairman Dupuis stated a resolution continues to move something forward. Original resolution was approved. Principle is supporting that. Answer to move forward. Final discussion on the final whereas. Already voted yes on resolution.

Phil stated there are differences, original resolution still remains.

Secretary-Treasurer McCormick agreed with President Chavers, can't pass with this language in here. All information was not provided but feel this issue can be resolved. Need to be more work towards clarification.

Chairman Dupuis stated the original resolution stands. President Chavers responded original resolution stands, basically does Tribal Executive Committee want to deny or address.

Chairman Dupuis responded not federally recognized. Original resolution still carries forward.

Motion by Chairman Deschampe to Deny Resolution do to last whereas stating Sandy Lake is federally recognized. Seconded by Chairman Dupuis. 8 For 0 Against, 3 Silent (Secretary-Treasurer Roy, Chief Executive Benjamin, Secretary-Treasurer Boyd). Carried.

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12:39 p.m. Melanie left – resumed attendance via zoom

Break – resumes 12:52 pm

Jean Skinaway-Lawrence, gave brief history of Sandy Lake and provided Power point presentation.

Contact 218-760-1395

Read Resolution

President Chavers asked is there a disconnect between Jean & Michaa. Jean only doing Sandy Lake.

Phil responded no chance to review information presented

Tashena update on court case. Without legislation not sure where court case would go without getting federally recognized. June 7th trial.

President Chavers responded she would have legal look at resolution and have special meeting before these dates.

Phil responded one week; President Chavers stated via zoom.

Secretary-Treasurer Morrison stated that there have been a lot of issues at today's meeting, little animosity between people. This will get straighten out just need to work together. Sandy Lake and Mille Lacs will work together and get things straighten out. Apology on statement that was a threat. Don't like people making threats being made on Bois Forte Reservation. If it happens in the future, will contact law enforcement, and investigate statement made. If you live off reservation. Don't like that when people come to our reservation as guest here. Apologize for that happening here today. This will not happen in the future here again

Chairman Dupuis thanked Secretary-Treasurer Morrison. Natural Resources operations guidance just let everyone know. Who owns the lake bottom? Permit from DNR to get rid of aquatic plants. Concerns. If we all raise our water quality standards higher than the State of Minnesota.

General assembly
11-0-0

Motion to adjourn by Secretary-Treasurer Morrison at 1:34 p.m. Seconded by Chairman Dupuis.
11 For 0 Against, 0 Silent. Carried.