

**TRIBAL EXECUTIVE COMMITTEE
REGULAR MEETING**

Friday, January 28, 2022
Grand Portage Lodge & Casino
Grand Portage, Minnesota

A regular Tribal Executive Committee meeting was called to order at 9:00 a.m. by President Chavers at Grand Portage Lodge & Casino (Committee, Zoom available for Committee, staff and members), Grand Portage, Minnesota.

Invocation: Ricky Defoe (zoom)

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; Melanie Benjamin, Chief Executive, Mille Lacs.

Zoom: Kevin Dupuis, Chairman, Fond du Lac; Sheldon Boyd, Secretary/Treasurer, Mille Lacs.

Excused: Alan Roy, Secretary-Treasurer, White Earth

Other: Gary Frazer, Executive Director, MCT; Joel Smith, Director of Administration, MCT; MCT staff and other interested parties.

Zoom: Phil Brodeen, Legal, MCT; Alan Fogarty, Arianna Northbird, Ricky Defoe, Robert Lintelmann, Roger Smith Sr., Cheryl Jackson, Leroy Staples Fairbanks, William Meyers, Robert Budreau, MCT staff and other interested parties.

Motion by Chief Executive Benjamin to approval of agenda with changes. Seconded by Chairman Deschampe. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve the minutes of October 29, 2021, regular meeting. Seconded by Chairman Fairbanks. 10 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer LaRose to approve the minutes of December 14, 2021, Special meeting with requested addition "vote under protest" (page 5) requested by Secretary/Treasurer LaRose. Seconded by Chairman Dupuis. 10 For, 0 Against, 0 Silent. Carried.

RESOLUTIONS

Motion by Chief Executive Benjamin to approve Resolution 01-22 regarding enrollment: Mille Lacs Eligibles. Seconded by Secretary-Treasurer Boyd. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 02-22 regarding enrollment: Mille Lacs Ineligibles (13). Seconded by Secretary-Treasurer Boyd. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 03-22 regarding enrollment: Mille Lacs No Parent Enrolled (1). Seconded by Secretary-Treasurer Boyd. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Deschampe to approve Resolution 04-22 regarding enrollment: Grand Portage Eligibles (1). Seconded by Secretary-Treasurer McCormick. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Deschampe to approve Resolution 05-22 regarding enrollment: Grand Portage Ineligibles (2). Seconded by Secretary-Treasurer McCormick. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 06-22 regarding enrollment: Fond du Lac Eligibles (10). Seconded by Secretary-Treasurer Martineau. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 07-22 regarding enrollment: Fond du Lac Ineligibles (10). Seconded by Secretary-Treasurer Martineau. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 08-22 regarding enrollment: Fond du Lac Disenrollment (1). Seconded by Secretary-Treasurer Martineau. 10 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 09-22 regarding enrollment: Bois Forte Eligibles (15). Seconded by Secretary-Treasurer Martineau. 10 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Morrison to approve Resolution 10-22 regarding enrollment: Bois Forte Ineligibles (11). Seconded by Secretary-Treasurer Martineau. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 11-22 regarding enrollment: Leech Lake Eligibles (57). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 12-22 regarding enrollment: Leech Lake Ineligibles (38). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 13-22 regarding enrollment: Leech Lake Transfer to Bois Forte (3). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 14-22 regarding enrollment: Leech Lake Relinquish to Red Lake (1). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 15-22 regarding enrollment: Leech Lake No Parent Enrolled (3). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 16-22 regarding enrollment: White Earth Eligibles (72). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 17-22 regarding enrollment: White Earth Ineligibles (81). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 18-22 regarding enrollment: White Earth Blood Degree Change (1). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 19-22 regarding enrollment: White Earth No Parent Enrolled (2). Seconded by Secretary-Treasurer LaRose. 10 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 20-22 and Minnesota Chippewa Tribe letter regarding the Opioid Settlement funding formula. Seconded by Chairman Deschampe. 10 For, 0 Against, 0 Silent. Carried.

Discussion on the American Indian Advisory Council and the formula funding for the Opioid Settlement. The Bill crafting language Opioid Settlement on how funds would be distributed. The Committee met and had specific items they would like to see in relationship to the appropriation of those funds, that they would go directly to the tribes and formula calculated by American Indian numbers. Minnesota Indian Affairs Council also passed a resolution regarding the Opioid Settlement funding.

Sandy Lake Resolution: Michaa Aubid
Michaa, read resolution regarding the Restoration of Sandy Lake Boundaries.

Chief Executive Benjamin described some history about Mille Lacs Band funding research with Sandy Lake and the Mille Lacs Band's request for copies of the research on a couple of occasions. Chief Executive Benjamin stated multiple times this is not an opposition, this is asking for clarification: we can have this data reviewed with the Mille Lacs Band, elected officials and attorneys. Since the information that Sandy Lake presented had not been seen by the Mille Lacs Band, and requested the information be presented before Mille Lacs would take action on it. Requesting this resolution be postponed until the information is organized because this resolution does impact the Mille Lacs Band as all of the bands are currently structured under the Mille Lacs Band. Comments were heard from audience members.

Motion by Chief Executive Benjamin to table a resolution "Sandy Lake Boundary Recognition" presented today. Seconded by Chairman Deschampe. 10 For, 0 Against, 0 Silent. Carried.

President Chavers requested a timeline on the issue for clarification, so we can come to a conclusion at the April 29th meeting in Bois Forte.

LEGAL: Phil Brodeen, Legal Counsel

Phil presented the resolution and explained the rationale for asking the Assistant Secretary of Indian Affairs to revise their annual list as published January 29, 2021. Comments from the Tribal Executive Committee and audience members were heard. During the vote Chairman Dupuis called for point of order to complete the vote.

Motion by Secretary-Treasurer McCormick to approve resolution 21-22 Assistant Secretary of Indian Affairs revise annual list of federally recognized tribes to clearly show Minnesota Chippewa Tribe and six Bands. Seconded by Chief Executive Benjamin. 7 For, 2 Against (Chairman Jackson, Secretary-Treasurer LaRose), 1 Silent (Chairman Fairbanks). Carried.

Phil Brodeen had announced he had to leave attending a funeral at 11:00 a.m.

Break: 10:48 a.m. - 11:18 a.m. Meeting Resumes

CENSURE: CHAIRMAN DUPUIS

Secretary-Treasurer Martineau read aloud his letter from January 20, 2021, to Chairman Dupuis (contained in the TEC packet). Secretary-Treasurer Martineau read aloud the entire Section 9 from Ordinance (also contained in the TEC packet).

Motion by Secretary-Treasurer Martineau for censure of Chairman Dupuis. Seconded by Chairman Deschampe as stated for discussion.

President Chavers asked Chairman Dupuis, would you like to respond?
Chairman Dupuis responded briefly on two points.

President Chavers asked, Chairman Dupuis, the ordinance says you can have 45 days to respond, would you like to take the 45 days to prepare a response?

Chairman Dupuis stated, yes, I responded and I will take the 45 days.

President Chavers asked Gary for the date 45 days from now.

Gary originally thought that April 12 was 45 days, however it was a miscount so Gary corrected that actually March 14 will be 45 days.

President Chavers announced the hearing for March 14, to be hosted by Fond du Lac.

REFERRENDUM: CHAIRMAN JACKSON

Discussion. Chairman Jackson brought forward his concerns about climate change and would like to declare a state of emergency on climate change and discuss at the next TEC meeting. President Chavers stated he could draft a resolution for review by the Natural Resources Subcommittee and the TEC declaring state of emergency for climate change for next meeting. Chairman Dupuis commented about there could be an existing resolution that was already passed by TEC, he will check to see if there is one in place.

Chairman Jackson described he would like to have action on the two 2015 resolutions before leaving the meeting. Questions and comments were posed by the Committee. Secretary-Treasurer McCormick recommended what we really need is to establish a small working committee to advance the referendum questions and logistics of hosting a referendum, would Chairman Jackson chair it? President Chavers asked him what he'd like to do with that, Chairman Jackson agreed to chair the small working committee.

12:10 p.m. Chief Executive Benjamin left, and resumed meeting via Zoom.

QUARTERLY REPORTS

President Chavers calls for a motion to table the Quarterly Reports as they were presented at Subcommittees yesterday.

Motion by Chairman Jackson to forego quarterly reports as they were presented at subcommittee meetings yesterday. Seconded by Chairman Fairbanks. 10 For, 0 Against, 0 Silent. Carried.

BIA- MN AGENCY: Alan Fogarty, Superintendent

Superintendent Fogarty gave a brief update on current BIA operations. President Chavers thanked Superintendent Fogarty for his report.

President Chavers established point of order.

UPDATE CONSTITUTIONAL REFORM: Cheryl Edwards, Sally Fineday

Two handouts circulated to TEC: 1 page from Sally Fineday, 1 page from Char Ellis, White Earth, and several page statement read aloud by Millie Holmes Bois Forte.

Discussion of referendum question to address enrollment and also their desire to remove Secretary of Interior from approving the Constitution.

Chairman Jackson left the meeting at 1:20 p.m.

NEW BUSINESS

President Chavers announced that the appointment to the State Committees MnDOT and DPS that need tribal representation, including the MBA new positions in the State for MIAAA. MN Legislature sent out a questionnaire in regard to filling the position. The Legislature is starting to question the relevancy of MIAAA, so we need everyone to respond because it is important to elder services and additional funding for services.

March 14, 2022 – Hearing for Censure Chairman Dupuis to be hosted by Fond du Lac.

April 28-29, 2022 – Quarterly Meeting to be hosted by Bois Forte.

President Chavers called for a motion to adjourn.

Motion by Chairman Fairbanks to adjourn the meeting at 1:26 p.m. Seconded by Secretary-Treasurer Martineau. 9 For, 0 Against, 0 Silent. Carried.