

**THE MINNESOTA CHIPPEWA TRIBE
TRIBAL EXECUTIVE COMMITTEE**

Regular Meeting
January 30, 2013

A regular meeting of the Minnesota Chippewa Tribe Tribal Executive Committee was called to order by President Norman Deschampe at 8:40 a.m. at Fortune Bay Resort Casino, Vermilion, Minnesota.

Invocation: Gene Goodsky

Roll Call: Norman Deschampe, April McCormick, Kevin Leecy, Dave Morrison, Carri Jones, Donald Finn, Karen Diver, Ferdinand Martineau, Melanie Benjamin, Curtis Kalk, Erma Vizenor, Robert Durant.

Quorum Present

Others Present: Gary Frazer, Executive Director, MCT; Mark Anderson, Legal Counsel, Minnesota Chippewa Tribe; Sandy Blake, Rep., Mille Lacs; Sara Rice, Deputy Assistant, Mille Lacs; Nora Benjamin, Mille Lacs; Brad Kalk, Commissioner NR, Mille Lacs; Darla Roach, Mille Lacs; Elaine Smith, Legal, Mille Lacs; Caryn Day, Enrollment, Mille Lacs; Steve White, Rep., Leech Lake; Eva Wilson, Leech Lake; Kenneth Bevins, Rep., White Earth; Terrance Tibbetts, Rep., White Earth; Ron Valiant, Exe. Dir., White Earth; John Morrin, Rep., Grand Portage; Ray Toutloff, Rep., Bois Forte; Arnold Dahl, Rep., Bois Forte; Corey Strong, Exe. Dir., Bois Forte; Roger Heger, OST, BIA-MN Agency; Barb Brodeen, MN DOT; Joylnn Shopteese, MIAC; Phil Brodeen, Legal, MCT Staff and other interested parties.

Motion by Karen Diver to approve the agenda with additions. Seconded by Curt Kalk. 11 For, 0 Against, 0 Silent. Carried. 11 For, 0 Against, 0 Silent. Carried.

Motion by Karen Diver to approve the minutes of December 11, 2012. Seconded by Curt Kalk. 11 For, 0 Against, 0 Silent. Carried. 11 For, 0 Against, 0 Silent. Carried.

RESOLUTIONS:

Motion by Erma Vizenor to approve Resolution 10-13 supporting nomination for DOI Self Governance Advisory Committee. Seconded by Ferdinand Martineau. 11 For, 0 Against, 0 Silent. Carried.

Motion by Karen Diver to approve Resolution 11-13 supporting “Idle No More” Movement by the First Nations of Canada. Seconded by Melanie Benjamin. 11 For, 0 Against, 0 Silent. Carried.

Motion by Karen Diver to approve Resolution 12-13 regarding Enrollment: Fond du Lac Eligibles. Seconded by Ferdinand Martineau. 11 For, 0 Against, 0 Silent. Carried.

Motion by Karen Diver to approve Resolution 13-13 regarding Enrollment: Fond du Lac Ineligibles. Seconded by Ferdinand Martineau. 11 For, 0 Against, 0 Silent. Carried.

Motion by Karen Diver to approve Resolution 14-13 regarding Enrollment: Fond du Lac Relinquish to Sac and Fox. Seconded by Ferdinand Martineau. 11 For, 0 Against, 0 Silent. Carried.

Motion by Karen Diver to approve Resolution 15-13 regarding Enrollment: Fond du Lac “Not on 41’ Roll”. Seconded by Ferdinand Martineau. . 11 For, 0 Against, 0 Silent. Carried.

Motion by April McCormick to approve Resolution 16-13 regarding Enrollment: Grand Portage Eligibles. Seconded by Melanie Benjamin. 11 For, 0 Against, 0 Silent. Carried.

Motion by April McCormick to approve Resolution 17-13 regarding Enrollment: Grand Portage Ineligibles. Seconded by Melanie Benjamin. 11 For, 0 Against, 0 Silent. Carried.

Motion by Melanie Benjamin to approve Resolution 18-13 regarding Enrollment: Mille Lacs Eligibles. Seconded by Curt Kalk. 11 For, 0 Against, 0 Silent. Carried.

Motion by Melanie Benjamin to approve Resolution 19-13 regarding Enrollment: Mille Lacs Ineligibles. Seconded by Curt Kalk. 11 For, 0 Against, 0 Silent. Carried.

Motion by Melanie Benjamin to approve Resolution 20-13 regarding Enrollment: Mille Lac “Not on the 41’ Roll”. Seconded by Curt Kalk. 11 For, 0 Against, 0 Silent. Carried.

Motion by Carri Jones to approve Resolution 21-13 regarding Enrollment: Leech Lake Eligibles. Seconded by Donald Finn. 11 For, 0 Against, 0 Silent. Carried.

Motion by Carri Jones to approve Resolution 22-13 regarding Enrollment: Leech Lake Ineligibles. Seconded by Donald Finn. 11 For, 0 Against, 0 Silent. Carried.

Motion by Carri Jones to approve Resolution 23-13 regarding Enrollment: Leech Lake “Not on the 41’ Roll”. Seconded by Donald Finn. 11 For, 0 Against, 0 Silent. Carried.

Motion by Carri Jones to approve Resolution 24-13 regarding Enrollment: Leech Lake Transfer to Bois Forte. Seconded by Donald Finn. 11 For, 0 Against, 0 Silent. Carried.

Motion by Carri Jones to approve Resolution 25-13 regarding Enrollment: Leech Lake Transfer to Bois Forte (Minor). Seconded by Donald Finn. 11 For, 0 Against, 0 Silent. Carried.

Motion by Erma Vizenor to approve Resolution 26-13 regarding Enrollment: White Earth Eligibles. Seconded by Robert Durant. 11 For, 0 Against, 0 Silent. Carried.

Motion by Erma Vizenor to approve Resolution 27-13 regarding Enrollment: White Earth Ineligibles. Seconded by Robert Durant. 11 For, 0 Against, 0 Silent. Carried.

Motion by Erma Vizenor to approve Resolution 28-13 regarding Enrollment: White Earth Transfer Pillager to Mississippi. Seconded by Robert Durant. 11 For, 0 Against, 0 Silent. Carried.

Motion by Erma Vizenor to approve Resolution 29-13 regarding Enrollment: White Earth Ineligible to Transfer to Leech Lake. Seconded by Robert Durant. 11 For, 0 Against, 0 Silent. Carried.

Motion by Erma Vizenor to approve Resolution 30-13 regarding Enrollment: White Earth Relinquish to Red Lake. Seconded by Robert Durant. 11 For, 0 Against, 0 Silent. Carried.

Motion by Erma Vizenor to approve Resolution 31-13 regarding Enrollment: White Earth Relinquish to Sisseton-Wahpeton. Seconded by Robert Durant. 11 For, 0 Against, 0 Silent. Carried.

Motion by Erma Vizenor to approve Resolution 32-13 regarding Enrollment: White Earth Relinquish to Choctaw Nation. Seconded by Robert Durant. 11 For, 0 Against, 0 Silent. Carried.

Motion by Erma Vizenor to approve Resolution 33-13 regarding Enrollment: White Earth Relinquish to Chickasaw Nation. Seconded by Robert Durant. 11 For, 0 Against, 0 Silent. Carried.

Motion by Erma Vizenor to approve Resolution 34-13 regarding Enrollment: White Earth Relinquish to Citizen Potawatomi. Seconded by Robert Durant. 11 For, 0 Against, 0 Silent. Carried.

Motion by Erma Vizenor to approve Resolution 35-13 regarding Enrollment: White Earth "Not on 41' Roll". Seconded by Robert Durant. 11 For, 0 Against, 0 Silent. Carried.

Motion by Kevin Leecy to approve Resolution 36-13 regarding Enrollment: Bois Forte Eligibles. Seconded by Dave Morrison. 11 For, 0 Against, 0 Silent. Carried.

Motion by Kevin Leecy to approve Resolution 37-13 regarding Enrollment: Bois Forte Ineligibles. Seconded by Dave Morrison. 11 For, 0 Against, 0 Silent. Carried.

Motion by Kevin Leecy to approve Resolution 38-13 regarding Enrollment: Bois Forte Blood Degree Change. Seconded by Dave Morrison. 11 For, 0 Against, 0 Silent. Carried.

Motion by Kevin Leecy to approve Resolution 39-13 regarding Enrollment: Bois Forte "Not on the 41' Roll". Seconded by Dave Morrison. 11 For, 0 Against, 0 Silent. Carried.

Motion by Kevin Leecy to approve Resolution 40-13 regarding Enrollment: Bois Forte Disenrollment. Seconded by Dave Morrison. 11 For, 0 Against, 0 Silent. Carried.

QUARTERLY REPORTS:

Gary Frazer presented the Administrative Report. He explained that the Tribe would be shopping around for Health Insurance as the increase would be 19.9%.

Motion by Robert Durant to approve the Administrative Report as presented. Seconded by Melanie Benjamin. 11 For, 0 Against, 0 Silent. Carried.

Rick Wuori presented the Finance Corporation Report.

Motion by Kevin Leecy to approve the Finance Corporation Report as presented. Seconded by Carri Jones. 11 For, 0 Against, 0 Silent. Carried.

Courtney Gifford presented the Economic Development Report.

Motion by Karen Diver to approve the Economic Development Report as presented. Seconded by Dave Morrison. 11 For, 0 Against, 0 Silent. Carried.

Linda Johnston presented the Human Services Report.

Motion by Melanie Benjamin to approve the Human Services Report as presented. Seconded by Erma Vizenor. 11 For, 0 Against, 0 Silent. Carried.

JOM: James Monchampe

James Monchampe requested assistance for the National Johnson-O'Malley Association Conference scheduled for April 14-16, 2013 at Minneapolis Airport Marriott, Minneapolis, MN. They are seeking donations all over the country, representation is nationwide.

Encourage Educators to attend. Looking for donations from Minnesota Chippewa Tribe and participation from Education Departments.

Sunday – 9:00 a.m., Chair Erma Vizenor. Tribal Leaders need to push for JOM Funding. Karen Diver suggested buying an ad for the Tribe. Gary Frazer agreed.

MIAC: Jolynn Shopteese

Jolynn presented a legislative update. Meeting with Governors Assistant – better job of communicating with the tribe. Strategies.

Meeting with the Governor and Tribal Leaders – March.

Karen Diver stated a week half notice is not adequate.

Jolynn would call today to set meeting date.

Legislative Training – beginning of March. February 20th Crown Plaza, MN Indian Affairs.

Mark Murphy will bring photos and talk about self – get to know as person budgets.

Indian Affairs Legislature: Finishing strategic plans language revitalization. Kevin Leecy – Minnesota Chippewa Tribe pooled money to get CD project off ground – would like update where that's at.

Erma Vizenor discussed the Wolf issue/sanctuary with Governor – need to have talking points when meeting with the Governor. Norman Deschampe stated the Tribal Executive Committee is going to support. Gary would get a proclamation and list points.

Motion by Erma Vizenor to support Wolf Sanctuary. Seconded by Donald Finn. 9 For, 2 Against, 0 Silent. Carried. (Melanie Benjamin/Curt Kalk).

Mark stated that the Key is to be recognized.

Erma – tribal jurisdiction.

Kevin Leecy suggested that at the February 20th meeting, there should be an agenda of issues. All ideas should be given to Jolynn. Mining – school payback issues – State cuts in University system – budget down 1/3.

Jolynn gave an update on the Bemidji office – position: office manager, closed Monday. The position is working with Federal Grants – part-time position.

LEGAL: Mark Anderson

Mark gave an update on the property tax legislation for the MCT Twin Cities office. Bill sponsor: Susan Allen, we need to determine who would be best witness and decided it would be Carl Franzen. So far, the bill has had a good reception at the House level.

Packet – proposed IRS guidelines – general welfare tribes provide to members – available for comments. Pages 11-15 list the common benefits provided to people by tribes that will not be considered income for federal tax purposes. Guidance is official right now and can be applied for tax years 3 years back. Comments are still being taken.

Natural Resource/Environment Subcommittee – Invasive Species Task force – adopt resolution urging State to appoint Tribal Representative.

Motion by Kevin Leecy to appoint Norman Deschampe to be Tribal Representative on Invasive Species Task Force. Seconded by Karen Diver. 11 For, 0 Against, 0 Silent. Carried.

Motion by Erma Vizenor to approve Resolution 41-13 regarding tribal participation in Invasive Species Advisory Committee. Seconded by Ferdinand Martineau. 11 For, 0 Against, 0 Silent. Carried.

Motion by Erma Vizenor to approve Resolution 42-13 to support State recognition of Tribal Watercraft Licensing and Registration. Seconded by Robert Durant. 11 For, 0 Against, 0 Silent. Carried.

Mark asked if the Tribe would like to participate in Amicus Brief re: Indian Child Welfare – Phil Brodeen explained Adoptive Couple vs. Baby Girl. He proposed that tribal leaders should: 1. Reach out to State Officials 2. Consolidate efforts. Tribal state agreement would help. Amicus Brief – March 28th, 2013. Tribal Attorneys get together and provide brief.

Motion by Erma Vizenor to support individually or as a tribe. Seconded by Kevin Leecy. 11 For, 0 Against, 0 Silent. Carried.

Erma – It has been argued that ICWA applies only to foster and not adoption. That is not the spirit of ICWA.

Mark stated that we have proposed legislation – State Court transfer to Tribal Court with consent of Tribal Court and, where admissible, the parents.

Phil Norrgard, Director Human Services, Fond du Lac – MN Exchange Advisory Taskforce. Health Exchange Bill. Deadline March 23, 2013. There are Nine Committees in Senate and the Bill has gone through three. In Government Operations today.

Affordable Care Act – included a reauthorization Indian Health Care Act and it exempts Indians from the tax penalties on an individual who doesn't carry insurance. It also approved a Medicaid expansion. One critical item is the definition of American Indian. The IRS and the legislation use a definition of tribal member tied to tax credits, tax codes, but the Tribal Technical Advisory Group is seeking the use of a broader definition that would include all members of the "Indian Community." In the Health Exchange Bill, tribal consultation is required by law.

Karen – IHS monies. April 4th – Training – Northern Lights. July – Health Directors and staff. September – what tribes in Minnesota are doing?

Motion by April McCormick to approve Resolution 43-13 regarding appointment of Indian Healthcare Expert include Phil Norrgard. Seconded by Melanie Benjamin. 11 For, 0 Against, 0 Silent. Carried.

Introduction of Barb Brodeen, State Liaison, MN DOT, Linda Aitken is retiring in April.

BIA-MN Agency: Roger Heger, OST

Handout – Filing deadline March 1st.

Robert Durant informed the Committee of February 28 – March 1, Collaborative Meeting, St. Paul, Behavior Health Treatment, Dealing with Youth and Families, 10:00 am DHS Office 444 LaFayette, St. Paul. Look at Priorities.

Motion by Melanie Benjamin to adjourn meeting at 10:44 a.m. Seconded by Ferdinand Martineau. 11 For, 0 Against, 0 Silent. Carried.