

**TRIBAL EXECUTIVE COMMITTEE
REGULAR MEETING**

A Regular Tribal Executive Committee meeting was called to order at 8:39 a.m., Thursday, January 11, 2024, by President Catherine Chavers at Black Bear Casino, Resort Event Center in Carlton, Minnesota.

Invocation: Michael Fairbanks, Chairman, White Earth

Roll Call: Robert Deschampe, Chairman, Grand Portage; April McCormick, Secretary-Treasurer, Grand Portage; Faron Jackson, Chairman, Leech Lake; Leonard Fineday, Secretary-Treasurer, Leech Lake; Kevin Dupuis, Chairman, Fond du Lac; Robert Abramowski, Secretary-Treasurer, Fond du Lac; Michael Fairbanks, Chairman, White Earth; Michael LaRoque, Secretary-Treasurer, White Earth.

Zoom: Melanie Benjamin, Chief Executive, Mille Lacs; Sheldon Boyd, Secretary-Treasurer, Mille Lacs; Tara Geshick, Secretary-Treasurer, Bois Forte.

Others Present: Terri Goggleye, Richard Jones, Caleb Dogeagle, Emily Johnson, Kelly Applegate, Corey Strong, Steve White, Agatha Armstrong, Marie Spry, Toby Stephens, Cheryl Edwards, MCT staff and other interested parties.

Executive Director notes one change in the consent agenda will be moved to the beginning per President Chavers, additional changes brought forward.

Motion by Secretary-Treasurer Abramowski to approval of agenda with changes. Seconded by Secretary/Treasurer Fineday. 11 For, 0 Against, 0 Silent. Motion Carried.

President Chavers announced that Chief Executive Benjamin has a funeral this morning.

RESOLUTIONS:

Note: President Chavers announced that 53-24: Mille Lac Relinquishment (1) needed to be removed per Mille Lacs Band request due to a correction needing to be made, Mille Lacs Band Resolutions were separated from the consent agenda. Secretary McCormick noted the resolutions were renumbered (read verbally) after 52-24 was approved beginning with 53-24: Mille Lacs No Parent Enrolled (1) originally numbered as 54-24 in TEC packets.

Motion by Secretary-Treasurer McCormick consent agenda enrollment Resolutions 34-24 to 50-24, Mille Lac Enrollment Resolutions will be handled separately per request by Mille Lacs Band Ojibwe. Seconded by Secretary-Treasurer Fineday. 11 For, 0 Against, 0 Silent. Motion Carried.

Motion by Chief Executive Benjamin to approve Resolution 51-24 regarding enrollment: Mille Lacs Eligibles (31). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent. Motion Carried.

Motion by Secretary-Treasurer Boyd to approve Resolution 52-24 regarding enrollment: Mille Lacs Ineligibles (20). Seconded by Secretary-Treasurer Fineday. 11 For, 0 Against, 0 Silent. Motion Carried.

Motion by Chief Executive Benjamin to approve Resolution 53-24 regarding enrollment: Mille Lacs No Parent Enrolled (1). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent. Motion Carried.

Motion by Chairman Deschampe to approve Resolution 54-24 supporting 2024 MIFPA Legislative Changes with slight revisions. Seconded by Chairman Fairbanks. 11 For, 0 Against, 0 Silent. Motion Carried.

Motion by Secretary-Treasurer McCormick to approve Resolution 55-24 regarding the List Act. Seconded by Secretary-Treasurer Fineday. 10 For, 0 against, 1 silent (Chairman Fairbanks) Motion Carried.

Discussion amongst TEC about the purpose of the List Act Resolution, list out the six federally recognized Bands in addition to the Minnesota Chippewa Tribe, clarifying to the federal government that they must update their list to reflect there are 580 federally recognized tribes.

Motion by Secretary-Treasurer Fineday to approve the minutes of October 25, 2023, Regular meeting; October 30, 2023, Special Meeting; December 11, 2023, Special Meeting with one change to the December Special meeting (correct name). Seconded by Chairman Jackson. 11 For, 0 Against, 0 Silent. Motion Carried.

QUARTERLY REPORTS

Joel Smith presented the Administrative Report. Discussion amongst Committee in regards to enrollment numbers, past Wilder Report (2014), ability to run reports, brief discussion on developing a committee to review and revise enrollment ordinance.

Billy Annette presented the Education Report. JOM, Parent Committees, meeting report out. Noting the MIEA Conference to be held April 17-19 in Hinckley.

BIA: NOT PRESENT.

UPDATE CONSTITUTIONAL REFORM MEETINGS: Cheryl Edwards Sally Fineday

Cheryl presented an update on last delegates meeting. Concerns expressed about changing the constitution language and ordinances roles of the Constitution Delegation and Tribal Executive Committee. Referendum discussion, comment from Patty Strob, White Earth: there were two questions on the referendum, and White Earth is in support 32-15 going forward. The

Referendum was non-binding, the next step is a Secretarial Election. Cheryl stated the MCT website can post more information on the Constitution Delegates Information, and Chairman Dupuis clarified that it has already been granted.

President Chavers calls for a Break: 10 mins break announced at 9:47 am
Meeting Resumed- *Approx. 10:16 Chief Executive Melanie excused for funeral attendance.*

JEAN SKINAWAY – SANDY LAKE

Presented a folder with several documents. Presented statements regarding the history and current concerns facing Sandy Lake federal recognition process and requesting assistance from MCT (fiscal and other), reflected claims and opinions on relationship to MLBO.

Jean brought up environmental discussion on Talon Mine and protecting water. Kelly Applegate explained the MLBO efforts regarding the Environmental Review of Talon Mine: information shared about the process of MnDNR review and Environmental Assessment Worksheet. Kelly stated he has utmost respect for Jean and the efforts that she is putting forward, the deep desire for federal recognition. As DNR Commissioner, he explains he cannot engage in their deep requests for governmental information and conversations until you establish federal recognition.

Kelly Applegate presented MLBO talking points to the TEC (also screenshared by Zoom) two pages: A December 11, 2019, letter to MCT President Cathy Chavers from Ms. Sandra Skinaway requested that the TEC support a draft resolution expressing full support for the non-removable Sandy Lake Band's efforts to restore their federal status. Individuals identifying as enrolled members of the Sandy Lake Band of Chippewa include enrolled members of the Red Lake Nation and/or unenrolled descendants of enrolled members of the Mille Lacs Band of Ojibwe, and a few enrolled Mille Lacs Band Members. The TEC voted to support the draft resolution presented by Ms. Skinaway, with minor edits, which became TEC Resolution 64-20.

In this letter, Ms. Skinaway wrote, “we have exhausted all administrative remedies and now seek the support of the Minnesota Chippewa Tribe through a resolution of support.” In fact, Federal District Court Judge Donovan Frank dismissed a lawsuit brought by Sandy Lake against the U. S. Secretary of Interior on July 1, 2011, writing, “The Court concludes that the Sandy Lake Band has failed to exhaust its administrative remedies” because it never went through the only administrative remedy available: the Bureau of Indian Affairs’ Federal Acknowledgement Process. Sandy Lake filed a second lawsuit without appealing the first lawsuit. On May 20, 2013, the U.S. 8th Circuit Court of Appeals refused to hear the case's merits because “Sandy Lake did not appeal from that decision or exhaust its administrative remedies”.

On January 31, 2020, the Tribal Executive Committee passed Resolution 64-20, which stated, “Now therefore it be it resolved, the Minnesota Chippewa Tribe Tribal Executive Committee is in full support of the efforts of the non-removable Sandy Lake Band of Mississippi Chippewa

and hereby presents this resolution of support as the Sandy Lake Band of Mississippi Chippewa continue their efforts to have their federal status restored."

Individuals representing the Sandy Lake Band of Chippewa now have three paths to pursue to achieve their goal of federal recognition:

1. Apply for federal recognition as a tribal government with the Bureau of Indian Affairs by going through Federal Acknowledgement Process (FAP)
2. Pursue an Act of Congress that confers federal recognition on the Sandy Lake Band.
3. Pursue a Court Decision

There are no other paths to pursuing federal recognition for the Sandy Lake Band. It is now up to the representatives of Sandy Lake to choose one of these three avenues and pursue their efforts to obtain federal recognition if they do so.

The TEC of the Minnesota Chippewa Tribe has no role in any of these processes other than the supportive resolution passed. All other Sandy Lake complaints regarding the Mille Lacs Band are irrelevant because they concern matters the TEC has no authority to act upon. These complaints are internal matters, most recently about communications and disagreement about a burial site. These issues have no place on the Subcommittee or full TEC agendas.

TEC two-page handout: There are 7 criteria and 3 ways for Indian groups to become federally recognized tribes: By a Court Decision, Act of Congress, by Administrative Procedures Act (25 C.F.R Part 83, The BIA Federal Acknowledgement Process).

Secretary-Treasurer Boyd explained that there is a process referenced in the Band Assembly Law. I support what you are trying to do. The District Representative is Wendy Merrill, who can draft bill, you will need to fill out a form for public testimony to get on agenda.

President Chavers affirmed that Sandy Lake must seek Federal Recognition through the BIA. The MCT has offered past resolution of support for the federal recognition process.

SHIP NAMING CEREMONY: VETERAN JAMES D. FAIRBANKS

Secretary-Treasurer LaRoque shared the biography of veteran James D. Fairbanks, an enrolled member of White Earth. He informed the Committee that a ship was being named after him and the family has requested a Tribal Representative to bring flag to DC. He will share additional information with each of the Bands to share out and to post the colors in honor of his service.

NEXT MEETING DATES:

TEC selected March 12th for the Minnesota Chippewa Tribe Legislative Dinner at the St. Paul Intercontinental.

TEC Meeting Dates:

April 24-25: Grand Portage

July 8: Bois Forte

October 29-30: Leech Lake

Chairman Jackson remarked on the history of Resolution 32-15 approved in 2015 and stated that he desires Leech Lake start on Resolution 32-15 including all federally recognized Ojibwe, Chippewa, Anishinaabe blood in the enrollment process. President Chavers affirmed that Leech Lake can be on the agenda for the next meeting.

Deanne Drift/ Chief Kent – Power point presentation on Adverse Childhood Experiences (ACES) & Mitigation

INFORMATION:

Language Symposium and Chippewa Federation January 18th Lac du Flambeau

OLD BUSINESS:

Land Transfer: No change in current status.

Impaired Waters Protections: Updates given

Creation of General Assemblies and Support for Gaza

Question about individual opinion on defining ‘Sovereignty’

Motion by Secretary-Treasurer Fineday to adjourn at 12:37 p.m.

Seconded by Secretary-Treasurer LaRoque. 10 For, 0 Against, 0 Silent. Motion Carried.