

**White Earth Reservation Tribal Council
Special Meeting
September 11, 2017 – 9:00 a.m.
White Earth, MN**

Chairman Terrence "Terry" Tibbetts called the meeting to order at 9:25 a.m. , roll call was taken with a quorum present.

Present: Terrence "Terry" Tibbetts, Chairman
Tara Mason, Secretary/Treasurer
Kathy Goodwin, District II Representative
Steven "Punky" Clark, District I Representative
Eugene "Umsy" Tibbetts, District III Representative

Others Present: Ken Fox, Executive Director
Mike Fairbanks, Deputy Director
Desirae Stalberger, Recorder

Agenda Approval

Motion made by Tara Mason to approve with additions, Seconded by Kathy Goodwin. Motion carried, 4 for, 0 against.

RTC Meeting Minutes (8/28/17, 8/29/17, 8/31/17)

Motion made by Tara Mason to approve 8/28/17 meeting minutes, Seconded by Punky Clark. Motion carried, 4 for, 0 against.

Motion made by Kathy Goodwin to approve 8/29/17 meeting minutes, Seconded by Umsy Tibbetts. Motion carried, 4 for, 0 against.

Motion made by Tara Mason to approve 8/31/17 meeting minutes, Seconded by Punky Clark. Motion carried, 4 for, 0 against.

Calendar Review

Tabled Business

Other

Employment Issue - Removed from agenda

Meeting recessed at 10:17 a.m.

Meeting reconvened at 10:37 a.m.

Legal Counsel

Joe Plumer was present.

Policy 311 Revision - major change is the removal of court appeal process; will be 5 member peer panel process. Joe provided an overview of the policy change. Brief discussion was held regarding drug free workforce policy; safety sensitive positions needs to be looked at again. Jodi Kent was present; question was asked why did theft and drug free go to Tribal Court process. Tara requested changes be made to the policy for review and also have HR review prior to approval. Tabled for next meeting. Revision should be incorporated into policy 100, 101, 103; where ever it fits best.

Brief discussion was held regarding the Circle of Life PCA business; Tribal Council requested action be taken a year and half ago. Joe was asked to follow up on the PCA ordinance; Joe will redistribute.

Resolution – WE Judicial Code Policy 311

Joe Provided an overview of the resolution. Tabled for next meeting.

Umsy Tibbetts left meeting at 11:51 a.m.

Tara is requesting that the Tribal Council resolutions previously discussed for Tribal Court be rescinded.

Umsy Tibbetts entered meeting at 11:54 a.m.

Tara stated this resolution being presented is good and addresses the issue: Judicial code needs to be amended to reflect the changes as well.

Terry Tibbetts left the meeting at 11:58 a.m.

Tara is also requesting that the judicial code amendments also go through the public comment process. Joe Plumer was asked again to draft a resolution rescinding the previous Tribal Court resolutions.

Meeting recessed at 12:05 p.m.

Meeting reconvened at 12:18 p.m.

ICWA Case

Joe Plumer provides an overview of the letter of request from Rebecca McConkey-Greene.

Umsy Tibbetts left the meeting at 12:25 p.m.

Umsy Tibbetts entered meeting at 12:27 p.m.

[REDACTED]

Motion made by Kathy Goodwin to approve this request, Seconded by Punky Clark. Motion carried, 4 for, 0 against.

ICWA Commission

Two day training was held recently. Brief discussion was held regarding a commission member calling names of other commission members. The training was being live streamed; there were individuals that felt uncomfortable with being live streamed. This commission is a big responsibility. The commission training and board is for the individuals appointed not for the public; invite only.

Discussion was held regarding an individual and the issue of personally attacking by name calling to an elder who sits on the commission. This commission needs to work together. Motion made by Punky Clark to appoint [REDACTED], Seconded by Kathy Goodwin.

Commission board stipends was discussed; who's responsible for the stipend. Recommendation was to have Mike Fairbanks oversee this.

Umsy stated that he will not remove [REDACTED] from the commission. Discussion was held regarding the personal attacks of an elder and all the other commission members on the board with the comments being live streamed. Joe stated there needs to be buffers put into place.

Umsy Tibbetts left the meeting at 12:56 p.m.

Tara stated that there was total disrespect for an elder woman, this type of treatment should not be tolerated.

Tara Mason left meeting at 12:59 p.m.

After more discussion Terry stated that the motion will stay on the floor for the replacement of [REDACTED]

Meeting recessed at 1:01 p.m.

Meeting reconvened at 1:16 p.m.

Brief discussion was held regarding [REDACTED] and the continuous complaints. Legal department is being asked to draft a letter to [REDACTED] for cease and desist.

Motion to replace [REDACTED] was called for a vote. Motion carried, 3 for, 1 against. Punky wanted to re discuss the initial motion, it was his understanding that [REDACTED] was going to be added to the commission not replace [REDACTED]. The bylaws have not been established, let commission handle board members once complete. Motion made by Punky Clark to rescind

the motion to replace [REDACTED] Recommendation was to have Joe Plumer have a discussion with [REDACTED] but sit with the whole commission and be transparent regarding the issue at hand. The importance of the ICWA commission was discussed. After discussion with Joe Plumer Punky rescinds his second motion to rescind. The first motion to replace [REDACTED] stands. Motion carried, 4 for, 0 against.

Discussion was held regarding Enbridge pipeline meeting being coordinated for Friday the 15th. The Tribe is pushing all the work against pipeline, the word is [REDACTED] is receiving grant funding for this same purpose.

Consensus of Tribal Council that commission board stipends will be \$50 per day for the two day training that was held; Mike Fairbanks needs to process the payment for the individuals that were in attendance. A budget will need to be established for future board meeting stipends.

Ojibwa Follow Up

Jessica Johnson/Roy LaVoy were present. Proposal for WE Enterprises was presented to the Tribal Council for review. Brief discussion was held regarding the ability to purchase building materials at cost; this is a piece that should be kept and would benefit the ability to assist future force account projects. There needs to be a business plan with goals and objectives put into place; there is a meeting scheduled in near future to discuss. Tara's recommendation is to roll financial support staff in on Tribe's side under indirect until the business plan is in place. Jessica stated that once they are on the same system as the Tribe and the possibility of having Tribal finance assist with accounting it would be much easier to access information and be up to date. Question was asked if there was ever consideration of combining Ojibwe Building and Ojibwe Office; Jessica stated it would come down to the type of business plan being implemented.

Punky Clark left the meeting at 2:21 p.m.

Terry Tibbetts left the meeting at 2:22 p.m.

Punky Clark entered meeting at 2:29 p.m.

Terry Tibbetts entered meeting at 2:33 p.m.

[REDACTED]

Umsy Tibbetts left meeting at 2:40 p.m.

Umsy Tibbetts entered meeting at 2:41 p.m.

Motion made by Kathy Goodwin to approve the proposal as submitted, [REDACTED], Seconded by Umsy Tibbetts. Motion carried, 2 for, 2 silent. Financial pieces and board structure needs to be looked at.

Meeting recessed at 2:49 p.m.

Meeting reconvened at 3:03 p.m.

Foster Care Licensing

Katie Olson was present. There are currently 259 children in foster care placement as of July; request was made to have breakdown by district for future reporting.

Tribal Foster Care - Motion made by Kathy Goodwin to approve, Seconded by Tara Mason. Motion carried, 2 for, 2 silent. Off reservation licensing needs to be looked at; numbers requested for off reservation placements.

New Tribal Foster Care - Motion made by Umsy Tibbetts to approve, Seconded by Kathy Goodwin. Motion carried, 4 for, 0 against.

New Tribal Relative Foster Care - Motion made by Tara Mason to approve, Seconded by Kathy Goodwin. Motion carried, 2 for, 2 silent. Off reservation licensing needs to be looked at.

Other

Child Care License [REDACTED]

Motion made by Kathy Goodwin to approve, Seconded by Tara Mason. Motion carried, 4 for, 0 against.

Shakopee Letter of Support [REDACTED]

Motion made by Kathy Goodwin to approve, with changes, Seconded by Tara Mason. Motion carried, 4 for, 0 against.

Donation Request [REDACTED]

Tabled for more information.

FYI – Draft Policy [REDACTED]

Schedule for September 18th.

Member Help Request

Issue taken care of.

Wild Rice

The natural resource department is out on training. Lower Rice Lake will be opened up Wednesday from 7 a.m. to noon.

Employee Issue
[REDACTED]

PTO Donation Request [REDACTED]

Motion made by Umsy Tibbetts to approve 100 hour leave donation, Seconded by Punky Clark. Motion carried, 4 for, 0 against.

Leech Lake

Brief discussion was held regarding USDA funding for them to purchase rice at \$3.00 per lb. Request was made to get more information on grant funding being utilized.

The land lease issue at Leech Lake needs to be addressed. There is concern with individuals who have large investments on the land. This should be discussed at MCT natural resources and legislative meetings. MCT land within reservation boundaries needs to be brought to legislative as well.

Legal Counsel Continued

Grievance - Tabled

DCH - Tabled

Legal Restructure - Tabled

Public Utilities Commission - Tabled

Leonard Thompson Letter - Tabled

Financial Update

Scott Omlid - Tabled

Adjourn

Motion made by Kathy Goodwin to adjourn meeting at 4:21 p.m., Seconded Punky Clark. Motion carried, 3 for, 1 against.

Tara Mason, Secretary/Treasurer