

**White Earth Reservation Business Committee**

**Special Meeting**

**August 27, 2018 ~ 9:00 a.m.**

**White Earth, MN**

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Chairman Terrence “Terry” Tibbetts called the meeting to order at 9:10 a.m., roll call was taken with a quorum present.

Present: Terrence “Terry” Tibbetts, Chairman  
Leonard Alan Roy, Secretary/Treasurer  
Raymond Auginaush Sr., District I Representative  
Eugene “Umsy” Tibbetts, District III Representative

Absent: Kathy Goodwin, District II Representative

Others Present: Joan LaVoy, Special Projects Coordinator  
Maria Bevins, Recorder

**Agenda Approval**

Motion made by Eugene Tibbetts to approve with additions, Seconded by Leonard Alan Roy. Motion carried, 3 for, 0 against.

**RBC Meeting Minutes** (07/02/18, 07/10/18, 07/16/18, 07/17/18, 07/23/18, 07/24/18, 07/30/18, 07/31/18, 08/01/18, 08/06/18, 08/13/18, 08/20/18):

Motion made by Leonard Alan Roy to approve July Meeting Minutes, Seconded by Eugene Tibbetts. Motion carried, 3 for, 0 against.

August Minutes tabled until reviewed

**Reports**

Brief discussion held on the TEC Meeting that was held in Mille Lacs, MN, on certification question that was proposed by Fond du Lac on Blood Quantum; 2 Resolutions were proposed; Canadian Blood and Land Issue. Census 2020, have until August 31<sup>st</sup>. White Earth will be listed as; White Earth Band of Ojibwe.

**Calendar Review**

*Kathy entered meeting at 9:30 a.m.*

**Unfinished Business**

## **Land**

Sarah LaFriniere is present for Land Resolutions.

### **Homesites:**

Motion made by Eugene Tibbetts to approve, Seconded by Kathy Goodwin. Motion carried, 4 for, 0 against.

### **Lakeshore Lease:**

Motion made by Kathy Goodwin to approve, Seconded by Eugene Tibbetts. Motion carried, 4 for, 0 against.

### **Business:**

Motion made by Kathy Goodwin to approve, Seconded by Eugene Tibbetts. Motion carried, 4 for, 0 against.

## **USDA Wild Rice Contract**

Michael Neusser is present. Brief Discussion held on the USDA contract. Every year the contract is renewed. The amount will not be set until the end of October. Need approval from the RBC to have checks approved so they can start buying the wild rice. \$230,000 gross last year with \$130,000; net. Will do a contract at a number we can fill and amount is self determined by the RBC. Brief discussion held on the price to pay for wild rice.

Winona LaDuke is present. Winona is requesting to buy 20,000 pounds of green wild rice and was told by Monica Hedstrom she needed to buy a permit to do so:

Motion made by Leonard Alan Roy to approve the purchase of the permit, Seconded by Eugene Tibbetts. Motion carried, 4 for, 0 against.

Winona is requesting a letter of support from the RBC to the Shakopee Charitable Donations Committee for the Eighth Fire Project, known as Akiing: a new project born of work on the White Earth Reservation initiated by Honor the Earth:

Motion made by Kathy Goodwin to approve, Seconded by Eugene Tibbetts. Motioned carried, 4 for, 0 against.

Review of Issues Related to Enbridge Line 3; Joe Plumer is working on the Enbridge Line 3. White Earth Tribal Police do not have the jurisdiction to provide this service off White Earth Reservation. Need legal opinion on this matter. Alan asked to convey with the others tribes regarding the issue. Jurisdiction of 1855; Police cannot participate at these activities against our people. A public statement will be released that White Earth Members and RBC will speak for White Earth Reservation on this issue.

*Terry left meeting at 10:10 a.m.*

*Terry entered meeting at 10:12 a.m.*

## **COLA**

COLA staff, students and parents are present. Brief discussion held on Ricky White, Superintendent of COLA. There are rumors going around on the White Earth Reservation Communities regarding RBC firing Ricky White and the COLA staff, students and parents are here today to show their support of the School and Ricky. It was requested of Mary Otto, Education Director to do a Memorandum of Report regarding; verifying the credentials of Ricky White and the spending of a certain contract. RBC has not met again on this issue and Ricky White is not removed from COLA.

*Meeting recessed at 10:42 a.m.*

*Meeting reconvened at 11:05 a.m.*

## **Joint Venture Agreement; Naytahwaush Clinic**

Pat Butler is present. Brief discussion held on the Joint Venture Clinic. The Amendment #1 to the Joint Venture agreement between White Earth and the Indian Health Service includes the following provisions:

- Request a one year extension /suspension of JV activity
- It can be renewed yearly for a number of years
- It keeps a placeholder for White Earth in case funding becomes available
- It suspends the congressional request for staffing and M&I dollars until a time is active or stopped
- The waiting list for I.H.S builds is 20-25 years at this point
- If JV is cancelled completely it is unlikely that the opportunity would be available again

Because the Amendment is essentially a place-holder, that allows White Earth to put further work on the joint venture on hold, without penalty. Alan is requesting a seconded opinion on the document:

Motion made by Kathy Goodwin to approve the Joint Venture Agreement; Naytahwaush Clinic, Seconded by Eugene Tibbetts. Motion carried, 2 for, 2 opposed. Terry broke the tie an opposed until a seconded legal opinion is received.

Motion made by Leonard Alan Roy to ask for a second legal opinion on this project and on Joe Plumber's memo; no later than September 10th, Seconded by Raymond Auginaush Sr. Motion carried, 3 for, 1 opposed.

## **Terracon Review**

Scott Omlid, Raeann Smith and Bernie Soyring are present.

Scott stated last year they hired a Company; Terracon out of the East Coast to do assessments on the RBC buildings. RBC has 130 buildings. Last year they did 28 buildings with full assessments identifying strength and weaknesses of each building. With these assessments they suggested what needed to done to each building and the long term status of each. Originally planned 3-4 year period for these assessments; 25%-30% of buildings completed each year. Money is

allocated and budgeted to do this for the upcoming year. Scott is asking the RBC if they want to continue with this project. If approved they can come in September to do 25-30 buildings on this year's budget FY18 and hire them to start FY19. Money is budgeted in the Indirect Cost.

Budgeted:

- \$100,000.00 for this physical year
- \$75,000 for the next physical year
- Spent \$75,000.00 for the first year; Three years to complete
- FY18, FY19 and FY20:
  - \$250,000.00 - \$300,000.00 to complete the buildings

Brief discussion held on the vacant buildings.

This is software that generates a specific assessment on each building such as:

- Concrete
- Footings
- Flooring
- Walls
- Lead
- Electrical panels

Motion made by Kathy Goodwin to approve, Seconded by Raymond Auginaush Sr. Motion carried, 4 for, 0 against.

**Dream Catcher Homes~ Executive Session at 11:30 a.m.**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

*Executive Session recessed at 12:12 p.m.*  
*Executive Session reconvened at 1:08 p.m.*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

*Executive Session Ended at 1:46 p.m.*

**ICWA Board**

Brief discussion held on the ICWA Board. ICWA Board is working on their Bylaws and there are issues with attendance. Public comment; Pam has attended three meetings and there has not been a quorum. It has been since August 2017 and trainings have been completed; however, not hearing and cases at this time. Next meeting will be on Tuesday, August 28<sup>th</sup>; it was suggested that board members who attend the meetings don't have a quorum the members who are not in attendance will be replaced. Four regular board members have been consistent out of the nine. Need to appoint replacements. Resolution needs to be rescinded and reduce the size of the ICWA Board.

**MOMS & MATS Facility**

This has been an ongoing discussion due to the RBC's capital expenditure freeze they had to implement. There will be a second opinion on the Joint Venture Agreement for the Naytahwaush Clinic. The facility is needed; however, due to some complexities surrounding this; 1) does Behavioral Health have enough money to cover the cost of this facility; 2) The White Earth Tribe will not have enough money to pursue this project for the next two years, RBC will be bankrupt.

If RBC pursues any projects within their scope that was budgeted, RBC would have to close the doors.

Jeri stated when they first started to look at this project it was a smaller scale building; then they started to look at the master planning of what they can use this building for 20 years down the road and the needs for MOMS & MATS starts to go away. At that time it made sense to not have this as a standalone building, link it to the clinic and the future use for new ventures would include; health care, skilled nursing care, and services for our elders. They expected the bids to come in for their part of the facility at \$8 million; however, they came in at \$12 million significantly higher than what they anticipated and the project was placed on hold. An option is going back to the original site and they would need to scale back on the size of the buildings. Situation of knowing they have the money to build this facility; however, do they want to tap into all their money and wipe out most of their reserves to build these buildings. Issues related to how much should Behavioral Health contribute for next year's budget; cover costs and what are allowable expenditures.

Alan stated RBC has been going through budgets and to sustain current operations, RBC would have to inquire \$3.1 million from Behavioral Health for next year and be used under the five categories previously discussed. This would help fund; ENP, B&G Club, and Culture fund; however, need to change the scope of work and mission statement of those programs to help meet the intent of those funds to be used. RBC had a \$12 million dollar deficit and made \$9 million in cuts currently. RBC will inquire funding from Behavioral Health again for next year due to cuts; \$3.1 Million for this year and 2 million for FY19 & FY20.

Jeri is asking the RBC to hold off on moving forward with these buildings or reserve Behavioral Health funding; however, Jeri would like to hold off for six months due to changes in these buildings. RBC is in a bad financial situation and it is up to the RBC body to determine to move forward with this facility. Brief discussion held on budgets, bids and total cost of the MOMS & MATS buildings.

***Ray left meeting at 2:31 p.m.***

***Ray returned to meeting at 2:35 p.m.***

A special meeting will be held Friday, August 31<sup>st</sup> on this matter at 10:00 a.m. RBC is requesting for Jeri, Scott, Roy and Joe to come to this meeting for more discussion on the MOMS & MATS buildings.

***Eugene left meeting at 2:40 p.m.***

***Eugene returned at 2:48 p.m.***

## **New Business**

### **Star Lake Referendum:**

Brief discussion held regarding the Star Lake referendum. Alan referenced meeting minutes from 05/08/17. Terry stated RBC is missing two years of meeting minute's year 2014 & 2015. Prior Resolution #001-16-004; passed on 11/16/15 (Alan reference the Resolution). Alan stated that he will make a motion to have the Resolution be rescinded. Alan is requesting to have this at the meeting for Friday. Tabled.

Post Jobs (Executive Director, Chief Operating Officer, Special Projects, MCT Advisors; three positions):

Jobs need to be posted before September 5<sup>th</sup>. Requirements being enrolled members of White Earth. Alan would like to have the MCT advisors be full time employees of the RBC.

Motion made by Raymond Auginaush Sr. to approve, Seconded by Kathy Goodwin. Motion carried, 4 for, 0 against.

### **1<sup>st</sup> Red Road Warrior Gathering:**

A donation request was received from Terri Stauffer for registration scholarships for eleven individuals to attend the gathering.

Motion made by Leonard Alan Roy to approve, Seconded by Raymond Auginaush Sr. Motion carried, 4 for, 0 against.

Dennis Williams is present for discussion on the crowns he made for COLA Powwow for the Jr. & Sr. Princess and the arrangement he had with Ricky White at COLA. The agreement was for \$3,000.00 for two crowns. May 7<sup>th</sup> received an email from Ricky White regarding the crowns. (Dennis referenced an email from Ricky White). Dennis stated that this is business and he should have been paid for the work he provided for the crowns. Dennis provided the crowns to the RBC for their view, also crowns that his daughters have received for previous Jr. Princesses. Mary Otto contacted Dennis and wanted to renegotiate price of the crowns; however, Dennis wanted them to honor previous agreement on the crowns. At that time COLA made arrangements with Loretta Hoagland to make a Sr. Princess crown; however, did not make a Jr. Princess crown. Dennis is asking the RBC to approve the agreement between Ricky White and himself for the cost of the crowns that he made for COLA Powwow due to the time he spent on making them. Motion made by Leonard Alan Roy to approve the agreement between Ricky White and Dennis Williams, Seconded by Raymond Auginaush Sr. Motion carried, 3 for, 1 silent.

## **Signatory Request**

Resolution – Delegation of Authority – Tabled

Resolution – White Earth Safety Planning Committee – Tabled



Resolution – 2018 Timber Harvest Plan – Tabled

Resolution – 2018 Tribal Netting Seasons & Limits – Tabled

Adjourn

Motion made by Leonard Alan Roy to adjourn at 4:03 p.m. Seconded by Kathy Goodwin.

Motion carried, 4 for, 0 against.

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Leonard Alan Roy, Secretary Treasurer