

White Earth Reservation Business Committee

Special Meeting

December 31, 2018

White Earth, MN

Chairman Terrence "Terry" Tibbetts called the meeting to order at 9:07 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: Randy Goodwin, Executive Director
Joan LaVoy, Chief Operating Officer
Maria Bevins, Recorder

Agenda Approval

Motion made by Eugene Tibbetts to approve with additions; second by Raymond Auginaush Sr.
Motion carried; 3 for, 0 against.

RBC Meeting Minutes (12/03/18, 12/20/18 & 12/24/18)

Motion made by Leonard Alan Roy to approve with changes; second by Raymond Auginaush Sr.
Motion carried: 3 for, 0 against.

Reports

- Nothing to Report

Calendar Review

Unfinished Business

NTW Garage Renovation:

Motion made by Eugene Tibbetts to approve; second by Leonard Alan Roy. Motion carried: 2 for, 0 against.

First National Bank Bemidji

Hugh Welle was present for a First National Bank Presentation; packets were provided to the RBC for their review. Mr. Welle thanked the RBC for the opportunity to meet and discuss options for banking services.

A brief history of the First National Bank was presented to the Tribal Council:

- Welle Family
- Employee Stock Ownership Plans
- Mission Statement
- Financial Report; Brief discussion held on Ratio Analysis that was provided for the RBC review:
 - Earnings and Capital as of September 30, 2018
 - Tier 1 Leverage Ration
 - Risk Based Capital Ratio
 - Asset Quality
 - Non-Current Assets to Total Assets
 - Non-Current Loans to Gross Loans
- Staff - 118 staff members; executive key people were listed for RBC review

Service Summary:

- Checking and Treasury Management
 - Internet Banking
 - Remote Deposit Capture
 - Payroll Processing
 - Check Reconciliation
 - Positive Pay
- Savings
 - Interest Pay Accounts (for reserves)
- Loans
 - Commercial and Industrial
 - Equipment Purchased
 - Revolving Lines of Credit (Operating Needs)

First National Bank of Bemidji have a relationship on the Government side with tribes includes; Red Lake and Leech Lake and they also works with Beltrami County.

Alan commented on the scope of Bremmer Bank and is more nationally focused. First National Bank of Bemidji is local. When has Bremmer Bank visited White Earth. Customer care; White Earth has gone through a lot of financials over the last four years and there are a lot of pros and cons in a relationship. Questionable things going on with Bremmer Bank during the OGP investigations.

Bremmer Bank has provided no feedback related to the disagreement re: Great River Energy and Lake Region Electric Cooperative agreement. Alan recommended that the RBC takes this under advisement and to move forward in a good way.

Raymond stated that they took a tour of the First National Bank Bemidji and would support moving forward with them.

Terry stated that White Earth will keep their options open; however, appreciates what First National Bank Bemidji has to offer White Earth.

Alan recommended to have White Earth's CFO start a transition and what that would look like for the RBC; timeline would be March; however, First National Bank Bemidji would need access to financial documents and what they can save on checking accounts. They would need permission to have access to look at some of the checking accounts and give a report back on what they can do, also work with staff in accounting on what their challenges are and what they are working on today.

Alan recommended to move forward and have White Earth's CFO speak with First National Bank Bemidji on what exactly they would need to have access too.

Land

Heather Hamlin and Katherine Warren are present.

Pennsylvania Appraisal:

Brief discussion held on the request to hire an appraisal of the oil & gas holdings in Pennsylvania. They have explored a few companies with one response. In speaking with them they will provide good detail information and of the industry itself in that part of the country. The cost is \$5,000.00 to have the appraisal and 45 days to complete. Katherine is seeking approval to hire them to perform the appraisal and answer questions of the various types of minerals that are there; exactly what we have in terms of value (other than oil & gas). Katherine stated that this could be impacted and affect our minerals. Legal will provide an Resolution for the February presentation.

Alan commented on the oil & gas.

- Could have an impact and request a one page statement from the contractor; there could be more value
- Land Department will publish the February notification of the presentation
 - Notification in the Newspapers and provide copies of what we may have for our tribal members

MCT Land Transfer:

Brief discussion held on the MCT land transfer; titles being turned over. This should be a topic for discussion at the TEC meeting in Hinckley.

Requesting funding consideration from left over unappropriated funds from BIA. Fund request to be used for a contract with Pro West for GIS & online services.

Motion made by Eugene Tibbets to approve; second by Leonard Alan Roy. Motion carried: 3 for, 0 against.

Chip Factory Bid:

The tenant has left the building and walked away. Heather has completed a walkthrough of the building and completed inventory. A letter was mailed to the tenant and a notice was placed on the door. Joe stated he responded on Friday; looks like he may bring some claims; however, he did not do anything in the last three years at the building. He's pointing fingers at this point. Joan stated that she sent an email to Michael Nuesser to hold off on renting this area out; due to this individual being delinquent. One payment was received in September. Brief discussion held on what was left in the building and equipment.

Unpaid:

- Rent
- Insurance
- Electricity Bill

Thursday at 9:00 a.m. meeting with MMCDC

Meeting recessed at 10:15 a.m.

Meeting reconvened at 10:25 a.m.

White Earth Legal Department

Joe Plumber is present and gave a brief background on Enbridge's Line 3. We have appealed the decisions. Joe referenced the Five Page Resolution; Rights of Manoomin. This Resolution will be very important to the White Earth Reservation. Joe also referenced Rights of Manoomin Ordinance.

Rights of Manoomin:

Section 3; Enforcement: The Tribal Law protecting the Manoomin; Alan commented on some of the language and referenced Article 6 of the Constitution. The language is complicated. We are abdicating our authorities; however, he does not think we can do this to a private individual and strike the language.

Alan went through line by line; Strike Language:

- Under D
- Under E
- Under F
- Under G

Alan stated he is comfortable with moving forward with some modifications to the Resolution.

Joe stated that this language is based on what happened at Standing Rock and does not want it to happen on White Earth Reservation. Joe commented on some of the concerns.

Public comment from Wynona Laduke on the Manoomin. She has been very proud of White Earth and is working with three Lawyers on the Enbridge's Line 3 . She commented on the pipelines and the tough battle that revolves around this.

Rights of Manoomin Ordinance:

Motion made by Leonard Alan Roy to approve Resolution #001-19-009 with line items corrections; second by Eugene Tibbetts. Motion carried: 3 for, 0 against.

Rights of Manoomin:

Motion made by Leonard Alan Roy to approve Resolution #001-19-010; second by Eugene Tibbetts. Motion carried: 3 for, 0 against.

Raymond had an emergency and had to leave meeting at 11:26 a.m.

Meeting recessed at 11:26 a.m.

Meeting reconvened at 11:35 a.m.

~ *Executive Session at 11:36 a.m.*

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Executive Session ended at 1:11 p.m.

Meeting recessed at 1:11 p.m.

Meeting reconvened at 1:26 p.m.

WEPD

Mike LaRoque is present for brief discussion held on the Paul Bunyan Drug Task Force Inter-Agency Agreement; Authorization for the Chief of Police to sign off on the agreement. Regular Task Force Membership is \$3,500 annual Fee; They receive by funds and support from Paul Bunyan. WEPD have funds to move forward with this agreement. If they did not have Paul Bunyan WEPD would have to come up with the funds.

Resolution – Paul Bunyan Drug Task Force Inter-Agency Agreement:

Motion made by Leonard Alan Roy to approve Resolution #001-19-012; second by Eugene Tibbetts. Motion carried: 2 for, 0 against.

Alan stated for future expenditures; have Resolutions drafted first for this purpose.

New Business

Clarification on the Resolution - Insert Language; The White Earth RBC matched with the Grant of \$10,000 for the feasibility study and modification of the Resolution striking some language.

Resolution – Benson and Turner Foods, LLC; Shakopee Grant/Loan Assistance request with changes:

Motion made by Leonard Alan Roy to approve the Resolution #016-19-005; second by Eugene Tibbetts. Motion carried: 2 for, 0 against.

Motion made by Leonard Alan Roy to approve Letter of Support with the change of date; second by Eugene Tibbetts. Motion carried, 2 for, 0 against.

MIGA Invoice; Brief discussion held on MIGA:

Motion made by Leonard Alan Roy to decline the MIGA invoice; second by Eugene Tibbetts.
Motion carried: 2 for, 0 against.

Brief discussion held on Advertising; Advise Marketing to come up with a Marketing Schedule for members to have advertisement on the Reach Board. Schedule for membership for advertisement of businesses on Social Media. RBC in consensus with giving our members the opportunity to advertise their Business.

Signatory Requests

- Tabled until Wednesday, January 2, 2019

Motion made by Leonard Alan Roy to adjourn at 2:40 p.m.; second by Eugene Tibbetts. Motion carried: 2 for, 0 against.

Leonard Alan Roy, Secretary/Treasurer