

**White Earth Reservation Business Committee**

**Special Meeting**

**July 2, 2018 ~ 9:00 a.m.**

**White Earth, MN**

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Chairman Terrence “Terry” Tibbetts called the meeting to order at 9:46 a.m., roll call was taken with a quorum present.

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

Others Present: Michael Fairbanks, Deputy Director  
Ayecia Kemp, Recorder

**Agenda Approval**

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

**RBC Meeting Minutes (12/13/17, 06/25/18 & 06/27/18)**

Motion made by Kathy Goodwin to approve 12/13/17 meeting minutes, Seconded by Tara Mason. Motion carried, 4 for, 0 against.

Motion made by Tara Mason to approve 06/25/18 meeting minutes, Seconded by Kathy Goodwin. Motion carried, 4 for, 0 against.

Motion made by Kathy Goodwin to approve 06//27/18 meeting minutes, Seconded by Tara Mason. Motion carried, 4 for, 0 against.

*Terry left meeting at 9:55 a.m.*

*Terry returned to meeting at 10:11 a.m.*

**Calendar Review**

Kathy will be out for DSTAC the week of July 9<sup>th</sup> – July 13<sup>th</sup>

**White Earth Reservation Community Council Elder**

Lucile “Teedo” Silk is present.

Lucile presented to the RBC the cost of the elder’s trip they are going on in September. The elders will use their bus for the travel to the airport; however, is asking for help with the flights. Individual flights cost are \$711 each. Lucile commented on their elders meeting which will be held tomorrow, July 3<sup>rd</sup> and at that time she will know who will be attending the trip and the total

cost. Kathy requested to table this till the Elder Community Council's meeting for Tuesday July 3<sup>RD</sup> at Rice Lake.

*Meeting recessed at 10:22 a.m.*

*Meeting reconvened at 10:40 a.m.*

### **Legal**

Lenny Fineday is present.

Hemp Product Marketing Clarification:

Lenny gave a brief update on the Hemp Product and where it's currently at. There was confusion on the marketing. Lenny suggested having a meeting with the RBC and everyone who is involved with Hemp to discuss where we go from here and how we get everyone back on track.

PAC Account:

Brief discussion held on PAC. There have been some issues with reconciliation of this account over the years and are in the process of getting that straightened out with the Campaign Finance Board. A fine will likely be assessed to White Earth PAC due to our late reporting as a result of this reconciliation issue. To address these matters going into the 2018 election and contribution season, Lenny would recommend the RBC approve a one-time donation to the PAC to cover the fine and all contributions the RBC plans to make developing the list of candidates for state office/house the RBC wishes to support.

Recommend approval to contract with an outside attorney to develop & finalize the Hemp Code and the Public Utilities Commission Ordinance. Attorney is Laura Vedder who is experienced in tribal law and has developed regulatory codes for other tribes, including Leech Lake's PUC Code. Brief discussion held on contract attorney.

Lenny stated he will be resigning from his position from the Legal Department.

Resolution – Granting Limited Waiver of Sovereign Immunity to Expedia:

Motion made by Eugene Tibbetts to approve Resolution #001-18-014, Seconded by Tara Mason, Motion carried, 4 for, 0 against.

Resolution – Pembia:

Motion made by Kathy Goodwin to approve Resolution #001-18-015, Seconded by Tara Mason, Motion carried, 4 for, 0 against.

Resolution- Assumption of Fire Technician:

Motion made by Tara Mason to approve Resolution #055-18-002, Seconded by Kathy Goodwin, Motion carried, 4 for, 0 against.

## **Natural Resources**

Monica Hedstrom and Ed Snetsinger are present for updates.

Resolution – 2018/2019 Hunting and Trapping Seasons & Limits:

Motion made by Eugene Tibbetts to approve Resolution #057-18-007, Seconded by Kathy Goodwin. Motion carried, 3 for, 1 silent.

Resolution: BIA Fire Prevention Coordinator Position:

Monica asked if Lenny had talked about the Assumption of Fire Technician, the RBC has approved to sign the Resolution.

Wild Rice Committee:

Brief discussion held on the Wild Rice Committee. The committee was approved by Resolution during the March 2018 quarterly meeting and it was agreed that each RBC District Representative would choose 2 individuals to sit on this committee.

Emergency Management:

Ed Snetsinger gave a brief update on Emergency Planning, Code Red and the Vacant Building Facts. Ed gave an update on Mahnomen's fair; how they had to evacuate the fair this past weekend due to a Tornado warning. Terry commented on active shooter how they would notify the Schools or any surrounding places. Ed stated that they would use the Code Red; send text's out stating that it's a Code Red. Brief discussion held on Code Red and what this entails.

*Meeting recessed at 12:12 p.m.*

*Meeting reconvened at 12:31 p.m.*

*Maria Bevins took over recording of meeting minute at 12:31 p.m.*

## **Simplee Sweets LLC**

Douglas & Sherry Lee present.

Simplee Sweets LLC is a Native American owned; Minnesota based bakery/catering company located on the White Earth Indian Reservation. They specialize in making gourmet cupcakes and other baked goods such as giant cookies, brownies, bars, and other delicacies.

Simplee Sweets Events:

- White Earth Tribal and Community College
- White Earth Harm Reduction Summit
- National Leadership Development Conference
- Mille Lacs Swearing In Ceremony

Interested Buyers:

- Shooting Star Casino
- Leech Lake Casino
- Mille Lacs Grand Casino

- Dakota Magic Casino
- US Foods – Interested on a mentorship / 200 cupcakes
- Senator John Hoffman / Senate Meetings
- Provista – IGRA

**Business Consultation:**

- Jon Otto – Vision Inc.
- Northwest MN Small Business Development Center – Gavin Herrera

**Funding Sources:**

- MCT Finance Corporation – Jeff Brunnell
- MMCDC – Nicole Kirchner; has meeting today

**Physical Location:**

- Strawberry Lake Café – Bob Shimek
- Naytahwaush – White Earth Land Office

Doug stated that the Economic Development reached out to do opening for the Town homes.

**Requesting help from the RBC:**

**Simplee Sweets LLC White Reservation Business Committee Budget Request:**

- Lease to cover the next 12 months at \$400.00/month  
Strawberry Lake Café = \$4,800
- Commercial Oven – Used = \$2,500  
\$7,300

Funding for these things would greatly increase their chances for success as these are the most vitally needed at this time to begin production. They have been utilizing the commercial kitchen at the White Earth Community Center. This makes it difficult to schedule around other community members events. It is Doug’s belief with the proper help; Simplee Sweets LLC cannot only provide income for his own family but will also provide jobs for many individuals in the future.

Eugene stated to meet with MMCDC and MCT and what is available in tribal financing. Terry requested Doug to follow up with the RBC re: his meetings.

**Renewal Summary Proposal**

Raeann Smith and Scott Omlid are present.

Raeann stated they did not change carriers; always remained with the same carrier. Raeann updated the RBC on the Loss overview of Property renewal.

2017/2018:

- 0 paid
- Reserves were \$240,998.00; we had \$244,998.00 - Currently had five claims with three open claims with loss ratio of 74%

- 2016 (Lexington Carrier):
- \$117,195.00 paid in claims
- \$117,195.00 in current
- There were five claims with one still open with loss ratio of 33%

2017/2018 Analyzed Premium:

- \$326,842.00

2018/2019 Proposed Renewal (Went Up):

- \$422,871.00

Raeann stated that the increase is due and Insurance Industry wide and are up 15%; however, the majority of this is because of the scheduled locations. Raeann stated that they gathered all the property information on all of the buildings and were making assessments on these buildings. What they have is all the properties that are on the Insurance listing. The summary will be emailed to the RBC.

Notification; added a lot of properties:

- Currently purchased and added
- Due to the Insurance increase on some of the properties is because of the State they are in
- The amount of work, evaluation of the building vs. the cost , also the intent of some of the properties

Auto:

- Accidents with the Police Department Vehicles – High Risk
- Adding vehicles
- Going to lease vehicles

Statement of Values:

- Equipment
- Storage Buildings
- Boat motors
- Did a major inventory count

Proposal came in higher than anticipated. Scott stated the increase is just under 15%. Some went up due to the premium increase and insured value; however, under \$141,000,000.00 of value.

Tara stated to keep track of what RBC purchases and the intent of these buildings. Brief discussion held on the Christian Retreat buildings, buildings at the Ranch and the demolition to some of these buildings. Tara stated to prioritize what projects need to be demoed.

*Steven left meeting at 1:27 p.m.*

*Steven returned to meeting at 1:29 pm.*

Raeann commented on maintenance of the buildings and the maintenance budget. Scott stated to maintain the buildings it would cost \$5 million dollars annually. Terry wants Mike to follow up with Bernie on the buildings at the Christian Retreat. Premiums will stay the same this year; however, need to work on a plan for each of these buildings. Raeann stated that there are some properties that are on her list that Katherine did not have on her list in the Land office. RBC approval to have the working group put a plan in place; also to discuss the maintenance to these buildings and prioritize.

Renewal Summary Proposal (Do not need Resolution):

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

THC Discussion – Tabled

NTOGE – Tabled

*Meeting recessed at 1:50 p.m.*

*Meeting reconvened at 2:00 p.m.*

#### **Joint Venture**

Pat Butler and Scott Omlid are present.

The Joint Venture came back the end of last week signed by Headquarters. The Joint Venture is fully executed on the Tribal side and the I.H.S side. Pat commented on the funding for the Joint Venture and the proposed Resolution that is in Legal's review. Pat stated that they had the original letter for the commitment for \$8 million; however, they decided to come back to the RBC requesting the full funding amount of \$15 million; some of the clinic is completed; however, the main part of the clinic needs to be completed. Scott stated that \$600,000.00 to \$700,000.00 has been spent already. Brief discussion held on what was completed. White Earth Enterprises Builders; Naytahwaush Health Center Projected Job Cost and Bremer Bank financing proposal was giving to the RBC for their review. Tara commented on the pre-pay. Scott stated that they had a slight increase. Brief discussion held on Interest rates and USDA funding. Terry commented on the Health dollars (MOMS & MATS). Scott stated that the Health Department is getting funding for about 12 positions with the addition of this new clinic. Pat stated that these are new positions; six Behavioral Health positions and six Health positions due to the new Bill, that will be coming into this amount of money and be part of the package. These positions are done on a scale average and around \$800,000.00 that White Earth will be getting out the Congressional budget to Naytahwaush Clinic. Pat stated that the dollars cannot go back into the Building; however, use those dollars for positions or third party cost to help pay for the cost of the clinic.

Scott commented on going to back Bremer Bank, USDA or using other lenders. Terry commented on Sovereign Finance; Charles Freemont as an option for financing. Scott will follow up with Charles Freemont from Sovereign Finance. Scott stated that a loan payment on \$15 million is \$1.9 annually.

## **Enrollments**

Shannon Heisler is present.

### **Enrollment Resolution Rescinded (Eligible)**

Motion made by Tara mason to Rescind Resolution #020-18-015, Seconded by Steven Clark.  
Motion carried, 4 for, 0 against.

### **Enrollment / Band Transfer to Leech Lake**

Motion made by Steven Clark to approve Resolution #020-18-019, Seconded by Tara Mason.  
Motion carried, 4 for, 0 against.

## **Land**

Land Purchases – Tabled

Mahnomen Cenex Gas Line - Tabled

## **Education**

Mary Otto is present.

White Earth Childhood Education 2018-2019 Organization Chart was provided to the RBC for review:

- Top copy is the combined programming / Currently moving too
- Second- White Earth Head Start Program / Currently
- Third – White Earth Early Childhood Education / Currently

### **Changes:**

- Get rid of two Director positions
- Having an Early Childhood Education Manager; this position will oversee Head Start and Child Care. This will maximize their resources positions
- Additional Positions (red boxes on the organizational chart)
  - Operations Coordinator
  - Head Start Center
  - Early Head Start Center Supervisor
  - Coach

Head Start had a turnover with being short staff which is a disadvantage to programming and families. With this combined Organizational Chart they can combine some of their funding resources together. Mary stated that they have a budget that supports this Organizational Chart and have a strategic plan to hire the red boxes as future positions. The Policy Council for Head Start will still answer to RBC and still report to the Director. They will meet all the program requirements for the Office of Head Start and performance standards. Mary stated that they have always been in compliance; however, they can apply for duration grants. With the additional support they can do Monday through Friday. The community needs assessments have all suggested that families have difficulty with transportation or difficulty with Child Care. This would open up Child Care / Head Start slots. Mary stated that she needs approval for the structural change; eliminated two Director Positions, they did not fill these positions.

Assistant Director for Child Care will be the Early Childhood Education Manager. Other positions are remaining the same and no one's pay is decreasing and remaining the same within the budget.

Brief discussion held on Mary Farley who thought she was being demoted. Mary Otto will follow up with Mary Farley regarding the changes within Child Care program.

Brief discussion held on the success of the students when they are leaving Head Start and entering into Kindergarten.

Early Childhood Education Organizational Chart Approval:  
Motion made by Steven Clark to approve, Seconded by Tara Mason. Motion carried, 4 for, 0 against.

Update:

Brief discussion held on the young girl who was left at the movie theatre in Bemidji, MN. Mary stated that there is an investigation on this matter and has written statements; however, waiting for interviews from individuals. Staff members are on suspension for the investigation. Two staff and fifteen youth went on this field trip. Mary stated that they will bus the children the rest of the summer for Boys & Girls Club and will do this until they are able to have a location for the Boys & Girls Club in Naytahwaush.

*Steven left meeting at 3:19 p.m.*

*Steven returned to meeting at 3:21 p.m.*

Resolution – Supporting recommendation of Eminence Credential – Colleena Bibeau:  
Motion made by Kathy Goodwin to approve Resolution #038-18-005 with changes, Seconded by Tara Mason. Motion carried, 4 for, 0 against.

*Terry left meeting at 3:26 p.m.*

*Terry returned to meeting at 3:29 p.m.*

This Contract is entered into between the Board and Principal/Superintendent. The authority for selection and employment of a superintendent/school administrator shall be vested in the White Earth Reservation Business Committee.

FY18-19 Contract for Superintendent - Christopher Schulz:

Motion made by Tara Mason to approve, Seconded by Eugene Tibbetts. Motion carried, 4 for, 0 against.

*Meeting recessed at 3:31 p.m.*

*Meeting reconvened at 3:50 p.m.*

**Other**

U.S Department of Interior reorganization Letter; Sent a letter opposing this.



Employee Picnic Welcome:

- RBC approval for the \$20.00 gaming coupon

Michael Bowman – WEDOT

Requesting tribal support for the “build” grant application to fund the necessary Hwy 200 improvements:

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

Mike Triplett – Economic Development

Modifying/Increasing Solar Capacity / Change Order - DOE project:

Motion made by Steven Clark to approve, Seconded by Tara Mason. Motion carried, 4 for, 0 against.

Eugene Vivier – Water & Sewer

James McDougall Water & Sewer:

Motion made by Steven Clark to approve, Seconded by Tara Mason. Motion carried, 4 for, 0 against. Rescind motions from Tara Mason and Steven Clark. The Contract needs signature from James McDougall on the agreement that he is selling his residence in Waubun, MN before RBC approves.

Pam Keezer – Economic Development

Cyndy Rastedt’s SAMHSA Application:

Motion made by Tara Mason to approve, Seconded by Steven Clark. Motion carried, 4 for, 0 against.

Lenny Fineday - Legal

Business License Renewals; Zima Towing Services and Zima Auto Sales - Richard Zima:

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

Backup server for White Earth Housing:

Terry stated \$30,000 for a backup server; Nate Fabre looked into a server for them. Tara stated to go to IT.

Micro Loans:

Motion made by Tara Mason to move Micro Loans to Northwest Minnesota Foundation, Seconded by Kathy Goodwin. Motion carried, 3 for, 1 silent.

White Earth Fire Hall Truck Repair:

\$1,600 for the pump needed for the truck. Start with donations committee and RBC will pay the remaining balance.

**Executive Position Severance Package:**

Scott Omlid is present.

Motion made by Steven Clark to approve, Seconded by Tara Mason with the option to buy: Cell phone and Laptop for \$150.00 each. Terry would like to see what the values of these items are and the financials of what the past Executive Director was paid out.

Jerome Lakota received:

- No Computer
- No Phone
- No Benefits
- No Wrongful Termination
- No Unemployment
- Hours left that he had worked 60 hours recurred
- 251.5 hours PTO – Balance of PTO
- 60 hours pay period he actually worked
- 1,040 hours of Severance



Tara rescinded the electronics portion out of the original motion, Seconded by Steven Clark. Motion carried, 3 for, 1 Opposed.

***Meeting recessed at 4:29 p.m.***

***Meeting reconvened at 4:35 p.m.***

Ken Fox:

- Pay 7 days; 56 hours worked
- Balance of his PTO
- 1,040 hours of Severance

Scott stated that he cannot:

- Suing the RBC
- Bad mouthing the RBC
- No Computer
- No Phone
- No Benefits
- No Wrongful Termination
- No Unemployment

**Ken Fox Severance Package:**

Motion made by Kathy Goodwin to approve, Seconded by Tara Mason. Motion carried, 3 for, 1 Opposed.

Motion made by Kathy Goodwin to adjourn at 5:07 p.m., Seconded by Eugene Tibbetts. Motion carried, 4 for, 0 against.

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Leonard Alan Roy Secretary/Treasurer

DRAFT

