

White Earth Reservation Business Committee

Special Meeting

March 26, 2018

White Earth, MN

Vice Chair Steven Clark called the meeting to order at 10:39 a.m., roll call was taken with a quorum present.

Present: Tara Mason, Secretary/Treasurer
Steven Clark, District I Representative – Vice Chair
Kathy Goodwin, District II Representative
Eugene “Umsy” Tibbetts, District III Representative

Absent: Terrence “Terry” Tibbetts, Chairman

Others Present: Ken Fox, Executive Director
Michael Fairbanks, Deputy Director
Maria Bevins, Recorder

Agenda Approval

Motion made by Tara Mason to approve with additions, Seconded by Kathy Goodwin. 3 for, 0 against.

Calendar Review

Caring for Kids Store

Mary Otto, Director Education present. Currently The Caring for Kids Store is located at the White Earth Head Start building. The Caring for Kids Store has had 800 visits and currently serving all programs. Mary is requesting to move the store to the modular home next to the elders by the old COL School. The Caring for Kids Store will be open Monday through Friday from 8:00 a.m. – 4:30 p.m. and will have no staffing issues. The Store will be a locked room. Points are earned from WIC and Well Child checkups. These points are earned by meeting the requirements to utilize the store. Mary stated that they want to expand to other programs within the RBC to earn points. The store has the basic hygiene needs, blankets, toys and diapers. Tara commented on a volunteer coordinator to help with the Caring for Kids Store and having a RV to travel into other communities for families that cannot make it to the store located here in White Earth. Mary stated that they can work on points used for transit passes as well. Mary is asking for the support from the RBC to move The Caring for Kids Store to the modular building next to old COL School.

Motion made by Tara Mason to approve, Seconded by Kathy Goodwin. Motion carried, 3 for, 0 against.

The Office of Head Start will be here for a Site Visit on 03-27-18 at 8:30 a.m. at the Head Start Building and requesting to have a meeting with the RBC if available. Tara and Eugene will be attending meeting at 10:00 a.m.

Early Child Education Program moving to year round services for our communities. Early Child Education Program will be offering child wrap around services. Mary stated that they are contracting with a grant writer to write grants to purchase modular homes for Early Childhood for these services. Starting in Pine Point 0-3 Center Based Services will be phase one and will eventually move into other communities and will offer year round services from 7:30 a.m. – 5:00 p.m.

Meeting recessed at 11:25 a.m.

Meeting reconvened at 11:37 a.m.

Attorney Contract

Tara's concern is falling far behind in the Legal department and looking at the Attorney contract. Tara stated for future meetings confirm what the additions are on the agenda and read back to the RBC before moving forward with the approved agenda. Joe is busy with other duties other than White Earth. Tara commented on needing more help within the Legal department here in White Earth. There was a motion and a second on the table at the quarterly meeting held on March 1st with the Attorney contract. Tara recommended more discussion needs to be held when the Chairman is present on the Attorney contract. Tabled until Monday when the Chairman is present.

Investigations

Tara sent emails regarding the investigations and what was currently completed. Chairman Tibbetts sent an email that stated that Tara did not have the authority to call for the investigations. Tara stated to have the information sent to FBI for Micro Loans, Gaming, Public Works Roads, Deferred Accounts, and Mileage for investigation. Motion made by Tara Mason to approve, Seconded by Kathy Goodwin. Motion carried, 2 for, 1 silent. Investigations Tabled.

HEMP

Kathy asked Ken to follow up with Michael Neusser for the Business plan for HEMP. Tabled until Monday when Michael Neusser can be present.

Sanitation / PIT

Eugene concerned about the sanitation area that needs to be cleaned up. Kathy stated that the large dumpsters at the housing homes in Naytahwaush need to be picked up do to kids setting fires to the dumpsters. Eugene stated that there will be community clean up in a few weeks and the current garbage needs to be cleaned up in this area. Eugene also stated to have someone at the old Gordon's dumb site and have the demos sent there. Kathy asked Ken to follow up with Roy LaVoy regarding sanitation. Tabled until Monday.

Personnel



Meeting recessed at 1:01 p.m.

Meeting reconvened at 1:18 p.m.

NIGC Letter

Raeann Smith, Chief Compliance Officer present. Raeann commented on the letter received by NIGC. National Indian Gaming Commission conducted site visits of the Tribe's gaming operations on February 27th & 28th, 2018. The main purpose of this standard visit was to review recently completed background investigation files, observe valid facility licenses, to provide an NIGC update and provide technical assistance. During the site visit, NIGC became aware of a number of charitable bingo operations being operated on White Earth lands. Bingo operated on Indian lands, played for charitable purposes or for profit, is a class II game and therefore must comply with applicable IGRA and NIGC regulations. Raeann stated that Compliance needs to

reply with what our intentions would be and becoming in compliance under these regulations. Tara stated to start with Nicks reports. Raeann stated that they caught the error; however, it was already submitted. A conference call took place on March 14th where technical assistance was provided concerning the NIGC fee calculation and Nick will make necessary corrections to the next quarterly fee worksheet. Raeann wanted noted that no letter of concerns was issued that they assisted Nick with. Raeann stated they reached out to Jim directly and Compliance did 2 ½ days of full trainings. Tara commented on the 2018 Annual licenses. Pappy's, Rice Lake and Pine Point hold the weekly bingos. Class II Charitable Gaming:

- Non-Tribally owned Charitable Gaming is not exempt from the 25 C.F.R Part 543 Class II MICS
- If any organization is tribally owned there should be alternative procedures in place for charitable gaming
- Both tribally and non-tribally owned organizations will still need to comply with the four NIGC regulations and IGRA
 - Facility License
 - Key Licensed Employees
 - Fee Worksheets
 - Audited Financials

There are currently three organizations conducting from our annual approved Class II license list; Rice Lake Community Council, Pine Point Community Council and Mahnomen Boys & Girls Club. Pappy's is no longer conducting charitable bingo due to changes in regulations. Raeann is asking if they keep them licensed or revoke their current license and asking for direction they should take from the RBC. Brief discussion held on facilities license and Class II gaming. Tara stated the Community Councils that are doing bingos weekly are Rice Lake and Pine Point. Raeann stated that they need to make sure that they are not in any tier levels and provide their approximated revenue, also fall under the Class II, charitable gaming operations. Raeann stated that they need to license the facility and submitted to NIGA. Community councils are chartered and funnel everything through finance. Shawna Ellis, NIGC saw an extra bingo sign in the window at Pappy's. These types of bingo operations are not complying with any NIGC regulations and Compliance needs a plan of action to move forward with this issue. Tara commented on the 2018 Annual; the 19 facilities, and asked if Naytahwaush held a bingo at the Powwow, would this fall under the charity event. Raeann stated yes, however, need to follow under the Class II gaming. Tara stated will this go into the gaming commission meeting. Raeann stated to update the ordinance. Raeann stated that they need direction from RBC regarding the steps to take in being compliance with NIGC.

Discussion held on:

- Raffles; conflicting with the State; needing Class II and need to meet the requirements that the state has, also to ensure the background is done with the State who is doing the raffle. Designate a place that the raffle is being held. Example VFW. Requesting how many raffles were sold and where the money is going.
- Bingo Licensing; Meet the State nonprofit organization, Audit the trail and anything donated needs to meet the charitable events / projects. Tara stated Identify who is doing bingo and who is licensed to do so.

Tara stated that the additional burden that this would be on RBC. Raeann stated on both, due to where they are getting the funds to license their people, surveillance and video recording. Need to keep for 30 days to go back to audit. Tara stated that they need to have Legal present and meet

with the entities that have the license, also to have a letter drafted from the Legal department to NIGC and have Terry sign to move forward to be in compliance with them.

Backgrounds Application for online:

NIGC Site Visit on 02/28/2018. Shawna did some training with the Adjudication Staff on Federal Regulations Code 556 and 558. During this time they went through our application and found missing information that is required to be on our online application and with a few missing on our paper application for Shooting Star Casino. Raeann stated in order to fix this problem as soon as possible; is to no longer accept online applications until all information is correctly place on line, also suggest that the information should be word for word from Code 556 so there will be no future issues. As for the paper application there will be an additional page that they will get from the new associate during the interview process once they are hired. Geri will flag the online applications to sign the paper copies.

Raeann asked for clarification on meetings with the Community Councils and what steps to take for license. Tara stated to speak with the Legal department first for a letter to be drafted to NIGC. Move forward with the April 10th meeting at the Shooting Star Casino / Bingo meeting at 5:30 with dinner with the Community Councils to discuss the NIGC requirements to receive a Class II gaming operation license. Raeann stated a letter submitted to NIGC as a notice that a facility license is under consideration for issuance at least 120 days before opening any new place, facility, or location on Indian lands where Class II gaming will occur. This is the time frame to license these facilities. New regulations that came in with Class II requirements:

- Name of property
- Address of property
- A legal description of the property

Audit: Each Tribe will prepare comparative financial statements covering all financial activities of Class II gaming operations on Tribe's Indian lands each fiscal year. Krista and Jason will do annuals what they are actually conducted and what type of gaming they are doing with the 2018 Audits.

Motion made by Eugene Tibbetts to adjourn at 2:40 p.m., Seconded by Kathy Goodwin. Motion carried, 3 for, 0 against.

Tara Mason Secretary/Treasurer