

White Earth Reservation Business Committee

Special Meeting

May 29, 2018 ~ 9:00 a.m.

White Earth, MN

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

Agenda Approval

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

RBC Meeting Minutes (04/30/18 & 05/14/18)

Tabled

Calendar Review

- May 31st; TEC Meeting Walker, MN
- June 11th; TEC meeting Grand Casino Mille Lacs, MN

Land

Katherine Warren and Heather Hamlin present for an update.

SBA Tower in Naytahwaush:

Katherine stated that they need to bring back the SBA Service Line Agreement for an amendment due to Wild Rice wanting a 40 foot for their access and maintenance. Katherine stated that SBA spoke with Wild Rice; however they thought due to conversations they were giving them a 14 foot; this was not good enough for Wild Rice. Katherine stated that new documentation needs to be drawn up for amendment; the paper work will be signed by Wild Rice first then will be brought back to the RBC. Katherine stated that this is a communication tower that will be put up near the Sports Complex and giving better cell service to the area. Tara commented on the Hubs in this area that are broken. Katherine stated that this is a question for Jesse in IT.

Bagley Casino Fee to Trust Gaming Application:

Due to Joe Plumber Jr. leaving; the Land office needed to let the Bureau and the Regional office know who would be the next person to contact and who follow up on this. This may have been sitting at the Bureau for months and was never sent up to the Regional office; however, due to the emails they officially never received the packet until a week ago. Heather sent an email to the Regional office asking them who was the contact person for them in the Cities due to Joe Jr. being gone and also informing them of who the contact person will be for White Earth. On Thursday May 10th an email was sent asking if they have received the file and she was told they have not received it. Heather followed up; they told her they received the file on Monday May 14th. Heather stated that a letter from Patty Olbey dated September 18th, 2017 had stated it was sent. Brief discussion held on the letter and the gap of receiving it. Katherine stated that they received it now and is hoping that they are starting the process.

Waubun Homes – [REDACTED]

Katherine stated that she had asked Sarah if there were any home sites that had water & sewer for [REDACTED] and currently they have none available; however, if she wants to demo the home and maybe move another structure on the Home site. [REDACTED] is aware of the forfeited land and is in the process of trying to find another place to go; she does take care of her grandchildren who are enrolled members of White Earth. Katherine referenced a map for the RBC view of these lots and gave a brief description of each property. Katherine stated that their intent is not to fix these homes and leaves the decision up to the RBC for the individuals currently living on these sites.

Olson Landing:

Katherine stated that they did send the Paper work off to Mahnomen. The Board had a few things that they needed changed. They cannot do an automatic renewal and the Attorney is going to be working on some language that is needed. They are also reaching out to some people from the State to follow up with how they can do some sales. Katherine will keep following up with this project. The agreement looks good and we don't want to lose our investment; May need a MOU to show that they are in agreement to do another lease since they cannot automatically renew.

[REDACTED]

Katherine is looking for RBC direction on how to proceed with this property. Katherine stated that originally when he set up his property she was unaware that he was a tribal member back when they were doing permitting [REDACTED] had gone through the county to get his permitting that he needed to set up his house by the river. Katherine commented on his RV's that he has set up near the water and has a onsite septic, Last fall he replaced one of the RV's with a trailer home that is a permanent structure. Katherine stated that [REDACTED] being a tribal member that he was giving a notice that he needed to remove the trailer home that is only 15 feet from the water. Katherine stated that she reached out to Mahnomen County and the State on this matter. Katherine referenced a map with the description of the property. His wife is a non tribal member and this can cause conflict on who has jurisdiction. Katherine stated that [REDACTED] had met with her last fall and was going to have the property put into his wife's name so she can go through Mahnomen County. There is no indication that this had happened or if the trailer home has even been moved. How would the RBC like her to proceed with this? Terry stated what does our regulations state. Katherine stated that we would not allow this due to being close to the water

with the structure. Terry asked if he did take his name off the property then what happens. Katherine will notify Mahnommen County that this would be out of compliance and will notify the State again. If both of their names are on the title this could be that issue of jurisdiction. Tara stated that the County and the State need to deal with it and enforce their regulations on this site due to this not being tribal property.

[REDACTED]

Katherine brought in a Resolution for this New Home site. Katherine thought this was approved last fall. Katherine referenced a map with the location of the Home site. RBC would like the Home site sent to Legal before they approve the Resolution. Katherine will send to Legal for review.

Meeting recessed at 10:36 a.m.

Meeting reconvened at 10: 59 a.m.

USDA Rice Lake Community Sewer Collection System Project

Eugene Vivier, Public Works Director and Michael Triplett, Economic Development present for discussion. The White Earth Public Works Department, White Earth Economic Development Department and the Indian Health Service have a special project in the Lower Rice Lake Community. The joint planning efforts for the project is to develop a Lift Station and Wastewater Utility Systems Improvement Project in the community for 10 existing homes located around Water Tower Loop Road. The project is scheduled to start construction in 2020 if funded by USDA Rural Development. Eugene stated that he contacted Michael Triplett and applied for a USDA grant. The costs to fix the problems in that area are high and it scores low on the Indian Health Service criteria for funding. Eugene stated that they may have a chance to bring their cost down for the USDA funding or a cost match. Michael stated that there may be a 5% to 10 % match or even close to 20% match for this project. Michael stated a grant for about 80% and take a loan for 20% is the way USDA works. They want to push for loan money vs. grant money. [REDACTED] project [REDACTED]; Loan money and the rest grant. Tara commented on the chances of getting both USDA and Indian Health Service funding. Eugene stated that there is a chance; however, need to follow the process and see what direction they need to go.

Eugene referenced the Preliminary Engineering Report:

Option Number One:

Page 14- Alternative Number 1: Construction Costs Estimate:

- Septic Holding Tanks with Pump Truck [REDACTED]

Page 15:

- Total Estimated Cost Annually [REDACTED]

Option Number Two:

Page 16- Alternative Number 2: Construct a Sewer Collection System with a Community Mound System:

Page 18:

- Engineering Cost (15%): [REDACTED]
- Total Estimated Cost: [REDACTED]

Page 19- Operations and Maintenance Cost:

- Total Estimate Cost Annually: [REDACTED]

Option Number Three:

Page 21- Alternative Number 3: Construct a Sewer Collection System with a Community Lift Station:

Page 22:

- Total Estimate Cost [REDACTED]

Page 23:

- Total Estimate Cost Annually: [REDACTED]

Option Number Four:

Page 25- Construct Individual Grinder Stations with a Low Pressure System:

Page 27:

- Total Estimate Cost: [REDACTED]

Page 28:

- Total Estimate Cost Annually: [REDACTED]

Recommended to Indian Health Service is Option Number Three; Construct a Sewer Collection System with a Community Lift Station. Tara commented on alternate two and three; what is the life expectancy on these. Eugene stated that a community mound system can get 15-20 years; however, need to plan in advance to eventually replace that system and make sure that they have an alternative location.

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

Chippewa Ranch Lagoon project:

Eugene commented on the final pay applications with the contractor and processed today. They had some problems with the project. They did not finish the project in time due to the frost still in April and the grant closing. Eugene stated that they are looking for funding to reconstruct the secondarily cell. Eugene commented on an email that was sent to Gordon Construction to move forward with the fence; however, they did not finish it. To finish the fence it would cost an estimate of \$20,000. White Earth is responsible for the lagoon and there is liability issues if not completed. Eugene stated that documentation is at the Legal department and will follow up with them. RBC in consensus with completing the fence due to the dangers of this area.

[REDACTED] Eugene Vivier stated that the Indian Health Services has guideline in which they have to follow and the program only funds permanent residency only for Water & Sewer. This is the Individuals recreational lease and not a permanent address. The Individual lives in Waubun, MN. Eugene stated that the Indian Health Service needs proof that he sold his residence in Waubun, MN before he can be placed on the list for Water and Sewer for the [REDACTED]. The RBC is in consensus with following the guidelines from the Indian Health Service and Water & Sewer.

Wild Rice Work Group

Bill Haas Jr., conference call at 11:26 a.m., Tara introduced everyone in the room. Bill wants the RBC's input on how to structure the work group and what they want to accomplish. Bill stated that he emailed Kate regarding on what the Governor is going to do with the Gizzard Shad Bill; Sunday they amended the Wild Rice language that they tried to pass which the Governor vetoed on to that bill, they passed it off on the House and Senate floor then sent back to the Governor. What is the Governor going to do with that bill? The Governor is interested in convening a work group to discuss ways to protect and enhance natural stands of wild rice and wants input on. Bill stated that he has not received anything back with an explanation on the task force or if he is going to sign that Bill or Veto that Bill. No action has been taken yet. Bill asked the RBC on what their thoughts are regarding this matter. Tara stated that they need a couple positions on this task force for the ricing Tribes. Brief discussion held on these positions for the task force and the tribes who have wild rice beds. Bill stated that they need some tribal expertise in the area of wild rice; whether it is tribal DNR. Terry stated that speaking with Monica Hedstrom and Will Bement; Natural Resources regarding the dollar amount that they had for testing on the water. The State has over a million dollars that needs to be divided to the tribes. Terry stated to let the tribes do their own water controlled studies. Terry commented on the patty rice, pollen drift and the declining natural rice. Bill stated that he redrafted the bill and sent to the Governor's office and we have to identify the 2,100 rice beds that are identified now through the DNR also through MPCA's listing of wild rice beds. They need money to do this; however, need to complete this in conjunction with the tribes. PCA needs to start doing their jobs, they have the money; however, need to spend it on this. Brief discussion held on who attended the meeting. Bill stated that they have this bill that is sitting on the Governor's desk that was resent to him and at this time not knowing what will happen with this; whether he is going to sign it. The bill has the task force and a half a million dollars for the work group such as; \$200,000 needs to go towards a work group and \$300,000 towards wild rice restoration. It gets rid of the standards and takes away the 10 parts legislation that is already in place. Bill stated that they do not want that bill signed. At this time we need to respond to the Governor office with representation of MCT or MIAC and representation from the tribe (Natural Resources / Water Quality) and to identify the sulfate levels in the wild rice beds. Also looking at patty rice pollination issue and identifying the rice lakes. Tara would like to recommend that we have formal consultation. Bill stated that the tribes have to be consulted before they do anything with the PCA and the Governors staff.

Eugene commented on the garbage incinerators and has this ever been brought up. Bill stated that this has not been brought up; however, is an issue. Brief discussion held on garbage incinerators and the impact they may have on ricing beds. Terry stated to be kept in the loop with any expansions with these facilities. Bill stated that any permits should come before the MPCA and should have consultation with the tribes in the affected area. Be kept in the loop with the report and consultation with the Governor, MPCA and DNR of any issues that come up. For future development; need consultation with the tribes for impact in that area, also the incinerated units.

The Bonding bill has not been signed; he has until Sunday to sign it or to veto it. If he does not do either it becomes law without his signature. The Bonding bill with everything in it is about \$1.4 billion dollars. Looking at the transportation dollars and in order to get the Bonding bill passed they moved \$150 million projects to the Legacy bill to free up money in the Bonding bill

to do some other things they wanted to do; they are building three new veterans homes and Bemidji, MN will be getting one of those veterans homes. Tara commented on the Mahnomen water. Bill stated that the Mahnomen's water did not make it; however, they put \$125,000,000 million in the PFA account and Mahnomen is half way up on the list. This may still be completed. Bill commented on the Bonding bill of \$900,000 for the treatment center that needs the Governor to sign, also the Mahnomen Water & Sewer both being critical. Bill also commented on the indigenous women's task force that was vetoed. Brief discussion held on the Sports Bedding issue.

Bill will email the Governor's office with the feedback from White Earth regarding the task force and will keep the RBC updated on this issue.

Conference call ended at 11:57 a.m.

Meeting recessed at 11:57 a.m.

Meeting reconvened at 12:10 p.m.

Education

Mary Otto, Director present.

Kay Sunram – Head Start; MN State Head Start Grant for SFY2019;

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

Tara commented on the Ojibwe curriculum; is this currently what they are using or additional development? Mary stated that they are going to do additional pieces to this and currently have the Ojibwe language kits that Fond du Lac and Mille Lacs are working on and will reflect more on the Federal Grant application. The previous Director had the same grant goals and this is a five year grant. Mary reference a letter that tells them what their funding amount is and based on their eligible enrollment for the areas they serve, ages and the numbers that they have. The Goals moving forward are:

- White Earth Head Start and Head Start will promote tribal food sovereignty to improve the nutritional health of children and families in the community
- White Earth Head Start and Head Start will provide a pathway for parents to become employees through professional development opportunities
- White Earth Head Start and Head Start will support the professional development of teachers through practice-based coaching with a full-time coach
- White Earth Head Start and Head Start will restructure its organizational chart and revise job responsibilities to increase support and program monitoring, and strengthen family engagement, health, nutrition, mental health, family services, and data management outcomes for children and families
- White Earth Head Start and Head Start will expand education and dialogue with families about role primary teachers and lifelong education
- White Earth Head Start and Head Start will align its program options and duration of services and the needs of families

- White Earth Head Start and Head Start will integrate the use of the native language into the program through immersion practices for children, families and staff
- White Earth Head Start and Head Start will strengthen its collaboration with the LEA to support successful transactions for children and families

This will be submitted for the five year grant. Tara asked if they are partnering with the MOMS and MATs programs. Mary stated that they will be doing MOU's with these programs.

Need approval of the Federal FY2018 Head Start / EHS grant and the State SFY2019 grant by the Governing body / Business Committee and is required to meet the grant requirements of having written documentation of Governing Body's approval of both grants.

Motion made by Tara Mason to approve Resolution #038-18-003, Seconded by Kathy Goodwin.

Motion carried, 4 for, 0 against.

Need approval of the Federal Head Start and Early Head Start grant application for Federal FY2018 budget period 09/01/2018 – 08/31/2019 in the total amount of [REDACTED]

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

Mary commented on the request for funding from the general fund for Child Care grant; Mary stated that they get support for the Boys and Girls club through this fund; however, do not get any funding for Child Care. Mary stated that they are short on this grant for the amount of [REDACTED] and that she can submit the grant; however need to figure out the funding. Need to request a matching cost for approval to use the general fund for this purpose. Tara commented on when they need to request the investment from the general fund. Mary stated by September 1st. If she doesn't have the additional funds they can still apply. Tara stated what the first phase is; what would you need from here to September 30th. Mary stated budget for FY19 and ways to look at child care cost. Mary commented on the structure and on how many new positions across the board and will have all the Organizational Charts to be submitted. Brief discussion held on positions and the wage for these positions. Tara stated to do in a Resolution form to request the funds from the general funds and the process of each of the budgets, also what is coming out of each of these budgets. Submit two budgets to the RBC; secondary budget what they are going to ask from the business committee.

Identification Cards

Mike LaRoque, Sheree Mileage and Kari Heisler present. Mike is requesting approval to change and upgrade Identification Card Software System – and to upgrade to Electronic Licensing System for hunting and fishing license.

- Proposed re-designing the Identification Card
- Proposed removing the ID card as part of the hunting license packet
 - Have it as a standalone ID Card for identity purposes
 - Offer Tribal members an ID Card or an enhanced ID Card

Meet with DNR staff to remove wording from Conservation Code as ID will not be part of the hunting and fishing license packet (tribal members will still need some sort of identification to obtain a hunting and fishing license).

Sheeree would like to change the age limit with the legal age limits. Similar to what the state has.
12- 20 – Under 21

21-54 – Adult

55 plus – Senior Citizen

This will be consistent with state rules and regulations, and be positive for the tribal members using them to purchases, and other identification purposes. Recommend; issue tribal members the new ID as their current ones in their possession expire.

Fees:

12-15: \$6.00

16-54: \$12.00

55 plus: \$0 unless lost it will be \$6.00

Expires every six years of issuance, unless they are turning 21 or 55 it would expire on their birthday at their 21st or 55th.

Recommended Increase:

12-20: \$12.00 no increase

21-54: \$15.00 (\$3.00+)

55 plus \$3.00

Enhanced Tribal Identification card TBD will need a chip in these ID's.

They are requesting changing the gathering/harvesting permits to electronic based system; this will also include the recreational vehicle registrations. This will be a label printed permit/registration. Samples were provided for the RBC view.

Brief discussion held on elder's fees. No action was taken by the RBC and Consensus to bring to Quarterly meeting June 7th.

Tara stated to start the process of ordering; bring to the Quarterly meeting June 7th and present on the change and upgrade on the Identification Cards.

Mike gave an update on the Gary Bush over dose over the weekend. Sent officers to investigate; however, this is still under investigation. Harry Leslie, also over dosed and Kelly Phillips used Narcan. Press release with Kelly would go out in the Mahnomen and the Anishinaabe papers.

Meeting Recessed at 2:08 p.m.

Meeting Reconvened at 2:25 p.m.

Marlene Myhre – Child Care

Amended OGAN which extends ELS Pathways / Grant another year & adds additional funds for the State ELS Regional Administration Grant:

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

WE Vocational Rehabilitation Monetary / Donation request: Tara approved all 25 gift baskets.

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

\$1,500 PACT Checks: Tabled

Grounds Keeper – Strawberry Lake Retreat:

Eugene stated that Jeri Jasken, Behavioral Health Director, contacted [REDACTED] and he will be transferring from White Earth Housing to Maintenance at the Strawberry Lake Retreat. RBC is in consensus to transfer [REDACTED]

Rachel LaFrinier – LTCC Home Health; Grant Contract with DHS for Money Follows Person Grant initiative- MnSure Navigators. Tara referenced the email from Rachel LaFrinier. Mike stated that the program was successful for this. Tara asked Mike to follow up on the numbers and the difference between paper and online process. Tara also commented on if they are working with the Indian Health Service and coordinating with other staff within the RBC.

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

Mike Triplett – Economic Development

Resolution – Technical Assistance Grant Application:

Motion made by Tara Mason to approve Resolution #016-18-006, Seconded by Eugene Tibbetts. Motion carried, 4 for, 0 against.

Rhonda Amundson – Home Health

Resolution – Granting Limited Waiver of Sovereign Immunity / United Healthcare:

Motion made by Steven Clark to approve Resolution #064-18-004, Seconded by Eugene Tibbetts. Motion carried, 3 for, 1 silent.

Heidi Mertens – Finance

Amendment #15 for COLA:

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

Heidi Mertens – Finance

External user access form for G5 system; to complete draw downs for U.S Department of Education grants:

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

Letter Re: Department of the Interior Reassignments and Other Activities:
Letter will be sent to Legal for review.

Resolution for the Governor's Race:

Tara would like to Endorse Tim Waltz for governor. Brief discussion held on the Governor's race. Tara would like to support the endorsement due to having a White Earth member on the endorsement; however, need a drafted Resolution.

Motion made by Tara Mason to approve Resolution #001-18-012, Seconded by Eugene Tibbetts. Motion carried, 4 for, 0 against.

Lenny Fineday – Legal

Business License Renewal Chief Corner Store:

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

Cass Lake Community Center – Donation Fee waived for [REDACTED] for one day:
Tara stated if they start waiving Fees, then they need to waive fees for everyone

Rice Lake Powwow donation [REDACTED]

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

Rice Lake Men’s softball team [REDACTED] donation for equipment and shirts:

Motion made by Steven Clark to approve, Seconded by Eugene Tibbetts. Motion carried, 4 for, 0 against.

Clinton Alexander – Harm Reduction

Attestation Letter indicating no change greater than 25% in budget for year (FY19) of grant project):

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

Kandi Burr-Fisher – Mental Health

Zero Suicide annual plan allocation with DHS for [REDACTED]

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

Anthony Donner – Weatherization

Minnesota Grant Contract for FY19:

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

Zachary Paige – Natural Resources

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

Monica Hedstrom – Natural Resources

Men’s Acute care has requested a special permit that will allow the individuals in their program to fish without needing a valid harvest permit:

Motion made by Tara Mason to approve, Seconded by Kathy Goodwin. Motion carried, 4 for, 1 against.

Artist supplies for youth [REDACTED]

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

Meeting recessed at 3:29 p.m.
Meeting reconvened at 3:44 p.m.

Golf Tournament Leech Lake:
RBC Consensus

Pacesetters Donation [REDACTED]
RBC Consensus

[REDACTED]

Motion made by Eugene Tibbetts to adjourn at 4:00 p.m., Seconded by Tara Mason. Motion carried, 4 for, 0 against.

Tara Mason Secretary/Treasurer