

**White Earth Reservation Business Committee**

**Special Meeting**

**October 1, 2018 ~ 9:00 a.m.**

**White Earth, MN**

---

Chairman Terrence “Terry” Tibbetts called the meeting to order at 9:12 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  
Kathy Goodwin, District II Representative  
Eugene “Umsy” Tibbetts, District III Representative

Others Present: Ron Valiant, Interim Chief Operating Officer  
Joan LaVoy, Special Projects Coordinator  
Maria Bevins, Recorder

**Agenda Approval**

Motion made by Kathy Goodwin to approve with additions; second by Eugene Tibbetts. Motion carried: 4 for, 0 against.

**RBC Meeting Minutes (09/17/18)**

Motion made by Kathy Goodwin to approve with changes; second by Leonard Alan Roy. Motion carried: 4 for, 0 against.

Request from Joe Bush for meeting minutes; June to present. A public comment; from Pam Fairbanks on a charge for meeting minutes; .10 a copy per page she was charged for meeting minutes from the last Secretary/Treasurer, Tara Mason.

**Reports**

RBC attended the Minneapolis City Council meeting. Other Tribal leaders were also present at this meeting. The Minneapolis City Council approves Red Lake Nation’s site to relocate homeless camp and received a lot of support. Our support did make a difference for our members. People were happy to see Reservation Tribal Councils. Initial plan to have folks in housing October 1<sup>st</sup>; however, may need to be around Thanksgiving. Over 300 are homeless in this area.

Energy Assistance will not be active until November.

**Calendar Review**

**Unfinished Business**

## **Natural Resources**

Monica Hedstrom and Al Fox are present.

Brief discussion held on descendant hunting to continue or discontinue? Previously had descendant cards; however, they were discontinued. Tribal Descendant ID cards may subject the cardholder to Tribal jurisdiction for any violations not covered by State rules and regulations. A tribally issued card, to descendants of a White Earth enrolled member; this was their access to Tribal Lands as a Land Access Permit for the purpose of; hunting; however, needed to have a tribal member with them. Descendants will abide by State rules and regulations during these privileges on Tribal Land. State DNR will ticket these individuals for any violations. Leeching / netting are allowed only to White Earth Tribal members. Brief discussion held on the cost for these permits. Cost for permits would be \$100 every 4 years.

The DMV at this time gives out paper documents stating an individual is a Descendant of the White Earth Tribe; however, this document has no picture ID to identify the individual. This would be a concern for the permit due to anyone can make a copy of this form. Recommendation is to issue the Tribal Descendant ID cards. Brief discussion held on the Court Case; State of Minnesota vs. Iverson.

Public Comment; Tribal resources are a concern for hunting deer and is there enough for everyone? Monica stated that land access permits are a little over a hand full; however, descendant will be more. Natural Resources have extended deer hunting seasons in the past.

Implement; Resolution will be needed and input from White Earth Natural Resources; RBC would have to rescind the any other Resolutions.

Motion made by Leonard Alan Roy to approve Descendant hunting; second by Raymond Auginaush Sr. Motion carried: 4 for, 0 against.

Bring back Resolution and price for descendant hunting to the next RBC meeting.

COLA October Intercession Activities Special Harvest Request:

Motion made by Eugene Tibbetts to approve; second by Raymond Auginaush Sr. Motion carried: 4 for, 0 against.

Kathy would like to mention for the record re: rooms that were giving to individuals for the burn out at Star Apartments in Mahnomen; five individual's rooms were comped. Terry spoke with Constituents regarding this issue as well. Kathy would like to have discussion regarding DW Jones and the rent they pay for these apartments at another time.

Robert Tibbetts is present for discussion on the White Earth Immersion School. COLA is operating at capacity and is full and needs to expand. If he would start he would not be able to take 20 students and would only take 10 students. Brief discussion held on grants for funding to be submitted for the Immersion School.

## Cultural Department

Merlin Deegan is present. Full Moon Ceremony:

Kathy commented on women's ceremonies; hiring a man is wrong for these ceremonies. Merlin stated that this individual helps with getting the sweat ready for the women. The Women will ask if they need help getting the sweat ready and keep the fire going. When the women arrive the individual will leave. Individuals who help with ceremonies will need to pass a background check:

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

White Earth Powwow Committee:

- Lew Murray (President) [REDACTED]
- Aimee Peterson (Secretary) [REDACTED]
- Tim Antell
- Mossy Tibbetts
- Tony Auginaush
- Andrea "Annie" Anderson
- Casper Bower [REDACTED]

Question on who chooses the powwow committee? RBC chooses who would sit on the Powwow Committee.

Merlin stated he was out of the loop with the Powwow Committees. Everyone went to the RBC and Executive Director for powwows and he had minimal say. Merlin forwarded reports to the RBC and did what he was told by the Executive Director. The Secretary Treasurer and Executive Director signed off on the budgets for the Powwow Committees. No one communicated with Merlin. First nine months there was accountability; then the communication had stopped. Merlin stated that the RBC can check emails surrounding this issue. Merlin was making sure they had receipts and itemized each powwow. No receipts for powwows were submitted for three years and he requested these be submitted. Contest powwow; Merlin had no say on what happened at this powwow.

Brief discussion held on budgets on the Powwow Committees. The RBC would like to have budgets for:

- White Earth June Celebration
- New Years Sobriety
- Mother's Day
- Veterans
- Contest Powwow

Accountability needs to be addressed on these concerns.

- Who will sit on these Powwow Committees
- Who will manage them

Each Community is responsible for their own Powwow Committees:

- Rice Lake
- Naytahwaush
- Pine Point

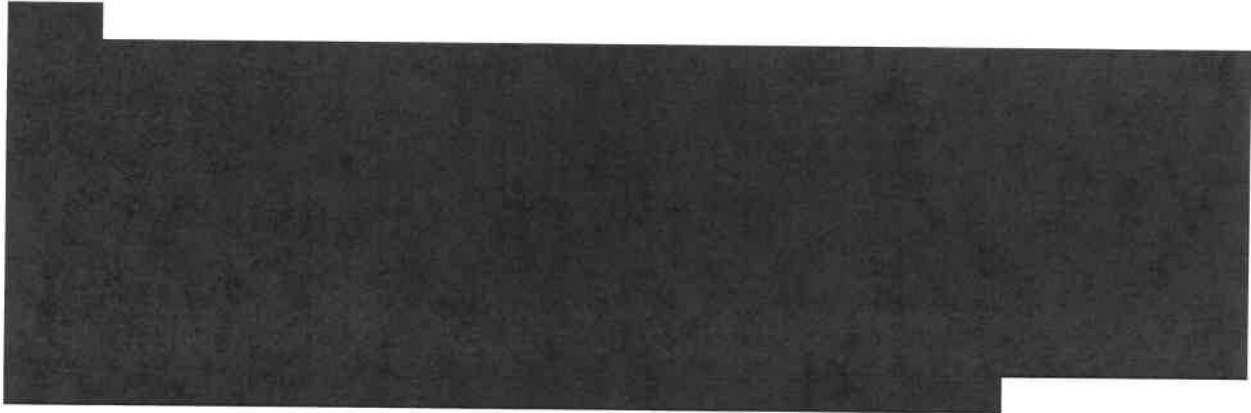
Receipts; turn into Ron and Joan.

Raymond commented on the Bylaws. Merlin stated Bylaws were never submitted for approval from the RBC; however, he has a copy of the Bylaws and will submit to the RBC. RBC will select members for the White Earth Powwow Committee. Bring Bylaws into the next RBC meeting.

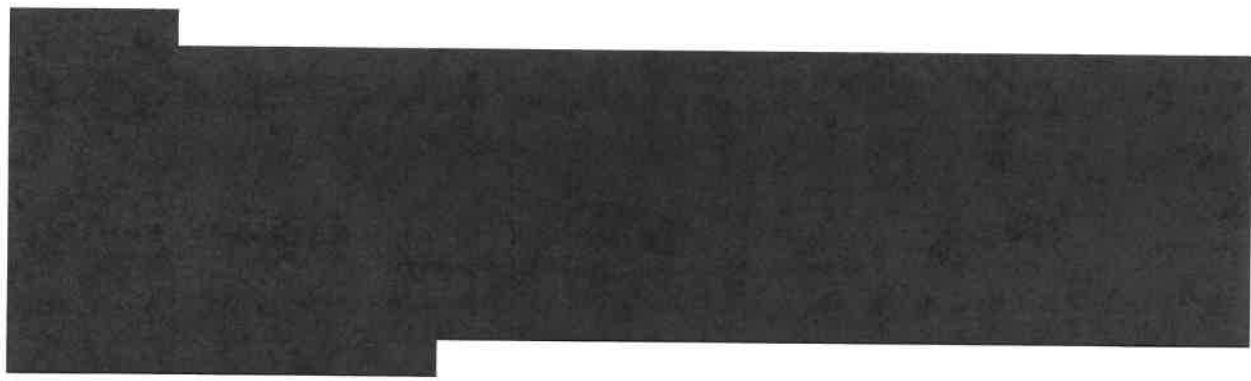
Representative Kathy Goodwin stated communication was a two-way street between the supervisor and cultural committee.

*Meeting recessed at 11:12 p.m.*

*Executive Session at 11:29 p.m.*



*Kathy left meeting at 11:45 a.m.*



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

*Executive Session ended at 12:15 p.m.*

*Meeting reconvened at 12:15 p.m.*

*Alan left meeting at 12:15 p.m.*

**Land**

Katherine Warren and Heather Hamlin are present.

DEEDS that need to be signed for transferring the property at Star Lake and due to this being in Otter Tail County they require a Sewage Treatment System Property Transfer Form; however, we are exempt to sewage treatment due to the property to be transferred has no structures usable for human habitation, no buildings with plumbing fixtures.

Five parcels are on this property; Heather is requesting to have all parcels combined into one and for taxes we will receive one bill. Joe Plumber has reviewed these documents and recommended to make into the one DEED:

Motion made by Raymond Auginaush Sr. to approve; second by Eugene Tibbetts. Motion carried: 2 for, 1 silent.

Four of these five parcels are classified as Ag; however, there were four separate purchases. Heather is requesting to combine these four parcels to make one tax bill at the end of the year. The fifth parcel was considered recreational lakeshore and they cannot combine this into Ag. This will be the four parcels on the south side of the road that she is requesting to be placed in Ag; Motion made by Raymond Auginaush Sr. to approve; second by Eugene Tibbetts. Motion carried: 2 for, 1 silent.

*Alan returned to meeting at 12:25 p.m.*

White Earth Builders require a Resolution that needs to have approval for roof repairs on Tribal Property. Last physical year the Land Department had money within their budget and wanted to have White Earth Builders replace two roofs on the two buildings. Kramer property; land is requesting a steel roof. The price amount to fix the roofs is under \$10,000 for repair.

Terry is requesting for these Resolutions to be tabled until the RBC receives the actual price for repair. Bring back to next week's meeting.

Heather Hamlin – Land  
Resolution – Kramer – **Tabled**

Heather Hamlin – Land  
Resolution - Hutchinson – 19 acre purchase / a lot wet land / 14 usable – **Tabled**

**New Business**

Joe Plumber – General Counsel Contract Legal Counsel; Alan would like language added regarding gaming related matters - **Tabled**

Contracts for the Two Judges:  
Judge Degroat and Judge Rousu are under the same contract for the last three years; looking for a pay increase – **Tabled**

*Terry left meeting at 12:46 p.m.*

RBC received the Policy Number 117; title; Social Media:  
Nakoa stated during the Directors meeting they went over the Social Media policy and refined this policy. They all agreed to have the Social Media Policy back in place. The key changes were; Behaviors of legal consequences:

- Child Exploitation/Child Sexual Exploitation
- Computer Misuse (“hacking”)
- Cyber Stalking
- Electronic Harassment
- Electronic Threats
- Obscenity

*Terry returned to meeting at 12:48 p.m.*

This is the new Social Media Policy and need to have back in place. Nakoa stated at the RBC level the Social Media Policy was removed and nothing ever came to the Human Resources department. Nakoa is requesting Every Employee, Manager, Director have training on the new Social Media Policy and signing a new acknowledgement agreement stating they went through the training. Terry stated this should be completed on the Cooperate side as well and be consistent policies across the board.

Alan asked if this policy applies to him being a Council Member. Nakoa stated from a HR perspective, they administer policies to all employees. RBC members are not employees and a decision they would have to make. Public comment; Policy should also apply to the RBC. Alan commented on a RBC member has leaked Executive Session information onto the Web and how does this organization/tribe address this issue. Nakoa stated that is a legal question. Alan commented due to the RBC not being employees, according to Nakoa's own language are not subjected to the Social Media Policy; however, he would like to see some type of consequence if

tribal council members are releasing privileged information out to the public. Under Article 10 of the Constitution; Malfeasance in the handling of tribal affairs and could result to the removal of the RBC member, but who would interpret this, the RBC body?

Brief discussion held on social media and information getting out prior. Alan would like to make a distinction between privilege and non privilege information; if we are going to restrain public officials from making public statements that are well within their rights as one thing, and privileged information as an RBC member have agreed not to leak this information out to the White Earth Communities. RBC talks about sensitive/serious issues in their Executive Sessions. RBC is requesting to have a legal opinion on this matter.

Public Comment; how does a person's information from their HR file be leaked out onto Face Book. Nakoa stated they have looked into the one incident during the campaign and they could not identify those documents coming directly from the HR department.

Alan stated he agrees with the Social Media Policy and needs to start with the RBC first.

*Alan left meeting at 12:59 a.m.*

Blandin Reservation Community Leadership Program:

Terry reference an email from Rick Smith. In 2003, Rick was hired by the Blandin Foundation to recruit for their BRLCP and he was able to meet with every tribal council with the exception of Shakopee; however, members of their tribe and non-members have been giving paid release time to attend the Blandin Program. Rick's request to the Tribal Council was for them to sanction the program by agreeing to the following: Any band employee who applies to the BRCLP and gets accepted, will be given paid release to attend, if their supervisor can afford for them to be gone for the two training periods. The training would be considered staff development. This year the retreat is November 5-9, 2018 and the workshop and commencement is February 5 & 6, 2019:

Motion made by Eugene Tibbetts to approve; second by Raymond Auginaush Sr. Motion carried: 2 for, 1 silent.

White Earth Fire Department Gas Pumper/Battery; requesting \$6,000: RBC is requesting a cost estimate line item for their request – **Table**

Rice Lake Community Center Wiring; Ron will follow up.

White Earth Catholic Church Fall Festival Donation Request; 20 lbs of Wild Rice:

Motion made by Raymond Auginaush Sr. to approve; second by Eugene Tibbetts. Motion carried: 2 for, 1 silent.

Executive Director – **Tabled**

Gaming Manager Shooting Star Casino – **Tabled**

Assistant Gaming Manager Shooting Star Casino – **Tabled**

DCH – **Tabled**

*Alan returned to meeting at 1:12 p.m.  
Eugene left meeting at 1:14 p.m.*

**Signatory Request**

Pat Butler – Health

Letter to I.H.S Acting Director, Michael D. Weahkee, reaffirming the request for extension to the Joint Venture Construction Project. The Amendment #1- Joint Venture Construction Program, Joint Venture Agreement and Lease between the White Earth Reservation Business Committee and I.H.S was signed and dated 09/17/18:

Motion made by Leonard Alan Roy to approve; second by Raymond Auginaush Sr. Motion carried: 2 for, 1 silent.

Pat Butler – Health

Department HHS I.H.S AFA Modification #14 – Modification is for reimbursement to I.H.S in the amount of \$95,484 relating to exclusions changed per 2014 actual expenditures identified in the 2016 In Direct Cost Proposal:

Motion made by Raymond Auginaush Sr. to approve; second by Eugene Tibbetts. Motion carried: 2 for, 1 silent.

Katherine Warren – Land Department

Contract award notice and agreement with tribe (owner) and contractor (Elsner) for well drilling services under BE-18-L06 I.H.S Project. Need to get orders to proceed out for individual wells:

Motion made by Raymond Auginaush Sr., to approve; second by Leonard Alan Roy. Motion carried: 2 for, 1 silent.

Childcare License Renewal District II [REDACTED]

Motion made by Raymond Auginaush Sr., to approve; second by Leonard Alan Roy. Motion carried: 2 for, 1 silent.

Childcare License Renewal District III [REDACTED]

Motion made by Raymond Auginaush Sr., to approve; second by Leonard Alan Roy. Motion carried: 2 for, 1 silent.

Joe Plumber – Legal

Articles of Organization and Certificate of Good Standing Razor Sharp Construction, LLC:

Motion made by Leonard Alan Roy to approve; second by Raymond Auginaush Sr. Motion carried: 2 for, 1 silent.

Joe Plumber – Legal

Articles of Organization and Certificate of Good Standing Keezer Construction, LLC/ King's Construction, LLC:

Motion made by Leonard Alan Roy to approve; second by Raymond Auginaush Sr. Motion carried: 2 for, 1 silent.



Lori Thompson – Judicial

Continued Services/Contract with State of MN for DWI Coordinator for Mahnomen/Becker DWI Court:

Motion made by Leonard Alan Roy to approve; second by Raymond Auginaush Sr. Motion carried: 2 for, silent.

*Eugene returns to meeting at 1:24 p.m.*

Tami Cummings – White Earth Builders

Contracts; MOMS & MATS Facility – **Tabled**

Joe Plumer – Legal

Joint Powers Agreement/SRF Contract Approval:

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

The Hartford:

Certify that Haas Management Benefits is to be named as the exclusive Agent Hartford Insurance Plan(s) and is entitled to commission in return for services rendered on his behalf with regard to our contracts. Bill Haas came in a few weeks ago and talked about his ability to be broker for the Hartford insurance. Scott spoke with Bill Haas and he stated that he is giving us a discount on his lobbying fees; due to other lobbyist charge about \$150,000 a year or more. Brief discussion held on Employee Benefits. – **Tabled**

Council of Elders:

Lucile “Teedo” Silk and Stephanie William are present to give a report on their trip to National Indian Council on Aging Conference in Temecula, California. Stephanie commented on the State of Illinois House of Representatives 100<sup>th</sup> General Assembly; House Resolution: recognizes the Eagle staff and considered the first flags. Teedo stated NICOA is one of the most important organizations that they have for our elders. They are connection to the legislators and congressional people in Washington. Unfortunately, they were unable to get their two Resolutions accepted; however, the only Reservation that brought Resolutions Nationally. There were 400 tribes in attendance. The Social Security Administration was also present and gave an update. Teedo wanted the RBC to know some of the elders did not attend the conference. This trip was partially funded by the White Earth Council of Elders and the RBC.

Motion made by Raymond Auginaush Sr. to adjourn at 2:29 p.m., second by Eugene Tibbetts. Motion carried: 3 for, 0 against.

---

Leonard Alan Roy, Secretary/Treasurer