

White Earth Reservation Business Committee

Special Meeting

October 15, 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
Kathy Goodwin, District II Representative
Eugene “Umsy” Tibbetts, District III Representative

Absent: Raymond Auginaush Sr., District II Representative

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

Agenda Approval

Motion made to approve the agenda with additions by Kathy Goodwin; second by Eugene Tibbetts. Motion carried: 3 for, 0 against.

RBC Meeting Minutes (October 8, 2018)

Motion made to approve the October 8, 2018 meeting minutes by Eugene Tibbetts; second by Leonard Alan Roy. Motion carried: 2 for, 1 silent.

Reports

Alan joined a meeting via phone with city of Minneapolis, the Mayor and other tribal leaders regarding the homeless encampment. The city is making progress with navigation center. Alan requested a formal report from the city by the end of the month, so it can be provided to the TEC. Made a difference by having Tribal representatives at the table.

Kathy inquired about the committee for our homeless on the reservation. Try to contact the (housing) board to get an updated list of what is available. There are 12 boarded units available in Naytahwaush. Don’t know when they meet or who is on the board. Natalie McArthur is interested. The RBC has not formally established a committee. Kathy would like to see a committee formed and would like to sit on it. White Earth has 33% homeless. Task Ben Bement to get it organized.

Calendar Review

Detroit Lakes School District November Referendum – Superintendent Doug Froke and Joe Courier

Doug is in his 12th year as Detroit Lakes Superintendent. The district has gone to voters on three previous occasions and has not been successful. Since May 2016, the district has held multiple meetings. Issues of space within schools, or lack thereof. Put together a plan that people would be open to. All buildings are over-capacity and have security issues. Electorates do not want a new building; want the district to reinvest into existing buildings. That is what this plan does. Last three referendum votes have involved too much money; this proposal reduced that amount. No way to finance that other than through local property taxes. Looking for a little dialogue to talk about how to get the support of the Council, and how the district can we get the word regarding the need to our families on White Earth. Part of the proposal is to improve things from instructional standpoint for American Indian students. Create a new wing for 5th grade at Roosevelt rather than having them at the middle school, which would allow space there for the Indian Education programs.

There are currently eight staff in Indian Education Department; they need to have more space. Currently hold activities wherever there is space available.

How many votes do you need? Less than 10% Native Americans vote in statewide elections. The previous referendums lost by approximately 1,500 votes. Any suggestions as to how we can get a word out to the families and get them to support and vote in favor of the referendum?

Get out the vote campaign. Still time if we check into it. Door-to-door campaign to get people to the polls. Get newspaper add, copy of our mailing list, door knocking, Facebook targeted ads, reach out to Winona LaDuke, get in touch with Romyn Hanks for White Earth Facebook campaign, and identify opinion leaders – talk to them, they tell people how to vote. There is a community meeting in Callaway October 30th from 6-8:00 pm.

Head Start Focus Area One Monitoring Call

The RBC joined the Head Start Focus Area One monitoring call and were asked the following questions: how is the RBC able to provide expertise to govern the Head Start Program? How is the RBC equipped and able to handle the legal, programmatic and financial responsibilities of the program? What type of training does the RBC governing board receive?

Alan left the meeting at 10:14 a.m.

Alan re-entered the meeting at 10:19 a.m.

Unfinished Business

Descendant Hunting

Motion made to approve the Descendant ID Cards Resolution #057-19-001 by Leonard Alan Roy; second by Eugene Tibbetts. Motion carried: 2 for, 1 silent.

Break at 10:48 a.m. / reconvene at 11:03 a.m.

Contracts for MOMS & MATS were previously approved but need Terry's signatures.

Legal Contract – J Plumer

Motion to approve the contract for legal services with Joe Plumer by Leonard Alan Roy, Second by Eugene Tibbetts. Motion carried; 3 for, 0 against.

Foster Care License Authority

From the time that the children are placed into a home, it takes three months to get the licenses signed. The resolution delegates authority to approve the foster care licenses to the Director or Assistant Director of Indian Child Welfare (ICW) so that the home can be licensed immediately. All licenses are subject for review or revocation by the RBC. ICW uses White Earth Police Department for emergency background checks.

Motion made to approve Foster Care License Authority for Approval Resolution #064-19-001 by Kathy Goodwin; second by Leonard Alan Roy. Motion carried: 3 for, 0 against.

Former Christian Retreat Renovations

Motion made to approve by Resolution #064-19-002 the renovations and improvements expenditures for to the former Christian Retreat by Kathy Goodwin, second by Leonard Alan Roy. Motion carried: 3 for, 0 against.

Discussion regarding change orders – can it be included in the architect fees. Can't be going ahead and coming back with change orders; there are limited funds. For them to proceed with a change order, they must be signed off. Want change orders to come to the RBC.

Separation of Powers

Joe is writing a statement to go along with the Separation of Powers Resolution. Left out the system to question the court. Why can't White Earth table the Court until we get a constitutional amendment to get something in place? Joe proposed some remedies for the situations that were described that would be codified. Needs to be in the constitution so that it can't be taken apart by the RBC. Specify human or civil rights. Would need to do this by resolution now. Joe will come back with a resolution.

Transfer of MCT Lands

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

Supports the TEC's decision that interest in MCT lands can be gifted to the individual reservations where those lands are situated. The Supt of Minnesota Agency was interpreting a constitutional provision and concluding it wasn't possible. We have been exercising this authority for 20 years.

Line 3 Cultural Research Survey

The Section 106 cultural research survey is overseen by Fond du Lac for the 300 mile pipeline. Fond du Lac cut a deal with Enbridge and is no longer opposing the pipeline. It is the opinion that

the survey will be tainted. Joe suggests writing a letter to Fond du Lac. Was it voted on at the TEC level or a resolution at TEC level? Kathy would like Terry to bring this up at TEC.

Table until next week; Joe will do research and bring back at next meeting.

Star Dust Hotel & Bagley

In 2005 the Star Dust Hotel was included with the Shooting Star Casino fee-to-trust application but was withdrawn to make it go faster/smoothed. It has been off- track with fee-to -trust since 2007. If the RBC wants to get back on track, an application about 90% complete. It is tribally owned. Consensus to move forward.

Bagley Casino site fee-to-trust was submitted last December.

Community Bingos

Christie is looking into a temporary solution until the Community Bingos are approved.

Dream Catcher Homes Investigation

Enter into executive session at 12:16 pm

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[REDACTED]

Alan left at 12:42 and reentered at 12:45

[REDACTED]

[REDACTED]

[REDACTED]

Executive session ended at 12:48 p.m.

Other Government Project

Mike Garbow was present. Alan read the resolution: Other Government Projects (OGP). The goal of the OGP is to investigate the fiscal responsibility of the programs/areas named in the resolution. There are two parts to the OGP: the specific audits mentioned in the OGP resolution and the overall audits discussed prior. They will operate independent of each other. The supplemental audits will be tasked to CFO and Sec Treas. FBI officials have contacted members of this administration in regard to a couple of these projects; wanting to visit with members of administration within a couple of weeks. The resolution indicates that we have this under control.

Mike Garbow stated that he learned a lot about dealing with the federal government when working with tribal affairs and tribal dollars. Outside accounting firms come in and cost a lot of money and don't get anything done. He is offering assistance; hasn't worked for a band for ten years. Mike is a former prosecutor with knowledge and experience to keep that cost down. Can provide insight and guidance and prevent mistakes like Leech Lake made a few years ago.

It takes the federal government a long time to get involved; it takes a long time for them to leave. They want to know that the RBC is taking these concerns seriously and investigating thoroughly.

Alan would like Mike Garbow to be center point of contact for the targeted OGP audits. Has also been in contact with outside accountant and investigator pending approval of the resolution. Alan would like the resolution to be approved as well as a contract for Mike Garbow.

Kathy questioned when the audits are due.

Part 1 audits need to be addressed today; the comprehensive plan for other audits in two weeks.

Motion to accept the Other Government Projects Resolution #001-19-002 made by Leonard Alan Roy, second by Eugene Tibbetts. Motion carried: 2 for, 1 against.

Kathy questioned the cost of the investigation.

Motion to appoint and enter into contract with Mike Garbow for OGP made by Leonard Alan Roy, second by Eugene Tibbetts. Motion carried: 2 for, 1 against.

Grant Management Solutions

Joe Tohnika was present and explained that he was tasked to look into different grant management programs. He is proposing that White Earth enter into a contract with eCIVIS, a cloud-based service which has been in business for 18 years.

Terry left the meeting at 1:23 p.m.

eCIVIS will help arrange all our grants so it is visible to all our parties. Currently, we are only scratching the surface in regard to grants. eCIVIS has a grant search engine: type in a key word – will pull out all applicable grants. Can apply for grants using this program. Other tribes that use this service, such as the Choctaw and Osage Nations. State of Arizona grant administrator is utilizing eCIVIS for their state.

Once we get the program up and running, it will take a week to train all staff. Quote is for 30 seats – 30 usernames and passwords. eCIVIS utilizes a federal server. All information kept on the server is federally secure.

Terry re-entered the meeting at 1:31 p.m.

Zoom presentation/call with eCIVIS demonstrated some of the basic capabilities of the program.

eCIVIS said there is a way we can bill for the cost when writing grants. Also need to investigate whether or not this can fall under Indirect Services. Scott will ask Tracy if this is allowable under indirect.

Motion made to approve the eCIVIS Software as a Services contract by Eugene Tibbets; second by Kathy Goodwin. Motion carried: 3 for, 0 against.

Umsy left the meeting at 2:08 and returned at 2:10 p.m.

Tribal Council Benefits

Entered executive session at 2:10 p.m.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Kathy left the meeting at 2:25 p.m.

Meeting reopened at 2:25 p.m.

Office Space

Proposal to move Economic Development to the old Adult Basic Education office space in Mahnommen.

Ayecia took over meeting minutes at 2:35 PM

Alan asked to table the Roof Repair for the Chip Factory.

Iron Range – Louis

The Iron Range ran into problems on October 10th; there weren't enough people to pick a delegate for the Constitution Convention. Therefore, they will choose their delegate at a meeting on October 23nd at 7 p.m. The Community Council would like Council representation to be present for any questions. They will broadcast on the radio station and have an open quorum for those who feel they should be the delegate. Terry mentioned it's a group consensus, not just one individual. Umsy had mentioned that hopefully Joe has the by-laws done by then.

Signatory Requests

Wind Turbine resolution: tabled.

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

Resolution for Authorizing Official – DHHS: tabled.

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

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

Motion made to approve FY19 Annual Funding Agreement for Combined Health Services by Leonard Alan Roy; second by Eugene Tibbetts. Motion carried: 2 for, 0 against.

Motion made to approve Bureau of Indian Education Grant Agreement/Amendment #3 for Circle of Life Academy by Leonard Alan Roy; second by Eugene Tibbetts. Motion carried: 2 for, 0 against.

Motion made to approve FY19 Assurances and Statement of Work for Part B and Part C funds by Leonard Alan Roy; second by Eugene Tibbetts. Motion carried: 2 for, 0 against.

MOD 001 to add contract number to IHS contract: Tabled

Motion made to approve Child Care Licensing Variance Request for [REDACTED] by Eugene Tibbetts; second by Leonard Alan Roy. Motion carried: 2 for, 0 against.

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

Motion to adjourn meeting at 3:38 p.m. made by Leonard Alan Roy, second by Eugene Tibbetts. Motion carried: 2 for, 0 against.

Leonard Alan Roy, Secretary/Treasurer