

**White Earth Reservation Business Committee**

**Special Meeting**

**September 24, 2018 ~ 9:00 a.m.**

**White Earth, MN**

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Chairman Terrence "Terry" Tibbetts called the meeting to order at 9:15 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, Chief Operating Officer  
Joan LaVoy, Special Projects Coordinator  
Maria Bevins, Recorder

**Agenda Approval**

Motion made by Leonard Alan Roy to approve with additions, Seconded by Raymond Auginaush Sr. Motion carried, 4 for, 0 against.

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

Motion made by Raymond Auginaush Sr. to approve with changes, Seconded by Eugene Tibbetts. Motion carried, 4 for, 0 against.

Kathy stated for the record Policies and Procedures for personnel issues needs to follow the chain of commands of the Human Resource Department.

Alan stated for the record Bylaws and the Constitution are under the preview of the Secretary Treasurer for any financial question and will be addressed.

**Reports**

Alan and Ray attended a meeting on Friday with the City of Minneapolis and Governor's office regarding the homeless camp. The mayor was looking for input on this situation.

- Red Lake had proposed a tribal owned site for members to go for help and to receive services
- They will be pulling in FEMA trailers and this will be temporarily shelter until May

Over doses are happening in the camp regularly. Tribes are requesting a letter of support from White Earth for the Red Lake site to help with the member's homeless issue. RBC will request for Joe Plumber to draft a letter of support with RBC signatures for this purpose. Brief discussion held on the drug epidemic on the White Earth Reservation.

Meeting held with DHS; RBC, Bill Haas and David Green were present at this meeting. Discussion held on Financial Services; SNAP program; finding new ways to provide more funding and services for White Earth members and including descendants.

### **Calendar Review**

White Earth Reservation Town Hall Meetings – MCT began a series of constitutional information meetings.

District I: Wednesday, September 26<sup>th</sup> at Rice Lake Community Center – 7:00 p.m.

District II: Friday, September 28<sup>th</sup> at White Earth Tribal College – 3:00 p.m.

Dist III: Friday, September 28<sup>th</sup> at White Earth Community Center – 7:00 p.m.

Metro: Monday, October 1<sup>st</sup> at MCT Building – 7:00 p.m.

Iron Range: N/A Selecting a delegate 9/10 at regular meeting

Leech Lake: Friday, October 5<sup>th</sup> White Earth Office – 7:00 p.m.

If possible have the District Representative be present at the meetings.

### **Unfinished Business**

Michael Accobee – White Earth Public Transit

Resolution - MNDOT 5311 Operating Grant; this grant is an operational grant for the amount of \$132,500; it is an 80/20 match; local share would be in the amount of \$26,500:

Motion made by Kathy Goodwin to approve Resolution #016-18-012, Seconded by Eugene Tibbetts. Motion carried, 4 for, 0 against.

Michael Triplett – Economic Development

Grant Award Paperwork / Grant Agreement / Mahnomen Head Start playground equipment / USDA - \$50,000:

Motion made by Kathy Goodwin to approve, Seconded by Raymond Auginaush Sr. Motion carried, 4 for, 0 against.

Michael Triplett – Economic Development

Shakopee Request- Mahnomen Boys & Girls Club / Increase request from \$264,000 to \$400,000 Letter:

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

Michael Triplett – Economic Development

\$464,850 Grant request of Shakopee / remaining \$929,700 re: Pine Point Community Center Renovation/Addition:

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

### **Finance Budget Review**

Scott Omlid is present for budget review. The proposed budget for FY19 was provided for the RBC for review. The 2018 approved revenue/expense budget completed and 2019 proposed revenue/expense budget with the difference in revenue and expenditures. We are currently

budgeted for \$18,072,000 for revenue and \$20,364,000 for expenditures; \$2.3 million under in revenue. Changes were made such as cuts and things were added.

Capital Projects	\$2,350,000
Pine Point and Rice Lake Buildings	\$1.5 million
Maintenance	\$474,000
IT	\$216,000

Alan would like Scott to confirm the other Governmental project funding has been included on this budget. 0331-001; Under the Tribal Council:

- \$250,000 for Forensic Audit
- \$250,000 for Review of Star Lake / Bagley

Alan commented under the Homeless program on page 2; \$50,000 not included and would like this to be added.

Brief discussion held on the Fleet department who has been struggling to break even. Scott has been spending a lot of time at the Fleet department regarding this issue. They need to break even or the program may be cut. They know what they need to do to have a break even status. There will be a follow up with them every two weeks to check on their status. Suggested a recommendation is a shop rate dollar increase from \$60.00 to \$70.00. Mahnomen is at \$80.00 and Detroit Lakes is at \$100 plus an hour. Wait till January 1<sup>st</sup> to reconsider the \$10.00 increase. Table until January 1<sup>st</sup>

Alan commented on the \$2.3 million dollar difference between the proposed revenue/expense budget; asking for clarification on how this is balancing out. Scott stated if we become negative in this situation and has identified with Joe Plumber and Jeri Jasken; Health Care funds from the Behavioral Health program can be utilized in some of these general fund areas that have health related areas such as; Culture, Powwows, Boys & Girls Club and Constituents Services. Another possible source would be additional distribution from the Shooting Star Casino. Alan referenced a memo from Joe Plumber dated September 15, 2018; regarding Permissible use of White Earth's Third Party Reimbursement Revenue.

The Health Care Improvement Act permits the use of Third Party Reimbursements. Resolution - Addition with ENP and correction of Secretary Treasurer's name:

Motion made by Leonard Alan Roy to approve Resolution #064-18-013, Seconded by Kathy Goodwin. Motion carried, 4 for, 0 against.

Motion made by Leonard Alan Roy to approve FY19 Budget with the modifications of \$50,000.00 addition to the Homeless Program, Seconded by Raymond Auginaush Sr. Motion carried, 4 for, 0 against.

Motion made by Leonard Alan Roy to approve and submit a Press Release for today, Seconded by Raymond Auginaush Sr. Motion carried, 4 for, 0 against.

Manager's names and funding codes will be removed.

Motion made by Leonard Alan Roy to approve and release a copy of the Approved / Proposed Budget 2018 & 2019 to be attached to the Press release, Seconded by Raymond Auginaush Sr. Motion carried, 4 for, 0 against.

RBC Kitchen meal increase to \$6.00: RBC is in consensus to the meal increase.

*Meeting recessed at 10:59 a.m.*

*Meeting reconvened at 11:20 a.m.*

### **New Business**

Dillon Jackson is present and is asking for a donation request for the 2<sup>nd</sup> Annual Pine Point Last Chance Bash (Demo Derby); to be held on October 7<sup>th</sup>. 50 registered cars will be participating in this event. Pine Point Community Council cannot help for this year's event. Dillon is requesting a donation for the trophy cost, bleachers, and payouts for this year's event. The amount requested is \$1,400. Brief discussion held on raising the entry fee and other fundraising for the event. Terry, Alan and Eugene will donate \$300.00 each. RBC approved \$250.00 coming out of the Donations Committee:

Motion made by Eugene Tibbetts to approve \$250.00 from the Donations Committee, Seconded by Leonard Alan Roy. Motion carried, 4 for, 0 against.

### **THPO**

Jaime Arsenault is VIA Conference call at 11:40 a.m.

NAGRRA Repatriation Grant for \$7,290; for THPO to complete a repatriation in October 2018; the amount of the grant is for the purpose of covering the cost of returning a Big Drum to White Earth and the Drum is in Massachusetts:

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

### **Cell Tower Review:**

Spoke with Joe Plumber Sr. regarding this issue. Process is; Tribe would sign up for a TCNS login and every Wednesday they would release towers that might be within our areas of interest that would need review and we will charge a fee for that. THPO programs that do charge fees take a portion of that fee and this would help with self sustainable of the program and the other portion would go back into the general fund for the tribe. Currently there is a dispute between tribes and the FCC regarding the fees and tribes not charging fees any longer; however, not knowing how this will turn out due to a number of communities challenging this legally. Advice that Jaime has been given from other THPO tribes regarding the fee cost is requesting to sign up for this login. This could be a great financial benefit for the THPO department and the general fund. RBC will follow up with Joe Plumber regarding this issue.

### **International Coalition of Sites of Conscience Organization:**

Jaime believes there would be tremendous benefits to White Earth and White Earth Tribal Historic Preservation Program if her program were to become a member of this organization. There is an application process and need to apply to be considered. If she is accepted in the Coalition the fee is \$100 and would be covered by her grants. There are no tribes in the state that

are members. Jaime had an conference call with the organization because she was interested; they offer direct grants to different communities which are smaller grants of \$10,000 and will provide training and remote training. Goal is to move forward with having an archive center or structure within White Earth Reservation eventually that is built within our Tribal standards. Have the documents ready for our RBC, White Earth Programs and have them accessible when needed. Promote different incentive for fund raising and networking. This would be a great opportunity and for the best practices for preservation / archives of files. Jaime would like to submit an application. RBC recommendation is to have legal review her application before submitting.

#### Ground Mounds:

The Ground Mounds are in Northern MN and under the care of the State Historical Society. The Ground Mounds have been closed to the public. The visitor center is condemned. The State Historical Society has been checking in with other tribes to see how they feel about the Ground Mounds being open to the public again or having the access to the Ground Mounds restricted to Native people for ceremony. Rainy River First Nations also care for mounds that are across the river and have their space opened for guided tours. They care for the mounds in a very strategic way. The State Historical Society; however, they do not have someone to take care of this area every single day checking. There are trees growing out where the mounds are, Eagles are building nests and there are a lot of sensitive medicines/rare plants in this area. Tribes are in consensus that this area should not be open as a tourist attraction; however, Native people should have access to that site. There needs to be some type of care or plan in place; a way to monitor and be respectful of the area. The State Historical Society wants to know how White Earth feels about this area and we would like this area open to the public or closed, but cared for. Jaime has been in contact with Red Lake THPO on this situation. They are also trying to work things out with Boise Forte. The MN Historical Society is writing a final report with recommendations with views from the tribes in the area. There needs to be Anishinaabe presence in the area to make sure our Native people are able to access this area. Bring up to the next TEC meeting and have collaboration on this issue. Conference call ended at 12:00 p.m.

#### **Continued New Business**

Gordy Ballenger is present for discussion on his proposal to the RBC on Medical Marijuana.

Mr. Bellanger presented his mission statement, overview and approach to the RBC. Mr. Bellanger gave some statistics surrounding Medical Marijuana and is used to treat a number of different conditions, including:

- Addictions; combination therapy with a pill
- Alcohol drop in houses for Medical Marijuana
- Appetite Loss
- Cancer; Pain Management
- Regular pain and injury
- Disease Management
- Mental Health Issues
- Veterans

Mr. Bellanger presented on the revenue, legal obligation, profits, and overview of the business and is seeking approval from the RBC to move forward on this proposal. Brief discussion held

on medical marijuana. Kathy commented on the State program on Medical Marijuana and placing on the referendum ballot for the people's vote.

### **Education**

Mary Otto is present.

Alan commented on the status of a letter of an audit. Mary stated at this time she has not had an update on this audit and is working with Scott.

Brief discussion held on the COLA school visits and follow up needed on Jeff Azures concerns.

Megan Myers: COLA Principal resigned; she felt there is no job security within the RBC. Job is posted through Human Resources. A public comment on the staff turnover for COLA. Mary stated in an RBC work session meeting where it originally stemmed to this issue. Mary commented on the rumors within the White Earth Communities on all the firings and people needing insurances for families. Mary also commented on Human resources not having exit interviews for employees when they leave the RBC and the importance of this. Brief discussion held on the progress, standards, testing and curriculum of the COLA School.

Alan has a question for the Chairman and the Executive Director. Several members of staff including the Human Resource Director have referenced conduct in regards [REDACTED] and are requesting an answer from the Administration. What is the status on of this decision and need direction from RBC? Terry stated they need direction from RBC regarding the meeting that was held on August 27<sup>th</sup>, 2018. Human Resources has made it known there has been issues with conduct in regards to the outcome of the meeting. Under the I-65 the authority to make personnel decisions are under the preview of the Chairman. Chairman is requesting input of the body. RBC will go into Executive Session.

### **Identified Official With Authority (IOWA):**

Only the identified Official with authority is allowed to authorize access by local education agency users to Minnesota Department of Education secure websites. The RBC will need to approve in their meeting and be documented in the meeting minutes. At this time they would be able to switch who is the administrator and approvers in ELSA. Mary is requesting from the RBC to name her the IOWA for Early Learning Scholarship through Minnesota Department of Education. This would give Mary the ability to log into the system; change assigned roles when they have staff changes and allow her to enter payments into the Early Learning Scholarship System. Otherwise the Chairman has to approve every time there is a change. This is a Secure State System. Children are eligible to receive Early Learning scholarships and those scholarships pay for portion of their Childcare and Kick start. In order for their providers to receive payments they need to be approved in this system. Desirae Linden is no longer in that position and resigned a few weeks ago; however, Margaret Myhre will be entering the information so people can get paid. Last Thursday Mary received voicemails from five providers wondering if they were going to get paid by the Tribe due to the information not being entered into the State system. If the motion dies the RBC meeting minutes would have to go to the State and they would be asking this governing body who will be the IOWA and into these two roles; Area Regional Administrator and Payment Approval for both Childcare and Head Start. Mary has called the State and explained that she has put the IOWA request in and that the RBC has been very busy

as we have new Council members. They would talk to the Assistant Commissioner and see if she would allow a temporary person access.

Motion made by Kathy Goodwin to approve, Motion dies due to lack of second.

*Meeting recessed at 1:41 p.m.*

*Executive Session at 1:42 p.m.*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

*Executive Session ended at 2:52 p.m.*  
*Meeting reconvened at 2:52 p.m.*

Motion made by Leonard Alan Roy to approve an independent investigation on the WEPD carried out by the Leech Lake Police department, Seconded by Kathy Goodwin. Motion carried, 4 for, 0 against.

Motion made by Leonard Alan Roy to approve a recommendation of a three day suspension without pay with PIP for conduct, Seconded by Raymond Auginaush Sr. Motion carried, 4 for, 0 against.

**Michael LaRoque – Tabled**

**Continued New Business**

Doug Twait Invoice:

Motion made by Leonard Alan Roy to approve, Seconded by Eugene Tibbetts. Motion carried, 4 for, 0 against.

Doug supplies a cost for newsletters less than \$1,000 for State, Federal and National Newsletter.

The Hartford Group Sales Office Letter / Bill Haas:

Hass Management Benefits; long and short term disability contract Hartford. Haas handled the benefits; however, no health insurance. White Earth will be able to administer their own PRC by October 1<sup>st</sup>. Alan stated that his wage for lobbying should be reduced due to the Haas Management Benefits - **Table**

ICWA Board:

Joe Plumber is working on the Bylaws and the stipends for the ICWA Board members; suggested to having Jeri's Behavioral Health program pay the stipends.

Clarification on the Naytahwaush Water Tower:

Ron signed off on all the documentation for the Naytahwaush Water Tower

Rice Lake New Center Wiring Problem: Ron will follow up

Descendants Hunting:

Tribal Land use permits are required and State licensed do to so. Place on agenda for next Monday need to rescind the Resolution.

Clarification on Language Immersion:

Rob Tibbetts needs clarification on the next steps for Language Immersion. Direct Mary Otto to contact and work with the grants department on finding funding for this purpose. Kathy commented on a working group.

Funding Request – Constitutional Conventions October 1:

White Earth is hosting six town halls. Alan is requesting a donation to help with the meals and other costs pertaining to the Constitutional Convention meetings. Joan suggested putting together a budget for these meeting. Delegate Planning Group includes; Missy Fairbanks, Lorna LaGue and Margaret Rousu. They are the work group who will be setting up these meetings. Approved \$1,000 for the meeting costs and it was suggested to raise the amount for the remaining meetings if needed:

Motion made by Kathy Goodwin to approve \$1,000, Seconded by Leonard Alan Roy. Motion carried, 4 for, 0 against.

Clarification Val Red Horse:

Shooting Star will have the contract. Discussion will be held at the Gaming Commission meeting.

Transportation request for October 9:

White Earth members who want to attend the Constitutional meeting. Alan requested from the work group to provide a budget to Joan and a list of individuals who will be attending meeting by October 5<sup>th</sup>.

Wild Rice Committee Stipends:

Monica needs direction from the RBC on what to pay for the Wild Rice Committee Stipends? RBC recommendation is for the meeting minutes to be submitted with the stipends:

Motion made by Kathy Goodwin to approve \$50.00 per meeting, Seconded by Raymond Auginaush Sr. Motion carried, 4 for, 0 against.

Powwow Committee – **Tabled**

There are several vacancies on the Powwow committee. Alan's recommendations for the Powwow committee: Mickie Hodges, Mike Swan, Vince Byle and Jon Weaver. Ron will follow up with Merlin Deegan regarding who resigned and how many vacancies are on this committee.

Quarterly Meetings:

Brief discussion held on room and mileage for Quarterly meetings. Marcy Hart is requesting reimbursement on her room for attending the Quarterly meeting held on September 7<sup>th</sup>. RBC is in consensus for room and a meal for Community Council members who attend the Quarterly meetings; however, will not pay for mileage.

**Signatory Requests**

Jeri Jasken – Behavioral Health

Road Work at Jackhaw:

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

Kim Lage - Child Care

Child Care License Renewal / Variance Request District II [REDACTED]  
[REDACTED]

Motion made by Kathy Goodwin to approve, Seconded by Raymond Auginaush Sr. Motion carried, 4 for, 0 against.

Kay Sunram – Education

License; Six Head Start Locations:

Motion made by Eugene Tibbetts to approve, Seconded by Leonard Alan Roy. Motion carried, 4 for, 0 against.

Jeremy Cossette – WEPD

Grant for BIA-IHSP Grant:

Motion made by Kathy Goodwin to approve, Seconded by Raymond Auginaush Sr. Motion carried, 4 for, 0 against.

Joe Plumber – Legal

Articles of Organization and Certified of Good Standing Whitener Construction, LLC (Thomas Whitener):

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

Gloria Goodwin – Food Distribution

2019 Federal Assistance Grant – USDA:

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

Sandy St. Clair – TERO

EEOC Contract for TERO \$26,000 – **Tabled**

Motion made by Kathy Goodwin to adjourn at 4:20 p.m. Seconded by Eugene Tibbetts. Motion Carried, 4 for, 0 against.

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Leonard Alan Roy Secretary/Treasurer