

White Earth Reservation Tribal Council
Special Meeting
March 6, 2017 – 9:00 a.m.
White Earth, MN

Chairman Terrence "Terry" Tibbetts called the meeting to order at 9:13 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
Mike Fairbanks, Deputy Director
Desirae Stalberger, Recorder
Maria Bevins, Observer

Agenda Approval

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

RTC Meeting Minutes (2/28/17)

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

Calendar Review

- NIGC Site Visit – Shawwna Ellis

Tabled Business

Community Council Stipends (Off Reservation)

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

Building Use After Hours

Waiting for Mike LaRoque to provide the policy for review; there should be something in place since there is a sign in/out sheet set up at dispatch for after hours entrance to the building. Tara stated she spoke to LaRoque and he stated there is no policy; Terry stated there should be a policy in place since this is a government building. Motion made by Tara Mason to draft the building use policy building and safety, Terry requested active shooter in the building policy with RaeAnn's input be included, Seconded by Kathy Goodwin. Tara stated that with the

money that is owed on this building and since it is a public building meeting with membership should be allowed. There are two different issues, each building should have after hours use and there should be safety policies in place for each of Tribal buildings. Dispatch has more camera surveillance to allow for more review of who is entering/leaving the building. Terry stated the political after hours meeting should be kept out of the building; all Tribal Council should be at the table. Tara asked if this is to interfere with her job duties to meet whenever or with who with. Umsy stated that all Tribal Council should be involved when it involves constitution information. It was stated that notification needs to be made to all Tribal Council if meetings are held. Terry stated that political meetings should not be held within the building after hours. *We're all for public safety and openness in Tribal government.* Tara stated the Tribal Council does not have set work hours; 24/7. Kathy stated the building is not just for employees, it's for the people - they should be able to utilize. Tara has been working on safety of building up for discussion as well. Natural resources is also working on disaster plan. Motion carried, 3 for, 1 silent.

WELSA Department

Jolyn Donnell provided an update on the software system currently being utilized; requests have been initiated for update. Program has funding available for database update. Tara asked if Arctic IT has a copy of the contract for just this projects; Jesse stated there was. Jolyn will follow up with Patty Olby as to supplemental funding being utilized to help offset some of the cost for software update; Jolyn will be seeking additional funding opportunity to assist as well. There is a need to move forward; contract needs to be established right away - Jolyn will draft and provide for approval. Tara is recommending that procedure for this software be established and to work with risk department with establishment to help address any compliance concerns. Self governance funding was briefly discussed; it sits under mandatory budget. At some point in time a decision will need to be made to request budget increase; cost of living increase.

Kathy Goodwin left meeting at 10:15 a.m.

Kathy Goodwin entered meeting at 10:17 a.m

Jolyn provided brief update on self governance green book. Tara stated the legislative agenda is being put together; need to identify pieces that should be addressed in legislation. Tara requested that Jolyn provide a summary. Probate laws should be looked at. Brief discussion was held regarding Olby's new building proposal; a request is being made for WELSA to pay space costs for new office space - have never had to pay space costs and would be a budget concern. WELSA act needs to be reviewed for updates.

Jolyn provided an update on the WELSA yearly productivity and claims made from 1990 to 2016.

Meeting recessed at 10:43 a.m.

Meeting reconvened at 11:02 a.m.

Tabled Business Continued

Constitution Discussion

Tara has requested at previous meetings a topic of disagreement from last quarterly meeting. Constitution was read at last quarterly meeting. There are differences of opinion of Article VI section I B, page 6. Public record needs to be clarified; public meaning the enrolled members - our members only. Reasonable needs to be clarified; goes back to entire RBC for decision. Terry stated public record means public record, constituency - should be readily available at all times. Tara stated that there is not just one budget; each program or funding has their own budget. Request is being made for legal interpretation of constitution; Tara stated legal does not have authority to interpret. Joe will provide update of previous interpretations only. Joe stated each reservation does public information differently. RBC has authority to put boundaries and to move forward with constitution that is in place.

Motion made by Tara Mason that public is to be considered as White Earth band members only, Seconded by Punky Clark. Joe reviewed I-65 bylaws of Section 3 F. May be an issue that needs to be discussed by TEC; Interpretation 8-94 would have all information - authority comes to the body. Terry stated that open public information and transparency is what needs to be addressed. Joe stated other reservations are more restrictive; TEC delegates authority to reservations. Issue of members live streaming at quarterly meetings was discussed; band member information would be publicized to the public, non-Tribal viewing. Suggestion was made to utilize Tribes own IT department for live streaming. Terry stated that agenda items be brought to the Chairs attention for review/discussion prior to any decisions being made. Kathy stated that quarterly meeting information be discussed prior to any quarterly meetings as well. Umsy stated this should be brought up to MCT attorney for rewording of constitution; interpretation. Joe stated this body's decision is consistent with what is in place. Motion carried, 3 for, 1 against.

The term reasonable was discussed; definition needs to be determined. Tara stated that her schedule will be distributed to all council members as to meet reasonable time lines around her availability. The quarterly meeting request was unreasonable at the time. Proposal is to clarify that entire body make decision of reasonable timeline. Terry stated there should be consistency with information to constituency; procedure needs to be established. WEHA forensic audit was discussed; council needs to make decision as to what information should be provided to Pam. Punky stated it should only be WEHA audit; Kathy agreed. MHFA audit was also discussed; decision needs to be made as to what information should be provided. Terry stated the same needs to be done with Shooting Star budget information. Tara explained that the Shooting Star information does fall under the Tribe's audit report; combined information is *in the audit*. Motion made by Kathy Goodwin that the audit to be released will be the White Earth audit, Terry requested a roll call vote be made regarding this issue. Motion carried, 5 for, 0 against.

Requests for reasonable timeframe clarification for requests will be brought to the Tribal Council for decision.

Meeting recessed at 12:05 p.m.

Meeting reconvened at 12:23 p.m.

Other

Child Care License Renewal [REDACTED]

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

Tribal Rate Request [REDACTED]

Motion made by Tara Mason that all future requests be made at Tribal Rate, Seconded by Kathy Goodwin. Motion carried, 4 for, 0 against.

State of the Nation

Consensus was to approve

Business License Request (Fireworks)

An ordinance would need to be drafted and approved for sale; legal should draft an ordinance. Business license application is run through legal office.

Lobbyist

Mapetsi Policy Group was discussed; native group - came in under contract amount for current lobbyist, NIGA work related. Group provides quality information. Group will be able to get testimony in place for different issues; will help with process. Current lobbyist contract will expire the end of March. Terry stated it may be hard to change lobbyists at this point in time.

Election AdHoc Committee

Lenny Fineday was present. Purpose of committee is to review and make changes to election ordinance; this was brought up at last TEC meeting. Question was asked what the duties of election board are. Discussion was held regarding discussion held at TEC. Election ordinance is changed at TEC every two years. Need to work with all reservations to get the word out to all membership regarding the processes. Kathy suggested one member from each district with one Tribal Council member to sit on adhoc committee; Umsy agreed. Tara was ok with total of six on committee and conference calls with other reservations; trying to get as much information as possible. Motion made by Kathy Goodwin to approve 6 member committee (5 community, 1 RTC member), Seconded by Tara Mason. Motion carried, 3 for, 1 silent.

Motion made by Tara Mason to go into executive session at 1:18 p.m., Seconded by Punky Clark. Motion carried, 4 for, 0 against.



[REDACTED]

Terry Tibbetts left meeting at 1:40 p.m.

Vice-Chairman Steven "Punky" Clark convened remainder of meeting.

[REDACTED]

[REDACTED]

[REDACTED]

Adjourn

Motion made by Kathy Goodwin to adjourn meeting at 1:51 p.m., Seconded by Tara Mason.
Motion carried, 3 for, 0 against.

Tara Mason, Secretary/Treasurer