

**White Earth Reservation Tribal Council
Special Meeting
September 29, 2017 – 9:00 a.m.
White Earth, MN**

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
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

Agenda Approval

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

SSC Operating/Capital Budget Approval

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

RTC Meeting Minutes (9/18/17, 9/25/17)

Motion made by Punky Clark to approve, Seconded by Umsy Tibbetts. Motion carried, 4 for, 0 against.

Calendar Review

- Sagkeeng Leaders Visit (Gaming Operation) - Consensus to have Bill Marsh follow up on purpose, schedule prior to gaming commission meeting.

Discussion was held regarding the sexual assault article that has been distributed; truthdig. Mike LaRoque provides an overview of what took place. Mike is working with Tom Bement on responding to this issue. This article is not what White Earth is about. There are statements within the article that are untrue. It was stated that the WEPD should have an article in the newspaper providing updates and what is taking place within communities. Joe Plumer will assist with a response regarding article.

Discussion was held regarding a public safety commission; critically needed. There needs to be a buffer put in place to have community involvement.

Motion made by Tara Mason to have a public safety commission established within the next 6 months, Seconded by Kathy Goodwin. Motion carried, 3 for, 1 against. Commission bylaws could be created with some of the ICWA Commission pieces. Mike LaRoque and Joe Plumer were asked to start the process.

No trespass order was discussed; drug related individuals within Naytahwaush community. Process will be started, County department will be put on notification. It was asked if other items can be added to referendum; banishment, IHS. Needs to be community involvement when it comes to banishment of our own Tribal members; responsibilities need to be identified.

It was stated that individuals, staff leaving Bagley Casino are being tailed by Clearwater County and State Patrol officers; no Tribal Police.

Meeting recessed at 10:35 a.m.

Meeting reconvened at 10:55 a.m.

Joe Plumer

Resolution – Star Lake Referendum

Joe stated one resolution should be prepared for each referendum issue. Tara wants to see banishment be an item for referendum vote; drug related, major issues. There should be provisions to help individuals as well; Tara stated public safety commission could address. Mille Lacs, Fond du Lac, Red Lake all have banishment in place. A banishment resolution was drafted quite some time ago; will be reviewed again.

Motion made by Umsy Tibbetts to approve Resolution, Star Lake Referendum, Seconded by Kathy Goodwin. Tara asked for more discussion and review of the resolution.

Motion made by Umsy Tibbetts to approve Resolution # , with amended changes, Seconded by Kathy Goodwin. Motion carried, 4 for, 0 against.

Hearing Dates - Pipeline

October 17th at SSC in the afternoon; Tribal public hearing regarding pipeline.

Renewal – CCS/SFM Contracts

CCS is ready, SFM requires changes (breach, lawsuit indemnification). These documents need to be in place effective October 1.

Motion made by Umsy Tibbetts to approve CCS Health Insurance Benefits, Seconded by Punky Clark. Motion carried, 3 for, 0 against. Tara was absent for the vote.

Tara Mason left meeting at 11:45 a.m.

Tribal Health Substance Abuse Treatment Program License (Oshki)

Motion made by Umsy Tibbetts to approve, Seconded by Kathy Goodwin. Motion carried, 3 for, 0 against.

Meeting recessed at 11:51 a.m.

Meeting reconvened at 12:11 p.m.

CSO funding was granted; can utilize position to help those that may need help with suicidal issues.

Education Department

Mary Otto

Tribal Consultation for ESSA is coming up, need direction on how to proceed. There is to be Tribal Council representation or an appointment needs to be made for other individual to participate in place of. Bagley and Perham are only two who have requested consultation.

Impact Tribal Aid

Waivers can be granted to impacted schools; when documents are signed Tribe is agreeing to the satisfaction of school providing services to students. Suggestion made to do IPP's (Indian Policies & Procedures); would hold schools accountable to services being provided. Tribe sets formula for JOM, why can't funding formula be set for impact tribal aid. Mike Fairbanks was asked to research TPA funds. [REDACTED]

Motion made by Kathy Goodwin to appoint [REDACTED] to implement the ESSA Committee, Seconded by Punky Clark. Motion carried, 4 for, 0 against.

Mary will be drafting a letter that the Tribe will not be signing off on waiver requests for this year. Indian Policies and Procedures will be followed moving forward.

Terry Tibbetts left meeting at 12:55 p.m.

Meeting recessed at 12:59 p.m.

Meeting reconvened at 1:15 p.m.

Employee Investigation Follow Up

Mary provided and overview of the investigation and where it is at. [REDACTED]

[REDACTED] Punky stated to refer it to HR and legal. Tara stated the HR process should be followed. Consensus of Tribal Council was to go along with the recommendation and follow up with legal on legal aspects.

Meeting recessed at 2:01 p.m.

Meeting reconvened at 2:15 p.m.

Consensus of Tribal Council is that employee recognition be given back to the department directors.

IHS Self Governance

Pat Butler was present. The 3 year grant was not awarded for extension of the project. This does not affect the process once this final year is complete. Planning and negotiation is the next step and will continue to work through this process. There may be alternative grants available. There is a survey in process. Priority for this year is the structure of a health board and to have it a part of the process; 5 or 6 board members.

Mike Fairbanks was asked to follow up on self governance maximo.

Transit Fare Box Policy

Ken Bakken was present and provided an overview of the revised transit fare box policy; new electronic fare box. Drivers will no longer have to touch a fare box, everything is electronic. The WE compliance division needs to be included in the inspection piece of the policy; should state that WE does internal auditing control as well.

Motion made by Kathy Goodwin to approve Resolution #071-17-010, with changes, Seconded by Tara Mason. Motion carried, 4 for, 0 against.

Kathy asked about personnel issues and it being brought to Tribal Council work session, thought a decision was made to follow HR policy chain of command.

Meeting recessed at 2:47 p.m.

Meeting reconvened at 3:04 p.m.

Enrollment Resolutions

Shannon Heisler was present.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Other

Resolution – [REDACTED]
Motion made by Tara Mason to approve Resolution #016-17-015 , Seconded by Kathy Goodwin.
Motion carried, 4 for, 0 against.

Resolution – [REDACTED]
Motion made by Tara Mason to approve Resolution #001-17-019 , Seconded by Kathy Goodwin
to approve. Motion carried, 4 for, 0 against.

SSC Tobacco License [REDACTED]
Motion made by Punky Clark to approve SSC Tobacco Licensing, Seconded by Tara Mason.
Motion carried, 4 for, 0 against.

WERTC Organizational Chart
Motion made by Tara Mason to approve with changes, Seconded by Kathy Goodwin. Motion
carried, 4 for, 0 against.

Child Care Licensing

New License [REDACTED]

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

Renewal License [REDACTED]

Motion made by Punky Clark to approve, Seconded by Kathy Goodwin. Motion carried, 4 for, 0 against.

Service Line Agreements [REDACTED]

Motion made by Kathy Goodwin to approve, Seconded by Punky Clark. Motion carried, 4 for, 0 against.

Christian Retreat

Brief update was provided. Brief discussion was held regarding use of facility; decision needs to be made. Brief discussion was also held regarding narcan and violation of rights. Katherine was working with Nicole, Joe Plumer had paperwork that needed to be signed off on. Request was made for final purchase agreement amount. Bonding is being worked on. Motion made by Kathy Goodwin to approve the purchase of up to [REDACTED] Seconded by Punky Clark. Motion carried, 4 for, 0 against.

Donation Request [REDACTED]

Motion made by Umsy Tibbetts to approve [REDACTED], Seconded by Kathy Goodwin. Motion carried, 4 for, 0 against.

WELRP Donation Request (Deer, Fish, Wild Rice)

Consensus to approve 2 deer only

PTO Payout

[REDACTED] Motion made by Tara Mason to pay out PTO hours, Seconded by Kathy Goodwin. Motion carried, 4 for, 0 against.

Employees need to be expending their PTO hours throughout the year.

RTC Budget Approval

Proposed budget was reviewed and discussed. Motion made by Tara Mason to approve the '18 RTC Operations and Capital Budget, Seconded by Punky Clark. Motion carried, 4 for, 0 against.

Tara is requesting direction on what pieces of the budget the Tribal Council wants her to report on. Terry stated he wants to see MATs numbers. Tara will report on October 23rd.

HIP Funding Follow Up

Question was asked about the bid process; are 3 bids required - having difficulty getting contractors to bid. [REDACTED]

SFM Contract

Motion made by to approve SFM Contract with two changes, shortening 90 days to 30 days and indemnification working both ways, Seconded by Tara Mason. Motion carried, 4 for, 0 against.

Consensus of Tribal Council is to use [REDACTED]

Manner of Review (Article XV)

Discussion was held regarding the resolution passed for Tribal Court and have it sent to TEC for review.

Wild Rice Price

Tabled - need finished amount to date.

Flag Request [REDACTED]

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

Descendent Hunting

Tabled for next meeting.

Adjourn

Motion made by Kathy Goodwin to adjourn meeting at 5:55 p.m., Seconded by Tara Mason. Motion carried, 4 for, 0 against.

Tara Mason, Secretary/Treasurer