

**White Earth Reservation Tribal Council
Special Meeting
August 1, 2016 –9:00 a.m.
White Earth, MN**

Vice-Chairman Steven "Punky" Clark called the meeting to order at 9:06 a.m., roll call was taken with a quorum present.

Present: Steven "Punky" Clark, District I Representative (Vice-Chairman)
 Tara Mason, Secretary/Treasurer
 Kathy Goodwin, District II Representative
 Eugene "Umsy" Tibbetts, District III Representative

Absent: Terrence "Terry" Tibbetts, Chairman

Others Present: Ken Fox, Executive Director
 Mike Fairbanks, Deputy Director
 Desirae Stalberger, Recorder

Agenda Approval

Motion made by Tara Mason to approve the agenda with additions, Seconded by Kathy Goodwin. Motion carried, 3 for, 0 against.

Other

Tara provided a brief update of the meeting held with other MCT TEC members last week. Many issues were discussed; enrollments, processes, committees, etc.

RTC Meeting Minutes (7/25/16)

Motion made by Tara Mason to approve meeting minutes, Seconded by Kathy Goodwin. Motion carried, 3 for, 0 against.

Calendar Review

Punky Clark left meeting at 9:51 a.m

Punky Clark entered meeting at 9:52 a.m.

Enrollment Resolutions

Shannon Heisler was present.

Eligible for Enrollment - Motion made by Tara Mason to approve Resolution #020-16-020, Seconded by Kathy Goodwin. Motion carried, 3 for, 0 against.

Ineligible for Enrollment - Motion made by Kathy Goodwin to approve Resolution #020-16-021, Seconded by Tara Mason. Motion carried, 3 for, 0 against.

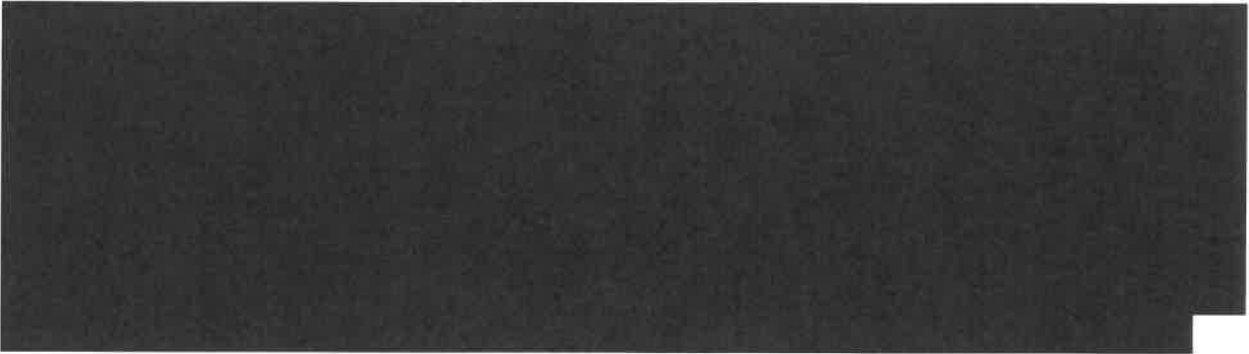
Ineligible - No Parent - Motion made by Motion made by Tara Mason to approve Resolution #020-16-022, Seconded by Kathy Goodwin. Motion carried, 3 for, 0 against.

Blood Degree Correction - Motion made by Kathy Goodwin to approve Resolution #020-16-023, Seconded by Umsy Tibbetts. Motion carried, 3 for, 0 against.

Band Transfer to Bois Forte - Motion made by Tara Mason to approve Resolution #020-16-024, Seconded by Kathy Goodwin. Motion carried, 3 for, 0 against.

Relinquishment to Sisseton - Motion made by Tara Mason to approve Resolution #020-16-025, Seconded by Kathy Goodwin.

Other



Land Resolutions

Sarah Bekkerus was present. Brief discussion was held regarding policies/procedures for lease agreements; it was stated that individuals would have to be WE Tribal members. Question was asked on what process would be to increase Tribal member land allocation to 2 acres parcels; Megan stated that it would be staff time and would be hard to change existing allocations due to being next to each other and nowhere to expand. Umsy asked about future homesites. A request was made for policies.

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

Service Line Agreements: Motion made by Umsy Tibbetts to approve, Seconded by Tara Mason. Motion carried, 3 for, 0 against.

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

Business: Motion made by Kathy Goodwin to approve, Seconded by Tara Mason. Motion carried, 3 for, 0 against.

Meeting Reconvened at 11:52a.m.

Tabitha Chilton, Recorder

Strategic Affairs

Alan Roy and Pat Butler are present. Talking points on the seventh fire. Talked with Mike Swan and Mike LaRoque. Putting together a flyer with communications team and reaching out to eh producers this week. Will be providing updates Anne McKeig is being appointed to MN Supreme Court, honor guard on September 15th. Hope for RTC appearance and possible funding for honor guard to go. \$6000 is budgeted for travel for Veteran's. August 10th with Mitch Berg asking for help with presenting to representatives. Mahnomen County Drug statistics and solutions with public safety. Combined justice center with substation. Skoe, Green, Klobuchar, Franken, County commissioners. Drug court and Lori Thompson should be contacted for the project as well. Highest for Hep C and HIV in the state of Minnesota. Narrative are treatment facilities and law enforcement. Bonding bill for feasibility study, city of Mahnomen needs a new fire hall. Putting everybody into one building and calling it a public Safety building within the city limits. White Earth could possibly have a substation within the building. 2010 completed in 2012, feasibility study with an older feasibility as well in the early 2000's. Space for 150 beds is a separate building. The original plan was to have the jail in the rear of the public safety building. Jail feasibility would be only tribal members. City secure 20,000 for study. Very expensive for a jail facility. Pods would be open as needed in Mahnomen. Money is coming from DOJ but operating is coming from BIA. Intake would be possible 135 a day. Federal is a higher rate than state. The study was done by MNDOC standards and BIA standards with a basic design. Mahnomen outsourcing is around \$55 a day, annually around \$700,000 a year. A wellness pod within the study, re-entry program to get out of there quickly, wraparound. County needs a jail, with state statute, the county has to run the jail. Do not hold people under civil regulatory. Centrally locate WEPD. Becker County is moving forward with their own jail, uninterested in partnering with WE or Mahnomen. Talking to legislatures and what is happening. Not much use for substations anymore. 50 acres deemed for industrial land near Waubun, MN. There would be a benefit in partnering with the county, same dispatch to save money and to put under one roof. WEPD budget will be used to do a current feasibility study. Substation would be basically an office. WE is paying for one and Mahnomen is paying for three officers. Officers are conscious about doing a report, safety issues. Mahnomen would be asked to pitch in on the feasibility study. Substations were taken away because they were in the community but not being around in the community, which is why they were taken away. Second talking point is the hospital. Legislature would be highly unsupportive of tribe to take over hospital. Possibility of putting services within the building for cash flow and in time, absorb the hospital. Good to check it out and the number of beds. The emergency room, clinic, assisted living and nursing home are separate. The community would be reimbursable. A place to take people with acute withdrawal. Detox is reimbursed by the county, would need to rename for state reimbursement. Available with a doctor on hand.

Having a mat dosing station in Mahnomen. Michael Neusser and Scott Omlid have went to the building to look at the layout. The facility and nursing home are both not up to code. Ten year strategic plan give more opportunity for the tribe to have more sites. Rich environment and the casino may be able to go to a walk in clinic, without having to go to Detroit Lakes or somewhere else. The nursing money does not make money. Financials should be public information. Moratorium in nursing homes. Inviting a board member to meetings. More like a home setting at the nursing home. Emergency room is losing money because of the bills that are not being paid. A clinic setting would alleviate some of the emergency room costs. Families are being asked to travel if both of the helicopters are busy. Non-emergencies are being brought to sit for hours. Customer service is terrible. Will call Law Enforcement on patients and report that nurses are rude. Having attitude and judgment when they first walk in. Cass Lake gets PRC money to pay for overnight doctors and weekend doctors. IHS can only roll over 10%, area will say it goes to local, local goes to area. Tara will attend the next meeting with Skoe and Green at 2:00 p.m. August 10th will meet with powerball, will affect gaming, very huge discussion. Online gaming. Update on Tribal Law and Order have submitted the letters for funding that hasn't been received. Start special appropriation for the years 2016 and 2017. Retask application re-submitted for 2017. Statutory waiver packet from the SNAP program, waiting for the waiver. Need a waiver for demonstration. Discussion with Colin Peterson to talk to the Secretary of Agriculture. Merit based hiring with Indian preference and violates the rules with their merit basing. The three positions that are being looked at will remove the hiring of the Indian preference. Unwilling to modify their merit based preference system. Introduce to legislation the inclusion of tribes. Game plan strongly supports White Earth. Getting on subcommittee for T Bec. Money for study will help for Mahnomen or the county? Jail or justice center is the direction. Mike Swan was filmed during ceremony in the seventh fire, told them they couldn't use it and they did. Cultural sensitive training for Tribal police officers with Murphy who has worked with Red Lake Officers before, August 24th at the rediscovery center. Worked with Red Lake before. BLM stakeholder, Charlene Roundface, funding survey projects and run out of funding. 2017 possible surveying. 300 - 500 pages worth of goals and explanation. Strategic planning committee to sift and prioritize goals. Collecting goals from each department and prioritize them as well. Reprioritize during committee and brought to RTC for more reprioritization. Every goal will have no less than one paragraph. Between 5 and 9 with 4 seats for community members to be a part of the committee, with reimbursement for stipend. Next month will have interviews for committee members. Takes around four hours to do thirty goals. October review candidates, November have the committee and December review 99% solution, stakeholder analysis. Draft, vision and mission statement for approval from RTC in January. Need format sent to Tara. Policy advisory group, multi-purpose. MCT constitution training. Will be from the community to educate staff and community itself with trainings with stipend. Having a voice in Tribal government. The answers are within the reservation, tribal members and community only. Need to get younger generation involved in the Constitution. Tribal College will look into teaching classes. August 3rd, Minnesota Tribal Collaborative. Homelessness discussion, 15 million worth of legislation. Alan will attend and take notes with more research on more funding with homelessness. Native governance center, August 3rd to visit.

Alan Roy asked for private meeting with Council, Meeting recessed at 1:09 p.m., Meeting Reconvened at 1:31 p.m.

Public Works (Driveways)

Jeff Vivier present. Driveway work and requests from the public. Approved for each tribal member to get a driveway from RTC funds for driveway, up to \$5,000. Every homesite is different. Some driveways are longer or amount of trees that need to be removed. Limit on the footage. Other services that are available. Water and sewer usually comes after the driveway and access to the site is available. IHS is providing wells and septic systems. \$36,800 for both well and septic. People don't have enough money and need to have electric before the well and septic is put in. Using equipment from BIA program. With site audits, occasionally select programs to check equipment to make sure the funding is being used for what it's supposed to. Could possibly be released after 30 or 50 percent of the usage. Looking at wages of people working at the Roads department. Were as far behind as 2011 with water and sewer and jeopardizing losing the IHS money. 36 sites last year with well and septic systems, with some funding that were going to be pulled back. 15 MHFA. Wrote to grant allocators on why the projects weren't finished when they were supposed to, got to keep the grant money. Try to do 30 a year to keep up. Roads are behind pretty far. 15 million that the reservation has been short changed. With the money that we're supposed to have, a lot of roads should have been take care of. Five road workers that are being pulled in all different directions. Haven't been able to commit all five workers on one site. Pine Point will be getting mowed and is in process - work and mower has been subcontracted out, bought a new one to get it taken care of for safety. Roads is set up with a skeleton crew that runs year round. Seasonal workers can be brought down to \$50,000. Basic minimum is being done right now. Spread workforce and equipment halfway across the reservation. The seasonal workers can be used in a different department in Roads so that they can still have a job and be paid with IHS money. Buying equipment would be a one-time expense with an ongoing annual cost for three additional staff and gravel for roads. Some of the accounts could be billed to another department as well. Can use equipment from other departments. \$250,000 to buy used equipment for the department. Culverts might be an issue depending on county and BIA roads. County has inspections, BIA does not. Roads are different depending on visibility. \$100,000 for manpower and gravel. Policies for driveways need to be looked at. Basic policies could be lease, tribal member, own the property, clear own land and if property is sold, no more. One driveway per lifetime. Brand new driveways, existing driveways and elders and disabilities. NTW roads are being looked at to be redone. Outstanding bills that need to be taken care of, responsible for over \$5000. Non- elders have to pay their own bill, set up a plan to make payments. Rice Lake roads are going to be redesigned, hopefully going to be done next year. NTW roads will take up most funding. Would like to look into taking over the road from Pine Bend to County Road 4.



Economic Development Update

Michael Neusser - Tabled

NIHB Continuation Request (Diabetes Prevention Project)

Pat Butler present. Request from U of M Duluth on a second phase of a project going on. Gathering for Health, funded by NIH. Going to communities and asking questions on Diabetes II and how it affects their lives. Five tribal nations, one or two in Canada, Dr. Wells in Duluth is the project lead. 192 participants in White Earth. Information is quantified together but can break up. New phase of the grant would have to go to IRB and go to each tribe to build a Diabetes prevention program. Information was nothing out of the ordinary or what is already known. Research project so there is a probability of it being published. Group wants to come and do a presentation on date in packet and new information. Partner with Diabetes project if on board because most of the projects are already being done by our Health department. Statistically important for agencies that need trustworthy data. The cumulative five tribe information might be questioned. The next grant would come from the same source. Coming back to build the prevention program. Trauma reduction, stress reduction, coping mechanisms from stress related diabetes. Diabetes prevention plan is current with wellness, trainers, outreach, conferences, nursing at home visits and collaborating with IHS to bring back diabetes days. Diabetes days is the full day with food and training to prevent and control Diabetes. Nutritionist in the schools and work with Bob Shimek who has money to help. Working with Elders and ENP. Work with Dialysis for the special needs and most of them have Diabetes as well. When the diabetes grant runs out and the program is successful, the program will continue to run. Request RFP when put together so there can be contingencies put in place. Resolution will be put through Legal before brought to RTC for signature.

1855 Treaty

Joe Plumer present. Joe will bring the donated money to meeting. BIA rights protection could be used for attorney fees. Getting monies donated to 1855 directly. Possibly a resolution from RTC to get the money directly.

Medure

Commercial properties and supportive housing for seniors, but with mortgage as high as it is, have to buy off the top interest. Strip mall with one vacant and another in the next two months. AMF limited partnership, only owns 5%. Assets are limited. Natural gas is more likely in this area. No pipeline across the property but if there is, there will be money. Separate with properties, send him off with 1/3 and keep the rest. Joint tenancy is free of liens, exempt. Roosevelt building has the most value, best asset of all properties. Negotiations to release with Zenas. Sign off as is at the moment. No charges on Medure, all civil charges. Went through

three arbitrators, all retired supreme court justices and awarded tribe 19 million. Get as much clean cash into WELSA.

Other

Tabled Business/Resolution – Zenas Baer

Agreed in May to close in 90 days, sooner if there was cash to get it done. Closure for the transaction. Offers, counteroffers and proposals for over four years or more. Mortgages that are due for Medure. The other idea was to file bankruptcy. The outcome would be much less than what is on the table. A lot of things are in joint name and can't get a lien. Wife is only giving hers to husband so that he wouldn't go into bankruptcy. Wife would possibly bail out if husband passes away. Urgency from culmination of 20 years of communication and resolution for CFO to negotiate the best solution. Scheduled closing date was switched to August 1st. Tax returns from 2014 of Angelo and entities have no other assets other than the physical. No levy against bank accounts because of the joint accounts. Concerns with a clean split with the assets. The two assets that are 1/3 and 2/3 is because of the valuation of the lands. Partitioning the properties can be brought to legal action. Settled with medure and having conversations after to get the settlement taken care of. No litigation problems for future councils. McBride farm is an issue because the farmland may produce. Segregating into a clean account. The oil and gas leases terminate a year from the date. Payment of another \$3000 for leased rights. Royalties are good as long as the well is producing, 15%. Royal Dutch Petroleum, Rex Energy developed the well and operator. Cost was 1/3 of what it is now. Six wells in the first patch. Footprint of the well head is not on the McBride property. After reviewing all of the documentation, all Council should be present to approve resolution. Settlement agreement has the dollar amount. Any issues on signing the documents are that the Chairman is not available at the moment. The Roosevelt building will be the only building that is fully given to the tribe. Some tenants are non profit. Special Meeting will be rescheduled for 8/2/16.

Punky Clark left meeting at 3:10 p.m.

Punky Clark entered meeting at 3:13 p.m.

Child Care Licensing [REDACTED]

Motion made by Kathy to approve [REDACTED] license, Seconded by Tara Mason. 3 for, 0 against, 0 silent.

Motion made by Tara to approve [REDACTED] to approve license, Seconded by Kathy Goodwin. 3 for, 0 against, 0 silent.

Family Relations Code

Motion made by Tara Mason to approve Family Protection Code, Seconded by Eugene. 3 for, 0 against, 0 silent.

[REDACTED]

Firefighters

NTW

NTW roads are bad. No parade route. Pow wow grounds have big mounds of dirt. Fifth seeding is supposed to come. Gordon's has contract. Options of generators moved to the complex, will ask pow wow committee. Quarter million dollars put into the complex and the efs was not repaired. Need to be evaluated to see if it is structurally sound to even be able to fix. Tarring of the roof. Shifting of the floor is possible cracking the walls. Short of space at the moment. Weeks to wait for schematics when it was wrong for the pow wow grounds. Need an arbor for the stands. Unsure about Harvest Fest at the moment.

█ needs 1100 feet of electric wiring. Roads might have a trencher but need to check for previous wires before any work can be done. █ needs a meter put into her house. Electric deposit needs to replace a meter if needed.

Meeting recessed at 3:29 p.m.

Meeting reconvened at 3:45 p.m.

Adjourn

Motion made by Tara Mason to adjourn at 4:40 p.m. Seconded by Eugene Tibbetts. 3 for, 0 against

Tara Mason, Secretary/Treasurer