

White Earth Reservation Tribal Council
Special Meeting
October 17, 2016 – 9:00 a.m.
White Earth, MN

Chairman Terrence "Terry" Tibbetts called the meeting to order at 9:11 a.m., roll call was taken with a quorum present.

Present: Terrence "Terry" Tibbetts, Chairman
Steven "Punky" Clark, District I Representative
Kathy Goodwin, District II Representative
Eugene "Umsy" Tibbetts, District III Representative

Not Present: Tara Mason, Secretary/Treasurer

Others Present: Kenneth "Ken" Fox, Executive Director
Mike Fairbanks, Deputy Director
Tabitha Chilton, Recorder

Motion made by Kathy Goodwin to approve agenda with additions, Seconded by Umsy Tibbetts. 3 for, 0 against, 0 silent.

RTC Meeting Minutes (10/3/16) Motion made by Kathy Goodwin to approve. Seconded by Punky Clark. 3 for, 0 against, 0 silent.

Calendar Review

IHS

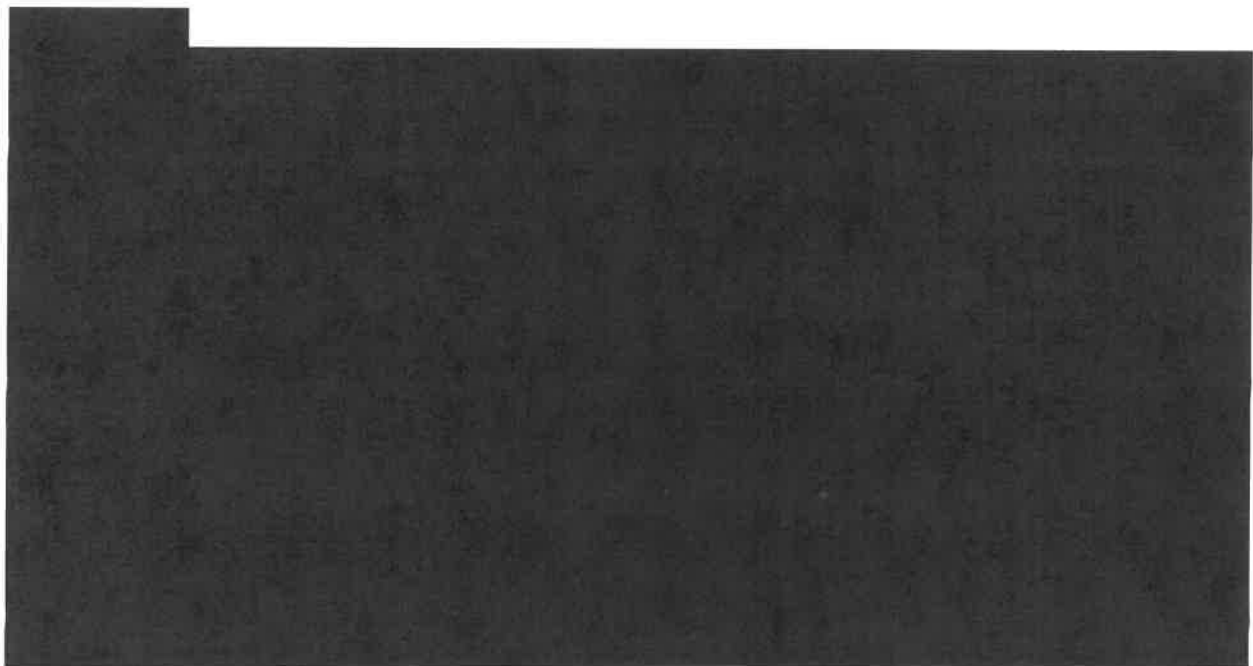
Kathy stated that a tribal member who is a really bad diabetic went into the clinic for help and his blood sugar was over 800. He was asked if he had insurance and if he was employed. They put him on little higher meds, an antibiotic and told to come back in a week. He came back in a week and his blood sugar was a 900 so they called an ambulance. He was asked for insurance before the ambulance came and cancelled the ambulance because he didn't have insurance. Got blood poisoning while waiting and could lose his feet. Found him worse at home and got taken into intensive care. Possibly illegal to deny rights even without insurance. A meeting will be set up with Alan Fogerty to discuss the situation. Terry stated that we are still under treaty obligations and it is basic human rights. Punky stated the same thing happened in Bemidji, Russell Porter has cancer and went in for a heart attack and was sent a bill for 3,000. IHS won't pay for it because it's in a different zone. There once was an agreement with Red Lake hospital so possibly sit with Red Lake to figure out a way to help people again. Area office in Bemidji set boundaries for IHS coverage limits. Umsy stated that IHS should've been giving a patient a

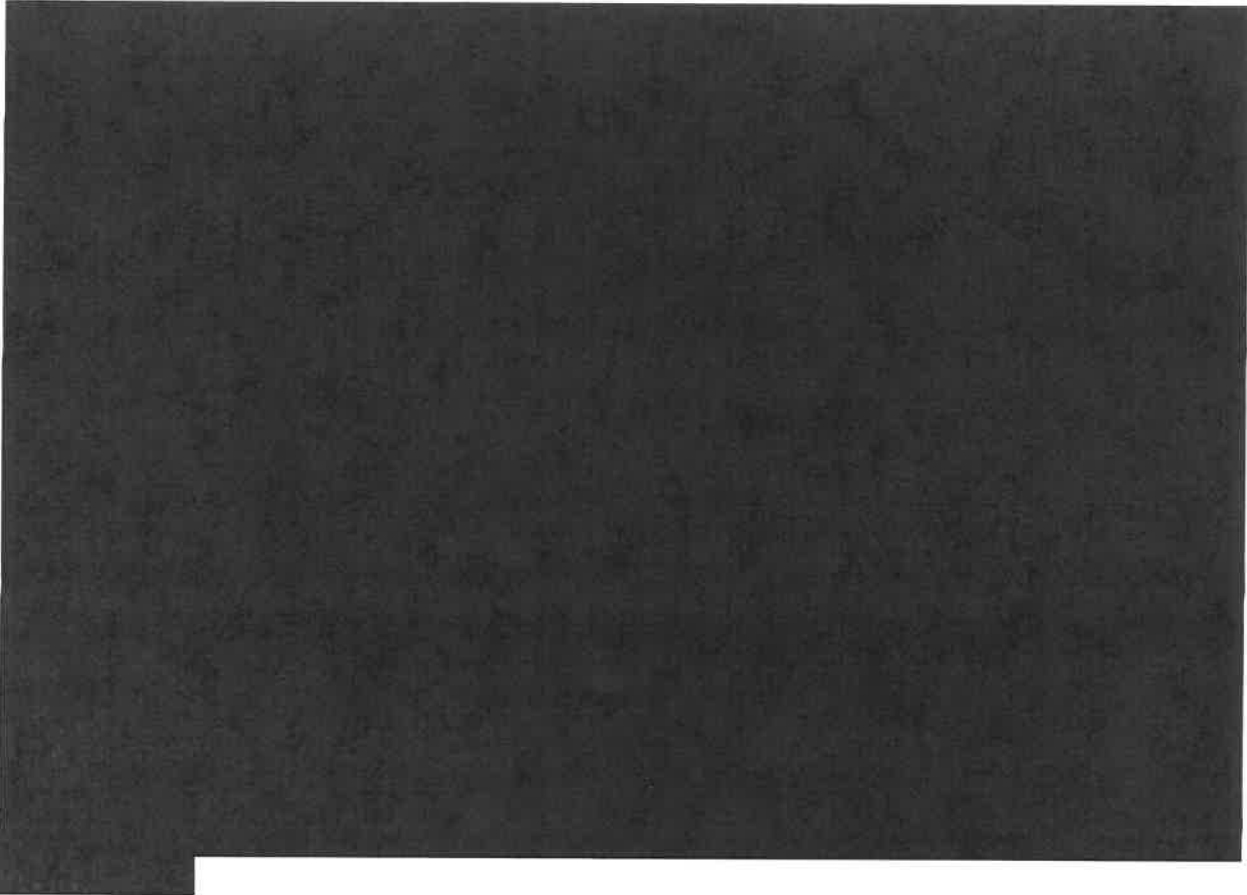
certain medication, but wasn't and their heart rate was down to 28 and kidneys shut down. No way they should've been on the medication. Pharmacy has a surplus, close to six million dollars. Patient will go through to get their meds, pharmacy will go over the doctor and say they can't take a certain medication. Previous doctor left because they wouldn't let pharmacy overrule his decision.

Housing

Terry stated that he received a call from Housing for an emergency meeting at 9:00 a.m. because both of the Director's are ready to resign, which stemmed from the quarterly meeting. Hard to watch the Director's get beat up by the community. The Veteran's were called upon and Iron range was called names. Everybody's voices should be heard, but should not get to the extent of what it has been. Housing was trying to show that most of the budget goes to maintaining the units. Kathy stated when she went to some of the houses, clothes were piled halfway up the steps, rats, needles. Bert Howard from Leech Lake doesn't charge for landfill/recycling. Six maintenance go out on day to day calls and six for rehab.

Young families are being denied because spouse or partner is caught with drugs, so the whole family is denied. Hennepin County decriminalizes marijuana up to a certain extent. Complications can come from ICW and need to watch out for children and treaty rights. Trying to be more preventive than taking. Elders need to be kept in their homes with legal guardians. State was looser than our rules and regulations before it was given to the tribe. Children are being taken off of the reservation and too many hoops to go through to get them back. Follow up with the foster care parents near Dilworth, had six White Earth kids that were beaten, lost weight and starved. Kids should not leave reservation looking to have a safe house for kids, but staffing is one of the biggest challenges.





Break at 10:25 a.m.

Umsy left at 10:25 a.m.

Break resumed at 10:57 a.m.

Financial Update/Health Insurance Premium Approval

Scott Omlid stated that the general fund's biggest thing is it had 5.4 million in other miscellaneous. September 14th, 2.973 million went to the lawsuit with RAMA, but will be shown as 2016 revenue. With the hail insurance claims, shingled roofs are done and the steel roof at Ojibwa. Skip had the roof blown off on him twice and rain come in. 9.7 million in revenue. Employees will get their 3% on their next paychecks, but typically only helps people at the bottom of the scale and the people at the top of the scale, doesn't affect anybody in the middle.

The Efis at the Naytahwaush complex needs to be looked at and replaced, different options are being looked at but needs to be done. Contacted insurance company, waiting to see if it was covered. The Efis blocks were reported to be useable and the pool needs to look at being replaced. Hoping for the removal of the septic tanks and replacing them because they can't be cleaned completely and will back up into the building at big events. Figuring out the cost on what it takes to refinish the pool area.

New insurance will be effective January 1st, 2017. The main ones that need to be looked at are 2016 premiums. \$500 deductible for each employee, 64/50 is to comply with the federal government, affordable to the government. 3.16% increase for a single person's premium and government family is a 5.3% increase. \$3000 HSA has a \$35.12 increase, which is the highest percent increase. Commercial family going up \$37.04. Increase would be the same at either organization at an employee standpoint. Will save \$30,000 - \$80,000 with MnSure. It would be worse to stay the same and move up double in the next year. People are going to be upset and possibly quit.

IHS is obligated to treat tribal members, insured or not. Tribal premium sponsorship should be pushed for. MA can back bill three months. Partnering with cultural event with the Don't get worse campaign and need volunteers to help with blood sugars, cholesterol, smoking, blood pressure, etc. RaeAnn Smith was called, needed approval on the RFP. Going with one broker or more. First People's only did the employee health side and wanting to combine tribal and casino insurance overall. Oshki has an independent policy as well, so they are going to be looked at to join as well. WETCC is on statement of values, only the original building, not the remodeled portion. Oshki and MMDCC are covered from previous insurances and when included, will save money as well. There are currently three different companies for insurance. Marsh was the group that everybody really liked because they have a strong strategic planning process. They also have an extension to the HR for access, compliance division to access and legal that is able to bring back to tribal attorney. RFP committee thought it would be better to keep separate and keep working with First Nations. November 1st needs to be decided on, trying to get everything under one umbrella.

Motion made by Kathy Goodwin to accept the financial overview and new insurance premiums, Seconded by Punky Clark, 2 for, 0 against, 0 silent.

Enrollment Resolutions



Motion made by Kathy Goodwin to accept blood degree corrections, Resolution #020-17-004, Resolution #020-17-005, Seconded by Punky Clark. 2 for, 0 against, 0 against.

Motion made by Kathy Goodwin to accept relinquishments as presented, Resolution #020-17-006, Resolution #020-17-007, Resolution #020-17-008, Seconded by Punky Clark. 2 for, 0 against, 0 silent.

Motion made by Kathy Goodwin for eligible enrollees, Resolution #020-17-001, Seconded by Punky Clark. 2 for, 0 against, 0 silent.

Motion made by Punky Clark to accept ineligibles, Resolution #020-17-002, Seconded by Kathy Goodwin. 2 for, 0 against, 0 silent.

Motion made by Punky Clark to accept ineligible - no parent, Resolution #020-17003, Seconded by Kathy Goodwin. 2 for, 0 against, 0 silent.

Every Student Succeeds Act

ESSA replaces the no child left behind program. Some things have changed and some have stayed the same. States are required to submit a plan to the federal government. There will be annual proficiency tests, rate schools for the lowest 5% and have an own identifier (unique). Prime opportunity for Tribes to request from the state accountability to educate Native children. Would like Council input on what the unique identifier will be. Before the state admits plan to federal government, they need tribal consultation. Options for consultation are to ask DOE to have a one on one consultation, go to the MCT/TEC level or to MIA or Tribal nations education committee. One benefit is to bring several tribes together to hear what everybody has to say. Faith effort to come here and hear Council input. Bring plan in advance to go over key areas and to get ideas. Bring to subcommittee, won't be ready until after the new year. Keep council informed on each step. Districts with 50% or more native students or 40,000 in title six dollars have to consult with tribes. Not only title six dollars, but all federal dollars. Impact aid has changed a lot. District must consult with officials and parents of native children. Requirements of IPP's has changed. Policies and procedures will disseminate irrelevant applications. Native children are participating on an equal basis. Putting a notice in the paper is being changed to give parents and tribes adequate notice. Time and effort are going to be put into new IPP's. Actual data will be shown and able to review and comment. Hearings are held by school board. Throwing ideas back and forth between Leech Lake. Need to identify which districts it will effect. Bemidji could possibly have to consult with tribes. Urban districts will need to figure out where they will need to consult. Each district has to have a homeless liaison and a foster care liaison, but cannot be the same. Essentially put forth our own requirements for accountability. Two Director's under Joan are to become Manager's.

Child/Family Protection Code tabled to next work session.

Land Complaints

Katherine Warren stated that people are going to District's individually. Want to get policies and procedures consistent. Katherine stated she would like better communication with Council and work together to get a handle on land issues. Punky stated that they would like a copy of all sites that have water and sewer and electricity already in place. They are open but other people are waiting to develop the sites. Families are not claiming sites that are ready to be given away. Slowly working with housing to get things up to date and getting people signed to where they should be. Minimum time requirement to get onto the lot depends on the site, they need six months to start working on water and sewer. With water and sewer, they have ninety days to get something onto the land. If people are staying in contact with Land and have hardships, they will try and work with them. If a site comes up empty, Land will go out and evaluate. Tom Uran is

the land surveyor. Potential of land around North Twin on Bass Lake road to put a beach. If there are a lot of water and sewer projects not being signed up for, funds go to the next project on the list. Bass Lake to Sawmill Lake is preservation land.

Guy Greene/Moose Lake

Joe Plumer stated that six tribal members in Moose Lake want White Earth to take over the case for sexually dangerous committed crimes because it prevailed at Federal level. For the past fourteen months the parties have been trying to figure out a process for the constitutional deficiencies. The 8th circuit will review Judge Frank's decision. The state does not regularly evaluate the parties to see if they're still a danger, like they're supposed to. Joe Plumer stated that he thinks it is not a good idea for Tribal Court to take the case because of jurisdictional issues and lack of personal jurisdictions. None are White Earth members. [REDACTED]

[REDACTED] They have enough support through the Federal Judiciary at the moment so that they don't need White Earth. Joe suggested writing a letter to the commission of human services for updated evaluations. RTC sent out White Earth sweatshirts last Christmas to show support. Evaluation could possibly get them on Intensive Supervised Release to show that they have changed. No movement on federal decision since it was brought out. Six White Earth members are in prison for sexually dangerous crimes out of 700.

Joe stated that there is another individual who wants to make a proposal for financing, Victor Rosha out of Pechanga, CA. When signed up with Val Redhorse, signed up to be exclusive financing with her. Board is trying to claim Boys and Girls Club monies. Jim Leonard wants to come down to discuss solar power, Red Lake's geothermal energy saves them 70%.

Other

Urban Area Elder Trip Request - Motion made by Kathy Goodwin to approve, Seconded by Punky Clark. 2 for, 0 against, 0 silent.

Venison Canning Deer Request - Motion made by Punky Clark to approve, Seconded by Kathy Goodwin. 2 for, 0 against, 0 silent.

[REDACTED]

Bonus at the end of the year, percentage off evaluation. Budgeted based on wages and increases for the year. Set for next pay period after a few finalizations that will be taken care of. 3% increase. List of Director's and Managers have been brought up to par. Director's should have people to manage, no specifics to what a director or manager is. How far to go back with audit, seven years or the best you can with scholarship files.

Motion made by Kathy Goodwin to accept and straight out one Director to one division for Education, Seconded by Umsy Tibbetts. 3 for, 0 against, 0 silent.

Motion

Motion made by Steven "Punky" Clark to adjourn at 1:36 p.m., Seconded by Kathy Goodwin. 2 for, 0 against, 0 silent.

Tara Mason, Secretary/Treasurer