

THE MINNESOTA CHIPPEWA TRIBE  
Tribal Executive Committee

Regular Meeting  
January 27, 2023

A Regular Tribal Executive Committee meeting was called to order at 8:53 a.m. by President Catherine Chavers at Black Bear Casino, Resort, Carlton, Minnesota.

Invocation: David Aubid

Roll Call: Michael Fairbanks, Chairman, White Earth; Mike LaRoque, Secretary-Treasurer, White Earth; Catherine Chavers, Chairwoman, Bois Forte; Robert Deschampe, Chairman, Grand Portage; April McCormick, Secretary-Treasurer, Grand Portage; Kevin Dupuis, Chairman, Fond du Lac; Robert Abramowski, Secretary-Treasurer, Fond du Lac; Faron Jackson, Chairman, Leech Lake; Leonard M. Fineday, Secretary-Treasurer, Leech Lake.

Zoom Panelists: Melanie Benjamin, Chief Executive, Milles Lacs; Sheldon Boyd, Secretary-Treasurer, Mille Lacs; Tara Geshick, Secretary-Treasurer, Bois Forte.

Others: Phil Brodeen, Legal Counsel, MCT; Beth Drost, Executive Director, MCT; Joel Smith, Director of Administration, MCT; Shannon Heisler, Enrollment Coordinator, White Earth; Richard Jones, Leech Lake; Tadd Johnson, Toby Stephens, Councilwoman Grand Portage; Marie Spry, Councilwoman, Grand Portage; Agatha Armstrong, Vice-Chair, Grand Portage; Kelly Applegate, Commissioner of Natural Resources, Mille Lacs; Faith Ahlgreen, Legacy Project Coordinator, Niiji Radio, Chery Edwards, Constitutional Reform; MCT Staff and other interested parties.

Zoom: Dr. Misty Wilkie and other interested parties.

President Chavers announced Gary Frazer's retirement and introduced the new Executive Director Beth Drost. She thanked Gary for 43 years of service, stating it shows dedication to the Bands and Minnesota Chippewa Tribe.

Motion by Secretary-Treasurer Fineday to approval of the agenda. Seconded by Chairman Fairbanks. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Deschampe to approve the minutes of October 28, 2022, with correction adding "President" title. Seconded by Secretary-Treasurer Fineday. 11 For, 0 Against, 0 Silent. Carried.

**REQUEST:** Dr. Misty L Wilkie, Dr. Lucy Mkandawire-Valhmu

Presentation of a request to study intimate partner violence, letter dated January 12, 2023, seeking a resolution and letter of support to conduction a study with female MCT members on intimate partner violence. Secretary-Treasurer LaRoque asked about data privacy and who will own the data? The data would be kept confidential and aggregated data would be returned to the Bands for future use for grant funding.

Motion by Chairman Dupuis to approve letter of support and resolution 62-23 Resolution in Support of Study on Intimate Partner Violence with Female Minnesota Chippewa Tribe Members. Seconded by Secretary-Treasurer Abramowski. 11 For, 0 Against, 0 Silent. Carried.

**JAY TREATY:** Secretary-Treasurer Fineday

Shared information about the Jay Treaty Alliance meeting in Wisconsin. Group advocating for the equal and fair right to cross border and are looking at legislative changes. One of the largest issues is in 1959 there was a federal statute regarding 50% blood quantum as a requirement on the U.S side, which is not part of the Jay Treaty itself. Discussion on tribes involved.

**RESOLUTIONS:**

Motion by Chairman Jackson to approve Resolution 38-23 regarding enrollment: Leech Lake Eligibles (31). Seconded by Secretary-Treasurer Fineday. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 39-23 regarding enrollment: Leech Lake Ineligibles (36). Seconded by Secretary-Treasurer Fineday. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 40-23 regarding enrollment: Leech Lake Blood Degree Change (1). Seconded by Secretary-Treasurer Fineday. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Jackson to approve Resolution 41-23 regarding enrollment: Leech Lake Transfer to Bois Forte Minor (1). Seconded by Secretary-Treasurer Fineday. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 42-23 regarding enrollment: White Earth Eligibles (36). Seconded by Secretary-Treasurer LaRoque. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 43-23 regarding enrollment: White Earth Ineligibles (46). Seconded by Secretary-Treasurer LaRoque. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 44-23 regarding enrollment: White Earth Transfer to Leech Lake (3). Seconded by Secretary-Treasurer LaRoque. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Fairbanks to approve Resolution 45-23 regarding enrollment: White Earth No Parent Enrolled (11). Seconded by Secretary-Treasurer LaRoque. 11 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Geshick to approve Resolution 46-23 regarding enrollment: Bois Forte Eligibles (5). Seconded by Chairman Dupuis. 11 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Geshick to approve Resolution 47-23 regarding enrollment: Bois Forte Ineligibles (2). Seconded by Chairman Dupuis. 11 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Geshick to approve Resolution 48-23 regarding enrollment: Bois Forte Transfer to Leech Lake (1). Seconded by Chairman Dupuis. 11 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Geshick to approve Resolution 49-23 regarding enrollment: Bois Forte No Parent Enrolled (2). Seconded by Chairman Dupuis. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Deschampe to approve Resolution 50-23 regarding enrollment: Grand Portage Ineligibles (2). Seconded by Secretary-Treasurer McCormick. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 51-23 regarding enrollment: Fond du Lac Eligibles (14). Seconded by Secretary-Treasurer Abramowski. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 52-23 regarding enrollment: Fond du Lac Ineligibles (20). Seconded by Secretary-Treasurer Abramowski. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 53-23 regarding enrollment: Mille Lacs Eligibles (17). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 54-23 regarding enrollment: Mille Lacs Ineligibles (17). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent. Carried.

Motion by Chief Executive Benjamin to approve Resolution 55-23 regarding enrollment: Mille Lacs No Parent Enrolled (3). Seconded by Secretary-Treasurer Boyd. 11 For, 0 Against, 0 Silent. Carried.

## **QUARTERLY REPORTS:**

President Chavers stated to forego quarterly reports as they were read in subcommittee meetings yesterday.

Chairman Dupuis comment on the reports. Expressed concerns about the unaudited financials, and asked questions on financial situation regarding payroll and discussed honorariums. MCT is behind four years in audits, that needs to be clarified. The financial statements are not broken down the way it should be.

Secretary-Treasurer Fineday stated the financial condition of the tribe at length yesterday at Legislative Subcommittee. The administration financial report that presented was tabled in the Legislative Subcommittee. We approved a working group comprised of all six Secretary-Treasurers from the six bands to meet monthly with Executive Director Drost and accounting staff at the MCT to develop plans. First, we need to get caught up on audits with an understanding of how far we are behind. We need to restructure our financial reporting so the financial condition of the tribe is clear in the financial reports. All of this to ensure that we are adhering to constitutional requirement to only expend funds in accordance with the newly approved budget. There are some serious issues and to ensure the reporting done to this body is clear and accurate. The working group will commence and when we meet next there will be a plan in place.

President Chavers recommended that we gather the TEC together to have a 101 session on MCT departments and structure, to better understand the funding mechanisms that come to the MCT and the departments and structure.

Chief Executive Benjamin informed the Committee that at the finance meeting directive was given to staff to look at the financial statements and audit. The TEC needs to allow time for Executive Director Drost to develop strategies on how to address the concerns raised.

Further comments from Chairman Dupuis about the financials and prior years.  
Chairman Dupuis requested an Executive Session.

Secretary-Treasurer LaRoque expressed concerns about audits being behind, audits need to be caught up. Moving forward with all six Secretary-Treasurers we can collaborate to get this done.

Representative Cheryl Jackson asked to be included in the Executive Session

Executive Session called at 10:06 a.m. Executive Session ended at 11:29 a.m.  
Meeting resumed at 12:03 p.m.

[Secretary/Treasurer Geshick excused at 12:00 p.m. Secretary/Treasurer Boyd excused 12:03 p.m. Chief Executive Benjamin excused at 12:45 p.m.]

**BIA-MN AGENCY:** Eric S. Braguier, Superintendent

Superintendent Braguier presented his report to the committee, adding that that he will start doing outreach to the tribes regarding probate and quarterly meetings with Realty and MCT.

**UPDATE CONSTITUTIONAL REFORM MEETINGS:** Cheryl Edwards/Sally Fineday

Cheryl began by questioning the waivers for the Secretarial Election stating that delegates are asking the TEC to hold off on Secretarial Election until their questions are answered satisfactorily, explaining they do not know status of Resolution 32-15, 31-15, did they go to the Secretary of Interior for effectuation? Discussion on the waivers for the Secretarial Election. Phil Brodeen explained why the three waivers were important to ensure that Band members could vote in person and register in person. A waiver for in-person voting is important because Secretarial Elections all the procedures are set in the Code of Federal Regulations.

President Chavers stated to Cheryl and Constitutional Reform Delegates: your task is to do constitutional reform.

Cheryl explained that the constitution committee alliance document because changed the name from “constitution” to “alliance,” and the delegates are coming to consensus around the document the reorganization of the Minnesota Chippewa Tribe which requires each reservation to write their own constitution.

Discussion on the removal of the Secretary of Interior from the constitution.  
Much discussion amongst the TEC and the Constitution Reform Committee representatives about timelines and moving forward.

Chairman Jackson recommended that the TEC could hold off until July 1<sup>st</sup>, on action for the resolutions. But after that we will move forward with Resolutions 31-15 and 32-15.

President Chavers concluded that we’ve given a date of July 1st for constitution committee to give us the constitution document. Further discussion. Secretary-Treasurer McCormick recapped that the TEC has requested a deadline of July 1<sup>st</sup> to have a draft of the whole Constitution document submitted by the constitutional reform committee to the TEC and that the TEC is going to hold off until July 1<sup>st</sup> for the Resolution 31-15 and 32-15, plan for an election in fall.

**LEGAL:** Phil Brodeen

Phil summarized the history about that after Public Law 280, State of Minnesota passed statues that allowed tribal law enforcement agencies to receive post board certification and licensure, but it was dependent on local counties in order to have these agreements in place. The resolution is supporting an amendment to state law to eliminate the requirement that Tribal Law Enforcement agencies must enter into agreements with counites in order to hire and retain POST certified

peace officers, and in order to enforce the state's criminal code on reservation lands in Minnesota.

Motion by Secretary-Treasurer Fineday to approve Resolution 56-23 Supporting Amendments to Minnesota Law Related to Tribal Law Enforcement. Seconded by Chairman Dupuis. 8 For, 0 Against, 0 Silent. Carried.

Supporting Amendments to Minnesota Indian Family Preservation Act (MIFPA). Explained status of Brackeen case pending in U.S. Supreme Court. MIFPA would protect the way ICWA operates in state courts, if ICWA goes away at the federal level after the Brackeen case.

Motion by Chairman Dupuis to approve Resolution 57-23 Supporting Amendment to Minnesota Indian Family Preservation Act. Seconded by Chairman Fairbanks. 8 For, 0 Against, 0 Silent. Carried.

Talon Metals Corporation and partner Rio Tinto looking for approval for drilling, exploration, and mining in Tamarack Minnesota, 1.3 miles from Round Lake neighborhood of the Mille Lacs Band, and 10 miles from District II community of Mille Lacs Band. This is a resolution from the MCT TEC opposing proposal submitted by Talon Metals for Tamarack Mine because of the threat it poses to the water, people, and our Anishinaabe culture and native cultures of all tribes in the Mississippi watershed.

Motion by Chairman Dupuis to approve Resolution 58-23 Opposing the Tamarack Mine Proposed by Talon Metals Corporation. Seconded Chairman Fairbanks. 8 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer Fineday to approve Resolution 59-23 In Support of the White Earth Band's Resolution and Moratorium Ordinance on Concentrated Animal Feeding Operations and Animal Feedlot Operation Environmental Hazards. Seconded by Secretary-Treasurer Chairman Dupuis. 8 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 60-23 Resolution to Change Signatories to Executive Director Beth Drost and Treasurer Lenny Fineday. Seconded by Secretary-Treasurer LaRoque. 8 For, 0 Against, 0 Silent. Carried.

Motion by Chairman Dupuis to approve Resolution 61-23 A Resolution Opposing the California Bill Regarding Wild Rice as a Specialty Crop. Seconded by Chairman Deschampe. 8, 0 Against, 0 Silent. Carried.

**OLD BUSINESS:**

- Education on MCT Land Transfer Bill: still on table.
- Wild Rice Water Quality: still working on efforts.
- Climate Resiliency

**NEW BUSINESS:**

Chairman Deschampe brought forward a proposal for the Lutheran Synod funding \$186,000, and suggested that it go to the Constitution Reform Committee to operate on.

Phil added to Chairman Deschampe's recommendation that the TEC must have a proposal from the Constitution Reform Committee at next TEC committee on how they would use the funding.

Chairman Dupuis asked, does anyone have any other ideas for the use of this funding?  
Secretary/Treasurer McCormick requested that we think about our future, our children and have a portion of that funding reserved for a project, program or long-term goal geared towards our children.

Cheryl stated she will bring a proposal at next TEC meeting.

Motion by Secretary-Treasurer Fineday to adjourn at 2:13 pm. Seconded by Chairman Jackson.  
8, 0 Against, 0 Silent. Carried.