TRIBAL CONSTITUTION

INTERPRETATION NO. 6-84

WHEREAS, the Tribal Executive Committee of The Minnesota Chippewa Tribe did in Tribal Constitution Interpretation 1-80 find that the Tribal Executive Committee has the authority to make final interpretations of the Constitution of the Minnesota Chippewa Tribe, and

WHEREAS, the Legislative Subcommittee of the Tribal Executive Committee has requested the full Tribal Executive Committee to issue a formal interpretation of Section 4, (b) of the By-laws of the Revised Constitution of The Minnesota Chippewa Tribe, which provides:

Section 4 (b); keep and maintain, open to inspection by members of the Tribe or representative of the Secretary of Interior, at all reasonable times adequate and correct accounts of the properties and business transactions of the Tribe.

The questions to be decided as to what records of the Minnesota Chippewa Tribe are included to be open to inspection to members of the Tribe or representatives of the Secretary of the Interior under this section.

NOW THEREFORE BE IT RESOLVED, that the Tribal Executive Committee of The Minnesota Chippewa Tribe is of the opinion that Section 4 (b) is limited in its application to only certain records of The Minnesota Chippewa Tribe. It specifically refers to allowing members of the Tribe or representatives of the Secretary of the Interior to inspect at reasonable times, "adequate and correct accounts of the properties and business transactions of the Tribe."

This section makes no reference to other types of records or accounts. The Tribal Executive Committee is of the opinion that properties refers to such tangible items as real property, timber, equipment and other tangible property owned by the Tribe. It is the further opinion of the Tribal Executive Committee that business transactions refers to transactions that are in the nature of business and not governmental in nature.

Such records do not include the personnel records of the employees of the Tribe or expenditures for meetings of the Tribal Executive Committee or of the costs of operating Tribal government as examples of records not covered by this section.

It is the opinion of the Tribal Executive Committee that the clear intent of the meaning of Section 4 (b) is to allow Tribal members or representatives of the Secretary of Interior to inspect accounts of the physical assets of the Tribe and of its business activities in order that both Tribal members and representatives of the Secretary of the Interior can be kept aware of the transactions that might effect both the trust properties of the Tribe or its economic well-being from business transactions.

Tribal government could be brought to a standstill by demands to inspect all of its records including its governmental operation records. This interpretation does not prevent the Tribal Executive Committee from adopting, by ordinance, resolution, or guidelines, provisions to allow members to examine or inspect other records than those covered by this interpretation. The purpose to be served by this interpretation is to establish that the Revised Constitution and By-laws of The Minnesota Chippewa Tribe does not provide for inspection of all of the records and accounts of The Minnesota Chippewa Tribe.

We do hereby certify that the foregoing Constitutional Interpretation #6-84 was duly presented and acted upon by a vote 8 For, 0 Against, 0 Silent, at a Special Meeting of The Minnesota Chippewa Tribal Executive Committee, a quorum present, held on April 10, 1984, at Duluth, Minnesota.

Darrell Wadena, President The Minnesota Chippewa Tribe

ATTEST: Daniel Morrison Sr., Secretary
The Minnesota Chippewa Tribe

GUIDELINES FOR MEMBERS TO REVIEW TRIBAL RECORDS

The following guidelines shall serve to provide direction for staff in the handling of requests for records reviewing:

- 1. Only enrolled members my review Tribal records. Requests of corporations, associations, partnerships or groups will not be honored.
- 2. All requests from enrolled Tribal members must be in writing and state specifically what documents they desire to review. The request must describe the document and its date or period it covers. Requests to review documents must state the purpose of the review. The Tribal government could not function if all of its records were constantly being reviewed. The Tribal administration could be harassed by excessive, unreasonable requests that would bring Tribal government to a standstill. Consequently, any request to review Tribal records must be reasonable and related to a reasonable purpose. The Tribal Executive Director may grant the written request if it meets all of these guidelines. The Tribal Executive Director shall refer all denials and questionable requests to the Tribal Officers at their next meeting and they may affirm the action taken by the Executive Director or overrule his decision and allow the request on such terms as they see fit and their decision shall be final.
- 3. The Tribal Executive Director shall, if a request to review records is honored, set aside a room or space for such a review. A Tribal employee shall be directed to remain with said records at all times. Said records may not be removed from the designated space. Only one enrolled Tribal member shall be allowed to examine Tribal records at a time.
- 4. The Tribal Executive Director shall not allow records to be removed or examined at any time when to do so could affect or interfere with any ongoing audit or inspection by Tribal or other auditors.
- 5. All inspections of Tribal records shall be done at a time that is convenient for the Tribe's administrative staff to release said records and not to interfere with their day-to-day work or at least with a minimum disturbance.
- 6. There shall be allowed a maximum of one-half hour for any enrolled member to examine Tribal records in any one day so as to minimize the interference with Tribal business and administration. There shall be allowed for any one request a total of one-half hour to review Tribal records.
- 7. Any enrolled member's request to copy Tribal records that complies with these guidelines shall be made in writing and shall specify the document to be copied. Any request for copies shall be accompanied by the payment of a fee of fifteen cents (15¢) per page to be copied. Said payment shall be by cash, money order or cashier's check sufficient to pay said copy fee.
- 8. Privacy of Tribal members and employees shall be protected. Tribal employee records such as employment applications, health records, employment reprimands, tax deductions and other individual personal data shall not be released to anyone without the written permission of the employee or member whose records are being sought. Individual employee's salaries or pay shall not be disclosed without their written consent. The pay scale for a job position may be released.

- 9. No information relating to births, deaths, marriages, divorces, adoptions or information relating to the financial status of an employee or enrolled member shall be released without their written consent.
- 10. Confidential litigation or proposed litigation reports and other correspondence from attorneys representing the Minnesota Chippewa Tribe or its constitutent Bands shall not be released to enrolled members. To do so could allow it to be obtained by opposing legal counsel or adversaries and jeopardize the outcome of a pending court case or proposed litigation.
- 11. Requests to examine Tribal records shall not be construed to include constitutent Band records in the possession of the Tribe.
- 12. The right to review or examine Tribal records may be revoked for any enrolled member who creates a disturbance or conducts him or herself in such a manner as in the judgement of the Tribal Executive Director or his authorized representative is disturbing or interfering with the operation of the Tribe's administrative office.
- 13. Tribal employee time shall not be used to interpret, analyze or give opinions relating to Tribal records.
- 14. The right to examine or inspect Tribal records does not extend to non-tribal members or to persons representing enrolled Tribal members absent express written authority from the Tribal Executive Committee.
- 15. The right of any enrolled member to review or obtain copies of Tribal records may be suspended or revoked by the Tribal Executive Director, Tribal President or Tribal Executive Committee if they determine an enrolled member is merely acting on behalf of a non-eligible person or organization to obtain Tribal records. Any eligible Tribal member whose rights are so suspended or revoked may appeal the decision in writing to the Tribal executive Committee within ten (10) days of being notified in writing by the Executive Director, the Tribe's President or the Tribal Executive Committee. They may grant a hearing to such person and their decision is final.
 - * Adopted at Tribal Officer's Meeting May 21, 1982
 - ** Adopted at Tribal Executive Committee Special Meeting April 10, 1984

The Minnesota Chippewa Tribal Executive Committee meeting was called to order by President Darrell Wastena at 10:18 a.m., January 24, 1984, at the Capitol Holiday Inn. 51, Paul, Minnesota.

Roll Call; Members present: Darrell Wadena; Douglas Sam; Daniel Morrison, Sr.; James Hendrickson; Jerry Rawley, Alfred Pemberton; Gary Donald

Members Absent: Hartley White; Clarence E. Smith; Arthur Gahbow; William Houle; Norman Deschampe

Invocation: A moment of Silence,

Others present: Urban Advisory Representatives, Nancy Stansway; Nora Hakala: Mary Jena Antierson, Norby Blake; George V. Goodwin, Executive Directory, Bernaud Backer; Lit Ebbott, League of Women Voters; Act. 7 Staff.

Art Gahbow arrives

Mollon by Gary Donald to accept Minutes of November 1 & 4, 1983, with correction on page 4. Should read: "Seconded by Jerry Rawley." Seconded by Alired Pemberton, 7 For, 0 Against. Carried.

President Wadena announces agenda changes for today and tamorrow. First item will be the Indian Child Wellare Act legislation along with other legal issues.

Bernard Becker, attorney, begins with follow-up on the Dean Lake Issue. The case was dismissed in December.

Becker reviews the Indian Child Welfare Act bill to be introduced to the State Legislature,

Further discussion on the Indian Child Wellare Act bill.

Clarence E. Smith arrives

William Houle arrives 1

Norman Deschampe arrives Robert Aitken reads the Indian Child Welfare Act bill as revised.

Motion by Hariley White to approve Resolution 884-84 appointing Bob Aliken to-serve on coordinating committee, as presented. Seconded by William Houle, 9 For, 2 Against, Carried.

Bernard Becker presentation ends at 11:40:

Further discussion on pending White Earth land claims, Bill in present form cannot be expected to pass.

Forrest Gerard ends report on pending legislation and its effect on tribes at 12:30.

Discussion on Election Date, Motion by William Houle to fel June 12, 1984, as the Election Day for positions expiring this year. All Chairmen and District III exception of Food of Lac with District 1 also expiring. Seconded by Norman Deschamper, 13 For., 0 Against. Carried.

Discussion on "Atsjority Vote." The Tribal Executive Committee has defined the meaning of Majority Vote as it pertains to Tribal Elections and not to be confused with Secretarial held elections as defined in the Constitution & Hylanc of the Monnesua Chippens Tribal.

Meeting is recessed until 9 a.m. tomorrow

Wednesday, January 25, 1984 - 9:18 a.m.,

Meeting called back to order. Attorney General Hubert Humphrey discusses concerns and is willing to cooperate with the Tribe in matters of concern.

Mr. Becker reads Fond du Lac resolution requesting a formal interpretation of the "Majority Vote" issue...

William House makes a motion to accept Food du Lac Richoltan 4-04 regarding the Majority Voic, Seconded by Chemree E-smith. A foll Call Voic is required. Jerry Chemre E-smith, A foll Call Voic is required. Jerry Vist. To Arthur Marchidson. NO, William Moule, Vist. To Arthur Chilows, NO, Calernee E, Smith, VES. Douglas Sm., NO, Arthur Caldows, NOT PRESENT, B NO, 2 YES, of 3 Stellar Marchine 1 Decided.

Motion by Couglas Sam to request legal counsel to draft an interpretation of "Majority Vote" to be acted on at the next meeting. Secunded by Norman Deschampe. 10 For, 0 Against. Carried.

Semmary, Ordinance 812 - Passed by The Minnesota Objector Tribal Executive Committee on January 25, 1984 or spranding the Recenting and registation of bings as the agranding the Recenting and registation of bings as the gambling devicer; Recent Feez; lackground thecks as gambling devicer; Recent Feez; lackground thecks as famine applicantly, Recent Percention, hearings no revocation of Bennes applicancy, Recent Percenting and Recent Section 1984 on the Committee Committee

Motion by Hariley White to approve Resolution 85-84 rejarding support for Roger T. Althen as Superintendent of the Minnesola Agency. Seconded by Gary Donald. 10 For; 1 Silent, Carried.

Melton by Jerry Rawley to appeave Resolution 86-84 treateding Chemical Dependency Program at International Falls, Jectorized by Harrley White, 11 For. 9 Against Earlief.

Hallon by Alfred Pemberson to approve Resolution 87-84 ergarding those eligible for enrollment with the Leech Lake Bood. Seconded by Hartler White. 11 For. 0 Against Carried.

letten by Hariley White to approve Resolution 88-84

regarding those ineligible for enrollment into the Leech Lake Band. Seconded by Alfred Pemberton. 11 For, U Against Carried.

Motion by Farmes Herultii havin in apprisen Resolution 89-84 regarding Economic Development Program proposal. Seconded by William Hindle 11 For, B Against Carried.

Seconder by James Hentilichans to approve Resolution 40-84 regarding Minority Business Development Seconsied by Hariley White. If Fur. (I Agains). Carried. Motion by Hariley White to approve Resolution 91-84 regarding Minority Business Development Funding with the State of Minnesota. Seconder by Daniel Morrison, Sr 11 For, 0-Against. Carried.

Motion by Caniel Morrison to approve Resolution 9).84 regarding those not eligible to be enrolled into the Bols Force Band. Seconded by Norman Deschampe. 11 For, D. Againsi. Carried.

Adotton by William Houle to approve Resolution 94-84 regarding these eligible to be enrolled into the Fond du Lac Band. Seconded by Clarence E. Smith. 11 For, D. Against Carrier

Motion by William Houle to approve Resolution 93-84 regarding those not eligible to be enrolled into the Fond no Loc Band. Secondest by Clarence E Smith 11 For, U Against. Carried.

Motion by James Hentirickson in approve Resolution 96-bd regarding those eligible to be enrolled into the Grant Portuge Band, Seconded by Norman Deschampe. 11 Firs, U Against Carried.

Mution by Jerry Rawley to approve Resolution 97-84 regarding those eligible to be enrolled into the Pembina Band all White Earth Reservation. Seconded by Norman Deschampe. 11 For, 6 Against. Carried.

Motion by ferry Rawley to approve Resolution regarding those not ethigode to be enrolled into the Per Band of the White Earth Reservation. Seconded by the Deschange. 11 For, 0 Against. Carried.

Mollon by Jerry Rawley to approve Resolution 99-84 regarding those whose parents were not on the '43 Roll. Seconded by Norman Deschampe, 11 For, 0 Against. Carried.

Motion by Jerry Rawley to approve Residution 100-54 regarding those not eligible for enrollment into the Pembina Band for the reason that neither parent are enrolled in the Pembina Band Seconded by Norman Deschampe. 11 For, 9 Against. Carried. Motion by Jerry Rawley to approve Resolution 101-84 regarding Band Transfer Request for Clifford Monroe Shinaway from the White Earth Band to the Mills Lack Band. Seconded by Norman Deschampe. 11 For. 0 Against. Carried.

Motion by Daniel Morrison to approve Resolution 102-84 regarding supporting Bois Forte on Hazardous Waste Site. Seconded by Morman Deschampe. 11 For, 0 Against Carried.

Motion by William Houle to approve Resolution 10.J-04 regarding support commission on victims of crime legislation. Seconded by Clarence E. Smith. 11 For. 0 Against. Carried.

Motion by William Houle to approve Resolution' 104-84 regarding enrollment of Cynthia Marie Sirois and Jon Pierre Sirois. Seconded by Clarence E. Smith, 11 For, 0 Against. Carried.

Motion by Alfred Femberton to approve Resolution 105-84 regarding support of HF1014. Chemical Dependency for the Indian Reservations of Minneyolas. Seconded by Clarence E. Smith. 11 Fer. 0 Against. Carried.

Motion by Arthur Cabbus to approve Resolution 106-54 regarding Indian Health Training proposal to National Institute of Mental Health, Seconded by William Houle, 11 For-O, Against. Cerrical.

Motion by Arthur Gabbow is approve Resolution 107-64 regarding Indian Mental Health Training Project to seek funding from Diviens Foundation, Seconded by Norman Deschampe, 11 For, 0 Against. Carried.

Motion by Cary Donald iv approve Resolution 106-84 regarding: Indian Health Training Project to seek funding from Burlington Northern Raimail: Seconded by Norman Deschampe. 11 For. () Against. Carried.

Motion by Jerry Rawley to approve Resolution 109-84 regarding Indian Mental Health Training Project to seek housing from Duluth-Superior Area Community Foundation, Seconded by James Hendrickson, 11 For, 0 Against Carried.

Motion by Alfred Pemberton to table the Liquor Permit request from LeRoy's Minnows (Leeph Lake Reservation area). Seconded by Gary Donald. 11 For, 0 Against. Carried.

Motion by William Houle to approve Out-of-state Travel for:

for:
John Persell to Chicago, IL 01/18/84
Laura Therous is Chicago, IL 02/01-04/84
Dean Brasalla is Washington, D.C., 09/30-02/03/84
Seconded by Norman Deschampe. 11 For, 0 Against
Carried.

Motion by Cary Donald to adjourn, Seconded by Hartley White, 11 For, O Against, Carried.

THE MINNESOTA CHIPPEWA 1RIBE EXECUTIVE COMMITTEE SPECIAL MEETING

The Minnesota Chippewa Trihal Executive Committee special meeting was called to order at 4:10 p.m., April 10, 1984 at the Radisson Duluth Hotel by Vice-President Norman Deschamps.

Roll Call: Members answering roll call are: Cary Donald, Daniel Morcison, Sr.; Jerry Rawley; Norman Deschampe; Alfred Pemberson; Hariley White; Douglas Sam; William Houle; Clarence E. Smith.

Members Alisent, Arthur Galiliow, Darrell Wailena, James Hendrickson

Also Present George V. Genthein, Executive Director, Gary Frazer, Actionating Managhr, Oilive tribal members in audience

in audition.

Discussion on the efection influence amendment. Multimo by William Houle in except amendment to the election william be according to the election of the electio

Discussion on members requesting to seview tribal records. George Goodwin reals: "Cubielines for Nationbers to Review Findal Records" previously biogened by the Officer's Meeting on May 21, 1982. "Modification of Meeting Meeting on May 21, 1982. "Meeting on Meeting of Meeting on Meeting on Meeting of Meeting of Meeting of Meeting on Meeting of Meet

Summary Tribal Interpretation 6-84 - A Constitutional Interpretation paised by the Tribal Executive Committee on April 10, 1984 - regarding impoction by Tribal members or repretentatives of the Department of Interior of properties and business transactions of The Minnerota Chippewa Tribal

Floyd Ballinger, an entitlee of the Mille Cacs Wand requests that the Tribal Eureutive Committee seek legal opinion on his eligibility as to the houndaries of the reservation for voting or filing for office.

Adolism by William Houle to request the Executive Orector and Eggal Courset to requend in Mille Laci and Floyd Ballingers'. Fouriest as to the boundaries of Mille Laci Reservation and be placed on the agenda of the regular meeting on April 24 a 25. Seconded by Dhuglas Sam 8 For. 0 Against. Melton is calred.

Douglas Sam presents a resolution on distribution of Dockets 185 and 180 to be acced upon at the next Tribal Executive Committee meeting.

Motion by Gary Donald to adjourn Seconded by Hartley White, 8 For, 0 Against, Carried.

THE MINNESOTA CHIPPEWA TRIBAL EXECUTIVE COMMITTEE SPECIAL MEETING

The Minnesota Chippewa Tribal Executive Committee was called to order at 10:19 a.m., March 17, 1984, at the Tribal Chambers. Cass Lake, by President Darrell Wadena.

Roll Call: Members Present. James Hendrichson; Cary, Donald; Jerry Rawley; Arthur Cahbow: Douglas Sam, Darrell Wardna; Norman Deschampe; Hartley White, Alfred Pemberton; Daniel Murrison, Sr; William Houle;

Members not answering Rull Call, Clarence E. Smith

Also present: George V. Guodwin, Executive Director, Kent Tupper, Legal Cnunsel, Mille Lacs Stall; BIA Stall, MCT Stall; Roger Aliken; Jack Fairbanks, BIA.

The purpose of this Special Meeting as announced by President Wadens is to review the 1966 BIA Budget for the Mannesus Agency Other items needing action will be presented sumercom.

Jack Fairbanks begins the band analysis process with the Committee.

Dr. Earl Barlow, Area Director, BIA, addresser Committee and states that no reorganization will occur until Roger Aiken Is on board as the new Superintendent of the Minnesota Agency.

Other concerns are asked of Dr. Harlow such as Indirect Cost rates.

Dr. Barlow ends at 1:07 p.m.

Recess for Lunch... Resume at 2:37

Budget process continues with roads Arthur Cahbmé requests a separate line item for Mille Lacs and requests 6.2 percent of the budges.

Motion by Arthur Gabbum to approve the allocation of 6.2 percent of the total budget to Mille Lacs. Seconded by Doug Sam. 2 For, 10 Against. MOTION IS DENIED. [Voting by show of hands.]

Motion by William Houle to approve the FY86 BIA Budget as amended. Seconded by Hartley White. 11 For. 0 Against: Mation is carried.

Summary Tribal Interpretation S-04 - A Constitutional interpretation passed by the Irabal Executive Committee on Astech 12-13, 1984 - regarding terminology as to "majority voite." with the intinum, that same means "the proponderant organity or share of voite," that the candidate for election receiving the most orien will have excited the malarity or greater share of voites, the controlled of the candidate of th

William Houte leads dispussion on the proposed Udall Bill on gambling. Motion by William Houte to support the Udall bill. Seconded by Clarence t. Smith. 11 For, 0 Against Carried.

Motion by Hariley White to approve Resolution 110-84 regarding liquor. Seconded by William Houle. 11 For, II Against. Carried.

OURSELVES 7

Meeting is called back to notice at 10 27 a.m.

Simon Howard requests a few minutes to address the Tribal Executive Committee. Mr. Howard announces that he will be a candidate for Chairman of the Leech Lake Reservation Business Committee

Molion by Douglas Sam to apprive Durol state Travel for Lucilla Seelye and Willis Nov. - Fulsa, OK. - 1/17-79/18. Marilyo, Ohish-Foor and Greege Lokken - Chicago, IL Dean Brasalla - Denver, CO. - 1/18-30/18. Ocan Brasalla - Nashville, 1-1-1/18-20/18. Seconded by Hartley White. 11 For, II Against, Carried.

Motion by William Houle to apprave Resolution 111-84, Fond du Lac's Request for Freest Cultural Funds, Seconded by Clarence E. Smith. 11 For, II Against. Carried.

The Issue of Indian Estucation Manager is tabled and referred to the Education Subcommittee

Motion by Clarence E. Smith to approve Resolution 112:84 regarding Joe Big Bear Seconded by William Houle 11 For, 0 Against. Carried.

Bernard Becker discusses the status of the Indian Child Welfare Act. Motion by William Houle to authorie Gernard Becker to explore prissibilities regarding the Act and to work with Bub Althen. Seconded by Harsley White If For, O Against. Carried.

Motion by Hartley White to approve authorization for Bernard Becker to begin the process of tribal court system, budget and time table. Sissimilarliby William Houle. 11 Fiv. II Against. Careled.

Motion by Hariley White In asligum, Seconded by Alfred Pemberton, 11 Fire, II Against Carried.

HOUSING DEVELOPMENT OFFICER INDIAN HOUSING PROGRAM

Assist on the administration and implementation of the Ministrola Ministra Finance. Agency is Indian Housing Programs, Coolinar and deviate table upon the housing and train advocates and administrator. Participate in program and its and ensure compliance with program and feel recommends. Assist Indian organization in de-veloping Linnal apportunities in improve hinding.

The exemination consists of Experience and training rating (100 percent final score) with points awarded as follows

Education: Bachelor's degree in Housing, Economics, Accounting, Finance, Business or Public Administration or closely related equals. I years of A-level experience. [Proportional redit will be granted for partial completion of degree program]

Afterd Experience: Fridersimal experience in an Indian Institute program. In the credited, experience must include housing program. In the credited, experience must include statement of the control program of the control program

points; And reguels 30, 1st equals 30, 4th equals 30, 6th equals 40, 5th equals 30, 6th equals 40, 6th equals 4

Applications must be received in the Department of Employee Relations by 4 3H p.m. in May 14, 1964.

Current vacancy Minnesula Hiusing Finance Agency, St Paul, For lutiher information, call Henry Wester [296-85(III) or Dee Neaf (296-9795) at the Hiusing Finance Agency

Duration of eligible lists 1 year, unless eligibles are otherwise notified.

Further Information: Minnesuta from Cities Metropolitan area and other states call, 512 256-26 fo. Minnesuta outside from Cities Metropolitan area call infl. (see 1-80) 552-07477. Tetrominumications Device for the Ocal [FOO] 512 296-559.

The Casa Lake Indian Hospital will participate in a USDA Consisted Food Distribution Fragram. He person, because at sect, coler, national origin, ser, religion, or handless that the service of the program of the invitation. An individual shall be a retuded from admission, participation, or benefits at the program of the invitation. An individual shall be decreased adopted to distributionism by reason at his decrease adopted to distributionism for reason at his decrease adopted to distribution for the federal service of the

SUMMARY OF MODIFICATION ONE TO FY'M RURAL MINNESOTA CEP JOB TRAINING PLAN TITLE IIA OF THE JOB TRAINING PARTNERSHIP ACT

This modification to the flural Minnesuts CEP Into Training Plas incorporates changes in funding levels and client enrollment unity. Total planned expenditures will be \$1,273,535. Expenditures for youth will be \$1,509,175 for \$1,000,000 for \$1,00

The program described by this modification serves residents of Breker, Belleami, Cars, Clay, Clarswitz, Controlled Contro