



# *Mille Lacs Band of Ojibwe Indians*

*Executive Branch of Tribal Government  
Office of the Chief Executive*

*Via E-mail*

September 4, 2024

Maria Costello, Assistant Commissioner of Administration  
Nicole Anderson, Commissioner of Health and Human Services  
Kelly Applegate, Commissioner of Natural Resources  
Tracy Burr, Commissioner of Community Development  
Caleb Dogeagle, Solicitor General  
Joseph Nayquonabe Jr., Commissioner for Corporate Affairs

Re: Contract Review and Chief Executive Signature Requests

Dear Executive Officers:

I am writing this letter to (1) summarize the Band's contract review process and (2) provide further guidance about how to request my signature on various documents. This guidance is important so that, across Band government, we are operating in a consistent manner that everyone understands.

First, if the Band's Procurement statute applies—meaning that the Band is seeking to expend money for goods or services—then the contract shall first be reviewed by OMB to ensure that appropriations are in place. If the contract expends more than \$7,500.00, both OSG and APB must also review (preferably in that order). Finally, if the contract expends more than \$25,000.00, then the Band Assembly must ratify. This includes any contract addendums that increase the total value of an existing contract beyond \$25,000.00.

On some occasions, the Chief Executive is asked to sign a contract, addendum, memorandum of understanding, etc. wherein the Band does not expend any money at all. In fact, at times the Chief Executive is signing to *receive* money on behalf of the Band. The Band Assembly has indicated through its legal counsel that, although it prefers not to ratify these types of agreements, it is interested in seeing them approved by APB. The Band Assembly has recommended that APB approve these types of agreements under the "Other" portion of its agenda. I agree with this approach.

Consequently, in the future I ask that you route any non-Procurement contract, addendum, memorandum of understanding, etc. through APB prior to requesting my signature. If a Band Assembly resolution is required to complete your business, I ask that you have this noted within the APB minutes. This will help the Band Assembly to understand when a resolution is required and when it is not. Even when a resolution is not being requested, the Band Assembly will still

**Letter from Chief Executive to Executive Officers**  
**Re: Contract Review and Chief Executive Signature Requests**  
**September 4, 2024**

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retain visibility over agreements coming to me for signature. I consider that a plus for transparency purposes.

When requesting my signature on any document—whether it be a contract, addendum, memorandum of understanding, or even a letter—please also complete the enclosed interoffice memorandum. Completion of this memorandum helps me to understand what the document is, whether it has been properly reviewed by other Band entities (APB, Band Assembly, and OSG), and what the urgency level is. I also encourage you to seek review from OSG whenever practical, even when not required by the Band's Procurement statute.

Finally, all fully executed documents should be forwarded to OSG and the Commissioner of Administration (or Assistant Commissioner of Administration, as appropriate) to ensure the Band has a repository of all binding agreements, past and present. It is important to me not only that our agreements receive the appropriate level of review, but also that they be managed properly after they have been executed. If we faithfully adhere to the process outlined herein, I believe we will achieve that goal.

Miigwech,



Virgil Wind  
Chief Executive

CC:

Sheldon Boyd, Speaker of the Assembly  
Carolyn Beaulieu, District I Representative  
Wendy Merrill, District II Representative  
Harry Davis, District III Representative  
Darcie Big Bear, Parliamentarian/Clerk of the Band Assembly  
Jared Miller, Legislative Counsel  
Mel Towle, Commissioner of Finance

Enclosure:

1. Interoffice Memorandum Requesting Chief Executive's Signature



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## INTEROFFICE MEMORANDUM

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**To:** Darla Roache, Deputy Assistant  
**CC:** Adam Candler, Senior Legal Advisor; Hanna Valento, Legal & Policy Counsel  
**From:** Insert Commissioner Full Name & Title  
**Initials:**  
**Subject:** Insert Subject  
**Date:** 8/23/2024

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1. I am writing to request that Chief Executive Virgil Wind's signature be applied to the enclosed **Memorandum of Agreement**.
2. I am requesting that the document be signed and returned to me by **8/23/2024**. (If the document must be signed and returned within five business days, explain the urgency and why the document wasn't submitted for signature sooner.)  
Insert answer.
3. Provide a brief summary of what the document is.  
Insert answer.
4. The document **has not** been reviewed by the Office of the Solicitor General. (If the Office of the Solicitor General has reviewed the document, please attach the corresponding memorandum. If the Office of the Solicitor General has not reviewed the document, explain why the review is not required.)  
Insert answer.
5. The document **has not** been approved by the Administration Policy Board. (If the Administration Policy Board has approved the document, please note the date of approval. If the Administration Policy Board has not approved the document, explain why approval is not required.)  
Insert answer.
6. The document **has not** been approved by the Band Assembly. (If the Band Assembly has approved the document, please note the date of approval and/or attach the resolution. If the Band Assembly has not approved the document, explain why approval is not required.)  
Insert answer.