



Mille Lacs Band of Ojibwe Indians
Legislative Branch of Tribal Government

Band Assembly Weekly Update: Week of September 27-October 1, 2021

Tuesday, September 28, 2021: Legislative hosted a Pre-Band Assembly meeting to discuss the agenda items. **Approval of Minutes:** September 22, 2021. **Reports and Presentations:** None. **Unfinished Business:** Formal Notification – Scoping for Grand Casino Mille Lacs Hotel and Nomination: Housing Board: Kat Garbow, Percy Benjamin, Kelly Miller, Tony Pike (pick 2 names) and Resolution 19-04-84-21: A Resolution Approving a Commercial Credit Agreement-Bank of America. **New Business:** Nomination: Byron Ninham, Commissioner of Education, Band Assembly Bills for MLCV, Non-Gaming, and Gaming FY2022 Budget, Band Assembly Bill 19-04-74-21 (D3): GRA budget Revision, Resolutions for D3 Land Leases, Resolution 19-04-87-21: Continuing Resolution for the Band and other programs, Resolution 19-04-88-21: Continuing Resolution for MLCV, Non-Gaming, and Gaming, Contract (BMLS): Sailors Allen Law, Central MN Conflict, McKinnis and Doom. **Other:** None. There was discussion, comments and questions on each item. Discussed various items. Work Session schedule. Master Projects List review. Representatives lastly held open discussion of their legislative agendas, ideas and requests.

Wednesday, September 29, 2021: Band Assembly occurred in Band Assembly Chambers and through conference call and zoom.

- **Call to Order:** Meeting was called to order.
- **Roll Call:** Roll call was completed all Representatives present.
District I Representative, Virgil Wind
District II Representative, Marvin Bruneau
District III Representative, Wallace St. John Sr.
- **Approval of Agenda:** Agenda was amended and approved.
- **Approval of Minutes:**
 - a) **Band Assembly Record:** September 22, 2021. Record was approved.
- **Reports and Presentations: None.**
- **Unfinished Business:**
 - a) **Formal Request** dated September 1, 2021 (Received September 3, 2021) from Joseph S. Nayquonabe, Commissioner of Corporate Affairs to open a FY2021 capital project for Grand Casino Mille Lacs Scoping Services for the Grand Casino Mille Lacs Hotel project. **Tabled 09/09/21.** Request was taken from the table and approved.
 - b) **Nomination:** Per MLBS 12 Chapter 4 § 306 (a) (10) “The Chief Executive and the Speaker of the Assembly shall each select two (2) persons from the at Large area and the Band Assembly shall confirm two (2) of the four (4) for appointment to the Housing Board.” The Chief Executive has nominated Kat Garbow and Percy Benjamin. The Speaker of the Assembly has

nominated Kelly Miller and Tony Pike. **Tabled 09/15/21.** Nomination was taken from the table, amended, and re-tabled.

- c) **Resolution 19-04-84-21:** A Resolution Approving a Commercial Credit Agreement, an Amended and Restated Pledge Agreement, and Certain Related Agreements with Bank of America, N.A., and Authorizing a Continuing Pledge of a Specified Band Securities Account to Secure Such Bank of America Loan **Tabled 09/22/21.** Resolution was taken from the table and denied. *item will be on Joint Session agenda.

- **New Business:**

- a) **Nomination:** A letter dated September 8, 2021 from Chief Executive Benjamin nominating Byron Ninham for the position of Commissioner of Education. The 4-year term end date is June 30, 2025. Roll call vote requested and nomination failed.

- b) **Band Assembly Bill 19-04-71-21:** A Bill for Mille Lacs Corporate Ventures (“Corporate Ventures”), a corporate body politic of the Mille Lacs Band of Ojibwe (“Band”), for the purpose of appropriating funds and authorizing expenditures to Corporate Ventures for its operations, and capital and economic development projects for the period beginning October 1, 2021 and ending September 30, 2022.

Sponsor: District III Representative. Bill sponsorship was withdrawn and a new sponsor was selected. District I Representative introduced, reading partially waived, and tabled.

- c) **Band Assembly Bill 19-04-72-21:** A Bill for Mille Lacs Corporate Ventures (“Corporate Ventures”), a corporate body politic of the Mille Lacs Band of Ojibwe (“Band”), for the purpose of appropriating funds and authorizing expenditures to Corporate Ventures for the operations, and capital and economic development projects of any current or future non-gaming business managed or operated directly or indirectly by Corporate Ventures (“Non-Gaming Businesses”) for the period beginning October 1, 2021 and ending September 30, 2022.

Sponsor: District I Representative. Bill was introduced, reading partially waived, and tabled.

- d) **Band Assembly Bill 19-04-73-21:** A Bill for Mille Lacs Corporate Ventures (“Corporate Ventures”), a corporate body politic of the Mille Lacs Band (“Band”), for the purpose of appropriating funds and authorizing expenditures to Corporate Ventures for the operations, and capital and economic development projects of Grand Casino Hinckley and Grand Casino Mille Lacs (“Casinos”) for the period beginning October 1, 2021 and ending September 30, 2022.

Sponsor: District II Representative. Bill was introduced, reading partially waived, and tabled.

- e) **Band Assembly Bill 19-04-74-21:** A Bill of Supplemental Appropriation for the purpose of authorizing a budget revision for the Gaming Regulatory Authority for the Fiscal Year ending September 30, 2021. This bill has been drafted based on formal documents submitted by the Gaming Regulatory Authority on September 23, 2021.

Sponsor: District III Representative. Bill was introduced and approved.

- f) **Resolution 19-04-85-21:** A Resolution Authorizing a Land Lease, in District 3, for Residential Purposes to the Mille Lacs Band Housing Department Tract 410T000222. Resolution was tabled.
- g) **Resolution 19-04-86-21:** A Resolution Authorizing a Land Lease, in District 3, for Residential Purposes to the Mille Lacs Band Housing Department Tract 410T000115. Resolution was tabled.
- h) **Resolution 19-04-87-21:** A Resolution Approving the Continuance of the Mille Lacs Band Government, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders, Tribal Employment Rights Office, Housing Initiative, and Band Member Legal Services Fiscal Operations Until October 31, 2021. Resolution was approved with a waiver of the formal reading.
- i) **Resolution 19-04-88-21:** A Resolution Approving the Continuance of Mille Lacs Corporate Ventures, Non-Gaming, and Gaming Fiscal Operations Until October 31, 2021. Resolution was approved with a waiver of the formal reading.
- j) **Contract (BMLS):** A contract for SailorsAllen Law for the purpose of direct representation of Mille Lacs Band Members in the Seventh Judicial District Court, State of Minnesota District Courts pursuant to 24 MLBS § 1341. Contract end date is September 30, 2022. Contract was approved.
- k) **Contract (BMLS):** A contract for Central MN Conflict and Pro Se Services, LLC for the purpose of direct representation of Mille Lacs Band Members in the Mille Lacs Court of Central Jurisdiction and State of Minnesota District Courts pursuant to 24 MLBS § 1341. Contract end date is September 30, 2022. Contract was approved.
- l) **Contract (BMLS):** A contract for McKinnis and Doom for the purpose of direct representation of Mille Lacs Band Members in the Mille Lacs Court of Central Jurisdiction and State of Minnesota District Courts pursuant to 24 MLBS § 1341. Contract end date is March 31, 2022. Contract was approved.
- m) **Resolution 19-04-89-21:** A Resolution in Support of a Letter to the United States Department of the Interior for the Purpose of Seeking a Correction to the List of Federally Recognized Tribes. Resolution was approved with a waiver of the formal reading
- n) **Resolution 19-04-90-21:** A Resolution Authorizing the Mille Lacs Corporate Ventures to Expend Funds from FY2021 Capital Budget for Grand Casino Mille Lacs. Resolution was amended and approved with a waiver of the formal reading.

- **Other Business: None.**
- **Messages from the Chief Executive-** Not present

- Messages from the Representatives-District I Representative-** Would like to reach out and let constituents of the Mille Lacs Band know that I do appreciate your reaching out with your concerns. One of the hardest things within this position is these nominations and the direction of which the Band can go under the leadership of the Commissioners put forward so again I appreciate it. I believe that Byron has some great qualities and I think he will do some great things at Nay ah Shing if left in that Executive Director role to learn so perhaps in the future maybe another consideration after this term. I believe there is a qualified band member with experience and the Chief should post the position to find one. Very impressed with the letter Syngen and the Chief submitted with the backup documentation made it easier to support. DI End of Summer event tonight starts at 4:00 p.m. at the New District I Community Center with a meal by Smoke Lodge and Jensen Sweetcorn. Tonight's event is replacement for Valley Fair to bring our community together here. We will have inflatables, concessions, karaoke. Lots of fun for the kids. Everyone come out. Miigwech. **II Representative-**Be aware of the resurgence of COVID 19 virus, right up until 4:00 p.m. today testing is offered in District II East Lake parking lot. Same upcoming in Isle, District I and District III. Miigwech. **District III Representative-** Reach out to constituents to our communities. I have said throughout this time you have a responsibility for our community to reach out and share what's happening in our community. It's all our responsibility. It has been brought to my attention of some homes not up to our integrity. Don't feel less if you have to turn someone in. This is not about snitching. This is a joint effort by all, OSG, Legislative, Executive, Tribal Police and you are part of the team. Come forward, say something, do something. Others make decisions that affect the community as a whole.
- Messages from the Secretary-Treasurer-** No message

District I Representative held an End of Summer event in place of the monthly District I Community Meeting.

Thursday, September 30, 2021: Joint Session of the Band Assembly occurred in Band Assembly Chambers and through conference call and zoom.

- Roll Call:** all Elected Officials were present
 Chief Executive, Melanie Benjamin
 Secretary-Treasurer, Sheldon Boyd
 District I Representative, Virgil Wind
 District II Representative, Marvin Bruneau
 District III Representative, Wallace St. John Sr.
- Approval of Agenda:** Agenda was approved.
- Minutes:**

 - Joint Session Record:** September 15, 2021. Record was approved.
- New Business:**

 - Joint Session of the Band Assembly Resolution 19-04-15-21:** A Resolution Approving a Commercial Credit Agreement, an Amended and Restated Pledge Agreement, and Certain Related Agreements with Bank of America, N.A., and Authorizing a Continuing Pledge of a

Specified Band Securities Account to Secure Such Bank of America Loan. Resolution was approved with a waiver of the formal reading.

- b) **Joint Session of the Band Assembly Resolution 19-04-16-21:** A Resolution Adopting Rules of Procedure for the Joint Session of the Band Assembly. Resolution was tabled.

- **Other:**

Legislative held a work session for the Band Assembly members, Legal Counsel, Revisor of Statutes, Staff Attorney, and Legislative Staff.

Work Session Agenda: Workshop: Bill — Title 3 ([review public comments](#)) Hanna Valento, Workshop: Rules for Hearings of Inquiry ([review public comments](#)) Joe Jensen, and Workshop: Bill — Title 2 – Removal and Exclusion ([review public comments](#)) Joe Jensen.

Revisor of Statutes presented on Title 3 and Rules for Hearings of Inquiry no public comments to review. Discussion on moving forward to formal public hearing.

Staff Attorney presented on Removal and Exclusion with a review of the public comments. There was discussion, questions, and comments on each comment. Will continue to review comments at upcoming work session.