

**MILLE LACS BAND OF OJIBWE FOUNDATION ADVISORY COMMITTEE**

**September 22, 2021 Minutes**

**I. Call to Order and Roll Call:** Speaker of the Assembly Sheldon Boyd and Chairperson of the Advisory Committee called the meeting to order at 2:40 P.M. on September 22, 2021, in Band Assembly Chambers.

**Roll Call:**

Sheldon Boyd, Speaker of the Assembly (Chairperson) -	Present
Melanie Benjamin, Chief Executive (Vice Chairperson) -	Present
Virgil Wind, District Representative I -	Present
Marvin Bruneau, District Representative II -	Present
Wallace St. John Sr., District Representative III -	Present

Also Present: Adam Candler, Legislative Counsel; Joe Jensen, Legislative Staff Attorney; Mel Towle, Commissioner of Finance; Mary Sue Anderson, Vince Merrill, Shannon Porter, Valerie Harrington, Emily Johnson.

Speaker Boyd noted the presence of a quorum.

**II. Opening Remarks – Chairperson Sheldon Boyd**

Speaker Boyd noted the Band deposited funds with the St. Paul Community Foundation several years ago for philanthropic purposes. The Band has authority to recommend to the Foundation how the Band would like funds disbursed and has great sway, but ultimately the Foundation has to approve or disapprove funding requests.

As part of the agreement with the Foundation there had to be an advisory board established. For many years that didn't happen. Recently, the requirements for approving funding requests were brought to light, which included the establishment of this advisory committee with processes to make recommendations to the Foundation.

**III. Approval of the Agenda:**

Motion by Chief Executive Benjamin to approve the agenda, seconded by Representative Marvin Bruneau.

5/For                      0/Opposed                      0/Silent                      Vote taken and motion carried.

#### **IV. Approval of the Minutes from April 7, 2021.**

Chief Executive Benjamin motioned to approve the minutes, seconded by Representative Virgil Wind.

5/For                      0/Opposed                      0/Silent                      Vote taken and motion carried.

#### **V. Presentations: None**

#### **VI. New Business**

##### **a).      Minisinaakwaang Leadership Academy (MLA) Donation Request**

MLA Director Mary Sue Anderson and Vince Merrill were present to speak in support of a three-year donation request to fund MLA. Director Anderson noted that MLA is no longer a charter school and is currently operating as a private school in East Lake. Funding is being requested from the Foundation for MLA school programs and operations and to develop a 0-5 educational program, including covering expenses such as purchasing a bus, food service program and fringe benefits for full-time staff.

If funding is approved, Director Anderson stated that MLA will provide quarterly updates to the Mille Lacs Band of Ojibwe and MLB Education personnel. MLA is also willing to have conversations about merging with Nay Ah Shing Schools. Presenters stated that almost all MLA graduates have gone onto higher education and several work in language preservation.

Speaker Boyd called for questions.

Representative St. John inquired about a sponsor and accreditation. Director Anderson stated that MLA will pursue that through an organization yet to be identified; that the Minnesota Department of Education have said if MLA does not pursue accreditation, MLA will work with the University of Minnesota for completing student testing. The U of M would come out and administer tests to the students on-site. MLA intends to apply to two organizations for accreditation by the October 1, 2021 deadline. All required files have been given to the McGregor Public Schools.

Director Anderson noted there is some federal funding which MLA is eligible to apply for after receiving their accreditation, which they intend to do, and that MLA has applied to Blandin and Northland Foundation for funding activities.

Representative Bruneau noted that while the proposal was for three years, MLA is willing to have a conversation about a shorter period initially, such as six months on a trial basis. Representative Bruneau suggested that a six-month donation is what the Advisory Board should consider today, noting that six months should be plenty of time to access other avenues of funding and resources.

Chief Executive Benjamin stated she supports Representative Bruneau's recommendation, and believes MLA should consider moving under the umbrella of Nay Ah Shing schools.

Speaker Boyd noted that under the rules of the Band Assembly he does not get to comment or vote on Band Assembly matters, but that he is allowed to do so on the Advisory Committee. He stated he will support Representative Bruneau's recommendation.

Representative Wind expressed concerns about student wellness the debt being carried by the school and deficit in the fund balance. He said he supports long-term planning and that the needs of the students must be the priority, and that he is concerned about the legality of the private status and whether the environment is safe and secure for children

Representative Bruneau noted that when MLA first opened, parents and elders did not want children bussed to NAS; they worked very hard through MLA to provide a local education to children and economic benefit to the community, which is one of the only employment opportunities besides government that is available in a jobless community. He supports this funding to provide MLA as a window to find a long-term solution.

Rep. Wind inquired about MLA \$624,000 in debt in addition to current funding needs; the debt might have been paid with the last donation, when MLA was operating in a negative fund balance while awaiting a donation. In response, Director Anderson informed Representative Wind that she is working with a financial professional and will send over the current up-to-date fund balance tomorrow (September 23, 2021). Director Anderson said they are still waiting for the completed audit; funding hasn't arrived yet because the audit with MDE is still in progress. She stated that she does not want to be under NAS but would like to partner with NAS. MLA wants their own BIE status eventually. They also have an immediate need for a 53-passenger bus to bus students.

Representative Wind motioned to approve a contract for six months with Minisinaakwaang Leadership Academy; seconded by Chief Executive Benjamin.

5/0 For          0/Opposed          0/Silent          Vote taken and motion carried.

Commissioner Towle asked if we know the amount just voted on by the board; Attorney Joe Jensen suggested that be discussed later in the meeting in a non-public setting.

**b). Women Empowering Women for Indian Nations (WEWIN)**

Speaker Boyd welcomed Valerie Harrington and Shannon Porter to speak on behalf of an application. Shannon submitted a written proposal seeking funding for one year, broken down into three sections:

1. Request to underwrite the national conference for \$126,425 so the national WEWIN organization can use the revenue generated from the national conference via corporate sponsorships and donations for post-conference capacity-building and infrastructure to support growth of the organization (Shannon referenced page 6 of the application).

2. Request \$38,840 to support the cost of attendance of 40 Mille Lacs Band women and youth to attend the next annual 2022 WEWIN conference. The local Mille Lacs Band WEWIN Chapter is requesting this support so that the Chapter can focus on using its fundraising efforts to fund local priorities and assisting other tribal communities with creating local chapters rather than fundraising to cover the cost of their attendance. If conference costs are covered by the Foundation, the Chapter can use its fundraising events to pay for other priorities such as empowerment activities for local women and developing a toolkit for women from other tribes to start their own local WEWIN chapters.

3. Request for \$27,500 to support a local Young Women's Leadership Council to be hosted by the local WEWIN Chapter, in collaboration with Chief Executive Benjamin and Lt. Governor Peggy Flanagan's Young Women's Leadership Initiative.

The local Mille Lacs Band Chapter was approached to partner with Lt. Governor Flanagan and Chief Executive Benjamin to host a Young Women's Leadership conference on the Mille Lacs Reservation for Native girls. The Mille Lacs Band of Ojibwe WEWIN Chapter is in the process of planning this conference in partnership with Chief Executive Benjamin and Lt. Governor Peggy Flanagan. Lt. Governor Flanagan is a WEWIN alumnus and believer in the power of WEWIN to transform the lives of Indian women and girls. Local WEWIN members have prioritized including Band youth in this conference so they can learn how to hold conferences as well and gain the basics of grassroots organizing. Our goal is for at least 100 Band youth to attend this conference, equitably represented from across all three districts and the urban area. This conference for young Band women and youth will be held in March, 2021.

Valerie Harrington noted her support of Shannon's discussion and noted there are more local Mille Lacs Band WEWIN board members who could speak to the importance of WEWIN to local Band women and how they benefit from WEWIN. She added that the local WEWIN Chapter wants to begin a mentorship program where our stronger women leaders in the community would be partnered with a young high school student to help them succeed and go to college, pursue leadership opportunities and be empowered by other women.

Speaker Boyd asked for questions or comments.

Chief Executive Benjamin asked to note for the record that she is a Board Member of the national WEWIN Board and has been involved over the last 15 years as one of the founding members of WEWIN. She asked the attorneys if she has a responsibility to recuse herself from any votes involving WEWIN based on that disclosure.

Attorney Adam Candler noted that Title 6 and Rule 45:4 of Robert's Rules of Order require that no member should vote on a question in which he has a "direct personal or pecuniary interest". As an example, if the motion proposes that an organization enter into a contract with a firm where the member is paid or receives a stipend for serving on the Board, the member should abstain. Chief Executive Benjamin noted that she is not paid as a Board member nor does she receive any stipends. Attorneys concluded that she does not have a pecuniary interest so she need not abstain, but she can recuse herself if she prefers to do so.

Chief Executive Benjamin stated that while she does not have any pecuniary interest with the WEWIN Board, her preference is to abstain from voting to ensure there is no confusion.

Representative Wind asked additional questions regarding how the \$126,405 would be used. Shannon Porter replied that this amount equals the cost of holding an annual conference; if the Foundation were to make this donation to pay for the cost of holding the conference, the national WEWIN organization can use the other donations and conference sponsorships from other tribes and vendors to pay for building internal infrastructure of the organization throughout the year. Currently, every dollar raised by WEWIN goes toward paying for the conference so there are no staff, programming activities or infrastructure development that takes place during the year. Chief Executive Benjamin added that any additional revenue brought in during the conference would go into the WEWIN annual budget so they can engage in administrative capacity building, such as hiring a grant-writer, public relations support, clerical support, website development and programming for women in between conferences. She again noted none of the board members are paid or receive a stipend; all fund-raising goes toward the conference and the board members do all the work.

Representative Wind asked if Grand Casino Hinckley could be used for a conference venue. Chief Executive Benjamin replied that WEWIN did hold a conference at Grand Casino Hinckley in the past, and that Grand Casino Hinckley charges for use of the venue. She noted that sites are usually selected two years in advance with the priority of finding venues that will offer significantly reduced prices or offer other perks such as free IT support, reduced meals, etc. Chief Executive Benjamin also invited Representative Wind to attend with his daughter.

Representative Bruneau motioned to approve the application; seconded by Speaker Boyd.

4/For            0/Opposed        1/Silent Chief Exec. Benjamin)    Vote taken and motion carried.

### **c). Indian Legal Services**

Chief Executive Benjamin noted that this body has approved funding for Duluth Indian Legal Services in the past, and they are again asking to support a donation request. The request has not been submitted as of yet. Benjamin also noted that she sits on that Board of Directors. She believes the request may come in at approximately \$100,000. Since the request has not yet come in, she stated she is willing to propose tabling this request until the next meeting.

Attorney Adam Candler noted that there is a requirement for a proposal. He discussed the need to develop an application that the Foundation could use for these requests and suggested using the WEWIN application as an example of a standard application to be completed. He suggested removing the item from the agenda and after the request comes forward, the Speaker can request a separate meeting. Representative Bruneau agreed as long as the proposal can be brought any time.

Representative Bruneau motioned to remove the item from the agenda, seconded by Representative St. John. Chief Executive Benjamin noted for the record that she is voting on this motion because it is not a financial decision regarding the donation.

5/For            0/Against            0/Silent            Vote taken and motion carried.

**VII. Unfinished Business:** None

**VIII. Other:** Band Member Legal Services

Adam Candler explained that the minutes have been sent out from Band Member Legal Services Board of Directors, chaired by Syngen Kanassatega. Band Member Legal Services wanted the Board to endorse their request to the Foundation for these funds, but the Board did not feel comfortable forwarding the request until they knew if Band Member Legal Services is eligible for funding. Adam asked if the Advisory Committee would be willing to inquire of the St. Paul Foundation about whether Band Member Legal Services is even eligible to apply for a grant from the Foundation. Now that BMLS is under an independent board, there is a possibility they would be eligible. Adam suggested that the Advisory Committee ask the Band Member Legal Services Board of Directors to send a letter to the St. Paul Foundation to submit this inquiry.

Chief Executive Benjamin made a motion requesting that an inquiry be made of the St. Paul Foundation about whether or not Band Member Legal Services is eligible for a donation from the Foundation.

Chief Executive Benjamin also noted that she would like to know if the Advisory Committee would support asking the same question regarding scholarships for Band Members; she previously asked a Foundation representative this question but did not receive a response.

Chief Executive Benjamin made a motion requesting that an inquiry be made of the St. Paul Foundation about whether or not Band Member Legal Services is eligible for a donation from the Foundation, seconded by Representative Bruneau seconded the motion.

5/For            0/Opposed            0/Silent            Vote taken and motion carried

**Adjournment:** Chief Executive Benjamin motioned to adjourn; seconded by Representative Wind.

5/For            0/Opposed            0/Silent            Vote taken and motion carried.

Meeting was adjourned at 4:20 p.m.

  
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Sheldon Boyd, Chairperson

3-2-2022  
\_\_\_\_\_  
Date