

## Ordinance 51-15

An Ordinance of Supplemental Appropriation and Budget Transfer for the Community Development, Education, Natural Resources and Health & Human Services Departments for the Fiscal Year ending September 30, 2015

The District I Representative introduced the following Bill on the 18th day of August, 2015.

### Preamble

It is enacted by the Band Assembly of the Mille Lacs Band of Ojibwe for the purpose of appropriating and authorizing a Budget Transfer for Community Development, Education, Natural Resources and Health & Human Services Departments for the Fiscal Year ending September 30, 2015.

### Title I

Section 1: Governmental Operations. The Band Assembly hereby appropriates and authorizes expenditures and a budget transfer for Community Development, Education, Natural Resources and Health & Human Services Departments for the Fiscal Year September 30, 2015.

Section 1.01: Amendment to Section 1.02. The Band Assembly hereby appropriates and authorizes the expenditure of: Thirty nine thousand five hundred fifty two dollars and no cents (\$39,552.00) for Title VII 201-312 of Grant Funds to fund the Parent Involvement Coordinator's position; Thirty three thousand one hundred fifteen dollars and no cents (\$33,115.00) for Child Care Development Fund Discretionary 201-366 of Grant Funds; Sixteen thousand seventy four dollars and no cents (\$16,074.00) for Child Care Development Fund Mandatory 201-365 of Grant Funds under **Education**; One hundred nine thousand eight hundred seventy five dollars and no cents (\$109,875.00) for DNR General 250-530 of Unspent Net Revenue Funds for the contract services remediation/removal of five properties (20656 Driftwood Street McGregor, MN; 37206 Hinckley Road Hinckley, MN; 17054 Walleye Road Onamia, MN; 17155 Walleye Road Onamia, MN and 17038 Walleye Road Onamia, MN) under **Natural Resources**; Twenty million one hundred seventy eight thousand nine hundred ninety eight dollars and no cents (\$20,178,998.00) for Clinic Expansion 330-000-3809, \$2,428,998.00 of Clinic Trust Funds 3<sup>rd</sup> Party Billing and \$17,750,000.00 of Permanent Initiatives under **Health & Human Services** which amends the **Total Fiscal Year 2015 Mille Lacs Band Tribal Operations** to read: Two hundred forty six million thirty two thousand eight hundred seventy dollars and seventy nine cents (\$246,032,870.79); and

Section 1.02: The Band Assembly hereby appropriates and authorizes the expenditure of supplemental programmatic funds for the following:

| <u>Tribal Operation Fiscal Year 2015</u>   | <u>Supplemental</u>               | <u>Amended Amount</u>   |
|--|-----------------------------------|-------------------------|
| <b>Education</b>   |                                   |                         |
| Title VII 201-312 of<br>Grant Funds  | \$39,552.00                       |                         |
| Child Care Development Fund<br>Discretionary 201-366 of<br>Grant Funds   | \$33,115.00                       |                         |
| Child Care Development Fund<br>Mandatory 201-365 of<br>Grant Funds   | \$16,074.00                       | <b>\$19,643,005.79</b>  |
| <b>Natural Resources</b>   |                                   |                         |
| DNR General 250-530<br>Of Unspent Net Revenue Funds  | \$109,875.00                      | <b>\$9,894,869.94</b>   |
| <b>Health &amp; Human Services</b>   |                                   |                         |
| Clinic Expansion 330-000-3809 of<br>Clinic Trust Funds 3 <sup>rd</sup> party billing and<br>Permanent Initiative Funds | \$2,428,998.00<br>\$17,750,000.00 | <b>\$45,166,924.39</b>  |
| <b><u>Total Permanent Initiative Fiscal Year 2015</u></b>  |                                   | <b>\$38,516,282.50</b>  |
| <b><u>Total Unspent Net Revenue Fiscal Year 2015</u></b>   |                                   | <b>\$41,642,675.22</b>  |
| <b><u>Total Operational for Fiscal Year 2015</u></b>   |                                   | <b>\$246,032,870.79</b> |

Section 102.1: The Band Assembly hereby authorizes the budget revision of programmatic funds for the following:

FY 2015 – Community Development budget modification from Home Loans to Renovation Loans

|                                |                          |              |
|--------------------------------|--------------------------|--------------|
| <b>Home Loans 100-234-7209</b> | <b>(\$200,000.00) to</b> |              |
| Renovation Loans 100-234-7208  |                          | \$200,000.00 |

Section 1.03: The Band Assembly hereby authorizes Commissioners to approve budgetary revisions within programs up to **\$10,000.00** provided that the revisions are allowable under grant provisions, if applicable and that sufficient funds are available for the revision. For revisions over **\$10,000.00**, the Band Assembly hereby authorizes the Administration Policy Board to approve budget revisions within programs of up to 50% of the total program's budget within a given budget line if the program is under **\$100,000.00** and up to 20% if the program is **\$100,000.00** or greater.

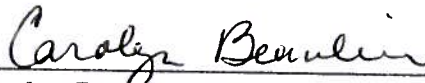
Section 1.04: All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next Fiscal Year if appropriated funds remain and if the grant is not completed within Fiscal Year 2015. If, for any reason, the grant term runs over the original end date causing costs to exceed the original appropriated amount, the Band Assembly must be notified so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

All funds appropriated are maximum fund amounts and shall not be exceeded.

Ordinance 51-15  
(Band Assembly Bill 16-04-51-15)

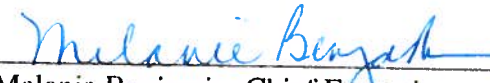
Introduced to the Band Assembly on this  
Eighteenth day of August in the year  
Two thousand fifteen.

Passed by the Band Assembly on this  
Eighteenth day of August in the year  
Two thousand fifteen.

  
\_\_\_\_\_  
Carolyn Beaulieu, Speaker of the Assembly

APPROVED

Date: August 20, 2015

  
\_\_\_\_\_  
Melanie Benjamin, Chief Executive

**OFFICIAL SEAL OF THE BAND**

**ADMINISTRATION POLICY BOARD  
REGULAR MEETING  
AUGUST 13, 2015 – BAND ASSEMBLY  
DISTRICT EAST LAKE COMMUNITY CENTER CONFERENCE ROOM**

The Commissioner of Administration called the meeting to order at 11:22 a.m.

**MEMBERS PRESENT**

Catherine Colsrud, Commissioner of Administration  
Michele Palomaki, Assistant Commissioner of Administration (via telephone)  
Percy Benjamin, Commissioner of Community Development  
Sam Moose, Commissioner of Health & Human Services  
Susan Klapel, Commissioner of Natural Resources

**MEMBERS ABSENT**

Suzanne Wise, Commissioner of Education (approved cultural leave)

**QUORUM PRESENT**

**OTHERS PRESENT**

Cyrilla Bauer, Director of Human Resources  
Christopher Gahbow, Deputy Assistant  
Angel Oehrlein, Executive Assistant of Administration

**Approval of Agenda**

The Commissioner of Natural Resources made a motion to approve the August 13, 2015, Administration Policy Board for Band Assembly approval agenda with changes. The Commissioner of Health & Human Services seconded the motion. (attachment #1)

**ROLL CALL VOTE**

|                  |       |
|------------------|-------|
| Michele Palomaki | --Aye |
| Percy Benjamin   | --Aye |
| Sam Moose        | --Aye |
| Susan Klapel     | --Aye |

4- For            0- Against            0- Silent            Motion Carried

**CONTRACTS**

The Commissioner of Community Development made a motion to approve and forward to Band Assembly for approval the following contracts and contract addendum:

**Education**

**St. Cloud Refrigeration - \$54,250.00 – to provide equipment and labor for installation of DVRs and encoders for nine camera servicers each containing 16 cameras and additional cameras outside of both school buildings as submitted (attachment #2)**

**Community Development**

**Degerstrom & Sons Construction - \$70,900.00 – to provide materials and labor for renovation of a rental unit in D1 as submitted (attachment #3)**

- Many Rivers West - \$121,932.00 – annual leasing of eight (8) apartments which are used for subsidized Urban housing units as submitted (attachment #4)**
- Negen & Associates - \$530,500.00 – to provide professional services for design of a new D3 Community Center in Hinckley as submitted (attachment #5)**
- Degerstrom & Sons Construction - \$49,999.00 – to provide materials and labor for renovation of a rental unit in D1 as submitted (attachment #6)**
- Midwest Playscapes – addendum #1 to extend the contract date to October 31, 2015 to allow for installation of equipment for Bugg Hill Playgrounds for total contract amount of \$100,000.00 as submitted (attachment #7)**
- Nelson-Degerstrom Construction, LLC – addendum #2 to extend the contract date to September 30, 2015, to allow additional time to completed an elder home renovation in Duluth for total contract amount of \$46,790.00 as submitted (attachment #8)**
- Anderson Brothers Construction Company of Brainerd - \$500,621.80 – to provide materials and labor for paving residential driveways in D1, D2, D2a and D3 as submitted (attachment #9)**
- Anderson Brothers Construction Company of Brainerd - \$62,341.26 – to provide materials and labor for repaving the D1 Ceremonial Building parking lot as submitted (attachment #10)**
- Double D Construction - \$453,275.00 – to provide materials and labor for construction of two (2) rental homes in Port Mille Lacs Golf Acres North Development as submitted (attachment #11)**
- Cobra Construction - \$108,367.00 – to provide materials and labor for commercial renovation of the D3 Community and Ceremonial buildings as submitted (attachment #12)**
- Cobra Construction - \$194,700.00 – to provide materials and labor for commercial renovation of the former Budget Host location as submitted (attachment #13)**

The Commissioner of Natural Resources seconded the motion.

The Commissioner of Community Development stated the two homes are four bedrooms with attached garages. The Commissioner of Health & Human Services inquired if updated blue prints are being used or still the older ones which initiated conversation in regard to home size in correlation to being more efficient with smaller rooms and smaller footprint that would also be easier to maintain and more energy efficient. The Commissioner of Community Development stated the same plans are being used as have been and all models would need to be updated with new plans as when you make any change it affects all factors. Incorporating more energy efficient options would possibly cost more upfront but save money overall. The Commissioner of Community Development will have the Project Planner to do a square footage cost analysis comparison of cost of homes being constructed in the public sector vs. the cost of homes constructed for the Band.

The Commissioner of Administration inquired if the paving covers residential driveways. The Commissioner of Community Development explained the re-paving is for the various new developments completed since the last driveway paving took place several years ago and includes 60 homes in District 1, 19 homes in District 2, 11 homes in District 2A and 49 homes in District 3. The paving for the Ceremonial building is funded through BIA dollars. Next Spring could bring an expansion of the driveway for the D2 Ceremonial building. There is not a paved parking area for the D3 Ceremonial building as the Mide grounds are there and will not be disrupted.

**ROLL CALL VOTE**

Michele Palomaki --Aye  
Percy Benjamin --Aye  
Sam Moose --Aye  
Susan Klapel --Aye

4- For      0- Against      0- Silent      Motion Carried

**FINANCE**

**Budget Revisions/Transfers**

The Commissioner of Health & Human Services made a motion to approve and forward to Band Assembly the following budget revision:

**Community Development**

**FY 2015 – HI Home & Renovation Loans 100-234 - \$200,000.00 – move monies within budget as submitted (attachment #14)**

The Commissioner of Natural Resources seconded the motion.

The Commissioner of Community Development stated funds are being moved from home loan to renovations within the Housing Initiative budget to provide funding to complete some major roof repairs along with other renovation needs. There are adequate funds remaining in the home loan line through the fiscal year.

**ROLL CALL VOTE**

Michele Palomaki --Aye  
Percy Benjamin --Aye  
Sam Moose --Aye  
Susan Klapel --Aye

4- For      0- Against      0- Silent      Motion Carried

**REQUEST FOR APPROPRIATION**

The Commissioner of Health & Human Services made a motion to approve and forward to Band Assembly for approval the following requests for appropriation:

**Education**

**FY 2015 – Title VII 201-312 - \$39,552.00 – request appropriation of grant funds as submitted (attachment #15)**

- FY 2015 – Child Care Development Fund (CCDF) Discretionary 201-366 - \$33,115.00 – request appropriation of grant funds as submitted (attachment #16)**
- FY 2015 – Child Care Development Fund (CCDF) Mandatory 201-365 - \$16,074.00 – request appropriation of grant funds as submitted (attachment #17)**

**Natural Resources**

- FY 2015 – DNR General 250-530 - \$109,875.00 – request appropriation of Unspent Net Revenue for the remediation of five properties on Band lands as submitted (attachment #18)**

**Health & Human Services**

- FY 2015 – Clinic Expansion 330-000-3809 - \$20,178,998.00 – request appropriation of \$2,428,998.00 Clinic Trust funds and \$17,750,000.00 Permanent Initiative funds to support new facilities in D2 East Lake, District 1 and repurposing the current D1 Clinic building as submitted (attachment #19)**

The Commissioner of Community Development seconded the motion.

The Commissioner of Natural Resources stated the remediation is at a very reasonable expense and does include proper disposal of all material along with capping the wells and septic on each of the five properties.

The Commissioner of Health & Human Services stated there will be couple main contracts to complete the new facilities one for D2 utilizing Clinic Trust funds and another for D1 with 16 million for the new clinic and the rest for repurposing the current clinic building.

A discussion ensued about Permanent Initiative funds vs. Unspent Net Revenue funds. The Commissioner of Health & Human Services said the original intention was for funding permanent building and infrastructure projects or roads. The funding has been used for various purposes over the years.

**ROLL CALL VOTE**

|                  |       |
|------------------|-------|
| Michele Palomaki | --Aye |
| Percy Benjamin   | --Aye |
| Sam Moose        | --Aye |
| Susan Klapel     | --Aye |


4- For      0- Against      0- Silent      Motion Carried

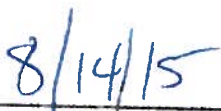


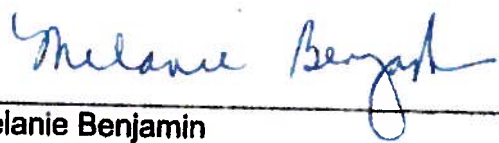
The Commissioner of Natural Resources made a motion to adjourn.

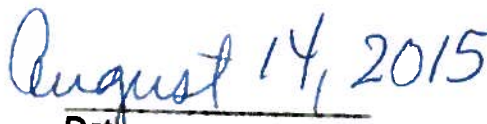
The Commissioner of Health & Human Services seconded the motion.

The meeting was adjourned at 11:54 a.m.

  
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Catherine Colsrud  
Commissioner of Administration

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Melanie Benjamin  
Chief Executive

  
\_\_\_\_\_  
Date