



MILLE LACS BAND OF OJIBWE

Executive Branch of Tribal Government

DEPARTMENT OF ADMINISTRATION COMMISSIONER'S ORDER 2022-01

A Commissioner's Order Implementing Matters of the Administration Policy Board

Section 1. Purpose

The purpose of this Commissioner's Order is to implement matters related to personnel, contracts, and grants due to the Administration Policy Board's lack of quorum.

Section 2. Source of Authority

This Commissioner's Order is issued pursuant to 4 MLBS §§ 7(h) and 9(a).

Section 3. Matters Implemented

The following matters contained in Attachment 1, dated March 10, 2022, to this Commissioner's Order are implemented:

- (a) Executive Branch personnel matters related to new hires, job changes, and transfers within the Department of Health & Human Services and the Department of Justice;
- (b) Executive Branch personnel matters related to annual appraisals, wage corrections, and changes within the Department of Health & Human Services and the Department of Administration;
- (c) Creation of new job descriptions for the Department of Health & Human Services and the Department of Natural Resources and revising a job description for the Department of Natural Resources; and
- (d) Approval of contracts for the Department of Administration and the Department of Education.

DISTRICT I

43408 Oodena Drive Onamia, MN 56359
(320) 532-4181 Fax (320) 532-4209

DISTRICT II

36666 State Highway 65 McGregor, MN 55760
(218) 768-3311 Fax (218) 768-3903

DISTRICT IIA

2605 Chiminising Drive Isle, MN 56342
(320) 676-1102 Fax (320) 676-3432

DISTRICT III

45749 Grace Lake Road Sandstone, MN 55072
(320) 384-6240 Fax (320) 384-6190

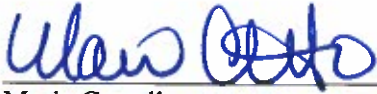
URBAN OFFICE

1404 East Franklin Avenue Minneapolis, MN 55404
(612) 872-1424 Fax (612) 872-1257

Section 5. Effective and Expiration Dates

- (a) This Commissioner's Order will become effective when signed.
- (b) This Commissioner's Order will expire on the earlier of December 31, 2022 or the next date that the Administration Policy Board convenes to conduct business and has quorum.

Issued on March 15, 2022:



Maria Costello
Assistant Commissioner of Administration

Seal of the Band





MILLE LACS BAND OF OJIBWE

Executive Branch of Tribal Government

For Commissioner's Order 2022-01
Attachment 1 of 1
March 10, 2022
Administration Policy Board Matters

DISTRICT I

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(320) 532-4181 Fax (320) 532-4209

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DRAFT AGENDA – 2nd Revision

Administration Policy Board Agenda District 1 Government Center Upstairs Media Room March 10, 2022

1. **CALL MEETING TO ORDER**
2. **ROLL CALL – Commissioner of Administration, Assistant Commissioner of Administration, Commissioner of Community Development, Commissioner of Education, Commissioner of Health & Human Services, Commissioner of Natural Resources**
3. **AGENDA APPROVAL**
4. **NOTE OF APPROVED MINUTES**
February 24, 2022 – Regular APB
February 24, 2022 – Regular APB – BA
5. **UNFINISHED BUSINESS**
6. **PERSONNEL**
New Hires, Job Changes, Transfers
Health & Human Services
Donita Odden – PT On-call Certified Nursing Assistant, effective 2/28/22

Department of Justice – Tribal Police
Ashley Erickson – Transfer from FT to PT Dispatcher, effective 2/11/22
7. **Annual Appraisals/Wage Corrections/Changes**
Health & Human Services
Heidi Hamers – Lead Social Worker PT On-Call Social Worker weekly pay for On-Call duties as submitted, effective 3/13/22
Kenneth Bradford – Child Protection Supervisor PT On-Call Social Worker weekly pay for On-Call duties as submitted, effective 3/13/22

Administration
Julie Peterson – FT Case Manager, wage change with attainment of State training completion to administer TANF & SNAP as submitted, effective 1/1/22
Rosa Sam – FT Case Manager, wage change with attainment of State training completion to administer TANF & SNAP as submitted, effective 1/1/22
Karen Pagnac – FT Training Manager, wage change with additional duties and responsibilities as submitted, effective 3/8/22
8. **Leave of Absence – Furlough Actions**
9. **Leave of Absence – noted for record**

DRAFT AGENDA – 2nd Revision

10. Separation of Employment - reason will be included on draft but DO NOT state in minutes

Administration

Luis Torres – PT Tutor D2, **resignation**, effective 3/4/22

Education

David Wittstruck – FT NASS Operations & Maintenance Director, **self-resignation**, effective 2/24/22

Brandy Oswaldson – FT MLEE Assistant Teacher, **failure to return from LOA**, effective 2/24/22
8/19/21

Janelle Boyd – FT MLEE Assistant Teacher, **resignation**, effective 2/24/22

Administration

Billie Berry – PT Urban Administrative Assistant, **resignation**, effective 2/25/22

Health & Human Services

Desiree Montonye – FT SUD Clinic Supervisor, **layoff**, effective 2/23/22

Alysa Morley – PT On-Call Social Worker, **resignation**, effective 2/28/22

Alysa Morley – FT ICWA Social Worker, **resignation**, effective 2/28/22

~~Twyla Sam – FT Foster Care Licenser/Recruiter, resignation, effective 2/28/22~~

Nicole Narveson – FT Home Care Coordinator, **resignation**, effective 2/28/22

Lisa Blahosky-Olivarez – FT Public Health Director, **failure to return from LOA**, effective 2/28/22

Jessica Benjamin – FT Client Access Specialist, **resignation**, effective 3/2/22

Bernida Humetewa – FT Community Health Representative, **resignation**, effective 2/18/22

Sandra Stangle – FT Fourwinds LPN, **resignation**, effective 2/21/22

Ashely Reeves – FT Lab Assistant, **resignation**, correction of date from 2/28/22 to 2/21/22

11. **JOB DESCRIPTIONS**

Health & Human Services

Clinical Quality Manager, Market - create new Self-Governance/third party funded position. The Clinical Quality Manager works with the Director of Quality and Compliance to ensure implementation of the organization's quality assurance plan in all of the organization's clinical settings. The Clinical Quality Manager is responsible for overseeing day-to-day operations of quality management in the clinical setting and is responsible for the development and monitoring of quality monitoring activities in these areas. The Clinical Quality Manager collaborates with clinic leadership, including the Health Services Director and the Medical Director, to promote a culture of quality within the clinical setting and within the organization as a whole – post

Natural Resources

Wildlife Biologist, E13 - create new Net Revenue funded position. The Wildlife Biologist conducts wildlife studies, investigations and research projects to provide scientific input to the management of the Band's wildlife resources. This position may also assist the Band's fisheries department in times of need.-post

Environmental Programs Coordinator (formerly Environmental Programs Manager), E9 - Revision of net revenue/grant funded job description aligning with duties. No change in grade – do not post

DRAFT AGENDA – 2nd Revision

12. **CONTRACTS/GRANTS**

Administration

Rain Storm Seamless Gutters & Ice Damn Removal - \$15,000.00 – Emergency contract to provide removal of snow and ice from the roof at the Aanjibimaadizing building in District 1 which had several locations with water leaking into the building through the ceilings, through September 30, 2022, as submitted

Education

Brenda Child - \$20,000.00 – to provide the creation of Mille Lacs People and Homelands and related teacher's guides for 10th grade history and 5th grade course that relates to Minnesota State standards for history education through June 30, 2022, as submitted

13. **FINANCE**

Budget Revisions

14. **OTHER**

**ADMINISTRATION POLICY BOARD
REGULAR MEETING
FEBRUARY 24, 2022
DISTRICT 1 GOVERNMENT CENTER UPSTAIRS MEDIA ROOM**

The Assistant Commissioner of Administration called the meeting to order at 9:37 a.m.

MEMBERS PRESENT

Maria Costello, Assistant Commissioner of Administration (via telephone)
Timothy Jackson, Commissioner of Community Development
Nicole Anderson, Commissioner of Health & Human Services
Kelly Applegate, Commissioner of Natural Resources

MEMBERS ABSENT

Peter Nayquonabe, Commissioner of Administration
Commissioner of Education, vacant

QUORUM PRESENT

OTHERS PRESENT

Baabítaw Boyd, Special Assistant to Chief Executive
Angel Oehrlein, Senior Executive Assistant of Administration

Approval of Agenda

The Commissioner of Health & Human Services made a motion to approve the February 24, 2022, Administration Policy Board agenda. The Commissioner of Natural Resources seconded the motion. (attachment #1)

ROLL CALL VOTE

Timothy Jackson	--Aye
Nicole Anderson	--Aye
Kelly Applegate	--Aye

3 - For 0 - Against 0 - Silent Motion Carried

Approved Minutes

The Commissioner of Health & Human Services noted the approved minutes as follows:

February 10, 2022 – Regular APB (attachment #2)
February 10, 2022 – Regular APB – BA (attachment #3)

UNFINISHED BUSINESS

OTHER – Administration – tabled for further review, February 10, APB meeting
The Commissioner of Health & Human Services made a motion to take the following from the table and place under OTHER:

Administration

Aanjibimaadizing Staff Policies revision. The background check requirement was changed to moderate or below based on a HR recommendation. The remote work policy was added, as submitted

The Commissioner of Natural Resources seconded the motion.

ROLL CALL VOTE

Timothy Jackson --Aye
Nicole Anderson --Aye
Kelly Applegate --Aye

3 - For 0 - Against 0 - Silent Motion Carried

New Hires, Job Changes, Transfers

The Commissioner of Health & Human Services made a motion to approve the following new hires and transfers as submitted:

Administration

Samantha Peet – Transfer from Interim Ojibwe Language Manager to FT Ojibwe Coach, effective 2/14/22 (attachment #4)

Rachel Boyd-Vogt – Transfer from FT Facilitator to FT Youth Facilitator, approved to work 36 hours per week as submitted, effective 2/28/22 (attachment #5)

Education

Brandon Larsen – FT Custodian (NASS), effective 2/23/22 (attachment #6)

Health & Human Services

Heidi Hamers – FT Lead Social Worker, effective 2/14/22 (attachment #7)

Kenneth Bradford – FT Child Protection Supervisor, effective 2/14/22 (attachment #8)

Richard Kubat Jr – FT Community Health Representative, effective 2/23/22 (attachment #9)

Community Development

Preston Smith – FT Housing Maintenance Tech 1, effective 2/23/22 (attachment #10)

The Commissioner of Natural Resources seconded the motion.

ROLL CALL VOTE

Timothy Jackson --Aye
Nicole Anderson --Aye
Kelly Applegate --Aye

3 - For 0 - Against 0 - Silent Motion Carried

Annual Appraisals/Wage Corrections/Changes

The Commissioner of Natural Resources made a motion to approve the following wage changes as submitted:

Health & Human Services

Winifred Davis – FT Community Advocate, annual appraisal as submitted, effective 10/1/20 (attachment #11)

- Makina DesJarlait – FT Shelter Advocate, annual appraisal as submitted, effective 7/26/21 (attachment #12)**
- Tracey Sundvall – FT Victims of Crime Advocate, annual appraisal as submitted, effective 8/10/21 (attachment #13)**

The Commissioner of Community Development seconded the motion.

ROLL CALL VOTE

- Timothy Jackson --Aye
- Nicole Anderson --Aye
- Kelly Applegate --Aye

3 - For 0 - Against 0 - Silent Motion Carried

Separation of Employment

The Commissioner of Health & Human Services noted the following separations of employment for the record:

Health & Human Services

- Sheila Hennen – FT Doctor of Nursing Practice (DNP), effective 2/10/22 (attachment #14)**
- Ashley Reeves – FT Lab Assistant, effective 2/28/22 (attachment #15)**

JOB DESCRIPTIONS

The Commissioner of Health & Human Services made a motion to approve the following job description revisions:

Health & Human Services

- Child Advocacy Center Administrator, E11 - revision of CWTCM/CTAS grant funded position adding ability to work remote with signed HHS telework agreement. No other changes – do not post (attachment #16)**
- Family Services Social Worker, Market - Revision of job description changing to report to the Lead Social Worker. No other changes – do not post (attachment #17)**

The Commissioner of Natural Resources seconded the motion.

ROLL CALL VOTE

- Timothy Jackson --Aye
- Nicole Anderson --Aye
- Kelly Applegate --Aye

3 - For 0 - Against 0 - Silent Motion Carried

OTHER

The Commissioner of Health & Human Services made a motion to approve the following:

Administration

Aanjibimaadizing Staff Policies revision. The background check requirement was changed to moderate or below based on a HR recommendation. The remote work policy was added, as submitted (attachment #18)

The Commissioner of Natural Resources seconded the motion.

ROLL CALL VOTE

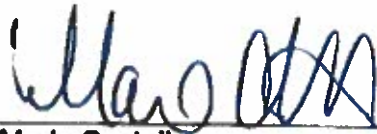
Timothy Jackson	--Aye
Nicole Anderson	--Aye
Kelly Applegate	--Aye

3 - For 0 - Against 0 - Silent Motion Carried

The Commissioner of Community Development made a motion to adjourn.

The Commissioner of Natural Resources seconded the motion.

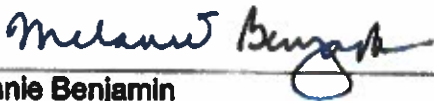
The meeting adjourned at 9:44 a.m.



Maria Costello
Assistant Commissioner of Administration



Date



Melanie Benjamin
Chief Executive



Date

**ADMINISTRATION POLICY BOARD
REGULAR MEETING
FEBRUARY 24, 2022 – BAND ASSEMBLY
DISTRICT 1 GOVERNMENT CENTER UPSTAIRS MEDIA ROOM**

The Assistant Commissioner of Administration called the meeting to order at 9:45 a.m.

MEMBERS PRESENT

Maria Costello, Assistant Commissioner of Administration (via telephone)
Timothy Jackson, Commissioner of Community Development
Nicole Anderson, Commissioner of Health & Human Services
Kelly Applegate, Commissioner of Natural Resources

MEMBERS ABSENT

Peter Nayquonabe, Commissioner of Administration
Commissioner of Education, vacant

QUORUM PRESENT

OTHERS PRESENT

Baablitaw Boyd, Special Assistant to Chief Executive
Angel Oehrlein, Senior Executive Assistant of Administration

Approval of Agenda

The Commissioner of Community Development made a motion to approve the February 24, 2022, Administration Policy Board for Band Assembly agenda. The Commissioner of Health & Human Services seconded the motion. (attachment #1)

ROLL CALL VOTE

Timothy Jackson	--Aye
Nicole Anderson	--Aye
Kelly Applegate	--Aye

3 - For 0 - Against 0 - Silent Motion Carried

CONTRACTS

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

Community Development

Busch Architects, Inc. \$8,055.00 - Addendum #1 for additional architectural and engineering services for the expansion of the District II Head Start facility, bringing the contract total to \$48,055.00, as submitted (attachment #2)

The Commissioner of Natural Resources seconded the motion.

The Commissioner of Community Development explained the Head Start building committee requested the additional tasks to make the facility more safe and secure as well as more functional for staff and visitors alike. The additional services which are

outside of the original scope of work are broken down into tasks including electrical engineering, mechanical engineering and architectural charges.

ROLL CALL VOTE

Timothy Jackson --Aye
Nicole Anderson --Aye
Kelly Applegate --Aye

3 - 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:

Administration

FY 2022 – Aanjibimaadizing (281-6770-4) - \$941.00 – request appropriation of additional CSBG (Community Service Block Grant) funds as submitted (attachment #3)

Health & Human Services

FY 2022 – Special Diabetes (221-4150-1) - \$262,338.00 – request appropriation of IHS Special Diabetes grant funds as submitted (attachment #4)

FY 2022 - MN DHS Adult Protective Services (223-NEW-2) - \$75,000.00 – request appropriation of newly awarded Adult Protective Services Grant into various line items as submitted (attachment #5)

FY 2022 – SNAP ED (221-4080-2) - \$50,000.00 – request appropriation of State grant funds into various line items as submitted (attachment #6)

The Commissioner of Natural Resources seconded the motion.

The Commissioner of Health & Human Services explained HHS requests are all grant funding. The Diabetes program is continually growing and additional funds were requested and awarded to assist with patient and fitness supplies along with devices for management of patient health. SNAP Ed will be used to support community education programs along with purchasing the software required for data reporting. The new funding for the Adult Protective Services is exciting to have the support for an area which has been in need for some time which increases services to vulnerable adults that includes but is not limited to transportation for personal needs, important medical or other appointments and to provide community outreach.

The Special Assistant to the Chief Executive explained the CSBG funding is a reallocation of additional funding from the State and used to support youth programming through Aanjibimaadizing.

ROLL CALL VOTE

Timothy Jackson --Aye
Nicole Anderson --Aye
Kelly Applegate --Aye

3 - For 0 - Against 0 - Silent Motion Carried

OTHER

The Commissioner of Health & Human Services noted the following:

Department of Justice – Office of Solicitor General

MNCIS (Minnesota Court Information Systems) Application – Minnesota Government Access (MGA) through the Minnesota Judicial Branch which allows government agencies to access appropriate electronic court records through an internet browser-based application that requires no installation. Users access through individual MGA login accounts and there is currently no charge or fees for the service (attachment #7)

The Commissioner of Health & Human Services made a motion to adjourn.

The Commissioner of Natural Resources seconded the motion.

The meeting adjourned at 9:54 a.m.



Maria Costello
Assistant Commissioner of Administration

2/25/22
Date



Melanie Benjamin
Chief Executive

March 02, 2022
Date



DRAFT AGENDA - Revised

Administration Policy Board Agenda Band Assembly District 1 Government Center Upstairs Media Room March 10, 2022

1. **CALL MEETING TO ORDER**
2. **ROLL CALL – Commissioner of Administration, Assistant Commissioner of Administration, Commissioner of Community Development, Commissioner of Education, Commissioner of Health & Human Services, Commissioner of Natural Resources**
3. **AGENDA APPROVAL**
4. **UNFINISHED BUSINESS – TABLED ITEMS**
5. **CONTRACTS**
Community Development
Degerstrom & Sons Construction - \$214,400.00 – to provide labor and materials for a complete fire restoration project at the quad located in Wahkon where a fire there was a fire in Unit A in July 2021. The fire was contained within the unit except for some exterior damage to Unit B. The most extensive damage occurred in the garage of Unit A, which will require framing of its front wall, repairing roof trusses, some sheathing, partial re-roof and more. The unit needs full replacement of the electrical, mechanical and plumbing systems, as well as all new interior finishes. To eliminate future mold issues and contain the fire odor, the unit will be demoed down to framing and sprayed with mold inhibitor before new insulation and poly are installed. Housing turned in a claim to insurance. The Band will be reimbursed for the total cost or renovation less the deductible. The contract will be drafted with a substantial completion date of August 31, 2022, as submitted
W. Gohman Construction - \$2,687,141.00 – to provide labor and materials for renovation work to be completed at the Aanjibimaadizing site in District 1 including selective demolition of the spaces, and reconfiguration of those spaces to meet the needs of the departments' grant project. The newly remodeled space will include offices, staff circulation space, youth area with an interior lobby/waiting area and collaborative workspace. The old pharmacy area will be reconfigured to serve as a commercial teaching kitchen. The building mechanical systems will be reconstructed to provide adequate zoning and temperature control throughout the building. Lighting will be replaced with LED fixtures. All flooring and interior finishes will be replaced. Exterior improvements include window replacement, EIFS (stucco) re-coating, exterior concrete and parking lot replacement. Construction will be completed in two phases and substantially be completed by March 31, 2023, as submitted
6. **FINANCE**

DRAFT AGENDA - Revised

7. **Request for Appropriation**

Natural Resources

FY 2022 – NOAA (National Oceanic Air & Administration) Fisheries (251-NEW-4) - \$505,378.14 – request appropriation of BIA Self-Governance funds to support areas within the department impacted by COVID-19, these funds will be used for equipment purchases including trucks, walk-in coolers, fish packing equipment, life vests, fyke & gill nets, spears, vacuum sealers and more. These purchases will allow the department to enhance their ability to process fish and upgrade needed equipment as submitted

Education

FY 2022 – Supply Chain Assistance (203-3330-2) - \$7,827.86 – request appropriation of USDA grant funds to support the purchase of domestic unprocessed or minimally processed food items for the NASS schools as submitted

8. **OTHER**

Administration – note for record – BA legal referred “contract” back to APB

Aanjibimaadizing – Global Payments – agreement for processing debit and credit card transactions for the purchase of licenses to access the Mille Lacs Band of Ojibwe Rosetta Stone Language program. When reviewed by OSG, their comments requested revisions to strike a waiver of sovereign immunity was sent back to Global Payments. The response from Global Payment’s representative was that given the low volume of sales that would be going through this payment gateway, they would not change the language of the agreement. Another payment processor was considered but their agreement not only contained a similar waiver but appeared to be more stringent in other provisions and included an explicit statement that no revision to the language of the agreement would be considered. When any payments would be processed there will be a charge of 0.6% for each transaction and an additional \$0.20 for each transaction. There is no amount for the agreement since there is no way of knowing how many transactions would be accepted for sales. In just the past week, at minimum \$4500 in check payments have been received.

Consequently, Aanjibimaadizing is seeking Band Assembly to adopt a resolution ratifying the agreement as submitted