



THE MILLE LACS BAND OF OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT RESOLUTION 18-02-20-19

A JOINT RESOLUTION APPROVING AND AUTHORIZING PARTICIPATION IN THE TRIBAL INTENSIVE TRAINING AND TECHNICAL ASSISTANCE PROCESS EVALUATION ACTIVITIES TO ADDRESS AND PREVENT MENTAL AND SUBSTANCE USE DISORDERS, SUICIDE, AND TO PROMOTE MENTAL HEALTH

- WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected governing body for the Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian Tribe; and
- WHEREAS, according to 3 MLBSA § 2(d), the Band Assembly is empowered to adopt resolutions to promote the general welfare of the people of the Band; and
- WHEREAS, according to 4 MLBSA § 6 the Chief Executive of the Band is empowered to exercise the Executive Branch powers of the Band, including to conduct external relations with all other governments and their political subdivisions and to recommend agreements, contracts, cooperative and reciprocity agreements and memoranda of understandings to the Band Assembly for ratification; and
- WHEREAS, the Band Assembly and Chief Executive have established as a priority the improvement of the spiritual, physical, mental, social, and economic well-being of the people of the Band and further recognize substance abuse issues facing our community; and
- WHEREAS, the Tribal TTA Center's Intensive TTA is funded through a contract with the Substance Abuse and Mental Health Services Administration ("SAMHSA") of the U.S. Department of Health and Human Services and is a project of Tribal Tech, LLC, (prime) in which Kauffman & Associates, Inc., ("KAI") serves as subcontractor to administer Intensive TTA to selected American Indian and Alaska Native communities; and
- WHEREAS, the Band Assembly and Chief Executive have reviewed the Memorandum of Understanding ("MOU") and Community Budget Agreement between the Mille Lacs Band and KAI. It is acknowledged that a limited waiver of sovereign immunity exists within the MOU at paragraph 5.1 for reasons stated in the Memorandum attached to this Resolution, however, the Band Assembly believes it is in the best interest of the Band to allow this waiver pursuant to its statutory right to do so under 24 MLBSA§2 (b); and

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WHEREAS, the Band Assembly and Chief Executive agree to accept the invitation to participate in the SAMHSA-funded Tribal TTA Center's Intensive TTA being administered by KAI to develop or enhance a culturally relevant, evidence-based Community Prevention Plan and Community Sustainability Plan to address and prevent mental and substance use disorders and suicide and to promote mental health. KAI's duration to provide Intensive TTA to the Mille Lacs Band is through September 23, 2019, and is subject to the availability of project funding; and

WHEREAS, the Band Assembly and Chief Executive agree that it is in the best interest of the Band to participate in the process evaluation pertaining to data use and data sharing described in KAI's MOU and Community Budget Agreement; and

WHEREAS, the Band's Department of Health and Human Services is the appropriate agency to act as the Lead Agency to house this project and to serve as the fiscal agent for the Band to monitor and provide oversight of the use of community funds; and

WHEREAS, individuals in the following positions are being submitted as the recommended tribal lead contact and co-lead contact persons to facilitate this project for the Mille Lacs Band:

Commissioner of Health & Human Services and Director of Circle of Health; and

WHEREAS, these individuals will work closely with the assigned Intensive TTA coordinator to plan and conduct virtual and onsite TTA activities; and

WHEREAS, the Mille Lacs Band agrees to identify and hire a community-based coordinator, supported by project funds provided, to assist with the implementation of the Community Prevention Plan and Community Sustainability Plan and/or to hire additional consultants to provide evidence-based trainings as approved; and

WHEREAS, individuals in the following capacities are being submitted to be part of the oversight panel for the Band, which will oversee the prevention efforts and activities for the Tribal TTA Center's Intensive TTA:

Commissioner of Health & Human Services
Commissioner of Education
Chief Medical Officer
Director of Circle of Health, Mille Lacs Band Member
Director of Behavioral Health
Elder Representative Mille Lacs Band Member

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive hereby ratifies the Memorandum of Understanding as it pertains to the entity of Health and Human Services' agreement to engage in binding arbitration under the rules and procedures of the American Arbitration Association but specifies that any such waiver shall not be construed as a waiver of the Band's own sovereign immunity; and

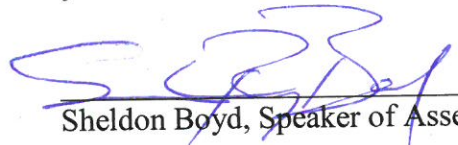
NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Band Assembly and Chief Executive do hereby authorize and approve the following:

- The Mille Lacs Band's acceptance for participation in the Tribal TTA Center's Intensive TTA.
- The Band's community to participate in the Intensive TTA engagement activities.
- Participation in the project evaluation process pertaining to data use and data sharing.
- The recommended name of the lead agency to house the project and to serve as fiscal monitor.
- The recommended lead contact and co-lead contact persons to facilitate the project implementation.
- The hire of a community-based coordinator and/or consultants to implement the community prevention plan and community sustainability plan efforts.
- The recommended names submitted to serve on the oversight panel; and

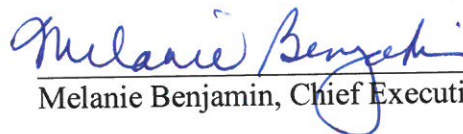
BE IT FURTHER AND FINALLY RESOLVED, that the Chief Executive will sign the Memorandum of Understanding; and the Commissioner of Health and Human Services or their designee are authorized to sign the Community Budget Agreement and all other documents pertaining to this matter in accordance with Band law and policy.

WE DO HEREBY CERTIFY, that the foregoing Resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 11th day of December, 2018 at Chi Minising, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.


Sheldon Boyd, Speaker of Assembly

IN CONCURRENCE, with the action of the Speaker of the Assembly, I hereunto set my hand to this Resolution.


Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND