



THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

Secretarial Order 45-18

A Secretarial Order Attaching and Impounding Certain Funds of the Office of the Solicitor General

WHEREAS, pursuant to 3 MLBSA § 7(a) the Secretary-Treasurer is authorized and has the duty to superintend and manage all fiscal operations of the Mille Lacs Band; and

WHEREAS, pursuant to 3 MLBSA § 7(f), the Secretary-Treasurer is authorized and has the duty to levy, impound or attach any financial account of the Mille Lacs Band or any political subdivision thereof to prevent serious financial jeopardy or acts in violation of the law; and

WHEREAS, pursuant to 3 MLBSA § 7(g), the Secretary-Treasurer is authorized and has the duty to issue Secretarial Orders to implement decisions concerning matters of the fiscal affairs of the Band; and

WHEREAS, on April 19, 2018, the Secretary-Treasurer delivered to the Solicitor General Todd Matha and Chief Executive Melanie Benjamin a petition for an ethics hearing on the Solicitor General scheduled for April 24, 2018; and

WHEREAS, on April 24, 2018, Solicitor General Matha did not appear at the hearing but instead filed a motion to the Court of Central Jurisdiction requesting that the court issue a Temporary Restraining Order to prevent the ethics hearing from occurring, which the Court denied, and the former Solicitor General emailed a resignation letter to the Chief Executive; and

WHEREAS, the Joint Session proceeded to convene despite Solicitor General Matha's absence; and

WHEREAS, at the Joint Session, the Chief Executive stated she accepted Solicitor General Matha's resignation but the Band Assembly members were concerned that if the Solicitor General resigns, then the ethics allegations will go unresolved and Solicitor General Matha would not be held accountable to the Band for the claims made in the ethics violations report; and

WHEREAS, that despite this, on April 25, 2018, the Band Assembly received a request from the Chief Executive's office to pay Mr. Matha a six-month severance for his years serving as the Band's Solicitor General; and

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 E. Franklin Avenue • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257


WHEREAS, the Secretary-Treasurer and Band Assembly do not wish to grant the request for severance payment since Mr. Matha did not appear at his ethics hearing on April 24, 2018, and he resigned from his employment with the Band on that same date; and

WHEREAS, the Secretary-Treasurer and Band Assembly believe Mr. Matha is not entitled to severance pay from the Band at any time, nor is he entitled to future employment or contract work with the Band.

THEREFORE BE IT ORDERED that the Office of Management and Budget is prohibited from processing any document requesting or issuing any payment of Band funds as wages, salary, or a severance to the former Solicitor General Todd Matha commencing April 24, 2018, being the date of his resignation, and continuing indefinitely; and

IT IS FURTHER AND FINALLY ORDERED that the Office of Management and Budget is prohibited from processing any documents of employment or contracts that retain Mr. Matha's services commencing on the date of this Order, and continuing indefinitely.

Dated this 5th day of July 2018.



Carolyn Beaulieu, Secretary-Treasurer

Effective Date: July 5, 2018
Expiration Date: N/A

OFFICIAL SEAL OF THE BAND