

**REGULAR MEETING  
TRIBAL FORESTRY COMMITTEE  
SEPTEMBER 22, 2009 – 3:00 P.M.  
TRIBAL OFFICE BOARDROOM**

1. Chairman Randal Chevalier called the meeting to order at 3:00 p.m. Roll call was taken with a quorum present. MEMBERS PRESENT: Randal Chevalier, Anthony Waupochick, Al Pyatskowit, Walter Cox, Jeremy Pyatskowit, Rick Warrington, and Susan Waukau. MEMBERS ABSENT: Myrna Warrington (excused), and David Grignon (excused). Also present: Audrey O'Kimosh, Christopher Caldwell, and Linda Peters, Recorder.

2. Moment of Silence. Randal Chevalier requested a moment of silence.

3. Approval of Special Forest Management Plan Minutes dated August 24, 2009

**Motion made by Anthony Waupochick to approve the Special Forest Management Plan Minutes dated August 24, 2009. Second was by Al Pyatskowit. All those in favor of the motion signify by saying aye. Motion carried: 4 for, 0 opposed, 2 abstentions (R. Warrington and Waukau) and 2 absent (M. Warrington and Grignon).**

Approval of Regular Meeting Minutes dated August 25, 2009

The Committee would like it corrected that the Annual Determination letter was sent to MTE.

The Committee would like the tape reviewed to confirm who sponsored the motion on trust responsibility. The recorder will review the recording and update this information if necessary.

**Motion made by Susan Waukau to approve the Regular Meeting Minutes dated August 25, 2009 with corrections. Second was by Rick Warrington. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 2 absent (Warrington and Grignon).**

4. Ordinance # 02-22: Discussion and Recommendation

Chairman Chevalier updated the Committee on what transpired at the September 17, 2009 Legislative meeting. The Legislature had mixed feelings on the proposed Distribution of Forestry Profits draft. Some Legislators opposed due to the procedural process, and others would like information developed on the draft.

One of the difficulties is getting MTE to attend any of the discussions or meetings that the Tribe has invited them to. It would be difficult to determine what this year's stumpage values are if the Tribe used last year's rates, this would not be an accurate picture.

There has been several meeting(s) between the Tribal Chairman and MTE Board of Directors Chairman concerning this item, and the Committee would like to know what transpired at these meetings before proceeding further.

**Motion made by Susan Waukau to recommend to the Tribal Chairman to have a follow up meeting with the MTE Board of Directors Chairman to follow up on Ordinance 02-22, and have the response back by October 30, 2009. Second was by Rick Warrington. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 2 absent (M. Warrington and Grignon).**

The Committee will send both drafts to the Legal Department for review.

**Motion made by Susan Waukau to send the Draft for Distribution of Forest Profits and the Draft Timber Severance Tax to the Legal Department for them to review for constitutionality. Second was by Rick Warrington. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 2 absent (M. Warrington and Grignon).**

When the response has been received from the Legal Department, these two drafts will be added to the agenda for consideration.

5. Amendment to Ordinance # 05-22: Discussion and Recommendations

Chairman Chevalier explained to the Committee that the timelines were removed due to the fact that emergency meetings needed to be held in order for the Tribe to be in compliance with the Ordinance. The definitions were moved to the front of the document. The timber harvest approval process section has been added with grammatical and formatting changes done throughout the amendment.

The Committee discussed what the advantages are to removing the timelines. The Committee was concerned that if the timelines were removed, MTE would not do their work in a timely manner. The Committee would like to see a flow chart on how the prescriptions, and treatment notices would be processed under the proposed amendment.

**Motion made by Al Pyatskowitz to table Ordinance 05-22. Second was by Susan Waukau. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 2 absent (M. Warrington and Grignon).**

6. Checklist Development: Discussion and Recommendations

The checklist was approved by the Legislature and Christopher Caldwell will work on the format and have this ready for the next meeting.

**Motion made by Jeremy Pyatskowitz to table the Checklist Development. Second was by Walter Cox. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 2 absent (M. Warrington and Grignon).**

7. Resolution # 07-02: Discussion and Recommendations

Chairman Chevalier informed the Committee that he believes that the BIA needs to concur with any lands that are removed from sustain yield. Rick Warrington stated the process on how land is requested for removal from sustain yield. Chairman Chevalier would like some follow up to identify lands that have been removed from sustain yield in order to protect the lands from being developed or marketed.

Who is responsible for forwarding paperwork that the Legislature has passed. Resolution 07-02 needs to be sent immediately to the Bureau for notification. There was an amendment to the Resolution by MTL motion to allow the museum to build, and the Committee discussed this further on how to resolve this.

**Motion made by Walter Cox to recommend to the Legislature to send Resolution 07-02 to the BIA for Forest Management concurrence. Second was by Jeremy Pyatskowitz. All those in favor of the motion signify by saying aye. Motion carried: 5 for, 1 opposed (R. Warrington), 0 abstentions and 2 absent (M. Warrington and Grignon).**

**Please note:** Rick Warrington qualified his opposition as follows: "I feel that this is affecting other departments within the Tribe here by going ahead, and sending this out without really considering the effects that it can have on the development of other projects; and I know that we are in talk of building a radio tower to improve communication, and that land is in sustain yield, and it is within that corridor of the Wolf River. So we would not be able to do that as well as build our new detentions facility if it ever gets approved without getting other committee concerns."

**Please Note:** Al Pyatskowitz and Anthony Waupochick left at 4:59 p.m. to attend another meeting. The Forestry Committee lost their quorum for a variety of reasons and could not meet on the rest of the agenda items. Susan Waukau stayed to adjourn the meeting.

## 12. Adjournment

**Motion made by Jeremy Pyatskowitz to adjourn the meeting. Second was by Walter Cox. All those in favor of the motion signify by saying aye. Motion carried: 4 for, 0 opposed, 0 abstentions and 4 absent (M. Warrington, Grignon, Al Pyatskowitz, Anthony Waupochick).**

Meeting adjourned at 5:00 p.m.

Respectfully submitted by,

Linda Peters, Recorder/Transcriber  
Recording Clerk, Chairman's Office