

**Maine Indian Tribal-State Commission
Wednesday, September 15, 2021
Remote Meeting by Zoom
With Audio Stream for the Public**

Commissioners Present by Zoom:

Sarah Medina, Bob Checkoway, Kevin Hancock, John Banks, Bert Polchies, James Cote, Ezekiel Crofton-Macdonald, Richard Rosen, Sam St. John, Joey Barnes.

Staff Present by Zoom: Paul Thibeault (Managing Director), Rachel Bell (Projects Coordinator)

Guests Present by Zoom: Judson Etsy-Kendall, Anthony Sutton

Public: By audio stream

Review of Agenda

Managing Director Paul Thibeault referred the commissioners to his email earlier in the morning notifying them regarding Paul Downing's resignation as MITSC chairperson. That email reported that Paul Downing resigned on September 14, effective immediately. As a result, Paul Downing will not be attending the meeting. It was decided by consensus that, in the absence of a chairperson, the Managing Director would facilitate the meeting.

The draft Agenda was reviewed. Two new agenda items were added, the first to address filling the vacancy in the chairperson position, and the second to provide time for an announcement from John Banks at the end of the meeting.

Approval of Minutes- Commissioners reviewed minutes from April 21, 2021.

Motion: James Cote made a motion to approve the minutes for April 21, 2021 as drafted.

Seconded by Kevin Hancock. Motion approved unanimously.

Commissioners also reviewed minutes from June 16, 2021.

Motion: Sarah Medina made a motion to approve the minutes for June 16, 2021 as drafted.

Seconded by John Cashwell. Motion approved with James Cote abstaining.

Financial Report- Paul Thibeault summarized the written financial report, which included the current balance sheet, and shared that spending continues to be below projections due to the pandemic. There were no questions.

Managing Director Report- Paul Thibeault referred the Commissioners to the written report outlining administrative work and other projects that took place from the June 16th meeting to the present.

Motion: Bob Checkoway made a motion to approve the Financial Report and the Managing Director Report. Seconded by Sarah Medina. The motion was approved unanimously.

Sustenance Study Update: Judson Etsy-Kendall and Tony Sutton provided an update on the present status of the Sustenance Fishing Study. Much of the information has been gathered and continues to be incorporated into the narrative. Interviews have begun with Tribal members to explore the question of what sustenance means to them. Commissioners were encouraged to read the most recent draft of the report and offer feedback. Paul Thibeault stated that he would send the most recent draft to Commissioners by email.

Update on the Proposal to Amend the Maine Implementing Act: Paul Thibeault stated that over the summer, the Attorney General, the Governor’s office, and the Tribal Attorneys have been in communication about the bill, LD 1626. Paul is not aware of any specific revisions at this point, but the bill will likely evolve before the next legislative session in January.

LD1626, Review Provisions that Directly Involve MITSC- After a period of discussion it was decided that this topic would be revisited in the November meeting. It was requested that, prior to the November meeting, staff prepare a compilation of some of the pros and cons related to the sections of the bill involving MITSC.

Review Proposed MITSC Budget for FY2022- The Commissioners reviewed the budget for FY22 and agreed to approve it with one amendment—to add in the FY2021 Forward Carry-over that would eliminate the deficit and provide a balanced budget.

Motion: John Cashwell made a motion to adopt the Amended Budget for FY22. Seconded by Sarah Medina. The motion was approved unanimously.

Review Draft Revisions of MITSC Financial Policy- Two changes to MITSC’s financial policy were discussed, which included changing the term “administrative assistant” to “contractor” and allowing reimbursement up to \$500 to be approved by the accounting contractor. Any reimbursement over \$500 would require approval from the chairperson.

Motion: John Cashwell made a motion to adopt the revisions to MITSC’s Financial Policy. Seconded by Bert Polchies. The motion was approved unanimously.

Potential Agenda Items for November Meeting- By consensus, the agenda for the next meeting will include: updating the work plan; an update on the Sustenance Study;

attendance by the Judiciary Committee co-chairs; presentation by REACH; continued discussion of LD1626; update on Wolfden projects; reorganization of MITSC Committees.

Wolfden Mining- It was discussed that the Commission should stay abreast of Wolfden's two mining projects, Pickett Mountain and Big Silver, and their potential negative impact on Tribal watersheds and fisheries. It was suggested that the Commission could invite Tribal staff to present on this topic at a future meeting. Paul Thibeault offered to send a letter re-iterating to Wolfden that they should be consulting with the Tribes directly and that presenting to MITSC is not a substitute for Tribal consultation.

Motion: Bert Polchies made a motion to send the letter to Wolfden, as suggested. Seconded by John Banks. The motion was approved unanimously.

Reorganize MITSC Committees- The need to revitalize and reorganize MITSC committees was discussed, as was the addition of a Legislative and Policy Committee. It was suggested that Paul Thibeault draft recommendations regarding committee structure and circulate this to Commissioners to consider before the next meeting.

Finding a New Chairperson- Strategies for finding a new chairperson were discussed, as was the idea that choosing an existing Commissioner to fill this role may best offer critical continuity at this juncture. This issue will be addressed at the next meeting

John Banks Resignation Announcement- John Banks announced that after 34 years he is resigning from the Commission, effective at the adjournment of today's meeting. He wished the Commission well and said he is confident that MITSC will continue to play a role in improving Tribal-State relations.

Motion to Adjourn: Bob Checkoway made a motion to adjourn the meeting. Seconded by John Cashwell. The motion was approved, and the meeting was adjourned.