



**THE MILLE LACS BAND OF**  
**OJIBWE INDIANS**

*Legislative Branch of Tribal Government*  
**Secretarial Order 017-00**

**A Secretarial Order Requiring the Production of Financial,  
Records, Accounts, Contracts and Other Documents.**

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(d) the Secretary-Treasurer has the authority to investigate financial irregularities; and

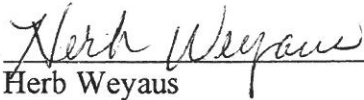
WHEREAS, pursuant to 3 MLBSA § 7(e), the Secretary-Treasurer has the authority to require the production of financial books, records, accounts and other documents from any political subdivision of the Mille Lacs Band that will aid him in the performance of his job; and

WHEREAS, the Commissioner of Corporate Affairs, Ken Mimmac has failed to provide various financial records and documents to the Secretary-Treasurer despite repeated requests for such documents; and

WHEREAS, the lack of accountability by failing to produce financial documents requested by the Secretary-Treasurer jeopardizes the financial integrity of the Mille Lacs Band

THEREFORE BE IT ORDERED that the Commissioner of Corporate Affairs, Ken Mimmac is ordered to produce all documents as described in Attachment A within 10 working days of receipt of this Order to the Secretary-Treasurer.

Dated this 24 day of March, 2000.

  
\_\_\_\_\_  
Herb Weyaus  
Secretary-Treasurer

Effective Date: March 27, 2000

Expiration Date: Upon the delivery of all documents listed in Attachment A to the Secretary-Treasurer.

**OFFICIAL SEAL OF THE BAND**

**DISTRICT I**

HCR 67, Box 194 • Onamia, MN 56359  
(320) 532-4181 • Fax (320) 532-4209

**DISTRICT II**

Route 2 • Box 58 • McGregor, MN 55760  
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**DISTRICT III**

Route 2 • Box 233-N • Sandstone, MN 55072  
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## ATTACHMENT A

1. Any and all contracts over the last 5 years involving Goff & Howard.
2. Any and all contracts over the last 5 years involving the Lockridge Grindal law firm.
3. Any and all contracts over the last 5 years involving Holland and Knight.
4. Any and all contracts over the last 5 years involving Ron Maddox or Ideas=Results.
5. Any and all contracts involving the Laguna Pueblo or its business entities.
6. Any and all contracts involving the Indian Wells Water Co.
7. The purchasing and procurement policies and processes for the Corporate Commission, Grand Casino Mille Lacs, Grand Casino Hinckley and all other corporate entities owned or operated by the Corporate Commission.
8. The accounting policies and processes for funds allocated for housing purposes to the Corporate Commission.
9. Records of all expenditures involving Laguna Pueblo or its entities.
10. Billing statements and records of all expenditures for Goff & Howard for the last 5 years including payment authorizations.
11. Billing statements and records of all expenditures for the firm of Lockridge and Grindal for the last five years including payment authorizations.
12. Billing statements and records of all expenditures for Holland and Knight for the last 5 years including payment authorizations.
13. Billing statements and records of all expenditures for Ron Maddox or Ideas=Results for the last 5 years including payment authorizations.
14. Separate financial statements for each and every entity owned by the Corporate Commission.
15. An accounting of salaries and wages for each position in the Corporate Commission including fringe benefit and bonuses.

16. An accounting of salaries, wages, fringe benefit including bonuses for each vice president, director, general manager, and chief financial officer of Grand Casino Mille Lacs and Hinckley.
17. A detailed record of all expenditures for all accounts from which payments have been made over the last five years to Ron Maddox, Ideas=Results, Lockridge and Grindal, Goff & Howard and Holland and Knight.



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

**Secretarial Order 018-00**

WHEREAS, pursuant to 4 MLBSA Section 16(a), the Interior Legal Counsel of the Band shall be known as the Solicitor General; and

WHEREAS, pursuant to 4 MLBSA section 18(d), the Solicitor General has the responsibility and obligation to interpret all laws and policies on behalf of the Mille Lacs Band; and

WHEREAS, pursuant to 4 MLBSA section 18(f), the Solicitor General has the responsibility and authority to advise and assist the Band Assembly in the achievement of a clear, faithful, and coherent expression of the laws and policies of the Mille Lacs Band; and

WHEREAS, the Band Assembly of the Mille Lacs Band of Ojibwe requested the attached opinion from the Solicitor General of the Mille Lacs Band of Ojibwe on December 6, 1999; and

WHEREAS, as of March 23, 2000, one hundred and eight (108) days have passed since Band Assembly's request and the Solicitor General has not responded; and

WHEREAS, Minnesota Rule of Professional Responsibility 1.3 states that a lawyer *shall* act with reasonable diligence and promptness in representing a client; and

WHEREAS, commentary to Rule 1.3 states that a lawyer should pursue a matter on behalf of a client despite opposition, obstruction or personal inconvenience... and perhaps no professional shortcoming is more widely resented than procrastination; and

WHEREAS, pursuant to Section 1 and 3 of the Mille Lacs Band Code of Conduct, the Solicitor General is defined as a Band official and must comply with the provisions of the Mille Lacs Band Code of Conduct; and

WHEREAS, pursuant to Section 11 of the Code of Conduct, Band officials must serve the membership with respect, concern, courtesy and responsiveness, recognizing that service to the Band and its membership is more important than service to oneself; and

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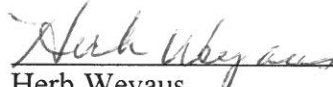
WHEREAS, pursuant to 3 MLBSA Section 7(a), the Secretary/Treasurer has the power and duty to superintend and manage all fiscal operations of the Band; and

WHEREAS, pursuant to 3 MLBSA Section 7(f) the Secretary/Treasurer has the power and duty to impound or attach any financial account of the Mille Lacs Band of Ojibwe Indians or any political subdivision thereof to prevent serious financial jeopardy or acts in violation of law; and

WHEREAS, pursuant to 3 MLBSA Section 7(g) the Secretary/Treasurer has the power and duty to issue Secretarial Orders to implement decisions concerning matters of the fiscal affairs of the Band consistent with the powers herein delegated.

NOW, THEREFORE, BE IT ORDERED, that by the authority vested in the Secretary/Treasurer pursuant to 3 MLBSA Section 7(f), I, Herb Weyaus, Secretary/Treasurer of the Mille Lacs Band do hereby order that the pay of Solicitor General Adam Altman be immediately impounded until Mr. Altman delivers to Band Assembly as requested on December 6, 1999, a Solicitor's Opinion stating whether or not the Band Assembly is required by Band Statutes to ratify changes in the Personnel Policy Manual on an annual basis.

Dated this 23<sup>rd</sup> day of March, 2000

  
\_\_\_\_\_  
Herb Weyaus  
Secretary/Treasurer

Expiration Date: Upon delivery to Band Assembly of the requested Solicitor's Opinion.

Official Seal of the Band



**THE MILLE LACS BAND OF  
OJIBWE INDIANS**

*Legislative Branch of Tribal Government*  
**Secretarial Order 019-00**

**A Secretarial Order Repealing Secretarial Order 018-00**

WHEREAS, pursuant to 3 MLBSA § 7 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 the Secretary-Treasurer has the authority to issue Secretarial Orders to implement decisions concerning matters of the fiscal of the Band; and

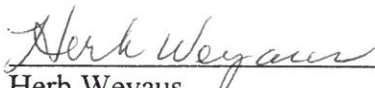
WHEREAS, pursuant to 3 MLBSA § 7, I, Herb Weyaus as Secretary-Treasurer of the Mille Lacs Band issued Secretarial Order 018-00 impounding the pay of Solicitor General, Adam H. Altman until such time as an Opinion of the Solicitor General would be delivered to the Band Assembly as requested on December 6, 1999; and

WHEREAS, Adam H. Altman commenced a civil action in the Court of Central Jurisdiction (00CV707) seeking a declaratory judgment that Secretarial Order 018-00 is invalid; and

WHEREAS, the interests of the Office of the Secretary/Treasurer to superintend and manage all fiscal operations of the Mille Lacs Band are furthered by a mutual resolution of that civil action as reflected in the Stipulation and Order for Dismissal.

NOW THEREFORE BE IT ORDERED that Secretarial Order 018-00 is hereby repealed pursuant to the Stipulation and Order for Dismissal In The Matter of Secretarial Order No. 018-00.

Dated this 27th day of April 2000.

  
Herb Weyaus  
Secretary-Treasurer

Effective Date: April 27, 2000

Expiration Date: None

OFFICIAL SEAL OF THE BAND



**THE MILLE LACS BAND OF**  
**OJIBWE INDIANS**

*Legislative Branch of Tribal Government*

**Secretarial Order 020`-00**

**A Secretarial Order Requiring the Production of Financial,  
Records, Accounts, Contracts and Other Documents.**

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(d) the Secretary-Treasurer has the authority to investigate financial irregularities; and

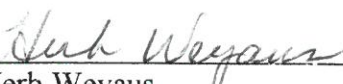
WHEREAS, pursuant to 3 MLBSA § 7(e), the Secretary-Treasurer has the authority to require the production of financial books, records, accounts and other documents from any political subdivision of the Mille Lacs Band that will aid him in the performance of his job; and

WHEREAS, I, Herb Weyaus, Secretary/Treasurer of the Mille Lacs Band of Ojibwe issued Secretarial Order 017-00 requiring the production of certain documents from the Commissioner of Corporate Affairs, Ken Mimmack; and

WHEREAS, upon review of documents produced by the Corporate Commission the Band Assembly has determined that there is inadequate information for it to proceed with various legislative measures and has asked for the production of additional documentation pursuant to Secretarial Orders in order to avoid a Legislative Inquiry; and

THEREFORE BE IT ORDERED that the Commissioner of Corporate Affairs, Kenneth Mimmack is ordered to produce and deliver to the Secretary/Treasurer all documents described in Attachment A within 10 consecutive days of receipt of this Order.

Dated this \_\_\_28th\_\_\_ day of April 2000.

  
\_\_\_\_\_  
Herb Weyaus  
Secretary-Treasurer

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Effective Date: April 28, 2000

Expiration Date: Upon the delivery of all documents listed in  
Attachment A of this Secretarial Order.

**OFFICIAL SEAL OF THE BAND**



## ATTACHMENT A

1. Combining balance sheet income statement and statement of cash flows for the Corporate Commission and all of its ventures as of and for the period ending 9/30/99 (Note: This information should tie to the audited financial statements previously submitted from the Corporate Commission). In addition, as an attachment to the balance sheet please include a break down of the investments in current assets and the investments in partnerships and securities in non-current assets. Finally, as an attachment to the income statement please include a break down on any losses in investments and securities for fiscal year (fy) 1998, 1999, and 2000
2. Combining balance sheet income statement and statement of cash flows for the Corporate Commission and all of its ventures as of and for the period ended 3/31/00. In addition, a break down of the investments in current assets and the investments in partnerships and securities in non-current assets. Also, as an attachment to the income statement please include a break down on any losses in investments and securities for fy 1998, 1999, and 2000.
3. The fy 1999 and 2000 original budget approved by the board of directors for the Corporate Commission and all of its ventures, joint ventures, and partnerships (Note: In addition, please include a breakdown of administrative and project budgets for the holding company).
4. A summary of all budget revisions for fy 1999 and 2000 and final amended budget for fy 99 and 2000 for the Corporate Commission and all its ventures.
5. General ledger detail, including line by line all payments made on all accounts of the Corporate Commission Holding Company for all of fy 99 and 2000 through 3/31/00 (Note: Please include an explanation of which general ledger accounts are combined to generate amounts on the combining financial statements listed in numbers one and two of this attachment).
6. A description explaining in detail the incentive plan for fy 1998 and 1999 for the Corporate Commission and all its ventures.
7. An Internal Revenue Service form W-2 for all persons in management positions for the Corporate Commission Holding Company and all of its ventures for 1998 and 1999. Also, the records which breakdown how much of the W-2 wages were salary, bonus, and taxable fringe benefits.
8. Records stating the levels of bonus achieved by all persons in management positions in the Corporate Commission and its ventures and how these were determined for 1998 and 1999..

9. All documentation relating to the Corporate Commission's "phantom stock plan."
10. Summary of all business opportunities currently being considered by the Corporate Commission, including business plans and names of individuals who are the principals in the ventures and who initially informed the Corporate Commission about such ventures. In addition, please include the status of the business evaluation process.
11. Complete documentation pursuant to any donations and community relations expenditures paid for by the Corporate Commission or its ventures, including the person(s) and entities making the decisions, what criteria or guidelines are followed prior to donating, and which general ledger accounts these amounts are applied to.
12. Provide a complete written explanation of the program for designating a vendor as either primary or secondary for the Corporate Commission and its ventures.
13. Complete documentation on the fees charged pursuant to the three percent (3%) CVB tax/fee and where this revenue is expended and how such determination is arrived at.
14. Any and all contracts pursuant to numbers 1 through 3 on Attachment A of Secretarial Order 017-00.



**THE MILLE LACS BAND OF  
OJIBWE INDIANS**

*Legislative Branch of Tribal Government*

**Secretarial Order 021-00**

**A Secretarial Order Requiring the Mille Lacs Circle of Health Corporation to Comply with Certain Financial Processes of the Mille Lacs Band.**

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) and (g), the Secretary-Treasurer has the authority to issue Secretarial Orders to implement decisions concerning the fiscal affairs of the Mille Lacs Band and any political subdivision thereof; and

WHEREAS, the Mille Lacs Circle of Health Insurance Corporation is a Corporate Body Politic as defined in 16 MLBSA § 2101 (b) and as a Corporate Body Politic a political subdivision of the Mille Lacs Band of Ojibwe; and

WHEREAS, the absence of clearly defined purchasing and financial procedures for the Mille Lacs Circle of Health Corporation has caused confusion and misunderstandings which ultimately limits the effectiveness of services to Mille Lacs Band members.

THEREFORE BE IT ORDERED that the Office of Management and Budget of the Mille Lacs Band shall not process any purchase orders or check requests from the Mille Lacs Circle of Health Corporation that does not fully comply with all provisions of Ordinance 11-98 except § 26 and as is otherwise provided in this Secretarial Order.

BE IT FURTHERE ORDERED that the Office of Management and Budget of the Mille Lacs Band shall not process any check requests from the Mille Lacs Circle of Health Corporation for contracts that have not been approved in the following manner; (1) review and approval by the Office of Management and Budget for budgetary and payment term consideration (2) review and approval by an attorney lawfully performing work for the Circle of Health or the Solicitor General of the Mille Lacs Band for contracts in excess of \$5000 (3) review and approval from the Board of Directors of the Circle of Health for contracts in excess of \$5000 (4) review and approval by the Band Assembly for all contracts in excess of \$25,000.

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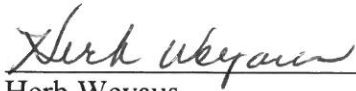
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Secretarial Order 021-00  
Page 2

Dated this \_\_28th\_\_ day of September 2000.



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Herb Weyaus  
Secretary-Treasurer

Effective Date: September 28, 2000

Expiration Date: March 31, 2001

**OFFICIAL SEAL OF THE BAND**



# MILLE LACS BAND OF CHIPPEWA INDIANS

Legislative Branch of Tribal Government

SECRETARIAL ORDER 22-01

Repealed by Sec Order 23-03

## A SECRETARIAL ORDER REGULATING ACCESS TO BAND GOVERNMENT FINANCIAL DATA AND FINANCIAL DATA ON INDIVIDUALS IN THE OFFICE OF MANAGEMENT AND BUDGET

**WHEREAS,** 3 MLBSA § 7 authorizes the Secretary-Treasurer of the Non-Removable Mille Lacs Band of Ojibwe to administer the financial affairs of the Band; and

**WHEREAS,** 3 MLBSA § 7(a) further authorizes the Secretary-Treasurer of the Non-Removable Mille Lacs Band of Ojibwe to superintend and manage all Band fiscal operations, planning and budgeting activities; and

**WHEREAS,** the laws of the Non-Removable Mille Lacs Band of Ojibwe do not expressly authorize the Office of Management and Budget to collect, create, store, maintain, and disseminate Band financial government data and financial data on individuals; and

**WHEREAS,** the laws of the Non-Removable Mille Lacs Band of Ojibwe do not regulate access to Band government financial data and financial data on individuals maintained by the Office of Management and Budget; and

**WHEREAS,** implementing the powers and duties of the Secretary-Treasurer of the Non-Removable Mille Lacs Band of Ojibwe under 3 MLBSA § 7 requires that the Office of Management and Budget collect, create, store, and maintain Band government financial data and financial data on individuals; and

**WHEREAS,** in the absence of Band law, there is a need to authorize the Office of Management and Budget to collect, create, store, maintain, and disseminate Band government financial data and financial data on individuals and to direct that office as to the conditions for granting or denying access to that data.

**NOW THEREFORE, BE IT ORDERED,** that it shall be the policy of the Office of Management and Budget that establishes a presumption that Band government financial data are public and are accessible by the Band public for both inspection and copying unless there is a federal statute, Band statute, or the financial data is classified as *not public*.

**IT IS FURTHER ORDERED,** that until such time as legislation is enacted with regard to Band government financial data and financial data on individuals, the Commissioner of Finance is authorized to classify Band government financial data and financial data on individuals as either "*public data*" or "*not public data*."

Repealed by Sec. Order 23-03

**IT IS FURTHER ORDERED**, that any financial data classified as “*public data*” shall be accessible only to any enrolled member of the Band under the following guidelines:

A request to inspect or obtain copies of public financial data shall be made to the Commissioner of Finance and may be made orally or in writing. The Commissioner of Finance may insist on a written request only if the complexity of the request or the volume of records requested would jeopardize the efficiency or accuracy of the response to a request. All requests must include sufficient information to reasonably identify the public financial data being sought, but the requesting Band member shall not be required to have detailed knowledge of the Office of Management and Budget’s filing system or procedures, nor shall the requesting Band member be required to disclose the purpose of the request.

Upon receipt of such request, a Band member shall be allowed to inspect or to obtain copies of original versions of financial data classified as “public data” during regular working hours.

If the Commissioner of Finance cannot promptly grant a request for public financial data, or at all, an explanation shall be given to the requesting Band member as soon as possible. The requesting Band member has the right to at least the following information: the nature of any problem preventing access, and the specific reason for the delay or denial in granting the Band member’s request for the financial data.

If the Commissioner of Finance is uncertain as to the status of any financial data, the Commissioner of Finance may ask for a determination from the Solicitor General of the Band’s Department of Justice. The Solicitor General shall promptly make a determination and deliver or forward it by any electronic means or by mail to the Commissioner of Finance.

The Commissioner shall not charge any fee to inspect any public financial data, but shall charge a copy fee of 10 cents per copy.

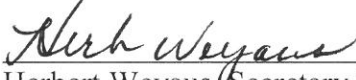
**IT IS FURTHER ORDERED**, that the Commissioner of Finance shall classify any Band government financial data or financial data on an individual as “*not-public data*” if the disclosure of such data would be likely to substantially jeopardize the Band’s financial security interests, the security of records, possessions, individuals, or property in the possession or custody of the Office of Management and Budget.

Repealed by Sec. Order  
23-03

**IT IS FURTHER ORDERED**, that nothing in this Secretarial Order is intended to restrict access to Band government data in the performance of official duties by any elected official or executive officer.

**IT IS FURTHER AND FINALLY ORDERED**, any decision of the Commissioner of Finance to classify financial data or deny access to Band government financial data or financial data on individuals must be appealed, in writing, to the Secretary-Treasurer within five working days from the date of the decision.

Dated this 2nd day of February 2001.

  
\_\_\_\_\_  
Herbert Weyaus, Secretary-Treasurer

Expiration Date: OPEN

**APPROVED AS TO FORM AND EXECUTION:**

\_\_\_\_\_

Solicitor General

**OFFICIAL SEAL OF THE BAND**



# THE MILLE LACS BAND OF OJIBWE INDIANS

*Legislative Branch of Tribal Government*

## SECRETARIAL ORDER 23-03

### **A SECRETARIAL ORDER REGULATING ACCESS TO FINANCIAL DATA WITHIN THE CONTROL OF THE LEGISLATIVE BRANCH OF BAND GOVERNMENT**

**WHEREAS**, Article VI, section 1(a) grants the Reservation Business Committees, “[t]o administer any funds within the control of the Reservation; to make expenditures from Reservation funds for salaries, expenses of Reservation officials, employment or other Reservation purposes.

**WHEREAS**, Article VI, section 1(a) states that “[a]ll expenditures of Reservation funds under the control of the Reservation Business Committees shall be (sic) (in) accordance with a budget, duly approved by resolution in legal session, and the amounts so expended shall be a matter of public record at all reasonable times.

**WHEREAS**, Article VI, section 1(e) grants the Reservation Business Committees the authority, “[t]o delegate to committees, officers, employees or cooperative association any of the foregoing authorities, reserving the right to review any action taken by virtue of such delegated authorities.

**WHEREAS**, Title 3 MLBSA section 1 states that, “[a]ll legislative political authority of the Non-Removable Mille Lacs Bands of Chippewa Indians shall be vested in the Legislative Branch of government. The Legislative Branch of government shall be known as the Band Assembly.

**WHEREAS**, Title 3 MLBSA section 1 states that “[a]ll legislative authority of the Mille Lacs Reservation Business Committee shall be exercised by the Band Assembly.

**WHEREAS**, Title 3 MLBSA section 1 states that, “[t]he Secretary-Treasurer shall be the leader of the Band Assembly. The Secretary-Treasurer shall exercise his/her financial duties under the title “Secretary of Treasury.”

**WHEREAS**, Title 3 MLBSA section 7 states that, “[t]he Secretary-Treasurer shall have the following general powers and duties in administrating the financial affairs of Band government:



- (a) To superintend and manage all fiscal operations, planning and budgeting of the Non-Removable Mille Lacs Band of Chippewa Indians as authorized by the Band Assembly;
- (c) To receive and receipt for all monies paid into the Band treasury and safely keep the same until lawfully disbursed by formal appropriation;
- (e) To require the production of such books, accounts, documents and property under any lawful financial inquiry in all things that will aid him/her in the performance of his/her duties;
- (f) To levy, impound or attach any financial account of the Non-Removable Mille Lacs Band of Chippewa Indians or any political subdivision thereof to prevent serious financial jeopardy or acts in violation of law. This authority shall not be exercised to contravene any lawful acts of the Band Assembly;
- (g) To issue Secretarial Orders to implement decisions concerning matters of the fiscal affairs of the Band consistent with the powers herein delegated. Such written orders shall be in uniform format, numbered consecutively and have expiration dates;
- (j) The Secretary-Treasurer shall coordinate with the Commissioner of Finance for the Office of Management and Budget, to ensure that financial planning and operations are consistent.

**WHEREAS**, Title 22 section 104(a) states that, “[t]he Commissioner of Finance shall be the chief administrative officer of the Office of Management and Budget pursuant to the directives of the Band Assembly.

**WHEREAS**, Title 22 section 111 states that, “[t]his section shall not be construed as granting the Commissioner of Finance any power to release information under his direct control to any exterior person, entity or government. All information collected shall be deemed highly classified and confidential.

**WHEREAS**, the Secretary-Treasurer of the Mille Lacs Band of Ojibwe Indians, as authorized by the Band Assembly, requires the Commissioner of Finance to create, collect, maintain and store Band budgets and amounts expended;

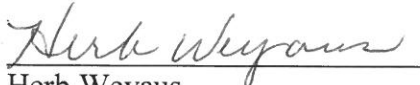
**NOW THEREFORE, BE IT ORDERED**, that any previous Secretarial Orders regulating financial data is hereby repealed and replaced.

**IT IS FURTHER ORDERED**, that the Commissioner of Finance, shall make available for inspection and/or copying (at cost) by Band members during business hours, all appropriation bills duly passed and signed into law, and gross amounts expended pursuant to each line item in such appropriation bill;

**IT IS FURTHER ORDERED**, that the Commissioner of Finance shall not release or in any way make available any information under the Commissioner’s direct control to any exterior person, entity or government without the express written authorization of the Secretary-Treasurer and the Band Assembly;

**IT IS FURTHER ORDERED**, that the Commissioner of Finance shall not in any way make available any information other than that required by this Order and Band law without the express written authorization of the Secretary-Treasurer and the Band Assembly.

Dated this 10<sup>th</sup> day of July 2003

  
Herb Weyaus  
Secretary-Treasurer

**OFFICIAL SEAL OF THE BAND**



# THE MILLE LACS BAND OF OJIBWE INDIANS

*Legislative Branch of Tribal Government*

## **Secretarial Order 025-04**

### **A Secretarial Order Attaching and Impounding Certain Funds of the Executive Branch**

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 14, 2004 in Joint Session duly convened, a vote on a motion to suspend the Commissioner of Administration, Sheldon Boyd, without pay, complete a rule 25 and recommendation following the completion of the Rule 25, effective April 19, 2004 and ending May 3, 2004 vote was taken and passed; and

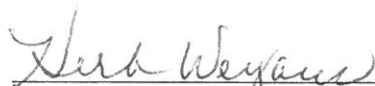
WHEREAS, if the above directive was not followed, then he shall continue on suspension without pay for another two weeks, ending May 17<sup>th</sup>, 2004.

THEREFORE BE IT ORDERED that the Office of Management and Budget is prohibited from issuing payment of hourly wages and/or payroll checks to Sheldon Boyd, Commissioner of Administration during the time period commencing May 3, 2004 and ending May 17, 2004.

IT IS FURTHER AND FINALLY ORDERED that the Office of Management and Budget is prohibited from processing any document requesting payment of Band funds as wages and/or salary to Sheldon Boyd which are asserted to be due and owing for the time period commencing May 3, 2004 and ending on May 17, 2004.

Secretarial Order 025-04

Dated this 30th day of April, 2004.



Herb Weyaus, Secretary-Treasurer

Effective Date: May 3, 2004

Expiration Date: May 17, 2004

**OFFICIAL SEAL OF THE BAND**



# THE MILLE LACS BAND OF OJIBWE INDIANS

*Legislative Branch of Tribal Government*

## SECRETARIAL ORDER 26-05

### **A SECRETARIAL ORDER REQUIRING ALL PERSONS EMPLOYED BY THE MILLE LACS BAND OF OJIBWE TO SIGN A CONFIDENTIALTY AGREEMENT IN ORDER TO ENSURE THE PROTECTION OF THE FINANCIAL ASSETS OF THE BAND**

**WHEREAS**, 3 MLBSA Section 1 authorizes “all legislative political authority of the Non-Removable Mille Lacs Bands of Chippewa Indians shall be vested in the Legislative Branch of government. The Legislative Branch of government shall be known as the Band Assembly.”

**WHEREAS**, 3 MLBSA Section 1 further authorizes that “all legislative authority of the Mille Lacs Reservation Business Committee shall be exercised by the Band Assembly.”

**WHEREAS**, 3 MLBSA Section 1 stipulates that, “the Secretary-Treasurer shall be the leader of the Band Assembly. The Secretary-Treasurer shall exercise his/her financial duties under the title “Secretary of Treasury.”

**WHEREAS**, 3 MLBSA Section 7 empowers the Secretary-Treasurer with the following general powers and duties in administrating the financial affairs of Band government:

- (a) To superintend and manage all fiscal operations, planning and budgeting of the Non-Removable Mille Lacs Band of Chippewa Indians as authorized by the Band Assembly;
- (b) To enforce on behalf of the Band, all judgments and claims rendered in its favor;
- (c) To receive and receipt for all monies paid into the Band treasury and safely keep the same until lawfully disbursed by formal appropriation;
- (d) To have powers of investigations of financial irregularity;
- (e) To require the production of such books, accounts, documents and property under any lawful financial inquiry in all things that will aid him/her in the performance of his/her duties;

- (f) To levy, impound or attach any financial account of the Non-Removable Mille Lacs Band of Chippewa Indians or any political subdivision thereof to prevent serious financial jeopardy or acts in violation of law. This authority shall not be exercised to contravene any lawful acts of the Band Assembly;
- (g) To issue Secretarial Orders to implement decisions concerning matters of the fiscal affairs of the Band consistent with the powers herein delegated. Such written orders shall be in uniform format, numbered consecutively and have expiration dates;
- (h) To nominate in conjunction with the Chief Executive a suitable person to act as the Commissioner of Finance;
- (i) The Secretary-Treasurer shall post a fidelity bond in favor of the Non-Removable Mille Lacs Band of Chippewa Indians in an amount satisfactory to the Band Assembly;
- (j) The Secretary-Treasurer shall coordinate with the Commissioner of Finance for the Office of Management and Budget, to ensure that financial planning and operations are consistent.

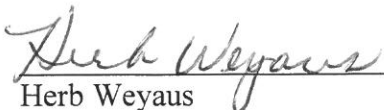
**WHEREAS**, the Secretary-Treasurer is empowered by Band law to ensure that the financial information of the Mille Lacs Band of Ojibwe is kept safe and is not distributed to any party/parties that are not authorized to receive such information;

**WHEREAS**, the Secretary-Treasurer believes it is in the best interest of the Mille Lacs Band of Ojibwe to require that all government employees sign a Confidentiality Agreement to safeguard the confidential financial information of the Band.

**NOW, THEREFORE, BE IT ORDERED**, that all existing government employees of the Mille Lacs Band of Ojibwe shall hereafter be immediately required to sign a Confidentiality Agreement in the format attached hereto.

**IT IS FURTHER ORDERED** that this Secretarial Order shall apply to all future government employees of the Mille Lacs Band of Ojibwe so as to require their signature at the time of their employee orientation.

Dated this 11<sup>th</sup> day of August, 2005.

  
Herb Weyaus  
Secretary-Treasurer

**OFFICIAL SEAL OF THE BAND**

## EMPLOYEE CONFIDENTIALITY AGREEMENT

This Agreement is made by and between the Mille Lacs Band of Ojibwe (the "Band") and \_\_\_\_\_ (the "Employee"). It is effective as of the date entered below and shall continue in effect as long as the Employee continues his/her employment with the Band.

In consideration of the Employee's employment and/or continued employment with the Band, the Employee agrees as follows:

1. To maintain strict confidentiality of all Band confidential information including any and all financial information regarding investments, financial strategies, retirement accounts, bank accounts, and/or budget information that may come to the attention of the Employee;
2. To maintain strict confidentiality of all Band Member confidential information including any and all personal financial information that may come to the attention of the Employee during the course of their employment such as individual applications for housing programs, educational programs or other Band programs;
3. To maintain strict confidentiality of all Band confidential information including any and all financial information about the Band's programs, businesses, entities or committees that may come to the attention of the Employee during the course of their employment;
4. To safeguard all Band confidential information regarding program costs or business costs;
5. To maintain strict confidentiality of any and all Band confidential information contained in employee personnel files and all employee salary information;
6. To maintain strict confidentiality of any and all Band documents concerning Band suppliers, vendors, contractors, and contracts; and
7. To maintain strict confidentiality of any other Band confidential information that may not be specifically listed herein.

This Agreement shall be governed in accordance with the laws of the Mille Lacs Band of Ojibwe. By signing this Agreement, the Employee understands and agrees that they willingly consent to the jurisdiction of the Band to resolve any and all disputes stemming from this Agreement in the Court of Central Jurisdiction. Nothing in this Agreement shall be construed as a waiver of sovereign immunity.

I, \_\_\_\_\_, have read this Agreement before signing and agree to maintain strict confidentiality in consideration for my continued employment with the Mille Lacs Band of Ojibwe. I also understand that a refusal on my part to sign this Confidentiality Agreement may result in disciplinary action against me including immediate termination.

**DATED** this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**EMPLOYEE**

\_\_\_\_\_

(Typed or Printed Name Above)

**MILLE LACS BAND OF OJIBWE**

\_\_\_\_\_

(Commissioner or Director)

(Herb Weyaus, Secretary-Treasurer, to sign for Legislative staff.)





# THE MILLE LACS BAND OF OJIBWE INDIANS

*Legislative Branch of Tribal Government*

## SECRETARIAL ORDER 27-08

### **A Secretarial Order Attaching and Impounding the Chief Executive's Budget**

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

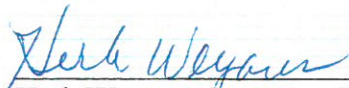
WHEREAS, pursuant to 3 MLBSA § 7(f), the Secretary-Treasurer is authorized and has the duty to levy, impound or attach any financial account of the Non-Removable Mille Lacs Band or any political subdivision thereof to prevent serious financial jeopardy or acts in violation of the law; and

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 September 24, 2008, the Secretary-Treasurer acting under authority of Band law, with the full support of the Band Assembly, does hereby attach and impound the Chief Executive's budget, including the Band credit card, to prevent any misappropriation of Band funds beginning on the date this Secretarial Order is signed and continuing until Joint Session is held to determine that no misappropriation of Band funds occurred, but no later than October 31, 2008.

**NOW, THEREFORE, BE IT ORDERED**, that the Office of Management and Budget (OMB) is prohibited from issuing any checks of any kind from the Chief Executive's budget without the signature approval of the Secretary-Treasurer beginning on the date this Secretarial Order is signed.

Dated this 24<sup>th</sup> day of September, 2008.

  
Herb Weyaus, Secretary-Treasurer

Effective Date: September 24, 2008

### **OFFICIAL SEAL OF THE BAND**

#### **DISTRICT I**

43408 Oodena Drive • Onamia, MN 56359

#### **DISTRICT II**

36666 State Hwy 65 • McGregor MN 55760

#### **DISTRICT III**

Route 2 • Box 233-N • Sandstone, MN 55072



# THE MILLE LACS BAND OF OJIBWE INDIANS

*Legislative Branch of Tribal Government*

## SECRETARIAL ORDER 28-09

### **A Secretarial Order Rescinding Secretarial Order 27-08 Attaching and Impounding the Chief Executive's Budget**

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 Non-Removable 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 September 24, 2008, the Secretary-Treasurer acting under authority of Band law, with the full support of the Band Assembly, did attach and impound the Chief Executive's budget, including the Band credit card, to prevent any misappropriation of Band funds until Joint Session could be held or beginning on September 24, 2008 through October 31, 2008; and

WHEREAS, on October 8, 2008, the Joint Session voted to remove former Chief Executive Melanie Benjamin from office; and

WHEREAS, by Band Assembly Resolution 13-02-83-08, Herbert Weyaus, Sr., Secretary-Treasurer, was appointed as Interim Chief Executive, and Sandra Blake, District I Representative, was appointed as Interim Secretary-Treasurer/Speaker of the Assembly until a Special Election can be held within the next 141 days; and

WHEREAS, therefore the need to attach and impound the Chief Executive's budget is no longer necessary and Secretarial Order 27-08 should be rescinded.

**NOW, THEREFORE, BE IT ORDERED**, that the Office of Management and Budget (OMB) is hereby notified that Secretarial Order 27-08 attaching and impounding the Chief Executive's budget is hereby rescinded and Herbert Weyaus, Sr., Interim Chief Executive, shall have full signature approval of

the Chief Executive budget beginning on this date and ending when the new Chief Executive is sworn into office after the Special Election.

Dated this 9<sup>th</sup> day of October, 2008.

  
\_\_\_\_\_  
Sandra Blake, Interim Secretary-Treasurer

Effective Date:           October 9, 2008

**OFFICIAL SEAL OF THE BAND**



THE MILLE LACS BAND OF  
**OJIBWE INDIANS**

*Legislative Branch of Tribal Government*

**SECRETARIAL ORDER 29-09**

**A SECRETARIAL ORDER APPROVING INTERIM SIGNATURE  
AUTHORITY AND SPEAKER OF THE ASSEMBLY DUTIES TO THE  
DISTRICT I REPRESENTATIVE, SANDRA BLAKE**

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(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, due to a sudden recent illness requiring a short hospitalization stay, the Secretary-Treasurer/Speaker of the Assembly understands the need to delegate signature authority and Speaker responsibilities to one of the District Representatives during the interim period; and

WHEREAS, the Secretary-Treasurer/Speaker of the Assembly does hereby delegate Sandra Blake, District I Representative, with signature authority beginning on the date this Secretarial Order is signed and ending on June 30, 2009, unless earlier revoked; and

WHEREAS, recognizing the need to continue the business of the Band Assembly, the Speaker of the Assembly does hereby delegate the duties of the Speaker to Sandra Blake, District I Representative, for the purpose of conducting meetings during the interim period ending on June 30, 2009, unless earlier revoked; and

WHEREAS, as of the date this Secretarial Order is signed, I, Herbert Weyaus, Sr., duly elected Secretary-Treasurer and Speaker of the Assembly, do hereby delegate to Sandra Blake, District I Representative, signature authority on all of the Band's Financial Accounts and Speaker responsibilities during the interim period while I am hospitalized.

NOW, THEREFORE, BE IT ORDERED THAT, due to my sudden illness requiring a short hospitalization stay, I do hereby delegate signature authority on all of the Band's Financial Accounts as well as Speaker responsibilities to **Sandra Blake**, District I Representative, beginning on the date this Order is signed and ending on June 30, 2009, unless earlier revoked by me.

**DISTRICT I**

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**DISTRICT IIA**

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

**DISTRICT III**

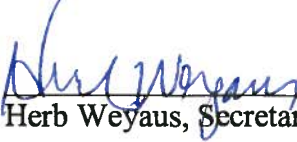
45749 Grace Lake Road • Sandstone, MN 55072  
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**URBAN OFFICE**

1433 E. Franklin Avenue, Ste. 7c • Minneapolis, MN 55404  
(612) 872-1424 • Fax (612) 872-1257

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Dated this 8<sup>th</sup> day of June, 2009.

  
\_\_\_\_\_  
Herb Weyaus, Secretary-Treasurer

Effective Date:        June 8, 2009

**OFFICIAL SEAL OF THE BAND**



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

**SECRETARIAL ORDER 30-09**

**A SECRETARIAL ORDER APPROVING INTERIM SIGNATURE  
AUTHORITY AND SPEAKER OF THE ASSEMBLY DUTIES TO THE  
DISTRICT I REPRESENTATIVE, SANDRA BLAKE**

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(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, due to a sudden recent illness requiring hospitalization and surgery, the Secretary-Treasurer/Speaker of the Assembly understands the need to delegate signature authority and Speaker responsibilities to one of the District Representatives during the interim period; and

WHEREAS, the Secretary-Treasurer/Speaker of the Assembly did hereby delegate to Sandra Blake, District I Representative, signature authority beginning on June 8, 2009 and ending on June 30, 2009 (*See* Secretarial Order 29-09); and

WHEREAS, due to the need for a medical recovery period, the Secretary-Treasurer/Speaker of the Assembly does hereby extend such signature authority to Sandra Blake, District I Representative, to **July 31, 2009**, unless earlier revoked; and

WHEREAS, recognizing the need to continue the business of the Band Assembly, the Speaker of the Assembly also extends the delegation of duties of the Speaker to Sandra Blake, District I Representative, for the purpose of conducting meetings until **July 31, 2009**, unless earlier revoked; and

WHEREAS, as of the date this Secretarial Order is signed, I, Herbert Weyaus, Sr., duly elected Secretary-Treasurer and Speaker of the Assembly, do hereby delegate to Sandra Blake, District I Representative, signature authority on all of the Band's Financial Accounts and Speaker responsibilities during the interim period while I am out of the office recovering from surgery.

NOW, THEREFORE, BE IT ORDERED THAT, due to my sudden illness requiring hospitalization and surgery, I do hereby delegate signature authority on all of the Band's Financial Accounts as well as Speaker responsibilities to **Sandra Blake**, District I Representative, beginning on June 8, 2009, as stated in Secretarial Order

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29-09 and do hereby extend such authority to **July 31, 2009**, unless earlier  
revoked by me.

Dated this 29<sup>th</sup> day of June, 2009.

  
\_\_\_\_\_  
Herb Weyaus, Secretary-Treasurer

Effective Date:        July 1, 2009

**OFFICIAL SEAL OF THE BAND**