

DULUTH INDIGENOUS COMMISSION

Monday, June 19, 2017

City Hall, Room 303

Present: Carol DeVerney, Mary Owen, Larry Heady, Kassie Helgerson (arrived at 5:45pm), Tina Olson

Absent: Babette Sandman, Donna Newgren-Isaacson, Amber Lightfeather

Staff: Suzanne Kelley, Kathy Wilson

Note: Per the request of the DIC members two Ojibwe language words are used in the meeting minutes – bezhig (“one”) indicates who made the motion and niizho (“two”) indicates who seconded the motion.

1. Call to Order, Introduction

- DeVerney called the meeting to order at 5:33 pm. Introductions were made.

2. Approval of meeting minutes

- Owen bezhig/ Heady niizho to approve the May 15, 2017 meeting minutes. **Motion passed 4:0**
- Owen bezhig/ Heady niizho to approve the May 11, 2017 (Annual Meeting) meeting minutes. **Motion passed 4:0**

3. Public Comment

- Deb Smith of the American Lung Association asked for the Commissions support of a campaign to move menthol and flavored tobacco projects to age restricted stores (such as a liquor store) to reduce the chances of these products being used by children and teens. Owen volunteered to talk with Smith to figure out the best way to provide more information about the campaign to the Commission. If the Commission decides to support the campaign with a resolution, Heady wants the message is that tobacco is sacred and should not be abused.

4. New Business

- Mission Creek- Roberta Dwyer and Duane Hill of the Minnesota Department of Transportation (MnDOT) attended the meeting to discuss the burial site that was uncovered during construction of Highway 23. They stated that construction began on May 15th. On May 26th the Fond du Lac Band notified MnDOT of a potential burial site. MnDOT worked with a state archeologist. Work stopped on June 7th at the request of the state archeologist. The next step is for MnDOT to commission a full archeological study and recover the bodies that have been disturbed. They will hire Fond du Lac Band members to help with the recovery of the bodies. Dwyer stated that MnDOT did not consult with the Fond du Lac Band prior to starting the project and MnDOT accepts full responsibility for that. Fond du Lac is providing 24/7 security at the site.

Heady asked if federal funds were used in the project. Hill responded that the project has a federal permit (for the bridge crossing state lines). Heady stated that not consulting with tribes for this project is a clear violation of Section 106 (Section 106 of the National Historic Preservation Act requires that federal agencies and projects that use federal funds take into account the effects of their undertakings on historic properties). Heady asked what are the chances of putting the ancestors back? He is concerned about making sure the ancestors are returned to their people; he does not want the ancestors who have been disturbed to be kept in storage or for their people to have to beg for their ancestors back.

DeVerney asked if spiritual actions have been taken. Other Commissioners confirmed that a pipe ceremony was conducted at the site. DeVerney also expressed concern about what will happen to the bodies of the ancestors. Hill said that the Fond du Lac Band will likely make that decision. DeVerney added that the Ethnographic Study should be consulted.

Owen asked if there is a process in place for tribal consultation. MnDOT does have a process for Section 106. For this project they worked with the State Historic Preservation Office because of the historic bridge, but they assumed that their federal partner would consult with tribes. That did not happen. MnDOT is now reviewing all ongoing projects to make sure they have consulted with tribes. MnDOT will conduct an after action review to make sure that they fulfill their obligation to consult with tribes on future projects. Owen noted the issue of visibility, that the City is not well mapped out for areas where the tribes were.

Helgerson brought up that one block away from the disturbed burial site is a park with a boulder declaring it the site of the first Ojibwe village and that should have been a sign to MnDOT that the construction site was potentially a significant tribal site. Helgerson asked the MnDOT representatives if they had thought about the emotional aspects of this – how the disturbance of the burial site is impacting people emotionally and how they can provide help.

DeVerney wants a process to designate sacred sites. Helgerson agreed and added that the City and other governing bodies need to do a better job of protecting significant Indigenous sites in Duluth. Heady added that Indian Sacred Site is a federal legal term and only an Indian tribe or a recognizer practitioner can designate a site. He suggested that the Indigenous Commission could define a local designation for significant sites in Duluth.

Helgerson bezhig/ Owen niizho for the Indigenous Commission to formalize a process to define and recognize sacred sites within the Duluth area and to work with spiritual leaders and the City government to ensure that these sites are protected. **Motion passed 5:0**

City staff will bring information about the Heritage Preservation Commission's process for designating local landmarks to the next meeting.

Helgerson commented that MnDOT holding the community meeting about the burial site in a church was very difficult for many Indigenous people because of the historical trauma. She suggested they hold future meetings elsewhere, such as in the park.

DeVerney wants to make sure the Indigenous Commission does not overstep boundaries with the Fond du Lac Band; Helgerson said she is involving a Band member (Rick DeFoe).

MnDOT is committed to come back to keep the Indigenous Commission updated on the plan for the full archeological study. Heady requested that they have a joint special meeting with the Heritage Preservation Commission where MnDOT can give both commissions a full overview of the archeological plan and receive feedback. MnDOT agreed to this.

- Western Waterfront – Lisa Luukkala of the City Parks and Recreation Division gave an overview of the Western Waterfront Park & Trail Master Plan planning process. Two members of the Fond du Lac Band served on the stakeholder committee and helped develop recommended Ojibwe co-names for the trail (Gitche Gami Ziibi and Chi Gami Zibing). In its role as Cultural Liaison, the

Commission recommended that Luokkala have the suggested co-names looked at by a fluent (First Language) speaker. Helgerson volunteered to connect Luokkala with a fluent speaker.

- Black Bear Protecting the Water Event – About 60 people attended. Indigenous speakers and speaker from the Department of Natural Resources discussed water pollution and ways to better protect and sustain the water.

5. Action Items

- Duluth Public Arts Commission (DPAC) – DeVerney was not able to attend the DPAC meeting, she will attend the next one.
- Heritage Preservation Commission (HPC) – Heady attended the HPC meeting. Owen bezhig/Helgerson niizho for Heady to meet with the chair of the HPC to discuss having a Special Meeting and establishing a local process that mirrors the federal Section 106 process. **Motion passed 5:0**
- Subcommittees
 - Education – The subcommittee is trying to connect with Cloquet school system to learn more about what they are doing (Indigenous students' graduation rates are much higher in Cloquet than in Duluth). Owen will attend an EEAC meeting on June 22nd and report back at the next meeting.
 - Police – The subcommittee will follow up with the police to make sure they have incorporated the items on the test into the curriculum better.
 - Ni Mi Win – no update
 - Opioids – DeVerney will set up a meeting with Chief Tusken to discuss how the police can talk to the families of addicts.
 - Leadership – no update
 - Photo Voice – Olson will send out email with dates to choose from based on Jim Amell's availability and open times at the Powless Center.
 - City Charter/Indigenous City Council Position – Commissioners discussed approaching tribal leadership to find out their thoughts about this idea and also want to have a longer discussion about this at the next meeting.

6. Old Business

- Sobriety Feast – The June Feast had very high attendance. Commissioners suggested sharing the Boards and Commissions flyer at the next Feast.
- Gitchi o'de Akiing – no update

7. Adjournment:

Owen bezhig/Helgerson niizho to adjourn meeting. **Motion passed 5:0.**

The meeting adjourned at 7:26 pm.

8. Next Meeting:

Next meeting is July 17, 2017 at 5:30 PM.