

**Advocacy Council for Tribal Transportation
Meeting Minutes
Fortune Bay Casino/Resort – Tower, MN
October 29, 2008
9:00 -11:15 a.m.**

Jason Hollinday, Co-Chair, ACTT (Prairie Island Indian Community) called the meeting to order. Introductions were conducted.

Members Present:

Jason Hollinday, Co-Chair, Fond du Lac
Marc Mogan, Co-Chair, Prairie Island
Sam Strong, Red Lake
Mike Robinson, Mn/DOT
Bill Vogel, Grand Portage (Alt)
Frank Polich, USFS, Engineering, Cass Lake

Mike Moilanen, Mille Lacs
Burny Tibbetts, White Earth
Linda Aitken, Mn/DOT
Tom Fronk, BIA, (Alt)
Cheryl Cloud, TTAP, Michigan Tech
Patty Northrup Lower Sioux

Members Absent:

Jim Walker, Red Lake
Evelyn Howard, Leech Lake
Donald May, Red Lake
Lester Morris, Shakopee Mdewakanton Sioux
Marty Conner, Bois Forte
Dave Danz, Grand Portage

Cheryl Martin, FHWA-MN Division
Beth O'Keefe, Lower Sioux
Travis Leenerts, Upper Sioux Community
Annamarie Hill, MN Indian Affairs
Marty Connor, Bois Forte
Dave Trooien, Mn/DOT

Guests Present:

Bertha Grave, Bois Forte Public Works
Mike LaRoque, White Earth Tribal PD

John Whiteman, Boise Forte Public Works

Review and Approve Agenda:

Agenda was reviewed. Motion: Burny Tibbetts; Second: Bill Vogel. Carried

Review and approval of July 11, 2008 minutes

Linda inquired if there was new information on the roadside vegetation management issue. Mike Robinson reported work is in progress. Marc Mogan gave a brief update on the IR BIA Roads Maintenance reporting process. The Lower Sioux has a process; however, he hasn't received the information to date.

Motion: Tom Fronk; Second: Marc Mogan. Carried.

Old Business:

Issue: Roadside Vegetation Management

Issue remains in the development stages. Linda shared information on the MOU. The goal is to have an MOU that can be used as a model for all tribes and districts.

Linda provided a brief update:

When this issue began, there were two reservations that wanted to participate in the initiative, Bois Forte and Mille Lacs; however, when Carl Degan left his position, the Bois Fort effort slowed. Mille Lacs and Mn/DOT are working on RVM issues within MLBO's trust land jurisdiction.

District 1 and Fond du Lac have met regularly on RVM issues (without a MOU) and most recently about FDL's request to put up "no spraying" signs within reservation boundaries. They met on September 9, 2008 to discuss a MOU to address Mn/DOT's and FDL's RVM policy and practices.

Tina Markeson from Mn/DOT's, Central Office, will write draft MOU. Since the RVM within the reservation boundaries also include counties, utilities, and railroads, other jurisdictions will be contacted to discuss including them in the MOU.

Leech Lake is also working on roadside vegetation management. Tina will also contact Bemidji district and Leech Lake to coordinate a meeting.

ACTION: Linda will bring information to ACTT next meeting.

Issue: NEPA Training

Cheryl Cloud (Michigan TTAP) provided an update.

- The NEPA Training is scheduled for March 25-26 at Fond du Lac (Black Bear).
- Approximately 30 participants.
- Funding is an issue.
 - The FHWA/BIA contract with TTAP is expiring. The new RFP begins in February 2009 and it does not provide for registration costs. Because TTAP has broadened and the transportation stakeholders have increased, TTAP has not been able to provide the service level and maintain the operations of TTAP.
 - She noted that other TTAP's have a sliding fee, i.e., federal, local, tribal, etc.
- Cheryl has developed a cost estimate for the training and will solicit local funding from tribes. The cost is approximately \$400/person. If the request is denied, a registration fee may be charged.

Discussion:

- Could the tribes use the 2% IR planning dollars? Tom Fronk thought this would be possible if the training is transportation-related.
- Can BIA provide funding? Tom Fronk stated this may be possible.
- Cheryl will contact Richard Gitar, FDL, to inquire if a grant is available.
- Marc Mogan stated that the tribes in the region have an assessment for this type of training in their planning budgets.
 - **ACTION:** Cheryl will give an update at the January ACTT meeting.
- Linda said that there is a planning committee to work on this issue. Members include: Cheryl Cloud, Cheryl Martin, Richard Gitar, Bruno Zagar, and someone from Frank Pafko's office.
 - **ACTION:** Cheryl will schedule a teleconference call with the committee members.

Issue: Toward Zero Deaths

The 2008 TZD Conference was held in Rochester. Mike Robinson provided an update of the TZD concept and the partnership responsibilities of the 4 E's (Engineering, Education, Enforcement, and Emergency Management Services). There were approximately 600 attendees.

There are localized TZD efforts in Southeast, Rochester (D6); Southwest, Willmar (D8); and Northwest, Bemidji (D2). Linda gave a brief update on the Northwest TZD efforts.

Discussion:

- It takes a local effort to drive the initiative. Mn/DOT serves as a support.
- Could a tribal development tract be included in the 2009 TZD Conference?

- Mike LaRoque, White Earth Police Department, stated that the tribe passed the first tribal mandatory primary seat belt law in MN. They use grant dollars for enforcement. Hopefully, the Legislature will take note.
- Cheryl inquired if grant dollars should go more into education than enforcement. Mike commented that enforcement is a prevention mechanism and does relate to education.
- Linda stated there are tribes who have injury prevention staff. This could be a key to in coordinating with the 4 E's.
- The 2009 Toward Zero Deaths Conference will be held in Duluth next fall.

New Business:

Issue: Crash Data Collection Use

(handout)

Bernie Tibbetts, Director of Transportation, White Earth, reviewed the Crash Data Collection Use Issue Paper. The ACTT needs to address this issue.

Discussion:

- Linda stated the issue of the inability to access crash data from reservations has been an ongoing issue.
- There is a great need to centralize the crash (not the sensitive data).
- Mahnomon County has the highest crash rate. How can this be addressed?
- Accessing crash data has been addressed nationwide. The BIA Indian Safety Program has spent resources to address the issue. CISCO is a nation-wide data collection source for the tribes at the Library Repository. How can this nationwide system be tied into the state data system?
- Why is there a need to centralize the data nationwide versus local?
- Need to have someone come to the next ACTT meeting in person or via electronic communication.
- The crime reporting software system to track crashes is an issue.
- There are different levels of jurisdictions within a tribe and it's difficult to pull all the data together. There is need for a crossover computer system that jurisdictions can work under.
- General information on demographic and severity of a crash is needed.
- White Earth keeps the better crash records because they are a PL 280 tribe and are required to fill out crash data forms and submit to the state of MN.
- Do tribes have access to data of the Dept. of Public Safety or Mn/DOT?
- If a national system is used for BIA, this doesn't serve the State of MN to use the crash data for highways through reservations.
- Both levels of cross-over information are necessary.
 - **ACTION:** Cheryl Cloud is aware of a program in Wisconsin that uses a crossover computer system. She will bring information or have someone from Wisconsin to the next ACTT meeting
 - **ACTION:** Mike LaRoque will attend a BIA Safety meeting in Albuquerque, New Mexico next week. He will contact the BIA Highway Safety Office to see if someone could attend the next ACTT meeting.
- Mn/DOT looks at fatal crashes and tries to determine if there is an engineering problem. Most times, it is driver inattention/error. Crash reporting helps engineers research crash sites if improvements are needed, i.e., signs, curvature, etc.
- What is the minimal amount of information that a tribe can submit to the state for inclusion in data base?

- Crime data within Indian Community is also an incentive.
- May need a MOU to get everyone's buy-in and appoint a steward.
- DNR has a crash data program.
 - **ACTION:** Frank Polich will bring the DNR crash data information to the next ACTT meeting.
- Suggestion made to set up a website for the 11 tribes in MN to enter crash information and develop a form to ensure consistent information..
- Tribal funding could assist with state highway funding on a state highway within a reservation in order to accelerate a project.
- Apply for a grant from the BIA to fund a localized this effort. Individual tribal dollars could be used.
- GIS software and training is available to the. Staffing may an issue. Inventory GIS mapping would be an excellent tool.

Burny Tibbetts motioned accept this issue as an item for further research and project development. Solutions are needed; Sam Strong seconded. Carried.

ACTION:

- Bernie or Mike LaRoque (?) will follow up with tribal partners and explore opportunities to share GIS technology to consolidate the tribal crash data.
- Burny offered to chair a subcommittee on Crash Data Collection. Other members include: Michael LaRogue, White Earth, Sam Strong, Red Lake, and Linda Aitken, Mn/DOT. At least one meeting will be held prior to the next ACTT meeting most likely at Mn/DOT's Central Office with Sue Groth or a representative from her office. Information from the meeting will be shared at the next ACTT meeting.

Commitment is needed from top leaders to support this effort, i.e., Commissioner Sorel. Could he or someone contact the Commissioner of Public Safety? The Bureau of Indian Affairs Council is meeting at Fond du Lac on Wednesday next week. Someone from ACTT should attend this meeting to give an update on this issue and also the Tribal Summit. Work with Kevin Lacey to schedule time on the agenda.

ACTION: This issue will be presented at the next Indian Affairs Council in February. It would be beneficial to have the Commissioners in attendance.

Information/Discussion

Statewide Transportation Plan Update

Linda reported that meetings were held the meeting in Mn/DOT districts this summer with stakeholders to obtain input. Additional open house meetings will be scheduled beginning in January 2009.

Mike Robinson commented the District Engineers and top staff will be meeting this week to discuss the Statewide Transportation Plan. Commissioner Sorel would like to have a balanced investment strategy. The Commissioner's strategies will be shared in the Statewide Transportation Plan meetings in January.

Upcoming:

2009 Tribes & Transportation Conference

The next Tribes and Transportation Conference will be held in the fall of 2009 (October). Linda shared a handout from Cheryl Martin suggesting the theme to focus environmental and cultural archeological issues.

Cheryl Cloud suggested holding the TZD Conference and the Tribes and Transportation Conferences simultaneously. Comment made that calendar conflicts may be an issue.

ACTION: Issue will be discussed at the next ACTT meeting.

Next ACTT Meeting/ Date and Location

Friday, January 30, 2009, Fond du Lac, 9:00 a.m.-12:00.

Marc Mogan commented that the Co-Chairmanship duties were identified as a year-long commitment.
Discussion:

- Extend the Co-Chairmanship duties to a two-year term.

ACTION: Tabled issue until January meeting.

Call for Motion to Adjourn meeting:

Motion: Mike Robinson; second: Marc Mogan. Meeting adjourned at 11:15 a.m.

Handouts:

- July 11, 2008 meeting minutes
- ACTT Membership Roster
- Issue Paper: Advocacy Council for Tribal Transportation - Crash Data Collection and Use
- Issue Paper: Advocacy for Tribal Transportation (ACTT)
- 2009 Transportation Tribes and Transportation information

Recorder: Diane Beck CPS/CAP, Mn/DOT, District 8-Willmar