

Red Cliff Band of Lake Superior Chippewa Indians

SPECIAL COUNCIL MEETING

November 17, 2015

2:00 p.m. at Legendary Waters Grand Ballroom

Meeting called to order by Chairman Bryan Bainbridge at 2:00 p.m.

ROLL CALL

Bryan Bainbridge, Present

Nathan Gordon, Present

Laura J. Gordon, Present

Krystle Topping, Present

Quorum

Marvin Defoe, Present

Jeanne Gordon, Present

Steven Boyd, Present

Chris Boyd, Present

Daniel Duffy, Present

Also in attendance: Dave Ujke, Red Cliff Attorney, Jim Rider, Legendary Waters GM, Wade Williams, Red Cliff Assistant Attorney, and Community members.

AGENDA

Nathan Gordon moved to approve the agenda with changes. Seconded by Steven Boyd. Motion carried.

Chris Boyd moved to go into Executive Session. Seconded by Dan Duffy. Motion carried.

Laura J. Gordon moved to return to Regular Session. Seconded by Krystle Topping. Motion carried.

Laura J. Gordon moved to authorize the Tribal Chair to sign on Contract on what was discussed in Executive Session. Seconded by Chris Boyd. Motion carried.

OPENING CEREMONY

Opening ceremony performed by Brian Goodwin.

COMMUNITY COMMENTS/ANNOUNCEMENTS

David Wagman was here to talk about the Mining issues. He mentioned that he is looking for a strategic statement to stop the mine. Chairman Bainbridge mentioned that Chad Abel is the person to talk to and he has been staying on top of this issue. Chairman Bainbridge suggested to David to sit with Chad and share his ideas. Chairman Bainbridge also suggested to David to go to the EPA office to discuss the water quality and the Clean Water Act. Chairman Bainbridge also stated that his door is always open and David could come and talk to him. David would like to be at the After Hour Session with the Chairman and Vice Chairman.

Jim Pete was here to state an observation that he has had. He has noticed that on the signage for the Casino it is not stated that the casino is operated by the Red Cliff Band. Chairperson Bainbridge stated that this has been talked about and it is being worked on to be fixed.

After Hour Session with the Chairman and Vice Chairman, is being held on November 18, 2015 from 4:30 p.n. to 6:30 p.m. at the Administration Building.

There will be a Bake Sale Friday, November 20, 2015 at the Administration Building for a fundraiser to support the local Tae Kwon Do Youth Champions from 10 a.m. to 3 p.m.

Holiday Craft and Bake Sale will be held on Saturday, December 19, 2015 at Legendary Waters, starting at 9 a.m. to 5 p.m.

St. Francis Annual Bazaar will be held on Sunday, December 6, 2015 at Legendary Waters starting at 10:30 am with games and followed by 30 bingo games starting at 1:00 p.m. Lots of raffles and food!

Benefit fundraiser for Dave and Jean Defoe to help with medical costs will be held Wednesday, November 25, 2015 at 11:00 a.m. to 1:00 p.m. located at the VFW Building.

Kids Christmas Party will be held on Sunday, December 20, 2015 at Legendary Waters from 12:00 p.m. to 3:00 p.m. Ages for gifts are infants to 12 years of age.

Cancer Support Group will be held on Wednesday, November 18, 2015 at the Red Cliff Community Health Center from 5:00 p.m. to 7:00 p.m.

Jeanne Gordon moved to go into Executive Session with Tribal members on Casino Financials. Seconded by Laura J. Gordon. Motion carried.

Jeanne Gordon moved to return to Regular Session. Seconded by Nathan Gordon. Motion carried.

GAMING COMMISSION REPORT

Charlie Bresette was here and gave a verbal update. The Commission did meet and they are still short 2 positions. Charlie would like to get them filled as soon as possible.

Nathan Gordon moved to accept the Gaming Commission verbal report. Seconded by Chris Boyd. Motion carried.

COMPLIANCE REPORT

Charlie Bresette was here to give his report. Charlie stated that in the next 3 to 4 months he will be bringing the SOPs to the Council. Dave Ujke mentioned that he will look to see what the authoritative process is so that they might not need to come to the Council.

Charlie also mentioned that the State Audit needs to be submitted by next Thursday. He also mentioned that the State Inspection of the building needs to be completed.

Steven Boyd moved to accept the Compliance report for October 2015. Seconded by Jeanne Gordon. Motion carried.

OLD BUSINESS

NEW BUSINESS

APPROVAL OF CASH FLOW BUDGET FOR DECEMBER 2015

Nathan Gordon moved to approve the Cash Flow Budget for December 2015. Seconded by Krystle Topping. Motion carried.

APPROVAL OF VOLUNTARY LEASE CANCELLATION

Laura J. Gordon moved to approve Resolution 11/17/15A pertaining to Voluntary Cancellation of Residential Lease for Michael Bresette (deceased) and Wanda Bresette (non-Tribal member). Seconded by Jeanne Gordon. Motion carried.

APPROVAL OF CCS BY-LAWS

Jeanne Gordon moved to approve the CCS (Comprehensive Community Services) By-Laws. Seconded by Dan Duffy. Discussion: Nicole Gurnoe will send Jeanne the list, so it can be posted out in the community. Motion carried.

Jeanne Gordon moved to appoint Dan Duffy as the Council Reps for the CCS Committee. Seconded by Nathan Gordon. (1 abstention: Dan Duffy). Motion carried.

APPROVAL OF WAIVER OF RFP PROVISIONS FOR THE FATHERHOOD CONTRACT

Laura J. Gordon asked Jennifer Bouley if they could solicit all at once. Jennifer explained that it is hard to change anything mid-grant. Chairman Bainbridge suggested that all staff need to be aware and clear of all the requirements for grants.

Marvin Defoe moved to approve the request to waive the RFP provision for Fatherhood Program, and not to exceed the dollar amount or the two year period. Seconded by Jeanne Gordon. Discussion: that all staff is very clear on the requirements on contracting and following all Property and Procurement Policies. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO CLEAN ENERGY

Jeanne Gordon moved to approve Resolution 11/17/15B pertaining to the Clean Energy and Energy Efficiency Grant application. Seconded by Krystle Topping. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO CW4 PP6 GRANT APPLICATION

Linda Nyugen was here to explain the grant. This grant is a 2 year fiscal grant and is the base line for the program. It supports 3 staff members.

Jeanne Gordon moved to approve Resolution **11/17/15C** pertaining to authorizing the submittal of the Environmental Protection agency's funding of Red Cliff's Clean Water Act Section 106 and 319 programs from April 1, 2016 through March 31, 2018. Seconded by Nathan Gordon. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO THE 2016-2019 TTIP PLAN (TRIBAL TRANSPORTATION IMPROVEMENT PLAN)

Jeff Benton was here to present the TTIP. He mentioned that they have lost \$100,000 from last year. He is looking at safety projects to get more money. Laura J. Gordon asked if they get money for each road. Jeff explained that the money is used for everything. They are now too late in the season to start any new projects. Dan Duffy asked if the money could be used on the snowmobile trails. Jeff said that the money could be used for that.

Laura J. Gordon moved to approve Resolution **11/17/15D** pertaining to the Tribal Transportation Improvement Plan (TTIP) 2016-2019. Seconded by Krystle Topping. Motion carried.

APPROVAL OF CHANGE ORDER #1 TO PROJECT BE-11-G34

Ronnie Wilcox explained why the change order was needed. She is looking to extend the dollar amount and the end date. Jeanne Gordon asked if this had gone through Legal and Procurement. Ronnie said no it hasn't.

Marvin Defoe motioned for further review from Legal and Procurement. Seconded by Chris Boyd. Discussion: Laura J. Gordon mentioned that the dates need to be changed on the change order form. The work is already done for all the projects on the list. Motion carried.

MISHOMIS HOUSE DISCUSSION

Katy Gorman was here to present the options for recommendation for the Mishomis House. Katy suggested having a Mom/Baby program. Chairman Bainbridge had some concerns about this. Chairman Bainbridge is worried that blending different types of people in the same building could become difficult. He is worried that we would have to turn clients away because they could not co-mingle with others.

Krystle Topping asked to see some figures and numbers on what the community needs. Katy mentioned that she will start looking for the data and bring to the Council.

Marvin Defoe is worried that if the Mishomis House just focuses on 1 issue what will happen to the other problems and people that are still out there. Marvin Defoe suggests that we need to focus on the needs of the people.

The Council asked Katy to come back to their meeting on December 22, 2015 with more information and some data.

APPROVAL OF NIGHT HUNT CHANGES

Nathan Gordon moved to approve the Night Hunt changes. Seconded by Chris Boyd. Motion carried.

APPROVAL OF NEW CODE 7.19.16 TO COMMERCIAL FISHING REGULATIONS FOR POSTING

Laura J. Gordon moved to approve the new code 7.19.16 to Commercial Fishing Regulations for posting. Seconded by Krystle Topping. Discussion: Dave Ujke (legal) will make changes before it goes out. Motion carried.

APPROVAL OF CHAPTER 7 REVISIONS FOR 2015-2016 AMENDMENT #6 FISHING AGREEMENT

Laura J. Gordon moved to approve the revisions to the 2015-2016 amendment #6 to the Fishing Agreement and to waive the posting requirements. Seconded by Dan Duffy. Discussion: Dave Ujke will work with Chad Abel on the changes. Motion carried.

APPROVAL OF THE 2015 FISHING LICENSES

There are 6 individuals that the Fishing Committee was concerned about with them having past dues fines at the Courthouse. Dave Ujke explained that all the members are up to date or have made arrangements with the Courts to pay their fines. Krystle Topping asked if the people would be having their license revoked or denied. Dave explained that the decision is up to the Council. Chairman Bainbridge said that the DNR has been watching the fisherman and that they need to be held accountable for their actions.

Chris Boyd mentioned that he would not have a clear conscience if the Council was to take away the livelihood of the fisherman. The fishermen need to be aware of these things and the rules have to be enforced.

Chris Boyd moved to adopt the recommendations from the Fishing Committee on the big and small boat fishing license applications and to also grant licenses to the six applicants that were forwarded to the Tribal Council without a recommendation. Seconded by Dan Duffy. (1 Opposed: Steven Boyd). Motion carried.

ACCEPT RESIGNATION FOR EUGENA MERTIG FROM THE LIBRARY BOARD/REPOST

Jeanne Gordon moved to accept the resignation from Eugena Mertig from the Library Board and to repost for one (1). Seconded by Laura J. Gordon. (1 abstention: Krystle Topping). Motion carried.

ACCEPT RESIGNATION FROM DENNIS SOULIER FROM THE HEALTH BOARD/REPOST

Laura J. Gordon moved to accept the resignation from Dennis Soulier from the Health Board and to repost for one (1). (1 Opposed: Marvin Defoe). Seconded by Jeanne Gordon. Motion carried.

ACCEPT RESIGNATION FROM DENNIS SOULIER FROM THE GAMING COMMISSION/REPOST

Krystle moved to accept the resignation from Dennis Soulier as the Gaming Commission and to repost for one (1). Seconded by Laura J. Gordon. Motion carried.

RATIFY COUNCIL POLL PERTAINING TO THE VETERANS GRANT

Steven Boyd moved to ratify Council poll pertaining to the submitting the Veteran's Grant. Seconded by Nathan Gordon. Motion carried.

OTHER

Krystle Topping moved to appoint Peggy Bazant to the Gaming Commission. Seconded by Jeanne Gordon. Motion carried.

Marvin Defoe moved to appoint Desiree Livingston as the Gaming Commission Chair. Seconded by Chris Boyd. Motion carried.

Krystle Topping moved to approve Resolution **11/17/15E** pertaining to the SAMSHA/TTA Grant in the amount of \$25,000 for healing the community. Seconded by Dan Duffy. Motion carried.

Jeanne Gordon moved to go into Executive Session. Seconded by Nathan Gordon. Motion carried.

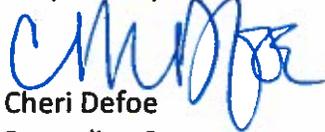
Nathan Gordon moved to return to Regular Session. Seconded by Marvin Defoe. Motion carried.

ADJOURN

Laura J. Gordon moved to adjourn. Seconded by Nathan Gordon. Motion carried.

Adjourned 8:33 p.m.

Respectfully Submitted:



Cheri Defoe
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council