

# Red Cliff Band of Lake Superior Chippewas

## SPECIAL COUNCIL MEETING

November 20, 2012

4:30 p.m. Legendary Waters, Buffalo Bay Grand Ballroom

Meeting called to order by Chairperson Rose Soulier at 4:30 p.m.

### ROLL CALL:

Rose Soulier, Present

Nathan Gordon, Present

Laura J. Gordon, Present

Dennis Soulier, Present

Mike Gurnoe, Absent (Sick)

Joanne Peterson, Present

Bryan Bainbridge, Present

Jeanne Gordon, Present

Marvin Defoe, Present

Quorum

In attendance: Mark Montano, Director of Tribal Operations, Tanya Brown, Legal Assistant and community members.

### OPENING CEREMONY

Opening ceremony performed by Frank Montano.

### AGENDA

Bryan Bainbridge moved to approve the agenda to add FEMA Resolution to #14. Seconded by Marvin Defoe. Motion carried.

### COMMUNITY COMMENTS/ANNOUNCEMENTS

Frank Montano asked questions regarding environmental issues and having community input. Tribal Chair will forward his questions to the Environmental Division Administrator.

Red Cliff Pharmacy will be closed on Thanksgiving Day. They will be open 9a.m. to 4p.m. on Wednesday, November 21, 2012 and will stay open through lunch hour.

Larry Gordon announced that Legendary Waters Resort and Casino is hosting Midget Wrestling on January 25, 2013. It is geared towards families and will be an alcohol free event.

Red Cliff Law Enforcement is collaborating with the Youth Center in hosting the And1 Street ball event January 4<sup>th</sup> and 5<sup>th</sup> of 2013.

Red Cliff Law Enforcement is also looking into bringing speakers in to talk about gangs. There will be a school presentation and a community presentation.

Angelyne Kingbird voiced concerns over Thanksgiving dinner giveaway. Some TANF families and elders did not receive one and felt it was poorly advertised. Tribal Chair and Deb Morris will meet with Angelyne Kingbird on Wednesday.

Nicole Boyd has letter regarding ice rink PAC application. She asked for the Tribal Council's guidance and needs a definite location on where project soccer field and ice rink could be. She also informed the community of the GED classes being held at the Early Childhood Center and changes that are being made to the GED program and testing.

Jeannie Balber gave a few points involving mining and casino changes. She suggested that Red Cliff put up signage prohibiting wolf hunting on the reservation. The Tribal Council will look into prices on signs. She asked if the New Housing slide is going to be replaced. The Council will follow-up with Housing to see if the slide was covered by insurance.

License plates are here, the release date is dependent on when the stickers arrive and software up and running.

Dennis Soulier moved to go into Executive Session with Tribal members for the casino report. Seconded by Jeanne Gordon. Motion carried.

Dennis Soulier moved to return to Regular Session. Seconded by Joanne Peterson. Motion carried.

#### **EXECUTIVE DIRECTOR OF GAMING COMMISSION**

The Bad Beat tournament has been cancelled and letters were sent to players. Legendary Waters Resort and Casino is working on bringing back Texas Hold'Em Poker. Tom Jeffords continues to work on internet gaming.

Laura J. Gordon moved to approve the Executive Director of Gaming Commission report for October-November 2012. Seconded by Joanne Peterson. Motion carried.

#### **COMPLIANCE REPORT**

Random drug tests are being given to 25% of staff at Legendary Waters Resort and Casino. If a test is failed, employees are given the opportunity to acquire AODA services, but they will be suspended until an AODA assessment is scheduled.

Joanne Peterson moved to approve the Compliance report for October-November 2012. Seconded by Nathan Gordon. Motion carried.

#### **GAMING COMMISSION REPORT**

Larry Deragon touched on that the Gaming Commission is in need of more members. A few points were highlighted in his report.

Laura J. Gordon moved to approve the Gaming Commission Report. Seconded by Joanne Peterson. Motion carried.

#### **OLD BUSINESS**

#### **UPDATE ON AODA EVALUATION PLAN**

Patricia Deragon-Navarro and Diane Erickson were here to present the Evaluation to the Tribal Council.

The AODA program is one of the Council's top priorities. Martin Gordon mentioned the low wages; the program may risk losing staff once they receive accreditation.

#### **NEW BUSINESS**

##### **APPROVAL OF COMPLIANCE/SURVEILLANCE BUDGETS**

Marvin Defoe moved to table the Compliance and Surveillance Budget until next month after Diane Peterson has time to go over Legendary Waters Resort and Casino's financials. Seconded by Laura J. Gordon. Motion carried.

##### **APPROVAL OF IHS SANITATION FACILITIES PRIORITIES LIST**

Joanne Peterson moved to approve Group A on the Priority List, and to add Daniel Brown and Mike Montano plus the 8 FEMA trailers to the list. Seconded by Marvin Defoe. Motion carried.

##### **APPROVAL OF CONTRACT FOR BRAZELTON INSTITUTE**

Dawn Nixon was there to present the LAUNCH Contract and Dawn also stated that she and the clinic are submitting a grant to continue LAUNCH efforts.

Nathan Gordon moved to approve the Contract with the Children's Hospital – Brazelton Institute in the amount of \$114,052. Seconded by Jeanne Gordon. Motion carried.

##### **APPROVAL OF CONTRACT FOR THE 2012 COOPERATIVE LAW ENFORCEMENT SERVICES AGREEMENT (BAYFIELD COUNTY)**

Bill Mertig was there to present the 2012 Cooperative Law Enforcement Services Agreement with Bayfield County. Bill mentioned that \$5000 is being allocated to have 3 grants written that would benefit both Red Cliff and Bayfield County.

Dennis Soulier moved to approve Resolution **11/20/12A** pertaining to the 2012 Cooperative Law Enforcement Services Agreement. Seconded by Nathan Gordon. Motion carried.

##### **APPROVAL OF WI-2 QUOTA NEGOTIATIONS**

Chad Abel was present at the meeting to present the WI-2 Quota along with the Resolution pertaining to continue emergency rules governing commercial fishing in management unit MI-2.

Marvin Defoe moved to approve to have the Tribal Chair sign off on Amendment #3 to the Lake Superior Fishing Agreement 2005-2015 and to have Chad Abel draft up a letter to send along. Seconded by Joanne Peterson. Motion carried.

#### **APPROVAL OF RESOLUTION**

Jeanne Gordon moved to approve the Resolution **11/20/12B** pertaining to Continuing the Emergency Rules Governing Commercial Fishing Management in Unit MI-2. Seconded by Nathan Gordon. Motion carried.

#### **APPROVAL ON FEMA TRANSPORTATION COMPANY FOR ND AND MO/FEMA TRAILER DISCUSSION**

Jeff Benton traveled to Neosho, ND to inspect the 6 trailers, one was damaged. Susie Gurnoe recommends the Tribe only accept 5 of the 6 trailers.

Marvin Defoe moved to accept 5 of the FEMA trailers and to reject 1 of them due to damages to the unit. These FEMA homes are coming from Neosho, MO. Seconded by Jeanne Gordon. Motion carried.

Dennis Soulier moved to contract with Teri Lyn's Trucking, LLC for the transportation of the remaining units from Minot, ND & Neosho, MO. Seconded by Jeanne Gordon. Motion carried.

Marvin Defoe moved to combine transportation cost, loan interest, administration fees and other fees and divide by units receiving (19) totaling \$4985.00 per trailer. Seconded by Dennis Soulier. Motion carried.

#### **APPROVAL OF RESOLUTION**

Jeanne Gordon moved to approve Resolution **11/20/12C** pertaining to authorization for the Red Cliff Tribe to obtain a short term line of credit with Chippewa Valley Bank for the transportation costs for the 19 mobile homes awarded to the band by the Department of Housing and Urban Development. Seconded by Laura J. Gordon. Motion carried.

#### **PAC APPLICATION DISCUSSION ON SNOWMOBILE TRAILS/ICE SKATING RINK**

Laura J. Gordon moved to table the PAC application discussion on Snowmobile trails and the Ice Skating rink, until the next meeting. Seconded by Dennis Soulier. Motion carried.

#### **TENANT ASSOCIATION**

No update from the Tenant Association.

#### **CONSTITUTION COMMITTEE UPDATE**

Dave Wagman was there to present the Constitution committee update. Dave has asked the Council if this could be further up on the agenda – Tribal Chair stated that we could add this under Old Business, Laura J. Gordon will add this up under Old Business at the next meeting.

Dave Wagman talked about having this emergency meeting with Tribal Attorney Dave Ujke the information that Dave Ujke presented to Constitution Committee went really fast, and now the Constitution Committee wants to have Dave Ujke (Tribal Attorney) to put the request from Council on paper and submit it to the committee. The Committee will then start looking at the request from the Council.

**OTHER**

**APPROVAL OF COMMERCIAL FISHING BOAT APPLICATIONS FOR 2013**

Dennis Soulier moved to approve the Commercial Fishing License Applications for Fishing Year of 2013. There are 14 Big Boats, 22 Small Boat Renewals and 9 new Small Boat. Seconded by Nathan Gordon. (1 abstention Joanne Peterson). Motion carried.

Marvin Defoe moved to go into Executive Session. Seconded by Laura J. Gordon. Motion carried.

Jeanne Gordon moved to return back to Regular Session. Seconded by Dennis Soulier. Motion carried.

Dennis Soulier moved to hire Kim Jeffords with Tina Butterfield as the alternate for the Economic Support/WHEAP Assistant Program. Seconded by Joanne Peterson. Motion carried.

Laura J. Gordon moved to approve the Clinic Contracts for Janice Wilber, Jeffrey D. Lewis, Grace Hietsch, and Erin Tenney. Seconded by Nathan Gordon. Motion carried.

Laura J. Gordon moved to table Dr. Patrick Brown's contract until the seconded meeting in December, and to have Patricia Deragon-Navarro come back to Council with recommendations. Seconded by Joanne Peterson. Motion carried.

Marvin Defoe moved to authorize to have the Tribal Chair sign off on the IHS Contract Support Cost Special Attorney with Jacobson, Buffalo, Magnuson, Anderson and Hogen Professional Corporation. Seconded by Jeanne Gordon. Motion carried.

Dennis Soulier moved to authorize to have the Tribal Chair sign off on the Agreement with Ehlers and Pierce, CPA's Inc. Seconded by Nathan Gordon. Motion carried.

Joanne Peterson moved to adjourn. Seconded by Nathan Gordon. Motion carried.

Adjourned 11:12 p.m.

Respectfully Submitted:



Alana Babineau  
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary  
Red Cliff Tribal Council