

Red Cliff Band of Lake Superior Chippewa Indians

SPECIAL COUNCIL MEETING

November 20, 2014

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

Meeting called to order by Chairperson Rose Soulier at 2:00 p.m.

ROLL CALL

Rose Soulier, Present

Bryan Bainbridge, Present

Laura J. Gordon, Present

Dennis Soulier, Present

Quorum

Mike Gurnoe, Present

Steven Boyd, Present

Jeanne Gordon, Present

Marvin Defoe, Present

Chris Boyd, Present

In Attendance: Dave Ujke, Tribal Attorney, Wade Williams, Assistant Attorney, Rick Petersen, Tribal CFO, Larry Gordon, Interim GM and Community members.

AGENDA

Add "Community Study" under Old Business.

Add "HR Request to Other".

Move "FY2015 Indirect Cost Budget" to Executive Session.

Add "Tribal Lending Solution and Chippewa Federation Discussion to Executive Session".

Dennis Soulier moved to approve the agenda as amended. Seconded by Chris Boyd. Motion carried.

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

Bryan Bainbridge moved to return to Regular Session. Seconded by Steven Boyd. Motion carried.

OPENING CEREMONY

Opening Ceremony was performed by Leo LaFerner Jr.

COMMUNITY COMMENTS/ANNOUNCEMENTS

Larry Gordon expressed concern about when the road was going to be fixed, on Blueberry Road by the New Housing Road. Tribal Chair will follow-up on his concern.

Cecil Peterson attended a GLIFWC Lakes Committee meeting and presented the Council with some of his concerns regarding commercial fishing on Lake Superior in Michigan waters. He identified the Keweenaw stamp sands as an area of concern to tribal communities because of

its effect on Buffalo Reef, which is an important spawning ground for trout and whitefish. Cecil suggested sending a Tribal Conservation Warden to attend HAACP training in Bay Mills, MI December 9-11th 2014. He is also requesting a copy of the Three Party Agreement. Tribal Chair asked Dave Ujke to send an updated copy of the document to Cecil and Tribal Council members.

Laura J. Gordon read a thank you letter from the St. Francis Church members for the donations.

Red Cliff Community Health Center will be sponsoring a Mini Christmas Bazaar on Thursday December 11, 2014 to benefit the Red Cliff Food Shelf.

Kids Christmas Party will be on Saturday December 6, 2014 from Noon to 3:00 p.m. at Legendary Waters Resort and Casino.

Scholarships are now available for Part-Time students (priority I and II), Graduate Students (priority I and II) Master Degree, PhD, Doctorate. If anybody has any questions they can call the Education Department to get more detail information.

Tribal Chairperson and Vice Chairperson are having after hour sessions with community members to hear concerns, ideas or other issues you may want to discuss. The after-hours sessions will begin on November 25, 2014 and December 17, 2014 from 4:30 to 6:30 at the Tribal Administration Office.

There is going to be a Short Narrative film called "Waabooz", they are looking for individuals to try out for this film. The auditions are at Legendary Waters Resort and Casino on Saturday November 22, 2014 from 9:00 a.m. to 4:00 p.m. and on Sunday November 23, 2014 from 12:00 p.m. to 4:00 p.m.

TRIBAL AMERICORPS FINAL REPORT/NORTHWOODS COALITION ANNUAL REPORT

Bob Kovar and Maddie, a current AmeriCorps member serving the ECC, presented. This year marks the fifth year the Tribal AmeriCorps program has been operating, spanning over 80 thousand hours served, which is valued at \$1.8 million dollars. Bob stated that funding is available and identified recruitment as the biggest challenge to the program. He offered suggestions to involve elders or other tribal government staff in the recruitment process. Individuals 18 and up are eligible for program participation. The volunteer commitment lasts one calendar year. Any interested individuals are encouraged to contact Jennifer Bouley.

Dennis Soulier moved to go into Executive Session for the Casino Financials with Tribal members. Seconded by Marvin Defoe. Motion carried.

Mike Gurnoe moved to return to Regular Session. Seconded by Steven Boyd. Motion carried.

GAMING COMMISSION REPORT

Rebecca Benton was not present at the meeting; however, she sent an email to Laura J. Gordon stating that the Gaming Commission meeting was cancelled last month due to inclement weather and was rescheduled at a later date. There are no new findings to report.

Marvin Defoe moved to approve the Fiscal Year 2014 Audit request for an extension. Seconded by Bryan Bainbridge. Motion carried.

COMPLIANCE REPORT

Raymond Defoe Jr. presented. He reported that he has been focusing on Title 31 training. All those that participated, except for four individuals, were either certified or re-certified. He has been working with his staff to conduct 2014-2015 Internal Audits, due to wrap up on the 22nd of November. He intends to report to the Tribal Council after the final meeting, which is scheduled for tomorrow at 9:30am. Health and Safety inspections were discussed.

Dennis Soulier asked who eliminated the Director of Surveillance position. Raymond stated the Gaming Commission had planned to combine the Director of Surveillance position with the Director of Compliance position when he was originally chosen to act as Interim Director of Compliance. He also said that it was part of the cut-backs.

Steven Boyd moved to approve the Compliance report. Seconded by Marvin Defoe. Motion carried.

OLD BUSINESS

COMMUNITY STUDY

Linda Barnes had mentioned that the Northland College Professor Brandon Hofstedt presented his Social Capital Survey to the Tribal Council in September and is seeking input from Red Cliff Tribal members living on the reservation. Linda is acting as mediator between the tribe and Prof. Hofstedt to determine whether or not Red Cliff would like to participate and, if so, what type of information would the community like to see incorporated into the "Living in the Red Cliff Community" section of the survey. Any recommendations or comments on the content need to be submitted to Linda by Tuesday, November 25th and she will submit them to Prof. Hofstedt. Final deadline is December 31st.

NEW BUSINESS

LEASES

Jeanne Gordon moved to approve the Special Accommodation for Lawrence E. Butterfield Jr. with the intentions that Lawrence Butterfield Jr. provides documentation from Probation & Parole. Seconded by Steven Boyd. Motion carried.

Bryan Bainbridge moved to approve the Resolution **11/20/14A** pertaining to Margaret M. Pratt Residential Lease Renewal (Corrected Legal Description). Seconded by Jeanne Gordon. Motion carried.

Dennis Soulier moved to approve the Resolution **11/20/14B** pertaining to Transfer of Long-Term Residential Lease from Red Cliff Housing Authority. Seconded by Steven Boyd. (1- abstention: Chris Boyd). Motion carried.

Bryan Bainbridge moved to approve the Resolution **11/20/14C** pertaining to Request for Voluntary Cancellation of Short-Term Residential Lease for Thomas J. Gordon Jr. Seconded by Mike Gurnoe. Motion carried.

Laura J. Gordon moved to approve the Resolution **11/20/14D** pertaining to Request for Voluntary Cancellation of Short-Term Residential Lease for Judith A. McBurnie. Seconded by Chris Boyd. (1- abstention: Dennis Soulier). Motion carried.

Steven Boyd moved to approve the Resolution **11/20/14E** pertaining to Residential Lease Modification (Corrected Legal Description) adding Lynette Falcon as Co-Lessee. Seconded by Laura J. Gordon. Motion carried.

APPROVAL OF CASH FLOW BUDGET FOR DECEMBER 2014

Dennis Soulier presented the Cash Flow Budget. Bryan Bainbridge moved to approve the December Cash Flow Budget in the amount of 746,200. Seconded by Laura J. Gordon. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO RED CLIFF FIRE DEPARTMENTS ASSISTANCE TO FIREFIGHTERS GRANT APPLICATION FEMA

Dennis Soulier moved to approve Resolution **11/20/14F** pertaining to the Red Cliff Fire Department's Assistance to Firefighters Grant Application (FEMA) in the amount of 107,158.91. Seconded by Steven Boyd. Motion carried.

APPROVAL OF CONTRACT/RESOLUTION PERTAINING TO MOU WITH FOREST SERVICE

Vice Chair requested that the contract implement language to guarantee tribal employment (in reference to Section C, part 2), but also include the internship program. Tribal Chair had a concern regarding Section E, part 4 regarding Text Messaging, calling into question the reason for including that language in the MOU. There was also a concern that it is more of a personnel issue, and should be outlined by an employee handbook, not included by the MOU. Chad stated that he will work with the Forest Service and report back to the Tribal Council.

Marvin Defoe moved to approve the changes that were discussed at the meeting and come back for final approval. Seconded by Jeanne Gordon. Motion carried.

APPROVAL OF FISH LICENSES FOR 2014-2015

Marvin Defoe moved to approve the Fish Licenses for 2014-2015 with conditions as indicated in the discussion and to also include the Small Boat Licenses. Seconded by Dennis Soulier. Motion carried.

APPROVAL OF AMENDMENT #5 TO THE LAKE SUPERIOR FISHING AGREEMENT

Marvin Defoe moved to approve the Amendment #5 of the Lake Superior Fishing Agreement as presented at the meeting. Seconded by Mike Gurnoe. Motion carried.

APPROVAL OF REVISION TO THE TRIBE'S EMPLOYMENT POLICY

The following changes have been suggested to the "Employee Ethics" section under "Guidelines for Personal Conduct": Employees shall not infer that their endorsement of a political candidate imply Tribal Sponsorship, approval, or endorsement.

Steven Boyd moved to approve suggested changes. Seconded by Jeanne Gordon. Motion carried.

RATIFY COUNCIL POLLS

Bryan Bainbridge moved to ratify Council poll pertaining to approving Potawatomi's budget and to also waive the bidding process of 15 days. Seconded by Dennis Soulier. Motion carried.

Mike Gurnoe moved to ratify Council poll pertaining to a short term loan with Chippewa Valley Bank to purchase a Front End Loader. Seconded by Jeanne Gordon. Motion carried.

OTHER

HR REQUEST

Dennis Soulier moved to approve the request from HR to allow Tribal Employees to choose one of the following dates as an extra day off; they are December 23, 2014, December 26, 2014, December 31, 2014, and January 2, 2015. Seconded by Mike Gurnoe. (1 Contrary: Steven Boyd). Motion carried.

Marvin Defoe moved to go into Executive Session. Seconded by Bryan Bainbridge. Motion carried.

Dennis Soulier moved to return to Regular Session. Seconded by Laura J. Gordon. Motion carried.

Steven Boyd moved authorization to make an offer to LAI (Living Adventures) as to what was discussed in Executive Session. Seconded by Laura J. Gordon. Motion carried.

Marvin Defoe moved to authorize the Legal Department to investigate a corrective action on encroachment. Seconded by Bryan Bainbridge. Motion carried.

Jeanne Gordon moved to refer the Tribal Lending Solutions to the Business Board. Seconded by Laura J. Gordon. Motion carried.

ADJOURN

Jeanne Gordon moved to adjourn. Seconded by Chris Boyd. Motion carried.

Adjourned: 7:47 p.m.

Respectfully Submitted:



Marissa Balber
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council