

# Red Cliff Band of Lake Superior Chippewa Indians

## SPECIAL COUNCIL MEETING

November 26, 2013

3:00 p.m. at Legendary Waters Resort and Casino, Grand Ballroom

Meeting called to order by Vice-Chairman Nathan Gordon at 3:00 p.m.

### ROLL CALL

Rose Soulier, Absent (Out of town)

Nathan Gordon, Present

Laura J. Gordon, Present

Dennis Soulier, Present

Jeanne Gordon, Present

Marvin Defoe, Present

Bryan Bainbridge, Present @ 3:13 p.m.

Mike Gurnoe, Present

Steven Boyd, Present

Quorum

In attendance: Kevin Lien GM for Legendary Waters Resort and Casino and Community members

Steven Boyd moved to go into Executive Session. Seconded by Dennis Soulier. Motion carried.

Mike Gurnoe moved to return back into Regular Session. Seconded by Bryan Bainbridge. Motion carried.

Steven Boyd moved to approve the sale of a FEMA trailer to Legendary Waters to be used for storage. Seconded by Bryan Bainbridge. Discussion: Dennis Soulier is to work with Desiree Livingston to come up with an exact price. Motion carried.

Jeanne Gordon moved to have Legendary Waters give financial reports to the community quarterly. Seconded by Bryan Bainbridge. Discussion: The next report will be at the February 18, 2014 meeting. A notice for the community will be posted. Motion carried.

### OPENING CEREMONY

Opening ceremony performed by Carolyn Gouge.

### AGENDA

Jeanne Gordon moved to approve the agenda. Seconded by Steven Boyd. Motion carried.

### CLINIC CONSTRUCTION PROJECT UPDATE

Eugene Gordon and Taylor Woodstone staff showed a PowerPoint displaying photos from end of October 2013 to current. Employment is still short of the goal of 80% but this number should increase towards the end of the project. Sheet Rock of the Building is 50% complete and some paving has been done.

Introduction of Leonard Prescott from the Shakopee tribe. He is the owner of Eagle Visions. His company is being contracted to do some signage and detail work. He spoke of the importance of hiring Native American businesses and history of Indian gaming. He is a former Chair of Shakopee Mdewakanton Tribe.

#### **NALEMP UPDATE**

Brent Radar from EMR, Inc. gave a presentation showing the history of the NALEMP barrels project and activities done to the present day. There were concerns from community regarding the retrieved barrels being put back into the lake. It was explained that the program was unable to gain required clearances to transport the barrels. Marvin Defoe asked if 25 barrels was an adequate amount for the sample. Questions were asked if the health assessments show a low risk will this jeopardize future funding. The committee will look into alternative funding if needed and will seek direction from the Tribal Council. Mike and Connie Cook from EMR, Inc. donated \$5,000 to Red Cliff Education. The committee will be sending them a thank you card. Melonee Montano stated that all NALEMP meetings are open to the community and the committee welcomes all support.

#### **COMMUNITY COMMENTS/ANNOUNCEMENTS**

A thank you letter was read from Clarissa Olson and Mitch LaFerner.

A thank you letter was read from Lavern Basina family.

A thank you letter was read from Marvin and Joanne Morris.

Health Insurance Information Event to be held on December 3, 2013, there will be two sessions one begins at 3:00 p.m. and one to begin at 5:00 p.m. at Legendary Waters.

“Celebrating the Spirit” Cancer event to be held on December 20, 2013 at Legendary Waters. It goes from 4:00 p.m. to 8:00 p.m.

Patsy Ruth DePerry had questions regarding Bingo fundraisers. She was asked to help fundraise for student attending the Russia trip.

Clarissa Bressette had concerns on the recent merge of the Family Services and Social Services Division Director position. She asked why this was done and felt that Deb Morris was an asset to the programs. It was explained that the decision was made based on existing funds/grants and it being the most effective way to provide the best services to the community.

Clarissa also felt the Enrollment Clerk position should be full time. Dennis Soulier stated that this expenditure is included in next year’s Indirect Cost Budget.

Clarissa asked if the Tribe had considered changing the word “Chippewa” to “Ojibwe”. Many tribes have done this.

Laura J. Gordon moved to go into Executive Session with Tribal Members only. Seconded by Dennis Soulier. Motion carried.

Dennis Soulier moved to return to Regular Session. Seconded by Marvin Defoe. Motion carried.

Mike Gurnoe moved to accept the Casino report from September 2013. Seconded by Steven Boyd. Motion carried.

### **APPROVAL OF CASH FLOW BUDGET FOR DECEMBER 2013**

Dennis Soulier moved to approve the December 2013 Cash Flow. Seconded by Laura J. Gordon. Motion carried.

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

Tom Jeffords continues to work on rewriting Chapter 17. The Gaming Commission gave him a three month deadline to complete this. He is also working on a communication policy. Jeanne Gordon stated that the Council took action at a prior meeting asking that Chapter 17 be complete by January 2014. Tom is waiting to meet with Dave Ujke and Rick Peterson.

Dennis Soulier moved to have Tom Jeffords work with Legal and Gaming Commission to get Chapter 17 ready for posting at the second Tribal Council meeting in December. Seconded by Jeanne Gordon. Motion carried.

Bryan Bainbridge moved to approve the report. Seconded by Jeanne Gordon. Motion carried.

### **GAMING COMMISSION REPORT**

Rick Peterson was not present.

Dennis Soulier moved to table the Gaming Commission report. Seconded by Jeanne Gordon. Discussion: Rick is to give both monthly reports at the second meeting in December. Motion carried.

### **TENANT ASSOCIATION UPDATE**

No update.

### **BUSINESS BOARD APPOINTMENTS**

Jeanne Gordon moved to amend Business Board bylaws to change membership to 9 members. Seconded by Bryan Bainbridge. Motion carried.

Jeanne Gordon moved to reserve a seat on the Business Board for the Tribal Council Treasurer. Seconded by Bryan Bainbridge. (1-abstention: Dennis Soulier) Motion carried.

Business Board appointments done by secret ballot.

Steven Boyd moved to appoint Brett Gerber and Scottie Sandstrom to the Business Board. Seconded by Marvin Defoe. Motion carried.

Dennis Soulier moved to destroy the ballots. Seconded by Bryan Bainbridge. Motion carried.

**PRESENTATION ON WASTE WATER PERMIT STATUS**

Ed Sindelar was asked by Chairperson Rose Soulier to give a brief presentation on the Wastewater Treatment Facilities Discharge Permit record of violations. There had been some negative reports in the media regarding Red Cliff. It was explained by Ed that information released in the media is misconstrued and violations in the past, prior to system upgrades, do not reflect current operations. The majority of past violations occurred when the current treatment plant was developed. The program has since made adjustments and operations are currently running efficiently. In 2013 Red Cliff had received only one minor reporting violation which was due to a scheduling error. Ed will be preparing a document to be released to the media if this comes up again.

**APPROVAL OF RESOLUTION PERTAINING TO THE FY 2014 USDA FOOD DISTRIBUTION**

Mike Gurnoe moved to approve Resolution **11/26/13A**. Seconded by Dennis Soulier. Motion carried.

**APPROVAL OF RESOLUTION PERTAINING TO THE ELDER NEEDS ASSESSMENT**

Marvin Defoe moved to approve the Resolution **11/26/13B**. Seconded by Jeanne Gordon. Motion carried.

**APPROVAL OF RESOLUTION PERTAINING TO THE RED CLIFF DENTAL CLINIC'S APPLICATION**

Dennis Soulier moved to approve the Resolution **11/26/13C**. Seconded by Mike Gurnoe. Motion carried.

**APPROVAL OF RESOLUTION PERTAINING TO FROG BAY TRIBAL NATIONAL PARK'S APPLICATION**

Dennis Soulier moved to approve the Resolution **11/26/13D** Frog Bay Tribal National Park application with corrections. Seconded by Steven Boyd. Motion carried.

**APPROVAL TO PROCEED WITH PLANNING POTENTIAL TIMBER SALE**

At a prior meeting, the Tribal Council asked for an alternative route to access the area of interest for the potential timber sale without navigating through Bayfield County land.

Mike Gurnoe moved to authorize the Forestry Department to develop a harvest plan focusing on the alternate route. Seconded by Laura J. Gordon. Motion carried.

**APPROVAL OF RESOLUTION PERTAINING TO THE TRIBAL TRANSPORTATION IMPROVEMENT PLAN (TTIP)**

Marvin Defoe moved to approve the Resolution **11/26/13E**. Seconded by Bryan Bainbridge. Motion carried.

**APPROVAL OF PROPERTY AND PROCUREMENT MANUAL REVISIONS**

Laura J. Gordon moved to approve the recommended revisions to the Property and Procurement Manual as requested by Dennis Soulier. Seconded by Bryan Bainbridge. Motion carried.

**APPROVAL OF FY 2014 IDC BUDGET**

Dennis Soulier explained that two budgets were missing in the handouts and asked that this be tabled.

Steven Boyd moved to table this item until the December 2, 2013 Council meeting. Seconded by Laura J. Gordon. Motion carried.

**APPROVAL OF CASINO REVENUE (HOSPITALITY TAX) AND CASINO GM BUDGET**

Bryan Bainbridge moved to approve the Casino Revenue Budget only. Seconded by Steven Boyd. Motion carried.

**APPROVAL TO AMEND FEBRUARY 19, 2013 MEETING MINUTES**

Dennis Soulier moved to amend the February 19, 2013 meeting minutes. Seconded by Jeanne Gordon. Motion carried.

**APPOINT (2) MEMBERS TO THE MEMBERSHIP COMMITTEE**

Jeanne Gordon moved to appoint Laura Armagost and Steve Basley to the Membership Committee. Seconded by Marvin Defoe. Motion carried.

**APPOINT (2) TO THE LIBRARY BOARD**

Steven Boyd moved to appoint Barbara and Vanessa Gordon to the Library Board. Seconded by Mike Gurnoe. Motion carried.

**APPOINT (1) TO THE HOUSING BOARD AND APPOINT THE CHAIR**

Election by secret ballot.

Dennis Soulier moved to appoint Robert Bear to the Housing Board. Seconded by Steven Boyd. Motion carried.

Marvin Defoe moved to destroy the ballots. Seconded by Dennis Soulier. Motion carried.

Jeanne Gordon moved to appoint Chris Boyd as the Chair of the Housing Board. Seconded by Marvin Defoe. Motion carried.

**APPOINT (1) GAMING COMMISSIONER**

Dennis Soulier moved to appoint Rick Peterson to the Gaming Commission. Seconded by Laura J. Gordon. Motion carried.

Dennis Soulier moved to appoint Rick Peterson as Chair of the Gaming Commission. Seconded by Mike Gurnoe. Motion carried.

**RATIFY COUNCIL POLL PERTAINING TO THE RED CLIFF BAND AND BAYFIELD COUNTY LAW ENFORCEMENT JOINT PROGRAM PLAN APPLICATION**

Dennis Soulier moved to ratify. Seconded by Laura J. Gordon. Motion carried.

**RATIFY COUNCIL POLL PERTAINING TO THE RED CLIFF BAND AND BAYFIELD COUNTY LAW ENFORCEMENT JOINT PROGRAM PLAN APPLICATION WITH CHANGES**

Jeanne Gordon moved to ratify. Seconded by Dennis Soulier. Motion carried.

**RATIFY COUNCIL POLL PERTAINING TO THE MICHELLE CHARETTE RESOLUTIONS**

Marvin Defoe moved to ratify the poll. Seconded by Steven Boyd. Discussion: Resolution is to include stipulation that the family never allow Wayne Nelson or others to access power through the easement. Motion carried.

**RATIFY COUNCIL POLL PERTAINING TO THE SHAKOPEE GRANT AWARD/LAND PURCHASE**

Dennis Soulier moved to ratify. Seconded by Steven Boyd. Motion carried.

**APPROVAL OF CHRISTMAS AND NEW YEAR’S HOLIDAYS**

Mike Gurnoe moved to approve. Seconded by Jeanne Gordon. Motion carried.

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

Mike Gurnoe moved to return back to Regular Session. Seconded by Dennis Soulier. Motion carried.

Steven Boyd moved to hire Gary Defoe with Peter Newago as the alternate for the NALEMP Program Manager. Seconded by Jeanne Gordon. Motion carried.

Marvin Defoe moved to hire Patsy Gordon for the Head Start Teacher. Seconded by Laura J. Gordon. (1 abstention: Dennis Soulier). Motion carried.

Mike Gurnoe moved to hire Barbara Gordon for the Health Center Receptionist. Seconded by Steven Boyd. Motion carried.

**ADJOURN**

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

Adjourned: 9:05 p.m.

Respectfully Submitted:



Alana Babineau  
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary  
Red Cliff Tribal Council