

Red Cliff Band of Lake Superior Chippewa Indians

SPECIAL COUNCIL MEETING

December 15, 2015

6:00 p.m. at Bayfield County Board Room

Meeting called to order by Chairman Bryan Bainbridge at 6:00 p.m.

ROLL CALL

Bryan Bainbridge, Present
Nathan Gordon, Present
Laura J. Gordon, Present
Krystle Topping, Present
Quorum

Marvin Defoe, Absent
Jeanne Gordon, Present
Steven Boyd, Present
Chris Boyd, Present
Daniel Duffy, Present

Also in attendance: Dave Ujke, Red Cliff Tribal Attorney, Wade Williams Red Cliff Assistant Tribal Attorney, Bayfield County Board and Community members.

AGENDA

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

OPENING CEREMONY

Opening Ceremony was performed by Jim Pete.

BOARD CHAIR MESSAGE

The Board Chair had welcomed everybody and thanked the Tribal Council for coming.

TRIBAL CHAIR MESSAGE

The Tribal Chair said Miigwetch for hosting this historic meeting; he has been on Tribal Council since 2011 and has been waiting for this to happen. Tribal Chair had stated that it is good to know who we are talking to, so when we have questions we know who to go to.

Tribal Chair had stated that there are a lot of misconceptions out there and it all starts by building this relationship between the both governments. Everybody needs to keep an open mind. It all starts with building that bridge and after tonight hopefully we'll all have a better understanding of our wants, goals and needs.

TRIBAL GOVERNMENT OVERVIEW

Dave Ujke the Tribal Attorney did a presentation to the Bayfield County Board. He touched on the Original Ojibwe territory, the Migration story, and how Red Cliff was originally part of the LaPointe Band. The LaPointe Band became Red Cliff (Chief Buffalo) and Bad River.

Dave also touched on the Federal Indian Policy pertaining to the Assimilation and the General Allotment Act (Dawes Act) 1887, Indian Reorganization (Wheeler/Howard) Act of 1934, the termination (1943-61) and the Self Determination and Self Governance (1961-present). Dave also talked about the Treaties of 1837, 1842 and 1854. There were two important points 1). Settles dealt with natives as sovereign nations, and 2). All treaties reserved usufructuary right (the right to hunt fish and gather).

Talked about Land Ownership – Bayfield County owns over ten percent of the reservation land base. Bayfield County owns 1676 and the tribe owns 14457 acres as of 2005.

Some important Historic facts about Red Cliff; Have always relied heavily upon treaty-reserved usufructuary rights. Red Cliff is a fishing tribe – Chief Buffalo selected the location at Red Cliff largely because of its location on the lake known as Buffalo Bay. Formal Tribal Government was established in 1836, and revised in 1991.

Some important Modern Facts about Red Cliff; It is the largest employer in Bayfield County (about 500 jobs between government and casino operations). Approximately 40M in construction projects. Significant economic impact to the local economy and No tax Base.

Sovereignty means the right of people to govern themselves and not be governed by others. Quasi-sovereign possess those attributes of sovereignty not taken away by the feds. Sovereign power is to determine form of government, to determine membership, to legislate, to administer justice.

Jurisdiction – the Tribe maintains jurisdiction over its membership and its territory and sometimes has jurisdiction off-reservation (ceded territory). Tribal Jurisdiction can also be granted and/or defined by federal statute (ICWA, IGRA, etc.). PL280 is a grant of jurisdiction to the states. Red Cliff is a PL280 Tribe – Wisconsin has granted exclusive criminal jurisdiction and concurrent civil jurisdiction over tribal members on reservation. There is only one Tribe in Wisconsin that is not a PL280 and that is Menominee.

There are three subjects touched upon earlier are of central importance to the Tribe: its reservation land base, its authority to govern its own territory and membership.

The Tribe has sought cooperative solutions to issues arising with County government in connection with these topics when possible.

COUNTY GOVERNMENT OVERVIEW

John Carlson, from Bayfield County Corporate Counsel provides a brief outline of Bayfield County programs and vital statistics. The County employs about 200 employees.

John also mentioned that Human Services and Red Cliff Child Support have been working closely on cases, so far there has been about 100 cases transferred to Red Cliff Child support and 60 more will also be transferred soon.

Chris Boyd asked where the CAFO (Concentrated Animal Feeding Operation) issues were at within the County. Fred Strand stated that the County's hands were tied when it comes to CAFO's. The state of Wisconsin has restricted the County's input. The County currently has a large scale Livestock Study Committee. The County has a web-site that anybody can access to explore the ins and outs of CAFO.

There is a public hearing on Thursday December 17th at the County Courthouse and the deadline for submission for the public comment period on CAFOs is December 27, 2015.

Katherine Morrisseau and Sandy Gokee had expressed their concerns on the CAFO issue. Both were displeased with the County and appealed to the Board to consider the Health, and Welfare of Lake Superior and the land surrounding it.

What is the next step? The Tribal Council and the County Board would like to meet twice a year.

Nathan Gordon moved to continue working on the next Joint meeting with the County and the Tribe; the next meeting can be worked out at the next Tribal County Relations Committee meeting. Seconded by Steven Boyd. Motion carried.

ADJOURN

Jeanne Gordon moved to adjourn. Seconded by Krystle Topping. Motion carried.

Adjourned 7:19 p.m.

Respectfully Submitted:



Laura J. Gordon, Secretary
Red Cliff Tribal Council