

Red Cliff Band of Lake Superior Chippewas

SPECIAL COUNCIL MEETING

December 18, 2012

4:30 p.m. at Legendary Waters Resort and Casino, Buffalo Bay Grand Ballroom

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

ROLL CALL

Rose Soulier, Present

Nathan Gordon, Present

Laura J. Gordon, Present

Dennis Soulier, Absent

Mike Gurnoe, Present

Joanne Peterson, Present

Bryan Bainbridge, Present

Jeanne Gordon, Present

Marvin Defoe, Present

Quorum

In attendance: David Ujke, Tribal Attorney; Mark Montano, Director of Tribal Operations and community members.

OPENING CEREMONY

Opening ceremony conducted by Frank Montano and Richard LaFernier.

APPROVAL OF AGENDA

Agenda: Remove #10 "Approval of Resolution pertaining to the Diabetes and Obesity Prevention Research"

Move up #12 "Approval of Contract for Bally Technologies" to be approved before Executive Session w/Tribal members.

Add "Approval of Handicap license plate" and "Approval of Health and Dental Insurance recommendations" to Other.

Add Project Coordinator/Home Visiting Project position to Executive Session.

Nathan Gordon moved to approve the agenda with changes. Seconded by Bryan Bainbridge. Motion carried.

COMMUNITY COMMENTS/ANNOUNCEMENTS

This year's Kid's Christmas party was the best yet, thanks were given to the organizers.

Turkeys are still available to families; those interested can stop at the Tribal Office for a certificate.

Tribal Chair received many calls regarding the Cobell payments. Dave Ujke gave an overview of the law suit and eligibility. People can go to the website for more information and may file a claim until March 2013.

Midge wrestling tickets are now on sale, \$20 in advance \$25 at door.

Legendary Waters Resort and Casino has a new radio ad on 99.7 the Storm. Legendary Waters Resort and Casino will be holding a food drive in January.

APPROVAL OF CONTRACT FOR BALLY TECHNOLOGY

Marvin Defoe moved to approve the Bally Technology contract. Seconded by Mike Gurnoe. Motion carried.

Nathan Gordon moved to go into Executive Session with Tribal Members only. Seconded by Bryan Bainbridge. Motion carried.

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

EXECUTIVE DIRECTOR OF GAMING COMMISSION REPORT

Tom Jeffords highlighted a few points of the report. He will have more information on internet gaming at the next meeting.

Marvin Defoe moved to approve the Executive Director of Gaming Commission monthly report for November – December 2012. Seconded by Mike Gurnoe. Motion carried.

COMPLIANCE REPORT

A few points were highlighted in the written report. The internal audit is on hold pending Gaming Commission approval.

Laura J. Gordon moved to approve the Compliance report for November – December 2012. Seconded by Jeanne Gordon. Motion carried.

GAMING COMMISSION REPORT

The gaming commission has not met since the last Tribal Council meeting. Discussion had on whether or not the policy on poll votes is being followed.

Tom Jeffords will check into the poll vote policy and submit all approved minutes to Jeanne Gordon.

Larry Gordon will ensure that all employees will sign the new drug testing policy and they will receive a copy.

Marvin Defoe moved to approve the Gaming Commission Report. Seconded by Mike Gurnoe. Motion carried.

APPROVAL OF COMPLIANCE/SURVEILLANCE BUDGETS

Discussion on including whether to budget in additional insurance funds in case needed.

Marvin Defoe moved to approve the Compliance/Surveillance Budgets for FY 2013. Seconded by Mike Gurnoe. (3-contrary Joanne Peterson, Jeanne Gordon and Laura J. Gordon). Motion carried.

CONSTITUTION COMMITTEE UPDATE

No update received from the Constitution Committee.

TENANT ASSOCIATION

No update received from the Constitution Committee.

ISSUANCE OF BIG GAME HUNTING PERMITS TO NON-MEMBERS DISCUSSION

Mark Duffy reported that 5 on-reservation bears were registered and 25 on-reservation deer were registered. Two deer were taken for the Elderly Hunt and 1 non-member was issued a big game license.

PAC APPLICATION DISCUSSION ON SNOWMOBILE TRAILS/ICE SKATING RINK

Jeff Benton gives an update on snowmobile trail issue. Letters from homeowners Anne Sullivan, Donald Sullivan, Maynard Frank and Walter Sherman were read to the Tribal Council that expressed their opposition to the Option #2 trail.

Laura J. Gordon moved to rescind the December 3, 2012 motion regarding the Option #2 Turner Road. Seconded by Joanne Peterson. Motion carried.

Jeff Benton will check into the possibility of using the old trail for the time being, he will be speaking with Beth Meyers.

Joanne Peterson moved to set up a negotiating team to work with Wayne Nelson; the team would include Bryan Bainbridge, Marvin Defoe, Jeff Benton, Dave Ujke and Rose Soulier. Seconded by Marvin Defoe. Motion carried.

Legendary Waters Resort and Casino would like to know as soon as possible when a decision is made on the trail so they can advertise.

Jeanne Gordon moved to table the Ice Rink decision until PAC review is complete. Seconded by Nathan Gordon. Motion carried.

APPROVAL OF INDIRECT COST RATE PROPOSAL FOR 2013

Diane Peterson highlights a few points of the 2013 proposal. Marvin Defoe suggested that a line item be included for Junior Tribal Council. Mark Montano explained that this may not be an allowable cost.

Marvin Defoe moved to allow a proposal be presented to the Tribal Council to authorize funding for Junior Tribal Council to be acquired from Tribal General Funds. Seconded by Nathan Gordon. Motion carried.

Jeanne Gordon moved to approve the Indirect Cost Rate proposal for FY 2013. Seconded by Joanne Peterson. Motion carried.

LEASES

Steve Bouley gave an update on the Joanne Peterson request from December 3, 2012 in regards to the Roger C. Basina lease.

Jeanne Gordon moved to approve Option #2 lease modification of Joanne Peterson lease not to exceed 1.25 acres. Seconded by Marvin Defoe. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO SUBMISSION OF THE J.R. ALBERT FOUNDATION GRANT IN SUPPORT OF THE MINO BIMAADIZIWIN FARM EXPANSION PROJECT

Bryan Bainbridge moved to approve Resolution **12/18/12A** pertaining to the Submission of the J.R. Albert Foundation Grant in support of the Mino Bimaadiziwin Farm expansion project. Seconded by Nathan Gordon. Motion carried.

APPROVAL OF CONTRACT WITH NEW WELLS INSTALLATION

Laura J. Gordon moved to proceed with the Thein Well Company Inc. contract in the amount of \$137,640. Seconded by Bryan Bainbridge. Motion carried.

TIMBER SALE ISSUE

Future Wood Corporation was awarded a Timber Sale contract on a County owned parcel located on Blueberry Road near Frog Bay Tribal National Park. Tribal Natural Resources had concerns about the construction of access roads within the 50' aesthetic buffer. To avoid disturbing streams and sensitive areas, it is recommended to the Tribal Council that the contractor be allowed to access to the parcel through tribal land.

Bryan Bainbridge moved to deny access to the parcel through tribal land. Seconded by Marvin Defoe. (3-opposed Mike Gurnoe, Jeanne Gordon and Laura J. Gordon) (2-abstain Joanne Peterson and Nathan Gordon) Motion dies.

Mike Gurnoe moved to allow access to the parcel through tribal land and that all damage to tribal roads is to be repaired by Bayfield County. Seconded by Laura J. Gordon. (2-contrary Marvin Defoe and Bryan Bainbridge) (1-abstain Joanne Peterson). Motion carried.

APPROVAL OF CHAPTER 23 CURFEW, LOITERING AND TRESPASS

Dave Ujke stated that this has been posted and there were no comments received.

Jeanne Gordon moved to approve Chapter 23 Curfew, Loitering and Trespass. Seconded by Joanne Peterson. Motion carried.

APPROVAL OF CHAPTER 33 TRUANCY/APPROVAL RESOLUTION PERTAINING TO CHAPTER 33 TRUANCY

Jeanne Gordon moved to approve the Resolution **12/18/12B** and to waive the posting requirements. Seconded by Nathan Gordon. Motion carried.

Marvin Defoe asked that Dave Ujke suggest to the Truancy Task Force to include "Native American traditional ceremonies" as an excuse absence.

FLOOD PLAIN ORDINANCE

Dave Ujke described the Flood "Damage Reduction" Ordinance.

Jeanne Gordon moved to approve the Resolution **12/18/12C** and to waive the posting requirements to meet the deadline. Seconded by Bryan Bainbridge. Motion carried.

OTHER

APPROVAL OF THE HANDICAP LICENSE PLATE

Jeanne Gordon moved to approve the handicap license plate. Seconded by Laura J. Gordon. Motion carried.

APPROVAL OF DENTAL AND LIFE COVERAGES RENEWAL INSURANCE RECOMMENDATIONS

Jeanne Gordon moved to approve the Dental and Life Coverages Renewal recommendations beginning January 1, 2013. Seconded by Joanne Peterson. Motion carried.

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

Marvin Defoe moved to go back into Regular Session. Seconded by Mike Gurnoe. Motion carried.

Bryan Bainbridge moved to hire Linda Gokee-Rindal as the Family Violence Director with Midge Montano as the alternate. Seconded by Joanne Peterson. Motion carried.

Joanne Peterson moved to hire Willow LaGrew as the AODA PT Day Assistant. Seconded by Marvin Defoe. Motion carried.

Laura J. Gordon moved to hire Billie Jo Johnson as the AODA Secretary/Billing Clerk. Seconded by Jeanne Gordon. Motion carried.

Joanne Peterson moved to hire Jennifer Bouley as the Project Coordinator/Zaagichigaazowin Home Visiting Project with the Red Cliff Clinic. Seconded by Nathan Gordon. Motion carried.

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

Adjourned: 10:18 p.m.

Respectfully Submitted:



Alana Babineau
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council