

Red Cliff Band of Lake Superior Chippewas

REGULAR COUNCIL MEETING

December 5, 2011

6:00 p.m. Legendary Waters, Buffalo Bay Grand Ballroom

Meeting called to order at 6:00 p.m. by Rose Soulier, Tribal Chairperson.

ROLL CALL

Rose Soulier, Present

Marvin Defoe, Present

Laura J. Gordon, Present

Dennis Soulier, Present

Jeanne Gordon, Present

Mike Gurnoe, Present

Joanne Peterson, Present

Bryan Bainbridge, Present

Robert Bear, Present

Quorum

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

OPENING CEREMONY

Opening ceremony was performed by Frank Montano.

AGENDA

Dennis Soulier moved to approve the amended agenda. Seconded by Robert Bear. Motion carried.

MINUTES

Robert Bear moved to approve the minutes of November 7, 2011 with corrections. Seconded by Bryan Bainbridge. Motion carried.

Marvin Defoe moved to approve the minutes of November 22, 2011 with corrections. Seconded by Mike Gurnoe. Motion carried.

GLIFWC MINWAAJIMO PROJECT PRESENTATION

Presentation by Latisha McRoy, ANA Project Manager. Latisha introduced herself in traditional Ojibwemowin. She presented the Red Cliff Band with the book, "Minwaajimo" and other reading materials and DVDs. Latisha explained the background of the book creation. It would be nice to put the materials out at the Bayfield School, Language Departments, Libraries, and Tribal Youth Center, where the tribal members can view it. Latisha gifted the tribe with 104 copies of the book and other materials: DVDs, Treaty Rights book, Ojibwe Journeys book, Ojibwe Treaty Rights DVD, & brochure on GLIFWC. Also 22-26 videos are available to view online: www.youtube.com, using Minwaajimo as search reference. Robert Bear stated he had reviewed the materials and complimented project: it was well done.

COMMUNITY COMMENTS/ANNOUNCEMENTS

Ron DePerry had a question on the dollar amount of Shakopee grant for the powwow grounds & marina renovation. Council explained the amount was between \$150,000-170,000 and some of those funds are to be used for that purpose. Council explained the powwow grounds are not being moved; and the Tribe is trying to enter into a lease agreement with the church. Council is also taking recommendations from powwow committee.

Children's Christmas Give Away will be held December 17, 2011 at Legendary Water Conference Center from 12:00 p.m. to 4:00 p.m. Ages 0-13 years.

Legendary Waters Resort and Casino presents a Holiday Arts & Crafts, Bake and Misc. Sale on December 10, 2011 from 10 a.m. to 4:00 p.m.

Disproportionate Minority Contact (DMC) Project Community Presentation will be held on December 8, 2011 from 10:00 a.m. to 12:00 p.m. at Legendary Waters Resort and Casino, "Trails and Shores" meeting room. Lunch will be served following the presentation, cooked and prepared by Patsy Ruth DePerry. Open to the community.

Patsy Ruth DePerry, community member asked about the tabled Treasurer reports for September and October 2011. Dennis Soulier explained the one page report is available for the community. Dennis also explained September 2011 report is being done with audit approval due to FY 11 ending. However October 2011 report is available.

TREASURER MONTHLY REPORT

Marvin Defoe moved to table September 2011 financial report until the **12/22/11** Council meeting. Seconded by Joanne Peterson. Discussion. Motion carried.

Dennis Soulier went thru the October 2011 Financials. Discussion. Joanne Peterson moved to table the October 2011 Financials until we get current numbers, bring back to Council meeting on December 20, 2011. Seconded by Jeanne Gordon. Motion carried.

Rose read the letter from Joanne Peterson, Property & Procurement Officer re: credit card policy that requested the issuance of a credit card to Dennis J. Soulier. Marvin Defoe moved to approve the issuance of a credit card to Dennis J. Soulier and to include in motion to cancel out Jim Pete's credit card. Seconded by Bryan Bainbridge. Motion carried.

Report 2011 turkey donation: \$1,075.00 to date. Dennis Soulier will keep Council updated.

There is a request for a donation from Mary Pyawasit, President of Indigenous Student Alliance Lake Superior College, for a monetary donation for their spring Powwow. Discussion: Joanne Peterson moved to deny request and forward it back to the Division Administrators for consideration. Seconded by Laura J. Gordon. Motion carried.

Laura J. Gordon moved to go into Executive Session. Seconded by Mike Gurnoe. Motion carried.

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

REGULAR SESSION

Joanne Peterson moved to table the Casino Report (tabled from 11/22/11). Seconded by Jeanne Gordon. Motion carried.

Dennis Soulier moved that the Annual budget revision be presented at the next Special Council meeting (12/20/11). Seconded by Marvin Defoe. Motion carried.

OLD BUSINESS

NEW BUSINESS

APPROVAL OF ARISTOCRAT CONTRACTS

Dennis Soulier moved to approve all three contracts with Jim Brown "Aristocrat". This contract will swap out the old participation machines for new machines that will be more attractive for customers. The total machines to be swapped out are twelve. Seconded by Laura J. Gordon. Motion carried.

LEASE

Dennis Soulier moved to approve the Resolution **12/5/11A** for Timothy C. Gordon lease to be modified to add his wife Jennifer L. Gordon. Seconded by Bryan Bainbridge. Motion carried.

PROPOSED LEASE AGREEMENT WITH ST. FRANCIS CHURCH

Jeanne Gordon moved to approve the Lease Agreement with corrections, and to have the Chair sign off on the Lease Agreement. Discussion: Seconded by Bryan Bainbridge. Motion carried.

CHAPTER 12 POLLUTION AND ENVIRONMENTAL POLLUTION REVISIONS FOR POSTING

Marvin Defoe moved to have Chapter 12 Pollution and Environmental Pollution revisions posted for 30 days. Seconded by Laura J. Gordon. Motion carried.

CHAPTER 37 LAND USE REVISIONS

Dennis Soulier moved to have Chapter 37 Land Use revisions posted for 30 days. Seconded by Joanne Peterson. Motion carried.

APPROVAL OF RCCL CHAPTER 17 (TRIBAL GAMING ORDINANCE)

Dennis Soulier moved to approve the Conforming Resolution **12/5/11B** to amend Chapter 17 to authorize amendments to Tribal Law and to become effective immediately. Seconded by Marvin Defoe. Motion carried.

APPROVAL OF RESOLUTION TO ENACT AN OFF-RESERVATION CONSERVATION CODE AMENDMENT

Jeanne Gordon moved to approve the Resolution **12/5/11C** to Enact an Off-Reservation Conservation Code Amendment. Seconded by Mike Gurnoe. Motion carried.

APPROVAL OF ADDENDUM TO CONTRACT FOR BRAZELTON INSTITUTE

Marvin Defoe moved to approve the addendum to the Contract for Brazelton Institute not to exceed the total contract amount of \$118,580. Seconded by Jeanne Gordon. Discussion. One Contrary (Dennis Soulier). Motion carried.

GAMING COMMISSION APPOINTMENTS

Dennis Soulier moved to reappoint Larry Deragon to Gaming Commission. Seconded by Jeanne Gordon. Motion carried.

Dennis Soulier moved to appoint Jeannie Balber, Marvin Morris Sr, and Richard LaFerner with successful training within six months and a satisfactory background check. Seconded by Joanne Peterson. Motion carried.

Marvin Defoe moved to appoint Larry Deragon the Chair for the Gaming Commission. Seconded by Laura J. Gordon. Motion carried.

REQUEST TO PURCHASE RADIOS FOR LAW ENFORCEMENT

Dennis Soulier moved to waive the sealed bid process and accept DSC Communications bid for \$32,185.00. Seconded by Bryan Bainbridge, Motion carried.

TRIBAL COURT ROOF BID WAIVER

Joanne Peterson moved to deny bid request and to repost the bid out again for asphalt only, due by next Monday 12.12.11. Discussion. Seconded by Dennis Soulier. Motion carried.

EMPLOYEE HANDBOOK CHANGE

Marvin Defoe moved to approve the Employee Handbook Change request pertaining to the Tribe's Drug Testing policy with corrections. Seconded by Laura J. Gordon. Motion carried.

DCF JURISDICTION MEMO

Joanne Peterson moved to respond to DCF in collaboration with other Wisconsin Tribes and to hire outside council to respond to the states memorandum and split the legal fees. Estimated cost is less than \$1,000.00. Seconded by Jeanne Gordon. Motion carried.

H.R. 1505 DISCUSSION

Dennis Soulier moved to approve Resolution **12/5/11D** NCAI opposes this bill due to it possible effects to tribal lands within 100 miles of US Border. Seconded by Jeanne Gordon. Motion carried.

OTHER

CHRISTMAS AND NEW YEAR HOLIDAYS

Dennis Soulier moved to accept the Christmas and New Year's Holidays and allow tribal employees to choose an extra day off with approval by their immediate supervisor. The dates are December 22, 2011 December 27, 2011, December 30, 2011 and Jan 3, 2012. Seconded by Joanne Peterson. Motion carried.

UP-DATE ON MUTUAL AID

The Red Cliff Police Department is eligible to receive mutual aide. One of the very first in the state!

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

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

Jeanne Gordon moved to go with Jamie Cadotte as the Medical Assistant at the Red Cliff Clinic with Jodi Schoch as the alternate. Seconded by Joanne Peterson. Motion carried.

Bryan Bainbridge moved to have Dave Ujke start Litigation with First American Prevention Center to include Eviction from property and request to return all Tribal Assets. Seconded by Robert Bear. One Abstention (Marvin Defoe). Motion carried.

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

Adjourned: 9:36 p.m.

Respectfully Submitted:



Jeannie Balber
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council