

Red Cliff Band of Lake Superior Chippewa Indians

SPECIAL COUNCIL MEETING

April 19, 2016

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

Meeting called to order by Vice-Chairman Nathan Gordon at 2:00 p.m.

ROLL CALL

Bryan Bainbridge, Present @ 4:00 p.m.
Nathan Gordon, Present
Laura J. Gordon, Present
Krystle Topping, Present @ 2:05 p.m.
Quorum

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

Also in attendance: Jim Rider, Legendary Waters GM, Dave Ujke, Red Cliff Tribal Attorney, Wade Williams, Red Cliff Assistant Attorney, and Community members.

AGENDA

Chris Boyd moved to approve the agenda as amended. Seconded by Laura J. Gordon. Motion carried.

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

Nathan Gordon moved to return to Regular Session. Seconded by Krystle Topping. Motion carried.

OPENING CEREMONY

Opening ceremony performed by the Buffalo Bay Singers.

Laura J. Gordon moved to approve the Red Cliff Health Center's Contracts with The Medicus Firm LLC, and Staff Care Inc. and to waive the Property and Procurement Process to sole source with these contracts. Seconded by Steven Boyd. Motion carried.

Krystle Topping moved to direct Tribal Administration to move forward with setting up a meeting with Shakopee regarding Legendary Waters Loan. Seconded by Marvin Defoe. Motion carried.

TRIBAL LAND LEASES PRESENTATION

Kimberly Bouchard and Gerald Walhovd were here to talk about the leases that are in arrears and how the Tribe and BIA can go about trying to recover those costs. Kim mentioned that Pam VanderVenter would be willing to come to Red Cliff to do an outreach program to try and get some of the correct information from the individual leases. Gerald also mentioned that the

Tribe and the BIA can also have the arrears sent to the Department of Treasury to try and recover the payments.

Chairman Bainbridge has some concerns with sending to the Department of Treasury right away. He feels that there may be some of the individuals that have not gotten their yearly bills in the mail. He suggests that the BIA send the list to Red Cliff and we will try and find the correct addresses and make sure that everything is up-to-date.

Marvin Defoe spoke about a concern that he had. He believes that some of the people are not paying because they don't know where the payment goes. In the past the payment could be made at the Administration building. Now that has changed and it needs to be sent elsewhere.

Marvin Defoe also believes that people need a fair warning about the leases. He thinks that they should receive a letter or something before it progresses into any action from others.

Chairman Bainbridge asked Gerald if the Department of Treasury would receive a percentage of the payments if they decided to go that route. Gerald believes that all the payments will go back to the Tribe but the Treasury may add some fees onto it.

EMERGENCY COMMUNICATION TOWER PRESENTATION/APPROVAL OF RESOLUTION

Marilyn Miller and Theron Rutyna were here to explain the communication tower. Marilyn explained that this tower will better the communication for the Law Enforcement, Fire and Ambulance Departments. Bill Mertig was here to express that to date the radios that they use don't reach far and they lose signals. This tower will help keep a better track on where the police officers are.

Theron Rutyna explained that the site for the new tower would be at the old water tower in the Hillside Housing. Questions were asked about the safety around the tower. Theron mentioned that the tower will be fenced off and the storage shed would be secure. He mentioned that the tower is very hard to climb and with it being fenced off it should be difficult for others to get in that area.

Erika Barker had some suggestions in regards to the tower. She suggested getting in contact with Verizon or AT&T to find out if in the future they can use the tower for more cell phone coverage.

Jeanne Gordon moved to approve the Resolution **4/19/16A** pertaining to the Planning, Development and Construction of increased Radio Communication Capabilities and Capacity for the safety of the Red Cliff Community and Emergency Responders. Seconded by Krystle Topping. Motion carried.

COMMUNITY COMMENTS/ANNOUNCEMENTS

Cecil Peterson was here with a concern that he had in regards to his fishing nets. Cecil mentioned that his nets had been dragged around by another fisherman and he went to Mark

Duffy, Red Cliff Warden, and showed him pictures. Cecil mentioned that Mark told him that the people involved would not be getting tickets because they told Mark that Cecil does the same thing. Cecil is mad and frustrated because it cost him about &800 in nets and fish. Marvin Defoe suggests to have this matter looked into. Dave Ujke stated that he will look into this.

Richard LaFernier was here to thank the Council for their support for the youth. Richard stated that the Bayfield School will be having their powwow this Friday, April 22 and they are honoring the youth. He also mentioned that there will be a spirit pole going up at the school on May 20, 2016.

Bob Bear had a concern with the Zika Virus and if there has been any talk in regards to this. He believes that having all the tires spread around the community is not good for the health of the people. Bob asked Dave Ujke if there is an ordinance about littering. Dave said yes there is.

Chris Boyd mentioned that on April 18, 2016 was 80 years that the Constitution was created.

There will be a presentation for the Girls High School Basketball Team on May 3, 2016 at Legendary Waters with the feast starting at 5:30 p.m.

GAMING COMMISSION REPORT

Krystle Topping asked Charlie Bresette if the Gaming Commission sees the reports that the Surveillance writes up on situations. Charlies explained that they do see them even though they are confidential reports.

Krystle Topping moved to accept the Gaming Commission report with corrections. Seconded by Nathan Gordon. Motion carried.

COMPLIANCE REPORT

Charlie Bresette talked about working with Jim Rider and Joan Gudvangen on getting a new check cashing system. He also mentioned that the Casino had a visit from Rob from NIGC.

Krystle Topping moved to accept the Compliance report for March 2016. Seconded by Chris Boyd. Motion carried.

OLD BUSINESS

ZERO DEFICIT PLAN (THIRD PARTY) UPDATE

Krystle Topping gave a brief description of what the Zero Deficit Plan was about to the community. This plan will reduce overall costs for the Tribe.

Krystle Topping moved to have the Tribal Administration meet with programs pertaining to Third Party Accountants and to have programs draft up an action plan for each account. Seconded by Marvin Defoe. Motion carried.

NEW BUSINESS

NATOW SPONSORSHIP REQUEST

Collin Price, The Executive Director of NATOW was here to give a presentation for the group. He is asking for a monetary donation to help with the NATOW Conference which is being held June 6 -8, 2016. Chairman Bainbridge said at this time we are not able to make a monetary donation but would like to help in any way. We could offer casino packages or fish for the feast. Collin encouraged members of the council to try and make it to the event this year.

APPROVAL OF CASH FLOW BUDGET

Krystle Topping moved to approve the Cash Flow Budget for May 2016 for Legendary Waters Resort and Casino. Seconded by Marvin Defoe. Motion carried.

APPROVAL OF FWS LAMPREY TREATMENT ON RASPBERRY AND SAND RIVERS

Chad Abel and Shawn Nowicki from the Fish & Wildlife were here to discuss this matter. Shawn explained that on May 3 – 12 they would be treating Raspberry River. On July 26 to August 4 they will be treating Sand River.

Marvin Defoe moved to approve the Lamprey Treatments on Sand and Raspberry rivers and also approved the \$1,500 that Fish Wildlife Services (FWS) is providing the Treaty Natural Resources to assist in treatment of Raspberry River. Seconded by Dan Duffy. Motion carried.

APPROVAL OF BUSINESS PERMITS

Marvin Defoe moved to approve the Business License for Phillip Isaac for "Atsu". Seconded by Nathan Gordon. Motion carried.

Marvin Defoe moved to approve the Business License for Curtis P. Basina and Linda M. Basina for "Copper Crow Distillery". Seconded by Steven Boyd. (1 Opposed: Chris Boyd). Motion carried.

Nathan Gordon moved to approve the Business License for Roland Gordon Jr. for "Gordon Auto". Seconded by Jeanne Gordon. Motion carried.

APPROVAL OF VERIFICATION OF CANDIDATES FOR 2016 PRIMARY ELECTIONS

Chris Boyd moved to approve the following individuals for 2016 Primary Election:

Vice-Chair

Steven L. Boyd
Nathan W. Gordon
Troy D. Gordon
Edward M. Bressette III

Secretary

Christopher P. Hicks
Demetri B. Morris
Mercie A. Gordon
Laura J. Gordon

Seconded by Krystle Topping. (3 Abstentions Nathan Gordon, Steven Boyd and Laura J. Gordon). Motion carried.

APPROVAL TO APPOINT COUNCIL REP. FOR THE FAMILY/HUMAN SERVICES ADVISORY COMMITTEE

Jeanne Gordon moved to appoint Dan Duffy as the Council Rep. for the Family/Human Services Advisory Committee. Seconded by Nathan Gordon. Motion carried.

RATIFY COUNCIL POLL

Jeanne Gordon moved to ratify the Council Poll pertaining to the Conservation Law Enforcement Officer Program. Seconded by Laura J. Gordon. Motion carried.

Steven Boyd moved to approve the Resolution 4/19/16B pertaining to the submission of the U.S Department of Transportation's, Transportation Investment Generating Economic Recovery (TIGER) discretionary grant application for 2016 in support of the development of the Red Cliff Transportation Center. Seconded by Jeanne Gordon. Motion carried.

Laura J. Gordon moved to approve the Resolution 4/19/16C pertaining to the U.S. Department of Transportation TIGER grant application. Seconded by Jeanne Gordon. Motion carried.

OTHER

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

Marvin Defoe moved to return to Regular Session. Seconded by Nathan Gordon. Motion carried.

Laura J. Gordon moved to approve the Family/Human Services Interim Administrators ICW (Indian Child Welfare) Plan as discussed in Executive Session. Seconded by Krystle Topping. Motion carried.

Laura J. Gordon moved to waive the Facilities Management (FM) and Indirect Cost (IDC) for FY15 Title IVB Subpart 2. Seconded by Jeanne Gordon. Motion carried.

ADJOURN

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

Adjourned 9:04 p.m.

Respectfully Submitted:


Cheri Defoe
Recording Secretary

ATTEST:


Laura J. Gordon, Secretary
Red Cliff Tribal Council