

Red Cliff Band of Lake Superior Chippewa Indians

SPECIAL COUNCIL MEETING

June 21, 2016

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

Meeting called to order by Chairman Bryan Bainbridge at 2:00 p.m.

ROLL CALL

Bryan Bainbridge, Present
Nathan Gordon, Present
Laura J. Gordon, Present
Krystle Topping, Present
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, Assistant Attorney, Lisa Bissell, Interim CFO, and Community members.

AGENDA

Nathan Gordon moved to approve the agenda as amended. Seconded by Jeanne Gordon. Motion carried.

Krystle Topping moved to go into Executive Session. Seconded by Laura J. Gordon. Motion carried.

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

OPENING CEREMONY

Opening ceremony performed by Jim Pete.

COMMUNITY COMMENTS/ANNOUNCEMENTS

Antone Basina and Patsy Ruth DePerry were here to discuss concerns with Legendary Waters. Antone mentioned he don't think that the GM is doing everything the right way. He is picking wrong people for jobs. Patsy Ruth went on to explain that the employees' moral is way down. Patsy Ruth mentioned that she put in a complaint with the GM on 5-3-16 and never heard anything back from him. She also mentioned that she has talked to numerous employees and they are scared to come into work. Chairman Bainbridge told Patsy Ruth that the Council takes all the issues seriously. They are trying to fix the issues. Larry Gordon asked the Council if they see the comment cards from the casino. Council does not see them and Larry stated that even the Managers don't get to see the cards to try and fix what the problems could be. Chairman Bainbridge stated that they are looking at everything and doing what they can to try and fix the

problems. He mentioned that they look at everything closely to try and make the correct decision.

Chris Hicks was here to ask if the Council has made a decision about the Marihuana issue. Marvin Defoe mentioned that he does not agree with this because he would feel like a drug dealer because it is illegal in the State of Wisconsin. Marvin believes that the Federal Government could come in and take their funding away. This would leave the Tribe with nothing. Chris mentioned the referendum that the people had signed. Chairman Bainbridge mentioned that it was a non-binding referendum.

Marvin Defoe moved to suspend any further action or pursue any activity on the recreational, industrial and medical marijuana until it collectively becomes Legal within the State of Wisconsin. Seconded by Steven Boyd. Motion carried.

Michael Soulier was here to talk about the culture and traditions from long ago. He believes that Red Cliff is not following the correct culture and traditions. He also mentioned looking at the British years from 1600-1900.

There will be a Treaty Education Day on June 22, 2016 at Legendary Waters. This event will start at 9:30 a.m. and will continue to Madeline Island until 7:30 p.m.

The Tribal Council is seeking 7 individuals to serve on the Circles of Care Ad-hoc Advisory Committee. Three members between the ages of 16 to 25; two members over the age of 25; one Tribal Elder 55 or older; and one Tribal Council member.

The Ladies Auxiliary will be having a fundraiser on Thursday, June 23, 2016 from 11 a.m. to 1 p.m. at the VFW.

The Red Cliff ECC is looking for people to help with their Rain Garden. The dates would be June 28 and June 29, 2016 starting at 2:30 p.m.

There will be a T-Ball sign up on Tuesday, June 21, 2016 at the Youth Center for children between the ages of 4 to 8. Please stop and register your children.

There will be an ATV safety class on Wednesday, June 29, 2016 from 10 a.m. to 2 p.m. and Thursday, June 30, 2016 from 10 a.m. to 4 p.m. at the Red Cliff Fire Hall.

The Royalty Pageant will be held on June 30, 2016. The registration time is 3 to 5 p.m.

The Red Cliff Pow-wow will be held on July 1, 2, and 3, 2016 at the pow-wow grounds.

There will be a meeting for the Red Cliff Days on June 30, 2016 at 4:30 p.m. at Legendary Waters for anybody that would like to attend.

GAMING COMMISSION/COMPLIANCE REPORT

Nathan Gordon moved to table the Gaming Commission/Compliance report until the July 19, 2016 meeting. Seconded by Jeanne Gordon. Motion carried.

OLD BUSINESS

ZERO DEFICIT PLAN

Chairman Bainbridge mentioned that he had met with Krystle Topping to see if she would hold monthly or quarterly meetings with key staff. She would be willing to do this.

Chris Boyd moved to give Krystle Topping the direct supervision of the Zero Deficit Plan meeting. Seconded by Marvin Defoe. Discussion: Chairman Bainbridge mentioned these meetings would only need to be with key staff and to make sure that we follow our timelines. (1 abstention: Krystle Topping). Motion carried.

NALEMP UPDATE

Gary Defoe Jr. was here to present Brenden Sellers to the Council. Brenden would like to do an essay on the barrel project. Attorney Dave Ujke suggests that Brenden should put in a formal request to the Council for the essay. Marvin Defoe asked if the Council will have the final approval of the project before Brenden shows anybody. Brenden said the Council will have the final approval.

Gary and Frank Koehn were here to give their quarterly report for the NALEMP project. Frank mentioned the numerous presentations that they held. He mentioned that they had good radio reports and also reports in the paper.

Gary mentioned that he is closing the Cooperative Agreement for FY13 and finalizing the Cooperative Agreement for FY16.

Chairman Bainbridge thanked Gary and Frank for the good job that they have been doing for this project.

UPDATE ON THE SPIRIT ISLAND PROJECT

Chad Abel and Todd Norwood were here to give an update on Spirit Island. It was mentioned that the erosion is very stable and they are able to eliminate the use of the heavy equipment. The project will be able to be done by hand labor and they will be using natural fiber aspen log and cover with a cloth instead of plastic. This approach will also reduce the cost.

Nathan Gordon moved to move forward on the Spirit Island Project. Seconded by Jeanne Gordon. Motion carried.

NEW BUSINESS

APPROVAL OF CASH FLOW BUDGET

Jeanne Gordon moved to approve the Cash Flow Budget for July 2016. Seconded by Laura J. Gordon. Motion carried.

APPROVAL OF LEGENDARY WATERS INSURANCE RENEWAL

Laura J. Gordon moved to approve the Insurance Renewal with Travelers for Legendary Waters resort and Casino. Seconded by Nathan Gordon. Motion carried.

APPROVAL OF THE TRIBE'S INSURANCE

Laura J. Gordon moved to approve the Insurance Renewal with Arrowhead/On Point for the Red Cliff Band of Lake Superior Indians. Seconded by Chris Boyd. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO ACQUISITION OF AN UNDEVELOPED LAKE SUPERIOR COASTAL PROPERTY IN SCHOONER BAY

Krystle Topping moved to approve Resolution 6/21/16A pertaining to Acquisition and Protection of an Undeveloped Lake Superior Coastal Property in Schooner Bay. Seconded by Jeanne Gordon. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO NATIVE AMERICAN AGRICULTURE FAST TRACK FUND (NAAFTF)

Steven Boyd moved to approve Resolution 6/21/16B pertaining to the Native American Agriculture Fast Track Fund (NAAFTF). Seconded by Jeanne Gordon. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO HEAD START/EARLY HEAD START EXTENDED SERVICES APPLICATION 2016-2017

Marvin Defoe moved to approve Resolution 6/21/16C pertaining to the Head Start/Early Head Start Extended Services application 2016-2017. Seconded by Dan Duffy. Discussion: to offer the Employees that were laid off in the 2 positions (Assistance Teacher 1/Bus monitor and Assistant Teacher 2/Bus Monitor) be offered back to them. Motion carried.

APPROVAL OF WAIVER FOR CONTRACT WITH CHANGE HEALTHCARE SOLUTIONS, LLC

Krystle Topping moved to approve to waive the Property and Procurement Policy with the Contract Change Healthcare Solution, LLC. Seconded by Nathan Gordon. Motion carried.

APPROVAL OF HEALTH BOARD POLICIES AND PROCEDURES

Laura J. Gordon moved to approve the Health Board Policies and Procedures as presented. Seconded by Krystle Topping. Discussion: Once the changes are made please get a copy to Jeanne Gordon. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO CONTINUED CONTRACTING WITH IHS 2017

Krystle Topping moved to approve Resolution 6/21/16D pertaining to Continued Contracting with Indian Health Services 2017. Seconded by Laura J. Gordon. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO CONTRACTING WITH WI DEPARTMENT OF HEALTH & FAMILY SERVICES 2017

Steven Boyd moved to approve Resolution 6/21/16E pertaining to Contracting with Wisconsin Department of Health & Family Services 2017. Seconded by Jeanne Gordon. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO SERVICES TO NON-BENEFICIARIES

Nathan Gordon moved to approve Resolution 6/21/16F pertaining to Services to Non-Beneficiaries 2017. Seconded by Chris Boyd. Motion carried.

APPROVAL OF WATER AND SEWER BUDGET MODIFICATION

Laura J. Gordon moved to approve the Water & Sewer budget modification. Seconded by Nathan Gordon. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO 2016 COPS HIRING GRANT

Marvin Defoe moved to approve Resolution 6/21/16G pertaining to the 2016 COPS hiring Grant Application. Seconded by Jeanne Gordon. Discussion: this is pending verification from the funding source that IDC and FM is not allowable. Motion carried.

APPROVAL OF VERIFICATION OF CANDIDATES FOR THE 2016 GENERAL ELECTION

Nathan Gordon moved to approve the Candidates for the 2016 General Election At-Large seats. Seconded by Chris Boyd. (2 Abstentions: Jeanne Gordon and Marvin Defoe). Motion carried.

APPROVAL OF THE 2016 GENERAL ELECTION BALLOT

Steven Boyd moved to approve the 2016 General Election ballot with correction. Seconded by Jeanne Gordon. (1 abstention: Nathan Gordon). Motion carried.

APPROVAL OF APPLICATION TO THE ADOPTION REFERENDUM BALLOT

Marvin Defoe moved to add the application of Sophia Colon to the Adoption Referendum Ballot. Seconded by Chris Boyd. Motion carried.

APPROVAL OF THE 2016 ADOPTION REFERENDUM BALLOT

Nathan Gordon moved to approve the 2016 Adoption Referendum Ballot. Seconded by Laura J. Gordon. Motion carried.

APPOINT ONE (1) MEMBER TO THE FAMILY/HUMAN SERVICES COMMITTEE

Steven Boyd moved to appoint Paula Bonney to the Family/Human Services Committee. Seconded by Nathan Gordon. Motion carried.

RATIFY COUNCIL POLLS

Nathan Gordon moved to Ratify Council poll pertaining to approving the Resolution pertaining to the Enhanced Domestic Abuse Services for Native American Tribes. Seconded by Krystle Topping. Motion carried.

Laura J. Gordon moved to Ratify Council poll pertaining to the Medicus Contract Amendment to increase from 60,850 to 94,351.33. Seconded by Nathan Gordon. (1 Opposed: Marvin Defoe). Motion carried.

Nathan Gordon moved to Ratify Council poll pertaining to the Head Start / Early Head Start 1.8% COLA application 2016-2017. Seconded by Krystle Topping. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO AMEND RCCL CHAPTER 16 BUSINESS LICENSE AND TAX LAW

Nathan Gordon moved to approve Resolution 6/21/16H pertaining to Amending RCCL Chapter 16 Business License and Tax Law, this is also to include waiving the posting. Seconded by Jeanne Gordon. Motion carried.

OTHER

Krystle Topping moved to go into Executive Session. Seconded by Steven Boyd. Motion carried.

Laura J. Gordon moved to return to. Seconded by Marvin Defoe. Motion carried.

Nathan Gordon moved to approve Resolution 6/21/16I pertaining to Supporting a Litigation Support request for the LCO Treaty Rights Case. Seconded by Jeanne Gordon. Motion carried.

ADJOURN

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

Adjourned 8:37 p.m.

Respectfully Submitted:



Cheri Defoe
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council