

# Red Cliff Band of Lake Superior Chippewas

## SPECIAL COUNCIL MEETING

May 22, 2012

4:30 p.m. Legendary Waters

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

### ROLL CALL:

Rose Soulier, Present

Mike Gurnoe, Present

Marvin Defoe, Present @ 4:48 p.m.

Joanne Peterson, Present

Laura J. Gordon, Present

Bryan Bainbridge, Present

Dennis Soulier, Present

Robert Bear, Present

Jeanne Gordon, Present

Quorum

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

### OPENING CEREMONY

Opening ceremony performed by Frank Montano.

### AGENDA

Under #11 add "update on paving projects for the summer" and under Other add "401K Pension Committee". Dennis Soulier moved to approve amended agenda. Seconded by Joanne Peterson. Motion carried.

### NORTHLAND COLLEGE PRESIDENT MIKE MILLER

President Mike Miller and James Pete gave a presentation on Native American Programs that are available at Northland since 1972. There consists of both a Native American Student Association and a Native American student center to provide a welcoming experience for the Native student population. The college would like to increase the tribal involvement and recently met with Rose Soulier, Dee Gokee-Rindal, Carmen Vander Venter, and Bryan Bainbridge to discuss areas of study needed within the tribe and internships available in an attempt to improve the College and the Band's relationship. If any tribal member would like more information please contact James Pete or Mike Miller.

### COMMUNITY COMMENTS/ANNOUNCEMENTS

Cecil Peterson and Curt Basina: Expressed concerns about a cigarette tax discussion which is on the executive Session agenda. Both would like to be notified in the future and would like Council to hold discussions with private vendors.

Patsy Ruth DePerry: Shared her concern with the Non Violence Proclamation not being enforced and suggested repeat offenders should appear before Elderly Committee and possibly subject to traditional banishment code. Patsy Ruth had also requested an update on the Pow-

wow, and stated a tribal member had embezzlement issues at Red Cliff Housing Authority previously and was now employed at another housing authority.

Larry Balber: The 34<sup>th</sup> Annual Pow-wow will be held at the old Pow-wow grounds for the last year. Pow-wow Committee is finalizing plans for mobile bleachers and arbors that will be used at the new pow-wow grounds. The 35<sup>th</sup> Annual Red Cliff Pow-wow will be held at the new Pow-wow grounds. There appears to be \$171,000 allotted for construction for the new and old grounds.

Grace Livingston: Daley Road incident. Police stated they would respond when they get enough officers. She was very unhappy with treatment by our police department.

Allen Morris: Suggested Neighborhood Watch could be implemented.

Marvin Defoe moved to formulate a task force to look at the zero tolerance violence proclamation and the suggestions that were discussed tonight and bring back in the next couple weeks. Seconded by Dennis Soulier. Motion carried

Larry Balber: If the tribe wants to review and/or modify the General Management Plan, highly recommends using an extensive, strategic, formal process for revisions.

Angel Morris: Requested more police patrolling in the Hillside development, suggested maybe putting two stop signs by her residence.

Tom Jeffords: Daly Road, Suggest removable speed bumps could be utilized when the tribe black tops the road. Also parents need to be watching their children.

There will be a Kid Christmas Bingo will be held Sunday, May 27, 2012 at 12:30 p.m. at Legendary Waters Resort Casino. It will be 50/50 Bingos and lots of Raffles. Contact Susie Gurnoe or Kathy Barri at the Tribal Office.

#### **CASINO REPORT**

Joanne Peterson moved to go into Executive Session. Seconded by Mike Gurnoe. Motion carried.

Marvin Defoe moved to return to Regular Sessions. Seconded by Jeanne Gordon. Motion carried.

Marvin Defoe moved to approve Legendary Waters Resort and Casino Financial report for the seven months ending April 30, 2012. Seconded by Joanne Peterson. Motion carried.

Laura J. Gordon moved to approve the Cash Flow Statement for June 2012. Seconded by Bryan Bainbridge. Motion carried.

## **COMPLIANCE REPORT**

Tom Jeffords gave the Council a copy some of the Draft copy of the Policies and Procedures for the Gaming Commission and also a copy of the Class II MICS regulations for Class II slot machines. The Class II revolves around 18 year olds gambling.

Tom also attended the National Indian Gaming training from April 17, 2012 to April 20, 2012. Attended weekly managers' meetings.

Jim Hurley has been busy testing/updating and installing older machines, tested 31 Bally chips all approved for the State of Wisconsin by GLI.

Dennis Soulier moved to approve Compliance Report for month of April 2012. Seconded by Jeanne Gordon. Motion carried.

## **GAMING COMMISSION REPORT**

Larry Deragon went through his report and mentioned that the GM will be setting up a Title 31 training with all Casino employees and they will be tested. There is an individual that had resigned from the Gaming Commission, and is asking for this position to be reposted out in the community.

Dennis Soulier moved to accept the resignation of Richard LaFerner from the Gaming Commission. Seconded by Marvin Defoe. Motion carried.

Jeanne Gordon moved to approve the Gaming Commission Report for the month of April 2012. Seconded by Dennis Soulier. Motion carried.

## **OLD BUSINESS**

### **LISTENING SESSION DISCUSSION**

Mark Montano discussed listening sessions with Division Administrators and several questions were posed. Mark Montano will discuss reviewing the General Management Plan with Division Administrators and possibly set priorities on a quarterly basis.

### **IPC UPDATE**

Diane Erickson, Jeffrey Lewis, and Jenelle Elza gave the Council and community an update on where the (IPC) Improving Patient Care was at. Red Cliff Community Health Center (RCCHC) provides care using a family-patient centered model consisting of care terms, and partnerships with tribal and community organizations. The mission is to promote health, improve wellness and empower our patients in self-care management, while maintaining financial viability. They also went through the goals of the IPC program and the data collection.

## **NEW BUSINESS**

### **LEASES**

Marvin Defoe moved to approve Resolution **5/22/12A** pertaining to Dawn Peterson request permission to occupy her lease immediately. Seconded by Jeanne Gordon. Motion carried.

Marvin Defoe moved to table the request from Zachery Van Vlack to occupy his lease immediately. Seconded by Jeanne Gordon. Motion carried.

Dennis Soulier moved to approve Resolution **5/22/12B** residential lease for Thomas A. Rama a tribal member and Crystal Roma a non-tribal member lease on Beneshii Road. Seconded by Jeanne Gordon. Motion carried.

### **DSGW DESIGN ARCHITECT CONTRACT FOR NEW HEALTH CLINIC**

Joanne Peterson moved to approve the contract with DSGW/Rebecca Lewis for the new Health Clinic and approved Chairperson to sign documents once legal has reviewed. Seconded by Bryan Bainbridge. Motion carried.

### **PROPOSAL FOR CLEARING AND GRUBBING NORTH BRADUM ROAD**

Mike Gurnoe moved to approve Red Cliff to provide services for Clearing and Grubbing of North Bradum Utility Construction Development, BIA proposal, not to exceed the amount of \$132,701. Seconded by Jeanne Gordon. Motion carried.

Ed Sindelar updated the Council and community on what projects will be worked on this year and they are Paving Daley Rd, Paving Buffalo Bay Campground, Paving Mishomis House parking, Paving ECC parking, New Pump house and Well Installation, New Meter Installation.

### **APPROVAL OF RESOLUTION PERTAINING TO CHILD SAFETY SEATS GRANT**

Marvin Defoe moved to approve Resolution **5/22/12C** pertaining to Child Passenger Safety Seats grant Memorandum of Agreement. The Child Passenger Safety Seat grant will further address the public health and safety of Red Cliff Children. Seconded by Dennis Soulier. Motion carried.

### **APPROVAL OF RESOLUTION PERTAINING TO RED CLIFF APPLICATION FOR ENVIRONMENTAL PROGRAM FUNDING**

Dennis Soulier moved to approve Resolution **5/22/12D** pertaining to the Red Cliff application for Environmental Program funding. Every two years a new application package has to be resubmitted. The proposed work plan and budget will cover the time period of October 1, 2012 to September 30, 2014. Seconded by Bryan Bainbridge. Motion carried.

### **APPROVAL OF RESOLUTION PERTAINING TO ICW/ECC COLLABORATIVE GRANT APPLICATION**

Dennis Soulier moved to approve Resolution **5/22/12E** pertaining to Red Cliff Tribal Indian Child Welfare department and Early Childhood Center's collaboration on the Child Welfare early

education partnership to expand protective factors for Children Grant application. Seconded by Jeanne Gordon. Motion carried.

**APPROVAL OF RESOLUTION PERTAINING TO SUMMER YOUTH PROGRAM FOR CHILDREN AND YOUTH IN THE RED CLIFF COMMUNITY**

Marvin Defoe moved to approve Resolution 5/22/12F pertaining to the Summer Youth program for Children and Youth in the Red Cliff Community. Seconded by Dennis Soulier. Motion carried.

**POW WOW COMMITTEE APPROVAL OF BUDGET AND REQUESTS**

Pow Wow committee presented the budget and requests to the Tribal Council. Requesting assistance from the Tribal employees, Rose stated that they help out every year and if the employees want to work they would need to get approval from their supervisors to work. Nathan Gordon will create a sign-up sheet and will put it in Tribal office. Any community members or programs are welcome to donate.

Marvin Defoe moved to approve the Pow-Wow budget not to exceed \$35,500. Seconded by Joanne Peterson. Motion carried.

**STREAM RESTORATION PAC PROJECT**

Jeanne Gordon moved to approve the Stream Restoration PAC project with conditions that Chad Abel provide Jeff Benton with documents and submit them to him by Friday May 25, 2012. Seconded by Marvin Defoe. (One abstention Bryan Bainbridge). Motion carried.

**AMBULANCE BILLING CONTRACT**

Joanne Peterson moved to approve the Life Quest Technologies Contract to assist the Tribe with 3<sup>rd</sup> party billing for the Red Cliff Ambulance Service. Seconded by Laura J. Gordon. Motion carried.

**APPROVAL OF THE 2012 OJIBWE LANGUAGE CAMP PROGRAM**

Mike Gurnoe moved to approve the 2012 Ojibwe Language Camp program with the exception of request #2 reserving the 8 rooms and #3 the request for some partial assistance from the tribe in the amount of \$1600.00. Seconded by Bryan Bainbridge. Motion carried.

**TENANT ASSOCIATION**

No one present.

**CONSTITUTION COMMITTEE UPDATE**

Laura J. Gordon gave the update, informed the Council that they looked at the comments that were submitted by community. The committee is in the process of making some changes to the Constitution and they will be in a redline format.

**APPROVAL OF CHAPTER 8 REVISIONS**

Laura J. Gordon moved to approve Chapter 8 Hunting Regulations revisions for posting. Seconded by Joanne Peterson. Motion carried.

**APPROVAL OF CHAPTER 40 REVISIONS**

Dennis Soulier moved to approve Chapter 40 Membership Ordinance revisions for posting. Seconded by Mike Gurnoe. Motion carried.

**NEW BANK ACCOUNT**

Marvin Defoe moved to approve the New Account called NALEMP Restricted. Seconded by Laura J. Gordon. Motion carried.

**SHAKOPEE GRANT BUDGET DISCUSSION**

Joanne Peterson moved to support the budget change of 112,000 of FY 2012 grant funds awarded by Shakopee for the Library project be re-allocated to be used to finance the reorganization and turn-around of the Legendary Waters Resort and Casino. The Casino will pay interest on these used funds at an annual rate of 2.5% per year. Interest earned through the repayment date will be paid in full at the time that the funds are repaid to the Library Project.

Re-payment of the re-allocated funds shall be made by receipt of additional grant funds from Shakopee for FY 2013 allocated to the Library Project, or if the Library Project is not refunded with the FY2013 Shakopee Grant, the Casino will repay the funds utilized by September 2013. Seconded by Marvin Defoe. (Two contrary Bryan Bainbridge and Jeanne Gordon). Motion carried.

**OTHER**

**401K PENISON PLAN COMMITTEE**

Mike Gurnoe moved to appoint John Larson – CFO, Dennis Soulier – Tribal Treasurer, and Chad Abel – New Employee Member to the 401(k) Plan Committee. Seconded by Laura J. Gordon. Motion carried.

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

Marvin Defoe moved to return to Regular Session. Seconded by Dennis Soulier. Motion carried.

Marvin Defoe moved to hire Robb Leach for the Environmental Legal Assistant with J. Seth Johnson as the alternate. Seconded by Joanne Peterson. Motion carried.

Laura J. Gordon moved to hire Steve Basley for the Residential Treatment Coordinator (day) and to repost the night position. Seconded by Jeanne Gordon. (Two opposed Dennis Soulier and Bryan Bainbridge). Motion carried.

Joanne Peterson moved to adjourn. Seconded by Jeanne Gordon. Motion carried.

Adjourned: 11:00 p.m.

Respectfully Submitted:

ATTEST:



Jeanne Balber  
Recording Secretary



Laura J. Gordon, Secretary  
Red Cliff Tribal Council