

Red Cliff Band of Lake Superior Chippewas

SPECIAL COUNCIL MEETING

August 21, 2012

4:30 p.m. Legendary Waters Ballroom

Meeting called to order at 4:30 p.m. by Nathan Gordon, Vice Chairman.

ROLL CALL:

Rose Soulier, Absent

Nathan Gordon, Present

Laura Gordon, Present

Dennis Soulier, Present

Mike Gurnoe, Absent

Joanne Peterson, Present

Bryan Bainbridge, Present

Jeanne Gordon, Present (4:37 pm)

Marvin Defoe, Present

Quorum

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

OPENING CEREMONY

Opening ceremony performed by Frank Montano. A moment of silence was observed for Tribal members Roger Basina and Gene Artishon who passed away.

AGENDA

Add Resolution pertaining to Chapters 18 and 19 under Other. Dennis Soulier commented on quarterly reports that they were to be done at a separate meeting other than this Special meeting. Jeanne Gordon moved to approve agenda. Seconded by Marvin Defoe. Motion carried.

AODA EVALUATION

Diane Erickson stated Dottie Moffat and Sinikka Santala from White Pine Consulting firm did an evaluation of the AODA program and gave a report to the Health Board back in May 2012. They are here to give a summary to the Council and recommendations. They both feel we have a strong AODA program here in Red Cliff. Dottie explained that alcoholism and drugs are a disease and addiction and that public education is important. There are two areas of importance: 1) A contract measures the performance and outcomes of the program, motivational interviewing, talking to people. 2) Measurers and study's, tracking, how many should and if not why not? Are people satisfied with AODA treatment? Need updating of materials and signage and paving of the parking lot. No one knows you have an outreach program.

Sinikka stated AODA/Mishomis House contracts with the Department of Corrections for inpatients, it pays for beds at Mishomis House if they are full or not. Good reviews, understand the program, track outpatients. You have a State certified substance abuse program generating revenue from insurance and MA programs. How many revenues is from third party revenue,

make sure to collect revenues. Increase people served by the outreach program, as revenues increase. There needs to be an individual there that knows how to do the proper billing. Consider all substance program co-payees, health services.

There is training for staff next week in Lac du Flambeau. Curriculum tracking can be done on site.

Laura J. Gordon informed Diane Erickson if an update on the tracking tool can be done once a month and sent to Tribal Council. Dottie will be sending Laura the information on "Reducing Wisconsin's Prescription Drug Abuse" and then Laura can distribute it out to Council.

Marvin Defoe moved the IHS Director, DTO of the Tribe and the Director of AODA/Mishomis to develop a plan on how to complete the recommendations made of the AODA evaluation and a timeline of three months to report back to the Council in November 2012. Seconded by Jeanne Gordon. Motion carried.

SUMMER YOUTH INTERNS

Chad Abel introduced three youth who worked on various subjects this summer. These youth were: Anastasia Walhovd, John Grant and Brady Defoe. She is a senior at college and the two young men will be entering college next year. The program was to educate high school youth to the Department of Natural Resources (DNR) program and materials on culverts, lampreys, pond maintenance, water patrolling, bear traps, sampling from both area hatcheries and so forth. All enjoyed working with the program.

DNR-JOHN G

John Godzialski is the Regional Director of DNR from Spooner and was eager to be a part of the summer Intern Program. John along with Ed Slaminski presented a check in the amount of \$86,600 to Nathan Gordon, along with Chad Abel, Bryan Bainbridge; the check was addressed to the Red Cliff Band.

COMMUNITY COMMENTS/ANNOUNCEMENTS

A concern was expressed by Demetri and Marvin Morris regarding the soil being used on Blueberry road from Rowley road that was flooded. They feel this soil is contaminated and should be tested. All soil usage of soil should stop. Discussed. Vice Chair Nathan Gordon informed that this will be looked into and the soil will be tested. Ed Sindelar was present at the meeting and stated it was stopped, he wasn't aware it was a damaged site.

George Newago had an issue about the snowmobile trail and getting a perpetual easement from Mr. Nelson. He feels a decision should be made on this before it is lost. It is closed to the Snowmobile Alliance. Council would like to see something in written form. George will get the map for the September 3rd meeting on the trail. The General Manager from the casino stated they have been working on this for a while and will present options next week on it.

Another concern George expressed was not to be in a hurry to do anything on the old Isle Vista property, the Tribe should think about what is going to be done with it.

Kurt Basina asked that the Police Commission report be tabled as to Joe Gustafson is not here and Carl Butterfield is out of town. He stated the law enforcement department has no trouble getting equipment they need officers so they don't burn out. Marvin Defoe stated grants are being looked at for the law enforcement program.

The Education Department will be distributing school back packs for grade K-12, on the 22nd, 23rd and 24th of August. You can pick them up at the lower level of the Tribal Office from 9 to noon each day.

There will be a Bethesda Fish Fry on Friday August 24, 2012 from 4:30 to 7:00 p.m. at the Bethesda Lutheran Church 6th street and Manypenny. \$10.00 for Adults and \$5.00 for Children. All proceeds will be donated to the Red Cliff Food Shelf.

The next Regular Council meeting is on September 3, 2012 at 8:00 a.m. at Legendary Waters Resort and Casino.

Dennis Soulier moved to go into Execution Session with Tribal members for the casino report. Seconded by Marvin Defoe. Motion carried.

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

Jeanne Gordon moved to approve Legendary Waters Report after adjustments for July are made and presented to the Council. Seconded by Marvin Defoe. 1 opposed (Dennis Soulier). Motion carried.

Dennis Soulier moved to approve the Cash Flow for Legendary Waters September 2012. Seconded by Laura J. Gordon. Motion carried.

Laura J. Gordon moved to have John Larson and Robert Pokorney report on all budget adjustments from the 2011 audit. Be brought back to the Council at the September 18, 2012 meeting. Seconded by Joanne Peterson. Motion carried.

COMPLIANCE REPORT

Mystic Lake came and trained our Surveillance department for four days what Mystic did here in four days usually takes about four weeks. They did leave all their materials here so we can use them for training. Question was asked on Title 31, there is one person for re-testing and then they are done. Joan Gudvangen will be doing training with other departments on suspicious activity reporting. When checking for drugs, criminal activity is law enforcement followed up with? Yes they are more involved. Tom Jeffords is to send a thank you letter on the training to Mystic Lake. Discussed doors being open and no one checking ID's younger

people are getting on the floor. A Security Guard should be posted at each door and checking ID's, and assisting the patrons with information.

Jeanne Gordon moved to approve the Compliance and Executive Director's Report. Seconded by Marvin Defoe. Motion carried.

GAMING COMMISSION REPORT

Thomas Jeffords explained that he checked into Internet Gaming and that we won't lose patrons over it. There was no Gaming Commission meeting last week. Dennis Soulier moved to table the Gaming Commission Report. Seconded by Marvin Defoe. Motion carried.

OLD BUSINESS

QUARTERLY REPORTS

Chairperson

Marvin Defoe moved to approve the Chair's written report. Seconded by Jeanne Gordon. Motion carried.

Planner

Health clinic issue with the land, there is not 18 acres there is only 10 acres. This will narrow and there will be no room for expansion behind it. This project needs to get straightened out.

The contractual process prior to construction began and resulted in a contractual agreement with DSGW, Inc., selections of the construction manager is Taylor Woodstone and the selection of a civil engineer firm is Coleman Engineering. Plans call for completion of the contracts with Taylor Woodstone and Coleman and the commencement of engineering work on the project thereafter. Construction on the building will not start until late winter early spring 2013.

The Tribe has received an additional \$78,300 new funding for water and sewer for individual sites. The Planning Department will check what is happening with mounds systems that are not completed yet.

Bryan Bainbridge asked about cameras and plumbing problems at Legendary Waters Resort and Casino, this should be fixed before signing off with Taylor Woodstone. Randy will check into this.

Everyone accepted their appointments to the Business Board. The Planning Department has solicited proposals for the feasibility analysis of the Isle Vista Casino site from three firms with final proposals by the end of May 2012 and negotiations with the selected contractor, Klas/Robinson have commenced.

Working on expenditures of 2011 of a \$1M grant awarded with \$155,000 remaining to be spent. Funds were for ECC, Youth Center, Casino, Marina and Community Center/Library.

Marvin Defoe moved to approve Planner's Report. Seconded by Dennis Soulier. Motion carried.

Chief Finance Officer

John Larson will follow up on the cigarette tax meeting. There is new software that will be down at the casino and up at the Tribe. Hired a Senior Accountant Diane Peterson, she is very familiar with the software and works well with staff. Administrators have been assigned to only one accountant for their programs.

Discussed problems with the Indirect Cost and the audit. Falmouth Institution will do 2013 audit and in 2014 we can do our own. Discussion on problems with deferred monies and getting this reimbursed as soon as possible for financial stability. New software at the casino, they plan to go live by October 1, 2012 on electronic payroll, including the Human Resource office instead of on paper, web service too. Question asked about cost. Approximately \$90,000 with Bally's but may be lower. Staff will need lots of training on the software.

Jeanne Gordon moved to approve the CFO's Report. Seconded by Joanne Peterson. Motion carried.

Director of Tribal Operations

Deb Morris gave a summary of the Food share program held Saturday at the elderly they raised \$2300 from all whom participate in it. Assisted 155 families, they plan to have this once a month the 3rd Saturday of each month provided funds can be raised \$2500-\$3000. A lot of community people volunteered with the program. Agnes Buffalo assisted 9 more families and gave the rest away as no foods could be left out.

Mark stated the continuing Resolution is still in effect through March 2013 funding all programs at the 2012 level. No Bill yet. By January 2nd no agreement, cut across the board of 10% don't know if will happen or not, federal agencies are preparing for it.

The Administrators worked on their budgets, no increases to it. Following up with Office of Justice, BIA on law enforcement, BIA police can assist ours for relief. There's a possibility of more space using an office modular unit. The Council made questions directly to Administrators for answers on their programs. Lynne Basina asked if they could have earlier times for reports next time. Council liked this format and approach.

Dennis Soulier moved to approve Director of Tribal Operations Report. Seconded by Joanne Peterson. Motion carried.

Police Commission

Dennis Soulier moved to table the Police Commission report. Seconded by Marvin Defoe. Motion carried.

Utilities Commission

Dennis Soulier moved to table the Utilities Commission report. Seconded by Jeanne Gordon. Motion carried.

Housing Report

Jeanne Gordon moved to table the Housing report. Seconded by Joanne Peterson. Motion carried.

NEW BUSINESS

LEASES

Marvin Defoe moved to approve Resolution **8/21/12A** pertaining to modification of Josephine Brown lease by adding her son Daniel Brown to her lease on the end of Beneshii Drive. Seconded by Bryan Bainbridge. Motion carried.

Bryan Bainbridge moved to approve Resolution **8/21/12B** new lease on Pageant Road by Richard and Pheary Peterson. Seconded by Jeanne Gordon. Motion carried.

Joanne Peterson moved to approve Resolution **8/21/12C** new lease on Bradum Development Lot #124 on the corner of Watertower Road and Daley Road to Donald W. Duffy. Seconded by Jeanne Gordon. Motion carried.

HEAD START ENROLLMENT CRITERIA

Dee Gokee-Rindal presented the Head Start Enrollment Criteria application for Council's information. Discussed. Jeanne Gordon moved to approve the new application. Seconded by Dennis Soulier. Motion carried.

3 PROJECTS - GREAT LAKES RESTORATION INITIATIVE

Dennis Soulier moved to approve all three projects which are the Red Cliff GLRI Climate Change Study, GLRI Noxious Weeds, and the GLRI Property Acquisition. Seconded by Joanne Peterson. Motion carried.

RESOLUTION

Jeanne Gordon moved to approve Resolution **8/21/12D** Designation of Tribal Officials to conduct Official Tribal Business with the US Department of Interior, Office of the Special Trustee for American Indians. Seconded by Marvin Defoe. Motion carried.

RESOLUTION

Bryan Bainbridge moved to approve of Resolution **8/21/12E** pertaining to National Congress of American Indians renewal membership. Seconded by Dennis Soulier. Motion carried.

RESOLUTION

Dennis Soulier moved to approve Resolution **8/21/12F** designating October Violence Awareness Month. Seconded by Joanne Peterson. Motion carried.

CHAPTER 27

Jeanne Gordon moved to approve Chapter 27 Severability and Effective Date. Seconded by Bryan Bainbridge. Motion carried.

TENANT ASSOCIATION

No one present.

CONSTITUTION COMMITTEE UPDATE

Update given by Dave Wagman from the Constitution Committee, they have been working on the first 7 articles. Gave examples of some of the changes they were considering. They anticipate having a community meeting in January of 2013 regarding proposed changes.

AUTOMATIC ENROLLMENT

Dennis Soulier moved to approve the 22 names for automatic enrollment.

- 1). Owen Reed Kurtis Rich-Hunt, Parent: Jodi J. Hunt.
- 2). Archer James Bergsten, Parent: Willard L. Bergsten.
- 3). Lilyahna Patricia Aiken, Parent: Anthony R. Aiken.
- 4). Penelope Ann Strength, Parent: Denise R. (Warner) Strength.
- 5). Evan Reed Babineau, Parent: Travis J. Babineau.
- 6). Anthony Dean Zacher, Parent: Christopher D. Zacher.
- 7). Bentley Allen Zacher, Parent: Christopher D. Zacher.
- 8). Anna Patricia Tennies, Parent: Heather N. (Lauren) Tennies.
- 9). Jasmine Jesenia Engler, Parent: Brian L. Engler.
- 10). Broderick Barningham Sukanen, Parent: Chad R. Barningham.
- 11). Nicholas Richard DePerry, Parents: Amaris N. Andrews, Nicholas R. DePerry.
- 12). Myles Wilson Newago-Howe, Parent: Crystal L. Newago.
- 13). Kadence Marie White, Parent: Jessica A. (Curtin) White.
- 14). Chloe Catherine Richardson, Parent: Kimberly L. (Newman) Richardson.
- 15). Kyla Slophia Sutherland, Parent: Michelle L. Defoe.
- 16). Dru Esiban LaPointe, Parent: Josephine E. LaPointe.
- 17). Aiwynn Jean Bresette, Parent: Jason M. Bresette.
- 18). Meika-Azaa Migizikiwidinok-Fauk, Parent: Tanya J. Yeazle.
- 19). Taylor Quinn Butterfield, Parent: Tyrone W. Butterfield Sr.
- 20). Joseph Anthony Vestuto, Parent: Kristina M. Somers.
- 21). Willow Lee Deragon, Parent: Michael L. Deragon II.
- 22). Finnley Ireland Leask, Parent: Joseph H. Leask.

Seconded by Marvin Defoe. Motion carried.

RATIFY COUNCIL POLL

Marvin Defoe moved to ratify Council Poll of 8/10/12 pertaining to lease agreement with Bad River, Dispatch agreement with BART and MOU with BART Transit. Seconded by Joanne Peterson. Motion carried.

DESTROY BALLOTS

Dennis Soulier moved to destroy the 2012 General Election Ballots. Seconded by Bryan Bainbridge. Motion carried.

OTHER

RESOLUTION

Jeanne Gordon moved to approve Resolution 8/21/12G pertaining to Chapter 18 & 19 evictions in Housing and land leases for failure to cooperate with reasonable law enforcement reasons to enter premises. Seconded by Joanne Peterson. Motion carried.

Dennis Soulier moved to go into Executive Session. Seconded by Marvin Defoe. Motion carried.

Dennis Soulier moved to go back into Regular Session. Seconded by Joanne Peterson. Motion carried.

Dennis Soulier moved to hire Rene Albert with Billie Jo Johnson as the alternate for the Business Office Clerk. Seconded by Jeanne Gordon. Motion carried.

Jeanne Gordon moved to hire Arthur LaBarge for the Environmental Administration Assistant. Seconded by Joanne Peterson. (2 opposed Marvin Defoe and Dennis Soulier). Motion carried.

Marvin Defoe moved to hire Mike LaGrew with Joe Basina as the alternate for the Bus Operator/Assistant Transit Manager. Seconded by Jeanne Gordon. Motion carried.

Jeanne Gordon moved to hire Keith Ketelsen and Mike Balber for the Part Time LTE Bus Operator (3 positions) and to repost for the third. Seconded by Dennis Soulier. Motion carried.

Dennis Soulier moved to hire Anna Hanson as the Head Cook/Elderly Nutrition Program Manager. Seconded by Joanne Peterson. Motion carried.

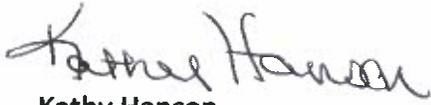
Joanne Peterson moved to hire Mark Gokee as the Elderly Assistant Cook. Seconded by Laura J. Gordon. Motion carried.

Jeanne Gordon moved to approve the contract between the Red Cliff Band of Lake Superior Chippewa and Khou Xiong, PA-S as the Family Practice Physician's Assistant. Seconded by Bryan Bainbridge. Motion carried.

Dennis Soulier moved to adjourn. Seconded by Joanne Peterson. Motion carried.

Adjourned 12:40 a.m.

Respectfully Submitted:



Kathy Hanson
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council