

Red Cliff Band of Lake Superior Chippewas

SPECIAL COUNCIL MEETING

September 20th, 2011

Legendary Waters Buffalo Bay Grand Ballroom

4:30 p.m.

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

ROLL CALL:

Rose Soulier, Present

Marvin Defoe, Present

Laura J. Gordon, Present

Jim Pete, Present

Jeanne Gordon, Present

Mike Gurnoe, Present

Joanne Peterson, Present

Bryan Bainbridge, Present

Robert Bear, 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

Jeanne Gordon moved to approve agenda. Seconded by Marvin Defoe. Motion carried.

COMMUNITY INPUT/ANNOUNCEMENTS

The Strategic Plan on Priorities was given to Council members for their review.

Curt Basina presented a concern on non-members not allowed to hunt on the Reservation. His reasons are 1) biological reason to restrict access to Reservation, he doesn't feel it will affect the herd; 2) Persons can hunt on public forest crop, county and state lands within the Reservation and 3) Economic impact, feels there is potential loss to community and area as these people spend money here. Some Council members presented their views on this issue and why they voted the way they did.

Frank Montano presented information on a hootenanny being held on September 30th – October 2nd on the Penokee Mining issue. Also Thursday September 22nd at the Coppertop Church in Duluth at 7 p.m. there will be the Native American Music Showcase for Folk Album of the year. Frank is a participant; you can vote online at nativeamericanmusicawards.com until October 7, 2011.

Gretchen Morris presented concerns regarding the letter sent to Rose regarding the drum and dance held during the Apple Festival in Greunke's parking lot and the reasons she feels this is

needed, also looking for donations. Jim explained his responses. Jim Pete moved to donate \$250 towards this effort. Seconded by Bryan Bainbridge. Motion carried. Tribal Chairperson Rose Soulier is donating her Council check to this effort.

Linda Lamoreaux stated her concern about the old housing road which has not been fixed yet. Rose had informed George of this and will follow up. Steven Boyd stated they are waiting for materials and then it will be fixed.

Mark Montano introduced Ed Sindelar as the Public Works Administrator.

CASINO REPORT

General Manager Jeff Gordon introduced the new Accounting Manager Dan Hebert from Ashland; he has a degree in accounting and business. He has been here for four weeks and is catching up on everything.

Jeff Gordon stated the casino donated \$1200 to the drum and dance group last year. The casino has an open door policy on requests and will help Carolyn/Gretchen this year again. He suggested Gretchen meet with him soon on the request and he will work with the Tribe and Jim.

The casino would like to be on the agenda for the regular meeting in October to present the operating budget and final numbers to bring everything up to date.

Marvin Defoe moved to go into Executive Session for casino financials with Tribal members. Seconded by Jeanne Gordon. Motion carried.

Joanne Peterson moved to return to Regular Session. Seconded by Laura J. Gordon. Motion carried.

Marvin Defoe moved to table casino financial report until next meeting. Seconded by Jeanne Gordon. Motion carried.

COMPLIANCE/GAMING REPORT

Tom Jeffords commended the Slot technicians for getting machines going on the floor. He suggested that Council send a letter to Mystic Lake thanking them for their assistance. He intends to send a letter from the Gaming Commission. They showed the techs how to fix the machines etc. Ben Buck was here on Thursday and I gave him a tour of the facility and one of the suites, he took pictures and really liked it. John Gruber will be coming up this week to see the facility, Tom and Jeff will be here and meet with the Tribal Chair afterwards. We will be hiring two more positions for Surveillance department. Tom has been attending the weekly Manager meeting. Tom plans to keep communications open.

Discussed meeting minutes, A suggestion was to have timelines scheduled by the Commission for completion. When the Gaming Commission meeting minutes are attached they are not approved. When minutes are approved and signed they need to be turned into Jeanne Gordon.

Joanne Peterson moved to approve Compliance Report. Seconded by Bryan Bainbridge. Amend motion also to include approval of Gaming Commission Report. Second concurs. Motion carried.

PARISH COUNCIL RENOVATIONS

Jim explained how they got to this point and getting the two sides together for potential action. Questions need clarification, legal status whether it is the Council, Parish Council or Diocese of Superior or Rome. David Ujke stated the Superior Diocese on the property. Other part is renovations, last year used the grounds for a Summer Gathering and there was a liability insurance issue on it. Ron Jack stated we have \$158,000 in funding depending on what the Parish Council wants to do. Mary Peterson explained the church side of this issue. They met and prioritized the school at \$76,700 but didn't look at the convent which was estimated at \$53,000. Mary asked if Tribe could pave the parking lot of church. Tribal Chair Rose Soulier stated Ron would have to check with Jeff Benton to see if this is on the priority list for roads. Ron asked if the Diocese was asked for funds to renovate etc. Janet Gustafson stated yes they did and were told no. Parishes' need funds and we were on our own. Discussed. It was suggested to have a community meeting on this issue. The Parish Council sent out 250 letters and didn't get many people at their meeting.

Marvin Defoe moved the Council meet in near future to discuss this issue. Seconded by Robert Bear. Motion carried.

POW-WOW

Tribal Chair Rose Soulier suggested tabling this and appointing a Chairman for the Pow-Wow Committee. We got the letter from the Committee and the Parish Council got a copy. Jeanne Gordon moved to table the request. Seconded by Bryan Bainbridge. Motion carried. Special meeting set up for Thursday September 29th at 4:30 for those that can make it to discuss the issues.

APPOINT POW-WOW CHAIR

The Committee recommends Demetri Morris or Vern Defoe. Marvin Defoe moved to appoint Demetri Morris as Chairman of the Pow-wow Committee. Seconded by Jim Pete. Motion carried. Solicit names of interested people for the Committee; Marvin Morris stated 8 should be enough for it.

CASINO HOTEL UPDATE

Ron Jack stated the place looked great, the guys did well and we are still under budget. He has a list of change orders added to hard costs and has monies to cover them; monies are needed for the parking lot. There was a \$40,000 draw down for the marina and campground. If there

are any monies left we could do the fishermen's dock. These items will be discussed at the Project Team meeting.

OLD BUSINESS

NEW BUSINESS

IHS PRIORITY LIST

Consensus of the Managed Care Committee was that priorities approved for FY 2011 be reauthorized for FY 2012 for routine care and services in Indian Health Service medical priority levels 1, 2, and 3. Payment for level 4 services will be authorized if a referral is from a Health Care Provider along with appropriate administrative review and approval. CHS program payment will be authorized for routine dental, routine eye exam every two years, an annual eye exam with an associated medical diagnosis (diabetes). CHS program expenditures will be reviewed by Health center administration on a quarterly basis or more if needed to insure that adequate funds remain available to support the authorized level of service. The Health Board approved this at their meeting on August 24th.

Jim Pete moved to approve recommendations for contract priorities for FY 2012. Seconded by Robert Bear. Discussed services and our people having to travel to get them. Motion carried.

EPA RESOLUTION

Marvin Defoe moved to approve the Resolution **9/20/11A** pertaining to MOA between Red Cliff and IHS for groundwater study for \$73,000. Seconded by Jeanne Gordon. Amend motion to include authorization for Tribal Chair's signature. Second concurs. Motion carried.

LIBRARY RESOLUTION

Dee Gokee-Rindal stated they are asking approval and support to obtain funding for the Red Cliff Library/Community Learning Center/Language Immersion School. Dee introduced Louise Robbins who is a partner in these efforts. Louise explained the efforts put into planning for the learning center and library with a slide presentation and drawings. The estimated cost for the project is at 3 million. The Committee checked on three sites, two were ruled out due to being wet and one of the two was too far away. They are looking at the Shodeen property and using 10 of the 40 acres for this project.

Jim Pete moved to approve the Resolution **9/20/11B** pertaining to the Red Cliff Library/Community Learning Center/Immersion School (K-3 which is phase 2). Seconded by Marvin Defoe. Amend motion to include putting Shodeen property into trust. Second concurs. Motion carried.

DOMESTIC VIOLENCE PROCLAMATION

Jeanne Gordon moved to approve the Resolution **9/20/11C** pertaining to designating October as Domestic Violence Awareness month. Seconded by Laura J. Gordon. Motion carried.

TENANT ASSOCIATION

No one present.

DESTROY GENERAL BALLOTS

Joanne Peterson moved to destroy the General Election ballots. Seconded by Jeanne Gordon. Motion carried.

RATIFY COUNCIL POLL

Laura J. Gordon moved to ratify the Council poll of 9/8/11 pertaining to the Friends of the Dirt Committee. Seconded by Bryan Bainbridge. 1 abstention (Jeanne Gordon). Motion carried.

APOSTLE ISLAND NATIONAL LAKESHORE AGREEMENT

Discussed. Robert Bear moved to approve the Resolution 9/20/11D pertaining to 2011-2012 Off-Reservation Treaty Hunting, Trapping and Gathering. Seconded by Bryan Bainbridge. Motion carried.

TAXATION ISSUE

Memo received from Jacobson-Buffalo, Magnuson, Anderson & Hogen firm pertaining to Wisconsin Sales tax issues. Jeanne Gordon approved to move forward with the State Tax Agreement also to include discussion with the Department of Revenue. Seconded by Jim Pete. Discussion on taxes for business's, fishermen and treaty issues. Motion carried.

PROPERTY AND PROCUREMENT

Request from Larry Deragon to keep his 40 Cal. pistol, which he has had since 1986. He is retiring the end of this month. Jeanne checked with BIA and no problem with it and Joanne checked with Desiree' Livingston. This needs Council authorization. Jeanne Gordon moved to approve request. Seconded by Marvin Defoe. Motion carried.

OTHER

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

Jim Pete moved to go back to Regular Session. Seconded by Marvin Defoe. Motion carried.

Marvin Defoe moved to approve hiring Anthony Bondivli with Sara Mackiewicz as alternate for the position of Public Health Nurse. Seconded by Jeanne Gordon. Motion carried.

Jeanne Gordon moved to approve hiring Steve Bouley for the position of Paralegal/Land Specialist. Seconded by Bryan Bainbridge. Motion carried.

Jeanne Gordon moved to approve hiring Kyle Cadotte for the position of Law Enforcement Officer. Seconded by Joanne Peterson. Motion carried.

Laura J. Gordon moved to approve hiring Lucas Cadotte with Ray Defoe Jr. as alternate for the position of Deputy Conservation Warden. Seconded by Jim Pete. 1 abstention (Marvin Defoe). Motion carried.

Marvin Defoe moved to approve hiring Joanne Peterson with Rick Peterson as alternate for the position of Property and Procurement Officer. Seconded by Jeanne Gordon. 1 abstention (Joanne Peterson). Motion carried.

Laura J. Gordon moved to approve hiring of Rick Peterson, Chanelle Livingston with Doug Defoe as alternate for the position of (2) Assistant Property and Procurement Officers. Seconded by Marvin Defoe. Motion carried.

Tribal Chairperson Rose stated Jeanne will get a hold of Council members next week for interviewing two persons for the position of Gaming Executive Director.

Jeanne Gordon moved to adjourn. Seconded by Marvin Defoe. Motion carried.

Adjourned: 10:00 p.m.

Respectfully Submitted:

ATTEST:



Kathy Hanson
Recording Secretary



Laura J. Gordon, Secretary
Red Cliff Tribal Council