

Red Cliff Band of Lake Superior Chippewas

REGULAR MONTHLY COUNCIL MEETING

September 5, 2011

9:00 a.m. Legendary Waters Convention Center

Meeting called to order at 9:00 a.m. 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: David Ujke, Tribal Attorney and community members.

OPENING CEREMONY

Opening ceremony performed by Frank Montano.

AGENDA

Under "other" add Purchase of Forklift. Jeanne Gordon moved to approve agenda. Seconded by Mike Gurnoe. Motion carried.

MINUTES

Jeanne Gordon moved to approve minutes of July 26th, 27th, 2011 with corrections. Seconded by Joanne Peterson. Motion carried.

Jeanne Gordon moved to approve minutes of August 1st, 2011 with corrections. Seconded by Laura J. Gordon. Motion carried.

COMMUNITY COMMENTS/ANNOUNCEMENTS

Cecil Peterson stated there will be a Lakes Committee meeting here 10:00 a.m. on September 19, 2011. He is planning to have disposal coolers with smoked fish along with fish spread etc. on ice, if anyone has any ideas to let him know. General Manager Jeff Gordon stated they can put a gift package together for them.

Cecil Peterson has a concern regarding the proposed National Park facility; he does not plan to move and wants to live in peace and harmony. Cecil stated they should look at the land further to the south as a possibility for this and he wants no misunderstanding where he stands on this issue.

Cecil Peterson has a concern regarding the marina and docks. A lot of people including himself walk on it barefoot and he felt the boards should be flipped for splinters. Ron Jack stated they could be flipped but splinters are on both sides. To replace them they would need money. There is money in the budget for the pow-wow grounds but have to wait and see what is going on with this project. Discussed Security kicking kids off the dock. They are allowed to be there fishing if accompanied by an adult.

CASINO/HOTEL UPDATE

Ron Jack stated the budget is the same as last month's figures. Regarding the dock if replaced with wood estimated cost is \$25,000, to replace with a composited dock will cost about \$40,000 but it would last forever. Jacob Mass has some ideas about having native plants planted in the beach area. Discussion about removing a few trees for the view and placing a tasteful monument in honor the fishermen. Also discussed handicap accessibility. The Environmental Department should be involved if considering removing any trees, to make the Marina handicapped accessible could be costly. The Church road will be back in place by fall. A meeting will be scheduled with the Church regarding the pow-wow grounds. The parking lot and landscaping will be completed before the grand opening on the September 16, 2011.

TREASURER'S MONTHLY REPORT

Discussed the FEMA trailers and the balance on the report, Jim will check with accounting and update the Council on this. Discussion held on the interest generated in BIA accounts, the CFO has been directed to check on this. Tax to non-members discussed, if Tribal members have Tribal ID's they will need to show it only once, and then the tax will come off the receipts. The receipts will automatically calculate in the tax.

Marvin Defoe moved to approve the Treasurer's Report. Seconded by Jeanne Gordon. Motion carried.

OLD BUSINESS

GARY DEPERRY REQUEST

Gary is requesting the setback be changed from 150 feet to 125 feet and the property being zoned commercial. Discussion by EPA regarding this set back, construction etc. on this piece of property. A Special Permit is needed to follow Code of Laws.

Laura J. Gordon moved to grant the 125 set back with conditions that Gary works with staff. Seconded by Jim Pete. Two (2) opposed (Bryan Bainbridge, Marvin Defoe). Motion carried.

Jeanne Gordon moved to allow for a Special Permit to allow construction of the resident in a commercial zone. Seconded by Jim Pete. Two (2) opposed (Bryan Bainbridge, Marvin Defoe). Motion carried.

ETHICS POLICY

The policy has been given to the Committee's/Boards for review and a public session should be set up on it before it is brought to Council. There is consensus by the Council to move forward and set up a public session.

GAMING COMMISSION REPORT

A summary of the report was given by Thomas Jeffords, Chairman of the Gaming Commission. Approved was a one year contract with Roe and Meyer for the audit, and if satisfied it could be extended for three years. At the Gaming meetings we met with the General Manager and his managers to keep on track with what is on floor, and what has to be done on the compliance side. The Compliance Officer position is nonexistent right now and I have been appointed Interim until one is hired. Met with Jeff and the Slot department on machines. If they are not working by grand opening, they will be pulled from the floor. Discussed problems with some of the machines, camera coverage in areas such as the pool. It couldn't be observed but has been moved and is now in compliant. The area outside will be finished by grand opening.

Marvin Defoe moved to approve Gaming Report. Seconded by Joanne Peterson. Motion carried.

NEW BUSINESS

LEASE

Joanne Peterson moved to approve the Resolution **9/5/11A** modification of residential lease by Jeremy Cadotte to add his wife Nadine Cadotte to the lease. Seconded by Bryan Bainbridge. One (1) abstention (Marvin Defoe). Motion carried.

RESOLUTION CANCER PROJECT

Marvin Defoe moved to approve the Resolution **9/5/11B** pertaining to Colorectal Cancer Screen Project. Seconded by Mike Gurnoe. Motion carried.

RESOLUTION FOOD DISTRIBUTION

Jim Pete moved to approve the Resolution **9/5/11C** pertaining to FY 2010 Red Cliff Food Distribution. Seconded by Jeanne Gordon. Motion carried.

RESOLUTION CHAPTER 17

Marvin Defoe moved to approve the Resolution **9/5/11D** adopting Chapter 17 Red Cliff Gaming Ordinance. Seconded by Mike Gurnoe. Motion carried.

RESOLUTION SOLID WASTE

Jeanne Gordon moved to approve the Resolution **9/5/11E** pertaining to Solid Waste Stream Characterization EPA-IHS-MOA. Seconded by Laura J. Gordon. Amend motion to include with corrections, second concurs. Motion carried.

CONTRACT BIODIESEL FEASIBILITY STUDY

Chad gave a summary of the contract and what the study will do by Frazier, Barnes and Associates Company. Mike Gurnoe moved to approve contract. Seconded by Joanne Peterson. Motion carried.

CONTRACT MODIFICATION

Marvin Defoe moved to approve the contract modification with Northland College. Seconded by Laura J. Gordon. Motion carried.

MOA WITH BAYFELD COUNTY FORESTRY

Joanne Peterson moved to approve the MOA with Bayfield County Forestry for Blueberry Road timber harvest. Seconded by Bryan Bainbridge. Motion carried.

BAYFIELD COUNTY AQUATIC INVASIVE SPECIES COMMITTEE

Mike Gurnoe moved to appoint Mike Defoe to the Bayfield County Aquatic Invasive Species Committee as the Tribal Representative. Seconded by Bryan Bainbridge. Motion carried.

BUSINESS PERMIT

Business permit application by Roland W. Gordon for "Gordon Auto", discussed. Jim Pete moved to approve. Seconded by Bryan Bainbridge. Motion carried.

GRAVEL AGREEMENT

Mike Gurnoe moved to table. Seconded by Robert Bear. Motion carried. Concerns need to be addressed and a poll vote can be done.

CHAPTERS 11, 12, 37, 3 AND 20

Bryan Bainbridge moved to adopt Chapters 11: Logging, Burning and Woodcutting; Chapter 12: Pollution an Environmental Protection; Chapter 37: Land Use; Chapter 2: Conservation Commission; and Chapter 20: Historic Preservation with corrections. Seconded by Jim Pete. Motion carried.

RESERVATION DEER HUNTING PERMITS

Discussed restricting deer permits for non-members on the Reservation. Joanne Peterson moved to support Section 8.23.2, restricting deer hunting permits of non members on the Reservation. Seconded by Bryan Bainbridge. Two (2) opposed (Mike Gurnoe, Jim Pete). Motion carried.

AGENDA TIMELINES

Bryan Bainbridge moved to reinforce timelines for Tribal Council agendas. Seconded by Jeanne Gordon. Motion carried.

HEALTH CENTER PROJECT TEAM

Jeanne Gordon moved to appoint Joanne Peterson, Jim Pete and Robert Bear to the Health Center Project team. Seconded by Marvin Defoe. Motion carried. Bring this back to next meeting.

RED CLIFF AIAA REP

Jim Pete moved to appoint Barb Flynn as the Red Cliff AIAA representative. Seconded by Laura J. Gordon. Motion carried.

RATIFY COUNCL POLL

Jeanne Gordon moved to ratify Council poll pertaining to the DOD Cooperative Agreement FY 2012. Seconded by Mike Gurnoe. Motion carried.

OTHER

Jim Pete moved to authorize purchase of a fork lift for the Food Distribution program by the Nissan Company of Minnesota in the amount of \$34,824.28. Seconded by Robert Bear. Motion carried.

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

Jim Pete moved to go back into Regular Session. Seconded by Mike Gurnoe. Motion carried.

Laura J. Gordon moved to go with Daniel Cabot for the Family Practice Physician. Seconded by Jeanne Gordon. One (1) abstention (Joanne Peterson). Motion carried.

Marvin Defoe moved to go with Gwen Topping for the Indian Child Welfare (ICW) Worker, subject to a complete reference check. Seconded by Jim Pete. Motion carried.

Joanne Peterson moved to go with Brian Goodwin for the Grants & Contracts Administrator Planner. Seconded by Bryan Bainbridge. Motion carried.

Marvin Defoe moved to approve the Certificate of Rehabilitation for Stephanie A. DeHate with corrections. Seconded by Jeanne Gordon. One (1) abstention (Joanne Peterson). Motion carried.

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

Adjourned: 3:50 p.m.

Respectfully Submitted:



Kathy Hanson
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council