

# Red Cliff Band of Lake Superior Chippewas

## SPECIAL COUNCIL MEETING

August 24, 2010

4:30 p.m. Bingo Hall

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

### ROLL CALL:

Rose Soulier, Present

Marvin Defoe, Present

Laura Gordon, Present

Dennis Soulier, Present

Mike Gurnoe, Present

Larry Deragon, Present

Jeanne Gordon, Present

Ray DePerry, Present

Jim Pete, Present

Quorum

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

### AGENDA

Add two items under Other: Tractor Mower Bid Recommendation and Chapter 4 Code Change Approval. Dennis Soulier moved to approve agenda as amended. Seconded by Laura Gordon. Motion carried.

### OPENING CEREMONY

Opening ceremony performed by Leo LaFernier Sr.

### COMMUNITY INPUT/ANNOUNCEMENTS

Patricia DePerry had asked the Council in July to take another look at the tax referendum and Jim Pete had made a motion to evaluate referendums in general. Quoted what Article 7 states in the Constitution in reference to 30% of eligible voters, the election was not a special election but the Annual Election and 352 voters voted no to taxation. What does this say for adoptions that did not carry 30% of voters, they have not passed. The Council set a precedent on referendums and never followed the 30% rule. Patricia asked the Council for action on this tonight.

Tribal Chairperson Rose Soulier stated the Council is to receive information from the legal office by August 31<sup>st</sup>. Issue will be brought back to Council at the September 6<sup>th</sup> meeting and if warranted have a general membership meeting.

### CASINO REPORT/JEFF GORDON – JIM FARRELL

Jeff gave reasons why they did not want the financial report given out and to discuss it in executive Session. Jim Pete moved to go into Executive Session with Tribal members present. Seconded by Jeanne Gordon. Motion carried.

Jim Pete moved to return to Regular Session. Seconded by Dennis Soulier. Motion carried. Monthly Casino financial report will be given in Executive Session to Council and Tribal members.

Jim Pete moved to approve Casino Report. Seconded by Ray DePerry. Motion carried.

#### **COMPLIANCE REPORT/CAROL CAMERON**

Internal Audit will be completed next week. Carol has a concern with doing the internal audit as she is auditing some of her own work.

System upgrade of 64 machines was completed. Mr. Ben Buck from NIGC was here and they want to be more helpful to the Tribes. There was free training offered and Carol plans to take this opportunity on training with their auditors. The State will be here September 20<sup>th</sup> for the yearend audit. Mr. Buck was impressed with the upgrades and Surveillance. He also discussed plans on the new casino. Vendors have been calling Carol and she is referring the calls to the Tribal office. Mark Montano stated information will be on the website also. Mr. Buck went through 15 background files while here and Sonny Sherman did well as usual.

Carol will finish the audit, drop, count, accounting, and gaming machines and test for the 10% required on the floor, EPROM 34 machines. Carol plans to meet with the Managers on how it went and in future what could be done better.

#### **GAMING COMMISSION REPORT/TOM JEFFORDS**

Report is short this month as he has been busy with the police department they now have a Police Chief so he can finish amending Chapter 17 and have a draft available at the next meeting.

Denis Soulier moved to approve Gaming Commission Report. Seconded by Mike Gurnoe. Motion carried.

#### **OLD BUSINESS**

#### **NEW BUSINESS**

#### **LEASE/SUSIE BEAR**

Susie has checked and in the minutes of Sept. 2004 a renewal lease was approved for Donald A. Thomas for 25 years and to add his children to the lease. The lease was only for 10 years, and he needs a 25 year long term lease for renovation.

Larry Deragon moved to approve Resolution **8/24/2010A** for Donald A. Thomas voluntary cancellation of lease. Seconded by Ray DePerry. 2 opposed, (Jim Pete and Marvin Defoe). Motion carried.

Ray DePerry moved to approve resolution **8/24/2010B** for Donald A. Thomas, a non-member and his daughter Mary Thomas a non-member proposes an application for a long term residential lease located on Ridge Road to meet the 184 loan program requirements. Seconded by Mike Gurnoe. 3 opposed (Dennis Soulier, Marvin Defoe and Jim Pete). Motion carried.

#### **EDUCATION COMMITTEE DECISION/CARMEN VANDERVENTER**

The recommendation is to hire one part time tutor aide for grades 6 – 12<sup>th</sup> to start October 4<sup>th</sup>. A survey was sent out to 380 homes and only 27 were returned. Discussed the grades and reports of D's and F's for Native American Students, the many problems at school, and the need for more students graduating.

Jim Pete moved to table and have the Education Director and Committee get more concrete information on improvements, grade levels, provide other tutor services, what is available for a broader picture. Seconded by Marvin Defoe. The request from school should have been in writing as a formal request based on evidence. They want to build a science building. Motion carried.

#### **RESOLUTION FEASIBILITY STUDY**

Patricia Deragon-Navarro introduced Rebecca Lewis and Mike Laverdure DSGW Architect regarding the new clinic. They spoke about some of the projects they have worked on and showed a slide presentation on what the new clinic could look like. This is just a draft as there will be many changes to it before it is built. The next step is the feasibility study goes to agencies for funding.

Marvin Defoe moved to approve Resolution **8/24/2010C** regarding the Feasibility Study conducted for the new Health Center. Seconded by Ray DePerry. Motion carried.

#### **RESOLUTION HEALTH CENTER CONTRACTOR**

There were seven (7) bids submitted: Miler - \$39,350, Arnie Mackey - \$61,888, Bayfield Construction - \$66,635, Dahl Construction - \$77,180, Grange - \$81,330, Campbell - \$86,530 and Lity. The recommendation was Arnie Mackey Co. for \$61,888. This is for the Clinic Siding.

Dennis Soulier moved to approve recommendation for Arnie Mackey Construction for \$61,888. Seconded by Larry Deragon. 2 opposed, 1 abstention. Motion carried.

#### **RESOLUTION JOINT DETERMINATION**

Larry Deragon moved to approve Resolution **8/24/2010D** for participation in Section 813 through, an IHS Service Contract. Seconded by Mike Gurnoe. Motion carried.

#### **RESOLUTION FETAL ALCOHOL SPECTRUM DISORDER AWARENESS**

Barbara Gadbois advocates for the FAS program and it's a personal commitment on her part. They would also like to make September the FAS Awareness month. A suggestion was to make September 9<sup>th</sup> annually and also the month of September for FAS.

Jim Pete moved to approve Resolution 8/24/2010E with changes. Seconded by Dennis Soulier. Motion carried.

Council thanked Barb for her dedication and involvement with Fetal Alcohol Syndrome.

#### **BUSINESS BOARD/ TERMS JEANNE GORDON**

By-laws were amended to stagger the terms of the Board. Ray DePerry moved to approve amendment. Seconded by Larry Deragon. Motion carried.

Staggered terms are: (3 Years) Mark Bugher, Gerald DePerry and Gary Gerber. (2) Years: Jeff Gordon, Brian Pierson and Myron Schuster and (1 Year) T.J. Gordon. Two Council members sit on the board until their terms expire. Mike Gurnoe moved to approve staggered terms. Seconded by Ray DePerry. Motion carried.

#### **RATIFY POLL**

Dennis Soulier moved to ratify poll of 8/11/2010A pertaining to Chapter 42, Section 42.4.5 Law Enforcement Officers to be Sworn. Seconded by Jeanne Gordon. Motion carried.

#### **TENANT ASSOCIATION**

Steven Boyd: We are still working on the policies and procedures and will have it at the next meeting for approval. Deadline for applying is September 30<sup>th</sup> for the Housing Board, and they will be appointed at the first Council meeting in October.

Pauline Gordon stated that she hopes people are applying for good reasons for the Board to help people, treat them with dignity and respect and hopes that they are not applying because there is a stipend involved. Reminded people about their meetings which are held every other Sunday. Pauline also asked about Housing Board meetings, Larry Deragon stated he will make sure they put the Tenant Association back on the agenda. The Housing meetings went back to Thursdays at 3:00 p.m.

#### **CASINO-HOTEL UPDATE/MARVIN DEFOE**

Marvin stated the Committee has met twice with Woodstone Taylor and Great Horse. The team meets every Thursday. Ron Jack was selected as the Project Coordinator on behalf of the Tribe. Contracts are being sent to legal for review. David Ujke stated agreements with the two companies will be ready for approval and closing around Mid-September. The Tribe received a loan of \$23.5 million for the new casino and this does not cover additional costs such as marina update, campground and they hope to apply for a grant to do the additional work needed on the project. The budget will be closely monitored and adjustments made as needed.

There is also a Job Fair at the bingo hall on September 1<sup>st</sup>, 3:00 – 6:30 p.m.

A meeting was held with the community on a name change for the casino and the theme of the casino. The list is long so it will have to be broken down to approximately 5 names etc. and the Committee will then select. Everything will be moving on a fast track, going to need experienced Marketing people also.

The Committee will be looking at making sure the schedule is updated for timelines.

## **OTHER**

### **Tractor Bid Recommendation**

Jeff Benton recommendation to allow him re-bid the project for specific specifications on the tractor needed. Larry Deragon moved to re-bid. Seconded by Laura Gordon. Jeff needs to check on money amount available for this also. Motion carried.

### **Chapter 4 Code Change**

The Prosecutor is to be appointed by the Tribal Council, said appointment to remain in effect until rescinded. Larry Deragon moved to approve change and post. Seconded by Dennis Soulier. Motion carried.

Ray DePerry moved to go into Executive Session. Seconded by Dennis Soulier. Motion carried.

Dennis Soulier moved to return to regular Session. Seconded by Ray DePerry. Motion carried.

Dennis Soulier moved to go with recommendation of Cory Gordon for Resident Treatment Coordinator. Seconded by Ray DePerry. Motion carried

Jeanne Gordon moved to go with Darla Montano for Substance Abuse Trainee. Seconded by Larry Deragon. Motion carried.

Ray DePerry moved to go with Joe Bresette as Family Services Administrator. Seconded by Laura Gordon.

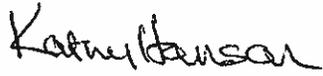
Roll call vote: Ray DePerry – Yes, Jim Pete – Abstained, Jeanne Gordon – Abstained, Laura Gordon – Yes, Marvin Defoe – No, Dennis Soulier – Yes, Mike Gurnoe – Yes and Larry Deragon – Abstained. 4 Yes, 3 Abstained, 1 Opposed. Motion carried.

Dennis Soulier moved to approve Compliance Report. Seconded by Mike Gurnoe. Motion carried.

Larry Deragon moved to adjourn. Seconded by Ray DePerry. Motion carried. Meeting Adjourned: 9:40 p.m.

Respectfully Submitted:

ATTEST:



Kathy Hanson  
Recording Secretary



Laura J. Gordon, Secretary  
Red Cliff Tribal Council