

# Red Cliff Band of Lake Superior Chippewas

## REGULAR COUNCIL MEETING

September 3, 2012

8:00 a.m. Legendary Waters, Buffalo Bay Grand Ballroom

Meeting called to order by Chairperson Rose Soulier at 8:00 a.m.

### ROLL CALL:

Rose Soulier, Present

Marvin Defoe, Present

Nathan Gordon, Present

Bryan Bainbridge, Present

Laura J. Gordon, Present

Joanne Peterson, Present

Dennis Soulier, Present

Jeanne Gordon, Present

Mike Gurnoe, Absent Out of town

Quorum

### OPENING CEREMONY

Opening ceremony conducted by Frank Montano.

### APPROVAL OF AGENDA

Dennis moved to approve the agenda. Seconded by Bryan Bainbridge. Motion carried.

### CRAIG HAUKAAS PRESENTATION

Craig asked for Red Cliff Tribal Council for support in upcoming election. Mentions his many endorsements and programs he's been involved in. Craig has been re-elected 4 times.

### MINUTES

Marvin Defoe moved to approve the minutes of August 2, 2012 with corrections. Seconded by Joanne Peterson. Motion carried.

Jeanne Gordon moved to approve the minutes of August 6, 2012 with corrections. Seconded by Laura J. Gordon. Motion carried.

Marvin Defoe moved to approve the minutes of August 10, 2012 with corrections. Seconded by Bryan Bainbridge. Motion carried.

Jeanne Gordon moved to approve the minutes of August 15, 2012 with corrections. Seconded by Joanne Peterson. Motion carried.

Dennis Soulier moved to approve the minutes of August 20, 2012 with corrections. Seconded by Nathan Gordon. Motion carried.

Laura J. Gordon moved to approve the minutes of August 21, 2012 with corrections. Seconded by Marvin Defoe. Motion carried.

Dennis Soulier moved to approve the minutes of August 23, 2012 with corrections. Seconded by Laura J. Gordon. Motion carried.

### **COMMUNITY COMMENTS/ANNOUNCEMENTS**

Community members expressed safety concerns of unpaved portions Blueberry road. Need dust control and grading. Council will follow-up.

Demetri Morris described an incident involving the Frog Bay land owners. Claim the owners made racial slurs and he believes the wild rice beds have been cut down. He gives Council "Ordinary High Water Mark" print out. Discussion on who legally owns beach, State or land owners? Does conservation easement allow owners and/or their guests' ability to access land by vehicle or ATV? Is it legal for owners to destroy wild rice if on their property? Was there any tickets issued to owner? There is also concern for the natural spring/well on the owners' property. Council and Tribal Attorney will look into these issues and revisit at the next meeting.

George Newago talks of Voight Task force and recent decisions made by State that Tribe should be aware of, believes decisions are being made without concern of biological impacts.

Laura J. Gordon stated there will be a Chili and Fry bread fundraiser and Parent/Community Fund raiser meeting on Tuesday September 4, 2012 at the Red Cliff Elderly Feeding building from 5 p.m. to 8 p.m. Chili and Fry bread is \$5.00 per person and free to 5 years and younger.

### **TREASURERS REPORT JUNE AND JULY**

June's report was tabled from last meeting. Joanne asks that Dennis include Year-to-Date figures in the future. Division Directors need to be conscience of the fiscal year coming to an end.

Marvin Defoe moves to approve June 2012 Treasurers report. Seconded by Joanne Peterson. Motion carried.

Jeanne Gordon moves to approve July 2012 Treasurers report. Seconded by Laura J. Gordon. Motion carried.

### **OLD BUSINESS**

Police Commission report

Joe Gustafson was there to present the Police Commission report. The commission meets every other month. Meeting minutes are provided to Council once they are signed.

Appointment of Gwen Topping delayed, awaiting background check and application process. New BIA agent, not yet visited Red Cliff.

Jeanne Gordon moved to approve the Police Commission report. Seconded by Marvin Defoe. Motion carried.

#### Utilities Commission report

Bryan Bainbridge moved to approve the Utility Commission report. Seconded by Jeanne Gordon. Motion carried.

#### Housing report

Council requests copies of the Red Cliff Housing Board meeting minutes in the quarterly report. The Red Cliff Housing has been approved for USDA funds in February of 2012 to build an apartment building to be located by Gurnoe Villa. Red Cliff Housing is waiting on word to proceed with project, and then will be posting a RFP on clearing the lot. Tribal Chair asks that the Director provide documents showing approval of funding and will contact USDA personally to find out when funds will be available to help to expedite the process.

Update on crime: Red Cliff Housing has issued three evictions and has received three appeals. Red Cliff Housing would like to have a meeting with both the Housing Board and Law Enforcement to ensure all are on same page.

Jeanne Gordon moved to approve the Red Cliff Housing report. Seconded by Joanne Peterson. Motion carried.

#### LEASES

Bryan Bainbridge moved to approve Resolution **9/3/12A** pertaining to a Lease Modification to Richard N. Topping. Seconded by Joanne Peterson. Motion carried.

Marvin Defoe moved to approve Resolution **9/3/12B** pertaining to a New Lease for James Shelley a tribal member and Linda M. Shelley a non-tribal member located on Ridge Road. Seconded by Joanne Peterson. Motion carried.

#### RESOLUTIONS

Dennis Soulier moves to approve Resolution **09/3/12C** pertaining to the Shodeen Property Certification as to Rights of Way, Easements and Restrictions. Seconded by Joanne Peterson. Motion carried.

Jeanne Gordon moves to approve Resolution **9/3/12D** pertaining to the Frog Bay Tribal National Park Property Certification as to Rights of Way, Easements and Restrictions. Seconded by Laura J. Gordon. Motion carried.

Joanne Peterson moves to approve Resolution **9/3/12E** pertaining to the Frog Bay Tribal National Park Property Certification as to Riparian Rights. Seconded by Jeanne Gordon. Motion carried.

#### APPROVAL OF CONTRACTS

Marvin Defoe moves to approve the contract with Aristocrat Technologies for three "Outback Jack". Seconded by Laura J. Gordon. (1contrary, Jeanne Gordon). Motion carried.

Bryan Bainbridge moved to approve the contract with Aristocrat Technologies for three "Jaws Bounty Hunter". Seconded by Marvin Defoe. (1 contrary Jeanne Gordon). Motion carried.

Laura J. Gordon moved to approve the contract with Aristocrat Technologies for six "Tarzan and Mission Impossible" wide area progressives. Seconded by Nathan Gordon. Discussion: does the Casino have the procedures in place if jackpot is won. It is also, important to have adequate surveillance coverage and staff training. (2contrarys Jeanne Gordon and Dennis Soulier). Motion carried.

#### **ED SINDELAR**

Ed is not here to present contracts. Dennis moved to table contracts, Motion dies lack of a second.

Dennis has questions regarding the Native preference as stated on posting. The Tribe has no policy for Native preference for construction.

Dennis Soulier moved to table the North Bradum Phase II Utility and Roads Construction contract. Seconded by Marvin Defoe. Motion carried.

Jeanne Gordon moved to approve the Food Distribution Parking Lot contract subject to approval of funds. Seconded by Marvin Defoe. Motion carried.

Update on Blueberry Road Traffic Stripping. Council to find out if project would include painting of Blueberry/Casino/Hwy13 intersection, many feel it is a safety hazard.

#### **APPROVAL OF IHS/MOU**

Bryan Bainbridge moved to approve the IHS/MOU. Seconded by Jeanne Gordon. Discussion: before anybody is serviced the Council will need to look at the list of individuals before the work is done. Motion carried.

#### **IVC DEMOLITION DISCUSSION**

Marvin Defoe had sent a letter to Council. Would like to explore options for IVC building structure. Council would like cleanup of the site to be the top priority, for safety reasons. Joanne agrees to coordinate cleanup efforts. There was discussion on asking individuals who have purchased items from auction to help with cleanup. The Casino will purchase dumpsters from AAA in Ashland and deduct cost from auction funds. Marvin Defoe and Steve Boyd volunteered their time. Nathan Gordon asks that a timeline be made to set deadlines. Joanne will contact EPA to see what materials can be burned, if any.

#### **RESOLUTION**

Jeanne Gordon moved to approve Resolution 9/3/12F pertaining to the USDA Food Distribution Program FY 2013. Seconded by Dennis Soulier. Motion carried.

**APPROVAL OF CHAPTER 54- ALCOHOLIC BEVERAGES**

Jeanne Gordon moved to post for 30 days Chapter 54 Alcoholic Beverages with corrections. Seconded by Joanne Peterson. Discussion to have Dave Ujke from Legal to research other towns and cities ordinances to compare. Motion carried.

**APPOINT TRIBAL COUNCIL TO POLICY COUNCIL**

Dennis Soulier moved to appoint Jeanne Gordon with Marvin Defoe as the alternate to the ECC Policy Council. Seconded by Joanne Peterson. (2 abstentions Jeanne Gordon and Marvin Defoe). Motion carried.

**APPOINT FISHING COMMITTEE**

Marvin Defoe moved to appoint by secret ballot. Seconded by Dennis Soulier. Motion carried. The appointed members are Richard Gurnoe Jr., Joe Duffy, Cecil Peterson, Marty Peterson, Christopher Peterson with Dirk Wachsmuth and Keith Bresette as alternates.

**COUNCIL APPOINTMENTS**

**Great Lakes Inter Tribal Council (GLITC)**

Dennis Soulier moved to appoint Rose Soulier as the Current Rep. and that all Council members serve as alternates. Seconded by Joanne Peterson. Motion carried.

**Great Lakes Indian Fish and Wildlife Commission (GLIFWC)**

Joanne Peterson moved to appoint Rose Soulier as the Current Rep. and that all Council members serve as the alternate. Seconded by Marvin Defoe. Motion carried.

**Lakes Committee**

Dennis Soulier moved to appoint Cecil Peterson as the Current Rep. and Bryan Bainbridge as the alternate. Seconded by Joanne Peterson. (1 abstention Bryan Bainbridge). Motion carried.

**State of WI Joint Legislative Council**

Joanne Peterson moved to appoint Marvin Defoe as the Current Rep. Seconded by Jeanne Gordon. (1 abstention Marvin Defoe). Motion carried.

**Voight**

Bryan Bainbridge moved to appoint Marvin Defoe as the Current Rep. with Leo LaFerner, Mark Duffy and Bryan Bainbridge as the alternates. Seconded by Joanne Peterson. (1 abstention Marvin Defoe). Motion carried.

**County/Tribal Relations Committee**

Dennis Soulier moved to appoint Marvin Defoe and Nathan Gordon as the Current Reps. Rose will always be attending. Seconded by Bryan Bainbridge. (1 abstention Marvin Defoe). Motion carried.

**MAST**

The Council will hold off on this one.

**BART**

Marvin Defoe moved to appoint Jeff Benton as the Current Rep with Kathy Barri as the alternate. Seconded by Bryan Bainbridge. Motion carried.

A suggestion was made by Nathan Gordon to develop a calendar to include the dates and times of all committee meetings.

**COUNCIL DIRECTION ON TASK FORCE MOTIONS**

On the Climate Change Task Force the makeup will include 2 youth, 2 elders, 2 council members, 3 administration staff, 2 community members, 11 total members. There will also be 2 coordinators. A Resolution will be presented at the next council meeting.

The Zero Tolerance Task Force may not be needed. There are many groups already meeting discussing these issues (i.e. Gang Task Force and AODA Reduction Team).

Marvin Defoe moves to rescind motion made on May 22, 2012 to develop a Zero Tolerance Task Force. Seconded by Dennis Soulier. Motion carried.

**LW POLICY DISCUSSION**

Council does not have full Legendary Waters Policy document. Council will revisit this at the next meeting. Will work on pages 1-20 at the next Council meeting and will finish remainder at the following meetings.

**OTHER**

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

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

Jeanne Gordon moved to adjourn. Seconded by Dennis Soulier. Motion carried.

Adjourned 12:40 p.m.

Respectfully Submitted:

ATTEST:



Alana Babineau  
Recording Secretary



Laura J. Gordon, Secretary  
Red Cliff Tribal Council