

Red Cliff Band of Lake Superior Chippewas

SPECIAL COUNCIL MEETING

May 17th, 2011
4:30 p.m. Bingo Hall

An Honoring for Kathy Hanson took place at 3:30 p.m. for 37 years of service to the Red Cliff Tribe.

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

ROLL CALL:

Rose Soulier, Present

Marvin Defoe, Present

Laura J. Gordon, Absent

Dennis Soulier, Present

Mike Gurnoe, Present

Larry Deragon, Present

Jeanne Gordon, Present

Ray DePerry, Arrived 4:35 p.m.

Jim Pete, Present

Quorum

Note: Laura J. Gordon is out of town

Also in attendance: Dave Ujke Tribal Attorney and community members.

Opening Ceremony

Opening ceremony performed by Frank Montano.

SECRETARY APPOINTMENT

Dennis Soulier move to appoint Jeanne Gordon as the Secretary. Seconded by Larry Deragon. Motion carried.

AGENDA

Need to Add Supervisory Authority, Auditor Recommendation, Modification #3 Roads and Charter. Need to table CCDF. Marvin moved to approve the agenda with changes. Seconded by Dennis Soulier. Motion carried.

COMMUNITY ANNOUNCEMENTS/INPUT

Bob Bear has a question on Beautification and the meaning. He had a concern on the leases and the upkeep of the leases.

Larry Gordon had a concern and a request to have law enforcement monitor Daley & Bradum road of cars traveling at high speeds. *Administration will check this out with Law Enforcement.* Bob Bear had a concern on West Bresette Road of individuals travelling at high speed.

Frank Montano had a concern regarding his water & sewer that was fixed last year, but would like to know about the landscaping. Also, he is inquiring about his son Matt Montano's water & sewer. *Administration will follow up on this.*

Linda Lamoreaux had a concern regarding dogs around the Elderly Apartments, this is being addressed and the warden have been picking up dogs and bringing them to a shelter.

Myrtle Gordon had a suggestion regarding the turkeys that are given out on the Christmas Holiday. She had a suggestion to donate money to the Children's Christmas Giveaway.

There is a Language Camp at Fond du Lac. There will be story telling etc. This is a free event.

The Buffalo Pipe Ceremony will take place on May 28th, 2011 at the Bingo at 11:00 a.m.

Frank Montano mentioned that Gerry Phillips from the Rittenhouse is looking for items that tell the story of Red Cliff for the Heritage Museum.

Bob Bear informed the community that the Parish Council received information on home funerals and training in Red Cliff.

CASINO REPORT

Jeff Gordon, GM, informed the Council that Lonnie Basina has been hired at the Legendary Waters as the Facility Manager and will begin on May 23, 2011. Also, Charles Bresette has been hired as Security Manager.

EXECUTIVE SESSION

Dennis Soulier moved to go into executive session. Seconded by Mike Gurnoe. Motion carried.

REGULAR SESSION

Marvin Defoe moved to return to regular session. Seconded by Larry Deragon. Motion carried.

Jim Pete moved to approve the Casino Financial Report. Seconded by Dennis Soulier. Motion carried.

COMPLIANCE REPORT

Carol gave an update on the installation of the 27 machines at the casino. Jeanne Gordon moved to approve the compliance report. 2nd by Jim Pete motion carried.

GAMING COMMISSION REPORT

The Council had questions regarding the liquor license and if they would move to the Legendary Waters. Yes, it would and they have applied to the Town to change the name on the license to Legendary Waters. There was discussion on the current facility regarding the license. Marvin Defoe moved to approve the Gaming Commission report. Seconded by Mike Gurnoe. Motion carried.

Gaming Commission Request

The Gaming Commission submitted a request to appoint Tom Jeffords as the Chairman of the Gaming Commission. Larry Deragon moved to appoint Tom Jeffords to the Commission. Seconded by Marvin Defoe. Motion carried.

CASINO/HOTEL/EVENT CENTER UPDATE – Ron Jack & Taylor Woodstone

Ron Jack and Taylor Wood Stone contractor presented a power point and gave an update on the Casino Project. August 11, 2011 is the date for soft opening and they are on schedule.

SUPERVISORY AUTHORITY OVER THE COMPLIANCE DEPARTMENT

This is clarification on the discussion of the supervisory authority over the Compliance Department and the follow up discussion at the May 11, 2011 Council meeting. The confusion centers on certain language in RCCL sec. 17.10 which states: The Red Cliff Gaming commission shall appoint a Compliance Officer to work under its supervision. The compliance Officer shall perform the duties prescribed and may exercise the powers granted by the Red Cliff Gaming Commission. The compliance Officer shall be subject to the Personnel Policies and Procedures of the Tribe.

In order to avoid confusion and conflicting interpretations, David Ujke, Tribal Attorney is recommending changing RCCL sec. 17.10.11(a) and 17.10.11 for clarity; to the term "supervision" to "direction" at the end of the first sentence of sec. (17.10.10 ()); likewise to change the term "authority" to "direction" in the last sentence of sec. 17.10.11.

Also included is; The Red Cliff Gaming Commission shall appoint a Compliance Officer to work under its **direction**.

Gaming Surveillance Personnel shall be subject to the Isle Vista Casino Employee Handbook (Policies and Procedures), but under the **direction** of the Red Cliff Gaming Commission, acting through the Compliance Officer.

Compliance and Surveillance personnel shall remain subject to the authority of the Tribal Administration for purposes of day to day supervision, employee discipline and other matters covered by the Tribe's Employment Handbook.

Jeanne Gordon moved to approve the recommendation. Seconded by Marvin Defoe, discussion, roll call vote; in favor of the motion; Marvin, Mike Dennis and Jeanne. Larry, Ray and Jim voted opposed. Motion carried.

OLD BUSINESS

CHARTER UPDATE

Rose gave an update on the meeting with Charter regarding channel 7. She gave the Council some of the options to keep the tribal channel at an earlier meeting and Council did not take action. One of the options was: Encrypt tribal channel: the effect of this would be that the

tribal channel would only be available for the community but....each household would need a converter box. The converter box would be loaded with a special channel map which would include the tribe channel. Currently there are approximately 280 basic customers in the community, and 176 have a converter box that would be able to watch the tribal channel. Those that do not would need to lease/rent the converter box from Charter which is \$5.00 per month. In the next year or so, analog will be gone and we need a box in future years.

Jim Pete left the meeting at 7:00 p.m.

Jeanne Gordon moved to proceed with the recommendation with Charter. Seconded by Marvin Defoe. Motion carried.

CHAPTER 53 FOOD CODE

Jeanne Gordon moved to table until Richard Reese is available. Seconded by Raymond DePerry. Motion carried.

BUSINESS PERMITS

Marvin Defoe moved to deny the Business Permit for Joe Soulier for salvage yard. Seconded by Jeanne Gordon. Discussion. Motion carried.

Larry Deragon moved to approved Business Permit for Liza Armagost for Party Lite sales. Seconded by Dennis Soulier. Motion carried.

Dennis Soulier moved to waive the posting on the Ordinance change for Chapter 17 on the Supervisory Authority of the Compliance Department. Seconded Marvin Defoe. Hand vote: In favor, Mike, Dennis, Marvin and Jeanne. Opposed: Larry Deragon and Raymond DePerry. Motion carried.

TRIBAL INSURANCE

Raymond DePerry moved to approve the recommendation to appoint Hokan Almstrom as Insurance Advisors. Seconded by Mike Gurnoe. Motion carried.

PROPERTY DISPOSAL, Green Grader

The Property Department had an inquiry to obtain the Tribe's green grader that is located by Steve Boyd's property. The department contacted CWO of Ashland and they are paying \$200/ton for heavy equipment. Dennis Soulier moved to approve. Seconded by Marvin Defoe, Discussion. Steven Boyd has had the grader on his property since 1995. He has submitted a storage fee to past administration and has never heard back on it. Administration will work with Steve on the request. Motion carried.

SINGLE AUDIT PROPOSALS

Charlie Eaglestar, CFO, submitted proposals regarding the audit. Charlie is recommending PTI CPA with a bid of \$40,083.00. There was discussion on Midwest Professionals bid and they

have been our auditors for the past eleven years. Raymond DePerry moved to approve Midwest Professionals with a bid of \$37,200.00. Seconded by Larry Deragon. Motion carried.

AGREEMENT WITH NORTHLAND COLLEGE ON BEACH SANITARY PROJECT

Marvin Defoe moved to approve the agreement with Northland College. Seconded by Raymond DePerry. Motion carried.

CLIMATE CHANGE PROJECT

Chad informed the Council on this project and that a resolution has been passed and sent to BIA regarding the funding of this project. The proposed project is expected to take three year to complete at a cost of \$125,000.00 per year. We are requesting funds from Great Lakes Restoration Initiative or Circle of Flight or a combination of the two programs to meet project needs. This is an update for the Council on the Project.

PAC POLICY UPDATE

Project Application Policy (PAC) Chad gave an update on the project.

RESOLUTION WTCAC (Wisconsin Tribal conservation Advisory Council)

Dennis Soulier moved to approve Melonee Montano as the representative to the WTCAC with Jacob Maas as the alternate. Seconded by Raymond DePerry. Motion carried. **5/17/11A**

RESOLUTION TO NEW HOUSING ROAD RIGHT OF WAY AND RECONSTRUCTION

Raymond DePerry moved to approve resolution to new housing road right of way and reconstruction. Seconded by Larry Deragon. Motion carried. **5/17/11B.**

CONTRACT MODIFICATION #3 PROJECT F55435SB

Dennis Soulier moved to approve modification #3; this would increase the contract by \$16,053.00 for a total of \$594,206.84. Seconded by Larry Deragon. This is for road improvements on Blueberry road.

TENANT ASSOCIATION

Steven Boyd informed the community and Council that the Association is stilling meeting and are working on the By-Laws. Also, the Association will be cleaning the cemeteries on May 28th and will get flyer out.

2011 OJIBWE LANGUAGE CAMP REQUEST

Marvin Defoe moved to approve the Language Camp Request except for #2 that is asking for a \$2,800.00 identify where the funds are coming from. Seconded by Jeanne Gordon. Motion carried.

RESOLUTION PERTAINING TO THE (CJA) Children's Justice Act

Dennis Soulier moved to approve the CJA Grant. Seconded by Mike Gurnoe. Motion carried. **5/17/11C.**

RESOLUTION PERTAINING TO FOOD DISTRIBUTION

Dennis Soulier moved to approve Food Distribution resolution. Seconded by Jeanne Gordon. Motion carried. 5/17/11D.

JOM COMMITTEE APPOINTMENT

Marvin Defoe move to appoint Darla Montano to the JOM Committee. Seconded by Larry Deragon. Motion carried

CONSTITUTION COMMITTEE APPOINTMENT

Marvin Defoe moved to appoint, David Wagman, Elizabeth Hudson, Laura J. Gordon, Shelly Gordon and Steven Boyd to the Constitution Committee. Seconded by Raymond DePerry. Motion carried.

MEMBERSHIP COMMITTEE APPOINTMENT

Dennis Soulier moved to appoint Clarissa Gokee and Edward M. Bressette III to the Membership Committee. Seconded Larry Deragon, motion carried. Linda Lamoreaux, Angie Emrich, and Betsy Hudson have been appointed at a earlier meeting.

RATIFY COUNCIL POLL ON THE VETERANS GRANT

Jeanne Gordon moved to ratify Council Poll pertaining to the Veterans Grant. Seconded by Marvin Defoe. Motion carried.

Mike Gurnoe moved to go into executive session. Seconded by Dennis Soulier. Motion carried.

Dennis Soulier moved to return to regular session. Seconded by Jeanne Gordon. Motion carried.

Marvin Defoe moved to hire Jenelle Elza for the Nurse Quality Manager. Seconded by Larry Deragon. Motion carried.

Marvin Defoe moved to suspend the fines that were imposed and direct the Gaming Commission and staff to develop a structure dealing with disciplinary action of infraction of regulatory in nature. Seconded by Jeanne Gordon. Roll call vote: Mike Gurnoe, Yes, Dennis Soulier, Yes, Marvin Defoe, Yes, Raymond DePerry, No, Larry Deragon, No, Jeanne Gordon, Yes. Motion carried.

Larry Deragon moved to adjourn. 2nd by Dennis Soulier, motion carried.

Adjourned: 8:50 p.m.

Respectfully Submitted:



Jeanne Gordon, Acting/Recording Secretary