

Red Cliff Band of Lake Superior Chippewas

REGULAR MONTHLY COUNCIL MEETING

June 6, 2011

Meeting called to order at 3:00 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, Henry Buffalo, Andrew Adams, Tribal Attorneys and community members.

OPENING CEREMONY

Opening ceremony performed by Frank Montano.

AGENDA

Jim requested #21 be moved up after community concerns. May 2nd minutes are not in the pack. Laura is still working on them. Jim Pete moved to approve amended agenda. Seconded by Larry Deragon. Motion carried.

Dennis Soulier moved to go into Executive Session. Seconded by Mike Gurnoe. Motion carried.

Larry Deragon moved to return to Regular Session. Seconded by Dennis Soulier. Motion carried.

Jim Pete moved to hire Cheri Defoe with Ashley Gurnoe as alternate for Receptionist/Secretary for the Courthouse. Seconded by Larry Deragon. Motion carried.

Jim Pete moved Tribal Administration meet with representatives of the Red Cliff Parish Council on Wednesday to negotiate potential purchase of the Church property. Seconded by Larry Deragon. Motion carried.

TRIBAL TAX ON NON MEMBERS

Tribal tax for non members for hotel, alcohol, food and consumer sales has been put in a draft form for a tax code and explained by Henry Buffalo and Andrew Adams. Andrew explained about State/Tribal tax etc. to Council and community. He has left blanks in the code for percentages the Council would impose for these taxes. Discussed.

Ray DePerry moved to table, Council to think about the percentages and bring back to the next meeting. Seconded by Larry Deragon. Andrew will check on what other Tribes charge and send the information by email. Council would like this information before the meeting for review. Motion carried.

CHAPTER 17 REVISIONS/DAVID UJKE

David sent a memo along with the draft of Chapter 17 and his recommendations to it.

-Games allowed, this is not reflected amend to include a reflected in gaming compact.

-Rules of Play, Council not permitted in Class III gaming leave in or take out? Leave it in.

-Delete management contract, may wish to leave in it's a given for the future.

-Gaming Vendors, Change from \$10,000 to \$25,000, change in Ordinance, consent to jurisdiction of the Tribe, leave it in.

-Background investigator, retain bulk 17.9 review with comments redraft by Gaming. Went through and made revisions Section 17.9.2 see changes. 17.9.2a gaming – background be conducted was omitted, other folds have it done.

-Gaming to conduct review license, comments 30 days strike it.

#9 Gaming Commission invested with authority and responsibility, proposed changes to draft requirements, feedback on page two of memo on bullet points.

-No member of Council on the Gaming Commission 6 Council members said No not be on the Gaming Commission.

-Restrict to High School or GED – leave it in.

-Employed in Gaming facility Class III – Yes.

-Knowledge or experience in gaming. Use the word preferred on last three bullets.

-Request for certification within six months, existing Commission exempt.

-Ethic restrictions, 17.10.4 – 10.4 are new and are good ideas, should be spelled out in the Code. 17.10.5 Restriction is ok.

Section 17.10.10 Powers new language authority of Commission on regulatory side of casino:

Discussed 10.10 warning and fines authority of Commission, somewhere it should state subject to review.

- Section 17.15.12 Appeals to Court.

-Fee Schedule, two years ago Carol Cameron presented one to legal and Council.

-There is a due process set up regarding 17.10 etc. Include the section for Commission removal, hearing etc.

-Section on Gaming Managers, up to \$25,000 and if over \$50,000 needs approval by the Council. Ok with this section.

-Public safety and health section needs to stay in.

-Bingo, raffles etc. stays in.

-Appeal also stays in.

David will make changes to the draft and bring back to the next meeting. Henry Buffalo suggested having Gaming Commission, Executive Director, Investigator, and Compliance Officer to be efficient.

RETURN TO THE GOOD LIFE

Melanie Thoreen and Eryk Rosier explained they are doing a video of interviews with elders on gardens (noted what is in their diets) and gatherings and this will be available to the community by September. They plan to have a child do a voice over on it. The video will be 30 to 40 minutes long. Any elder names or ideas are welcome.

JUVENILE ACCOUNTABILITY PROGRAM

Brochure handed out on the program by Brian Boyd and Jason Schlender. They have set up a program working with juveniles having to do community service etc. They also plan on working with culture, respect etc. with these youth and keeping them out of trouble. They are coordinating with other programs. Marvin invited them to the meeting scheduled tomorrow at 10 am to present this program.

MINUTES

Marvin Defoe moved to approve the minutes of March 22, 2011 with changes. Seconded by Ray DePerry. Motion carried.

Ray DePerry moved to approve the minutes of April 28th, 2011 with corrections. Seconded by Jeanne Gordon. Motion carried.

Ray DePerry moved to approve the minutes of May 11th with corrections. Seconded by Jeanne Gordon. Motion carried.

Marvin Defoe moved to approve the minutes of May 17th with corrections. Seconded by Mike Gurnoe. Motion carried.

COMMUNITY COMMENTS/ANNOUNCEMENTS

David Wagman expressed a concern about the Buffalo Pipe ceremony that was taped and leaving it in the Red Cliff archives and not elsewhere. Marvin explained the group that helped with this can discuss it.

Gretchen Morris presented a letter dated May 19th to the Council, it is an ongoing problem and she doesn't know what to do. She wanted to know if there are rules for Committee's, do you have to live on the reservation and be a Tribal member, yes you do. In appointing people to the pow-wow Committee could the Council wait until after the pow-wow it is hard to explain everything etc. to them. Also expressed a concern with the new changes on TANF if you have a disabled child and receive SSI you will not receive a TANF check the first of the month. This is going to hurt some people as they rely on it for bills.

It was suggested to discuss this at the Division meeting tomorrow.

Marvin Defoe invited the Council to attend the meeting on June 14, 2011 regarding culture values in the work place with employees.

Deadline for At Large candidates for Council is June 20, 2011.

Jeff Benton informed the Council and community that Blueberry Road will be closed tomorrow from Emil to Rowley road for paving.

Betsy Hudson requested the Council to revisit the Dog Ordinance; she was attacked while walking on Blueberry Road. She talked to the Wardens, Police and Court, never heard from anyone. Larry explained this did go to Court and the dog is off the reservation. Rose stated it will be followed up with. Betsy also stated bears are around. Larry stated that people should take down their bird feeders and to keep garbage out of their yards.

Question asked about the trailer in Aiken's and weren't they supposed to be removed within a certain time. Discussed. Insurance needed to be paid and payment of the trailer by a certain time. It will be moved soon.

Donations were received for the pow-wow from Faith Technologies in the amount of \$1000 and Shakopee donated \$1500.

ABOLISHMENT OF GAMING COMMISSION

Jim Pete explained why he wanted this on the agenda based on the May 17th meeting changing the order of business pertaining to Compliance office involvement and delegating authority to Gaming Commission. Then Tribal Administration decision made by majority of the Council was changed. Fines were suspended etc. Why do we need a Gaming Commission when Council makes the decisions? Went through Chapter 17 and powers of the Commission. The decision has been made, time to move on.

Ray DePerry stated Mr. Buffalo stated integrity, went through Chapter 17 need integrity in this operation, feels like Jim don't seem to have it right now, classic example past couple meetings fines involved money, imposed fines and then took it away, integrity taken away saw this on agenda go full force. I back Jim on this and get the message out there to get the point across work through concerns. I paid \$500 Wednesday for an ad in the paper, I'm pissed too.

Marvin Defoe stated he was at a meeting last week with Commission members, Surveillance, Campground talked about concerns and issues relative to compliance thought it went well. Everyone was very professional; concern was moving forward, everyone has a right to opinions. Issue is we do want to make things better. Jim is not in favor of abolishing it is good.

Jim pointed out a couple points, comment glad not running for re-election this is my feelings as an individual it has nothing to do politically, and a separation is going on and the integrity by Tribal Administration in day to day business.

Discussed question by Kathy Hanson regarding compliance office being moved to Isle Vista. Only a desk and a phone were moved. An office in Surveillance for Carol has problems with leakage. Can be moved anytime, needs to ask for assistance. Budget needs to be looked at

regarding remodeling of Surveillance room, Compliance and Investigator; there is not enough room at the new place. Marvin stated to come into the office and it can be worked on and then will follow up with Carol.

Discussion on if Isle Vista Casino notifies employees regarding fines that could be imposed, if employees are not following regulations. Personnel or Human Resource person has to let new employees know this rule and to pass it on to them. Any changes made employees should know them.

CASINO/HOTEL UPDATE

Ron Jack presented a copy of the budget to the Council ending June 1st, 2011 with listed expenditures, discussed soft and hard costs. A grant was received from Shakopee for the church property, marina, campground, and pow-wow grounds for 1 million. The budget of estimated costs was discussed for the grant.

TREASURER MTHLY REPORT/DENNIS SOULIER

Discussed the report, Charlie to check on third party accounts and balances, email the information to the Council.

Marvin Defoe moved to approve the Treasurer's Report. Seconded by Mike Gurnoe. Motion carried.

OLD BUSINESS

REZLOOP NEWLTR.

Tabled until the Retreat.

CCDF GRANT/KIM GORDON

This was tabled at the May 17th meeting and is the final draft, errors will be corrected. Discussed if day care is available to other people, no there isn't room at this time only ECC children enrolled in the program. Ray DePerry moved to approve. Seconded by Larry Deragon. Motion carried.

CHAPTER 53 FOOD CODE/DICK REESE

Discussed temporary vendors such as pow wow time, Dick works with them already. The Health Center can issue permits for food. Jim Pete move to approve the Chapter 53 Food Code. Seconded by Ray DePerry. Motion carried.

GALAZEN LOGGING PERMIT

Discussed the fee of \$5 vs. \$500. Jim talked to Donna they are out of town she is very frustrated with this issue. Larry Deragon moved to approve for \$5.00. Seconded by Ray DePerry. Amend motion to include for one year. Second concurs. 1 abstention (Jim Pete), 1 opposed (Marvin Defoe). Motion carried.

UTILITY COMMISSION REQUEST

Discussed budget attached with stipends. Jim Pete moved to approve Utility Budget and request for stipends. Seconded by Mike Gurnoe. Motion carried. Jim Pete moved to go retroactive to May 1, 2011. Seconded by Ray DePerry. Motion carried.

NEW BUSINESS

LEASES/SUSIE BEAR

Dennis Soulier moved to approve the Resolution **6/6/11A** for voluntary cancellation of Beverly G. Henfy (Beverly G. Peacock-Hale) for residential lease on Watertower Road. Seconded by Mike Gurnoe. Motion carried.

Dennis Soulier moved to approve the Resolution **6/6/11B** for residential lease of Marvin Defoe Jr. on Blueberry Road. Seconded by Jim Pete. 1 abstention (Marvin Defoe). Motion carried.

Marvin Defoe moved to approve the Resolution **6/6/11C** application of residential lease on JD Drive for Laura Belanger. Seconded by Ray DePerry. Motion carried.

Larry Deragon moved to approve the Resolution **6/6/11D** application of residential lease on Acorn Road for Jamie Goodlet. Seconded by Laura J. Gordon. Motion carried.

Ray DePerry moved to approve the Resolution **6/6/11E** application of residential lease on Acorn Road for George P. Duffy. Seconded by Dennis Soulier. Motion carried.

Marvin Defoe moved to approve the Resolution **6/6/11F** application of residential lease on Acorn Road for Kevin Soulier. Seconded by Jim Pete. Motion carried.

BUSINESS LEASE/SUSIE BEAR

Amended Chapter 16, Business Lease and Tax Law Section I: Licensing 16.1.6 renumbered section from 16.1.7 to 16.1.6 and Business Permit Fees listed in 16.2.1 through 16.2.3. Larry Deragon moved to approve amendments. Seconded by Ray DePerry. Motion carried.

REVISED LAND LEASE APPLICATION/SUSIE BEAR

Dennis Soulier moved to approve the revised lease application. Seconded by Marvin Defoe. Dave Ujke commended Susie for her efforts, she did a good job. Motion carried.

BUSINESS PERMIT

Larry Deragon moved to approve the Business permit for George P. Newago for "Newago Fireworks". Seconded by Jim Pete. Motion carried.

GUIDELINES JOB PLACEMENT/CARMEN VANDERVENTER

Discussed the appeal process and having a neutral entity to handle it. Ray DePerry moved to table until the next meeting. Seconded by Dennis Soulier. Motion carried.

CHAD ABEL

1). Fish Committee to charge fishermen using the old dock. Jim Pete moved to approve. Seconded by Dennis Soulier. Motion carried.

2) Fish Committee to replace RC Code 7.19.11 with RC Code 7.12 Inspection WI waters. Marvin Defoe moved to refer to legal for research and bring it back. Seconded by Ray DePerry. Motion carried.

3) Feasibility Study. Marvin Defoe moved to approve. Seconded by Laura J. Gordon. Amend motion to include Sole Source for Frazier, Barnes & Associates for the study. Seconded concurs. Motion carried.

4) Resolution in opposition to Penokee-Gogebic Mining. Dennis Soulier moved to approve the Resolution **6/6/11G**. Seconded by Marvin Defoe. 1 abstention (Ray DePerry don't know enough about it). Motion carried.

RESOLUTION TTIP

Ray DePerry moved to approve the Resolution **6/6/11H** for the Tribal Transportation Improvement Plan. Seconded by Larry Deragon. Motion carried.

WAIVER AODA EVALUATION

Dennis Soulier moved to approve the waiver of sealed bid process. Seconded by Jim Pete. Motion carried.

SNOWMOBILE BID

Procurement would like it to go to the next bidder. Dennis Soulier moved to go with bid by Mark Duffy for \$162.00. Seconded by Jim Pete. Motion carried.

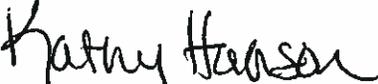
POW-WOW COMMITTEE

Larry Deragon moved to appoint Kim Gurnoe and Vern Defoe to the Pow-wow Committee. Seconded by Laura J. Gordon. Motion carried.

Laura J. Gordon moved to adjourn. Seconded by Ray DePerry. Motion carried.

Adjourned: 8:25 p.m.

Respectfully Submitted:


Kathy Hanson
Recording Secretary

ATTEST:


Laura J. Gordon, Secretary
Red Cliff Tribal Council