

# Red Cliff Band of Lake Superior Chippewas

## REGULAR MONTHLY COUNCIL MEETING

August 1, 2011

6:00 p.m. Bingo Hall

Meeting called to order at 6:00 p.m. by Rose Soulier, Tribal Chairperson.

### ROLL CALL:

Rose Soulier, Present

Marvin Defoe, Present

Laura Gordon, Present

Jim Pete, Present

Jeanne Gordon, Present

Mike Gurnoe, Present

Joanne Peterson, Present

Bryan Bainbridge, Present

Robert Bear, Present

Quorum

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

### OPERNING CEREMONY

Opening ceremony performed by Rob Goslin. Prayers and sympathy to the family, friends, community for the loss of Martin Peterson.

### AGENDA

#11) is changed to Higher Education rather than Dept. Guidelines, and under Other add TANF Resolution. Marin Defoe moved to approve agenda. Seconded by Jim Pete. Motion carried.

### MINUTES

Jeanne Gordon moved to approve the minutes of July 1<sup>st</sup>, 2011 with corrections. Seconded by Bryan Bainbridge. Motion carried.

Marvin Defoe moved to approve the minutes of July 4<sup>th</sup>, 2011 with corrections. Seconded by Joanne Peterson. Motion carried.

Jeanne Gordon moved to approve the minutes of July 15<sup>th</sup>, 2011 with corrections. Seconded by Robert Bear. Motion carried.

Mike Gurnoe moved to approve the minutes of July 19<sup>th</sup>, 2011 with corrections. Seconded by Jeanne Gordon. Motion carried.

### COMMUNITY COMMENTS/ANNOUNCEMENTS

The Fishing meeting scheduled for Thursday has been cancelled.

Carmen VanderVenter announced that the Education Dept. will have school supplies available for enrolled members, date and distribution will be determined.

The IT Dept. is to be commended for the web page posting of June 21, 2011.

An Art Fair is scheduled for August 8<sup>th</sup> from 3 to 7 pm at the Elderly Center, looking for art for the walls, any historical pictures etc. from Tribal members.

All Tribal offices will be closed on August 19<sup>th</sup> for employees' appreciation day.

#### **TREASURER'S REPORT**

Jim has been learning who does what and ways to improve the report. Once the Council approves the report he has a summary report for the community. Jim reported on the accounts held by BIA and their interest of 22 and 29 cents for the claims and lease programs. He receives daily reports on accounts from accounting and thanked the accounting department for their efforts.

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

#### **OLD BUSINESS**

##### **CAMPGROUND RESOLUTION**

Marvin Defoe move to approve the Resolution **8/1/11A** for the Campground right of way and changing the name of the road to Onigaming Drive. Seconded by Laura J. Gordon. Motion carried.

#### **NEW BUSINESS**

##### **POW-WOW RECONILIATION**

Demetri Morris and Marvin Morris were here from the Pow-wow Committee; Gretchen Morris has resigned from the Committee. Budget presented on the pow-wow expenses etc. and a shortage of \$2300 for vendors and bills. Funds were gotten from the casino in the amount of \$2300 plus an extra \$600 needed, Jeff stated the casino gave these funds as a donation not a loan. There is also a \$1,000.00 donation and it is at the Tribal office. Discussed. Jim Pete moved to table report for clarification. Seconded by Jeanne Gordon. Bring back to the next Council meeting on the August 23, 2011. Motion carried.

##### **CASINO/HOTEL UPDATE**

Ron stated they are trying to stay under budget. The soft opening will be on August 11<sup>th</sup> although everything won't be completed. If any monies have to be reallocated, approval has to go through Shakopee. Discussed monies spent on pow wow grounds. Training will be going on and videotaped for future reference if needed. Question was asked when Isle Vista Casino was

closing, Jeff stated it will close at 2 a.m. on Wednesday August 4, 2011, and then re-open on August 11, 2011 at 8:00 a.m.

## **LEASES**

Marvin Defoe moved to approve the Resolution **8/1/11B** for long term residential lease of Beneshii Bigboy and James L. Deragon on Acorn Road, Lot 91. Seconded by Jim Pete. Motion carried.

Resolution requesting the involuntary cancellation for Gary and Jeff DePerry's residential lease on Hwy. 13. Gary DePerry was present and gave the Council an explanation what they have done up to this point. Discussed the timelines of leases and when they start, legal explained they started when the lease holder and Tribe signed the lease. Jim Pete moved to honor criteria of Gary and Jeff DePerry for lease formerly their fathers with timeline of November 20<sup>th</sup>, 2011. Seconded by Laura J. Gordon. One abstention (Marvin Defoe). Motion carried.

Resolutions for forgiveness of lease rent by decease members: Marvin Defoe moved to approve the Resolution **8/1/11C** for Dorothy M. Topping, Seconded by Bryan Bainbridge. Motion carried.

Laura J. Gordon moved to approve the Resolution **8/1/11D** for Trudy J. Spencer. Seconded by Jim Pete. Motion carried.

Mike Gurnoe moved to approve the Resolution **8/1/11E** for Louis Belanger. Seconded by Joanne Peterson. Motion carried.

Jeanne Gordon moved to approve the Resolution **8/1/11F** for Arlene I. Gordon. Seconded by Laura J. Gordon. Motion carried.

Marvin Defoe moved to approve the Resolution **8/1/11G** for Howard E. Hanson Sr. Seconded by Jim Pete. Motion carried.

Joanne Peterson moved to approve the Resolution **8/1/11H** for Timothy L. Hanson Sr. Seconded by Robert Bear. Motion carried.

Joanne Peterson moved to approve the Resolution **8/1/11-I** for Gary Bonney. Seconded by Mike Gurnoe. Motion carried.

Marvin Defoe moved to approve the Resolution **8/1/11J** for Alvin P. Basina. Seconded by Laura J. Gordon. Motion carried.

## **HIGHER ED. REQUIREMENTS**

Changes were made to the policies and requirements for Higher Education and Job Training Program Policies and Requirements. #7) Students, who drop to a part-time status within the semester that they receive a grant, will be placed on a probation period for the following semester. Under #9) if the students GPA is brought back up to the 2.00 or higher cumulative GPA, they will be considered for a grant only if funding allows. The Grievance policies were changed to allow due process and to be consistent with other guidelines and requirements within the Education Department.

Jim Pete moved to approve the changes as presented. Seconded by Laura J. Gordon. Motion carried.

### **LEGENDARY WATERS OPERATING BUDGET**

Jeff and Mark worked on the budget for Surveillance, Gaming and Compliance not to exceed \$548,000 for both budgets. Utilities have not been figured out for the budget. Discussed.

Marvin Defoe moved to table the Legendary Waters budget until the September 20, 2011 Council meeting. Seconded by Jim Pete. Motion carried,

Jim Pete moved to approve the additional funding of \$83,000 for Executive Director to the Gaming and Compliance budget of \$238,000. Seconded by Mike Gurnoe. Motion carried.

### **IGT PURCHASE**

Chris Livingston explained the casino would like to purchase 10 machines from IGT for video poker excluding the royalty game. The casino will own these machines once they are paid for. Legal has gone over the contract and it is good to go. Marvin Defoe moved to approve the contract from IGT to purchase 10 machines. Seconded by Jeanne Gordon. Motion carried.

### **CONTRACT MODIFICATION**

Contract modification for Blueberry Road to change the date from June 17, 2011 to September 20, 2011 to finish paving. Jim Pete moved to approve. Seconded by Jeanne Gordon. Motion carried.

### **ARRA FUNDS FOR GRAVEL AGREEMENT**

George Newago presented a request to Council regarding the ARRA funds which have to be spent by August 31, 2011 and forgo property and procurement policy on posting. He received two written quotes and one verbal quote for gravel (3500 cu. yards.) and would like to use a sole source for the culverts by P.K. Forest and Farms out of Minong. George would also like permission to negotiate on the quotes. Robert Bear moved to go with waiving the 28 day posting requirement, George to negotiate using quotes. Seconded by Bryan Bainbridge. George is allowed to pick one and move forward. Motion carried.

Marvin Defoe moved to approve the \$8,135.70 amount for culverts and to go with P.K. Forest Farms out of Minong. Seconded by Bryan Bainbridge. Motion carried.

George would like authorization to begin in the process of entering into agreements with the Town of Russell and Town of Bayfield for 7500 tons of gravel with the concurrence of Bayfield County Forest Service. We need gravel for our roads. Mike Gurnoe moved to authorize George to move forward with the process to enter agreements with the Townships and Bayfield Co. Forest Service. Seconded by Laura J. Gordon. Motion carried.

### **CHAPTER 3**

Marvin Defoe moved to post Chapter 3 "Red Cliff Conservation Commission" for 30 days. Seconded by Jeanne Gordon. Motion carried.

## **CHAPTER 20**

Jim Pete moved to post Chapter 20 "Historic Preservation" for 30 days. Seconded by Mike Gurnoe. Motion carried.

## **NABDI RESOLUTION**

Jim Pete moved to approve the Resolution 8/1/11K pertaining to BIA for funding and support and assistance from the Native American Business Development Institute for the Business Board. Seconded by Jeanne Gordon. Motion carried.

## **CHAPTER 17**

It was posted for 30 days. Dave Ujke went through the recommended changes per section with the Council. Lengthy discussion on the fines, a fee schedule needs to be submitted. One was done a couple of years ago but was vague needs to be addressed. Jeff Gordon, General Manager of the casino is opposed to fining for employees. Marvin Defoe felt the hotel rooms not campground/marina are relevant to gaming position only. Consensus of Council on training for certificate should be 90 days not six (6) months. Dave will incorporate all the changes plus put the Executive Director into Section 11 and it is not effective until fee schedule is submitted and Council approves. Dave will bring this back to Council for approval.

## **CHAPTER 16**

Mike Gurnoe moved to approve the Business License and Tax Law; taxes will be at 8% for non members. It was posted for 30 days. Seconded by Jim Pete. Motion carried.

## **OTHER**

Jeanne Gordon moved to approve the Resolution 8/1/11L regarding the TANF program changing service area to reservation only. Seconded by Laura J. Gordon. Motion carried.

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

Bob Bear moved to back into Regular Session. Seconded by Mike Gurnoe. Motion carried.

Mike Gurnoe moved to approve Jim Pete as the Program Planner with Laura Stoffel as the alternate. Seconded by Joanne Peterson. One (1) abstention Jim Pete. Motion carried.

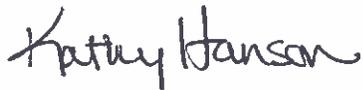
Marvin Defoe moved to approve Sue Bear as the Human Resource Administrative Assistant with Ashley Gurnoe as the alternate. Seconded by Jim Pete. Two (2) abstentions Mike Gurnoe and Bob Bear. Motion carried.

Bob Bear moved to post the Human Services Administrative Director in-house and candidates will come before Council for interviews. Seconded by Bryan Bainbridge. Motion carried.

Bob Bear moved to have Dave confirm with Sara K. Van Norman and draft a response for Ron Jack's signature regarding parking lot. Seconded by Jeanne Gordon. Motion carried.

Adjourned: 11:20 p.m.

Respectfully Submitted:



Kathy Hanson  
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary  
Red Cliff Tribal Council