

Red Cliff Band of Lake Superior Chippewas

SPECIAL COUNCIL MEETING

January 28, 2013

1:00 p.m. at Legendary Waters Buffalo Bay Grand Ballroom

Meeting called to order at 1:00 p.m. by Rose Soulier, Tribal Chairperson.

ROLL CALL

Rose Soulier, Present

Nathan Gordon, Present

Laura J. Gordon, Present

Dennis Soulier, Present

Mike Gurnoe, Absent (Sick)

Joanne Peterson, Present

Bryan Bainbridge, Present

Jeanne Gordon, Present

Marvin Defoe, Present

Quorum

In attendance: Dave Ujke, Red Cliff Tribal Attorney, Mark Montano, Director of Tribal Operations, Diane Peterson, Tribal Interim CFO, and Community members.

APPROVAL OF AGENDA

Dennis Soulier moved to approve the agenda to add: Baby Veronica ICW Case to Other. Seconded by Bryan Bainbridge. Motion carried.

Bryan Bainbridge moved to go into Executive Session. Seconded by Dennis Soulier. Motion carried.

Dennis Soulier moved to return to Regular Session. Seconded by Nathan Gordon. Motion carried.

OPENING PRAYER

Opening prayer performed by Frank Montano.

Tribal Chairperson expressed condolences to the family of Jim Hudson. Jim was well known and this is a great loss to the community of someone so young. We have no details on services at this time.

The Council had Executive Session earlier to discuss Personnel, Snowmobile trail, and the meeting with Shakopee tomorrow regarding finances and a grant. At 6:30 the Chair, Vice Chair along with Marvin Defoe and Diane Peterson will be leaving for Minneapolis. From that point on Laura J. Gordon will be the Chair.

Laura J. Gordon moved to approve \$100,000 out of Settlement Funds to be used for machine payables at Legendary Waters Casino. Seconded by Dennis Soulier. Motion carried.

Laura J. Gordon moved to not consider the easement trail request with Wayne Nelson unless there is some kind of Land Exchange. Seconded by Jeanne Gordon. Motion carried.

JR. COUNCIL UPDATE/BRIAN BOYD-KRYSTAL TOPPING

They are planning a one day training/conference here at Legendary Waters with the Jr. Council, Parents and community member are welcome. The agenda needs to be established with key note speakers, Tribal history, etc. for a well informed Jr. Council. Looking for former Jr. Council members to speak to the present members and hope the Council gets involved as mentors. A budget of \$5,000 was requested and what do they have to do if approved. Their office is at the youth center. If anyone has any questions or need information contact Brian at 779-3725, 779-3769 or email with last name at nsn.gov. They were informed Chuck Basina initiated the first Jr. Council and could be a contact and discussed other contacts, organizations. Need written request for funds which goes to the Finance Committee and then to Council for approval. Once approved certain people need to be in charge of finances. Email Laura with request.

COMMUNITY COMMENTS/ANNOUNCEMENTS

Angie LaPointe and Kim Gurnoe requested \$1659 to take 10 girls to 7 basketball tournaments in the Duluth/Hibbing areas. They have plain jerseys for the girls except two, the girls will name the team. They have permission to use the gym at school and the youth center for practice. Registration is due by February 10th with the first tournament on Feb. 24th ending on May 19, 2013. They would have fund raised themselves but this came up fast, and didn't have time. There are no monies in the general fund but can check with programs for donation. This will be followed up. They will need to get a written request in with budget break down on the first tournament etc. This will be put on Monday's agenda. Dennis would like a copy of the written request for Housing. They are to work with Donnie Gordon and Angie Emrich on the use of the youth van so everyone can go together to tournaments

There is a Mining Impact meeting on January 29, 2013 at the Ironwood County Courtroom.

Received two thank you cards one from the Pam Pratt family and one from Lou Ann Belanger family.

Jeanne Balber addressed the Council on Mining Impact meetings. It is important that Council officers attend these meetings as it carries more weight. There is a lot coming down the pipe on mining. Tribal Chairperson while in Washington did talk to Larry Robert and Secretary Wallace on the mining issue. They are willing to work with the Tribes and help. Also at 9:00 a.m. on February 19, 2013 at the American Inn Ashland is another mining meeting, it's important that voices be heard.

Jeanne asked for a couple referendums in July to ban synthetic marijuana on the Reservation it's dangerous. The other thing is banning alcohol on the reservation, it is in our treaty rights and our ancestors put it in there for a reason. Jeanne stated that she had a chance to get a home in new housing but declined, she didn't want her kids playing in the woods and finding beer cans etc. Need safer places. Tribal Chair would like to get the message out there will not

allow gang activity here. Tribal Chair will talk to Bill Mertig at their next meeting about this issue. Jeanne stated that she hopes the Resolution that went out on supporting all Indigenous People and Tribes, including our Canadian Sister Nations gets the point out. Jeanne will get a copy of the Resolution. Tribal Chair thanked her and if anything is needed immediately let them know and a poll vote can be taken.

Dennis Soulier stated that the Red Cliff Housing will be doing taxes on Tuesday and Thursdays from 10:00 a.m. to 3:00 p.m. Contact the Red Cliff Housing to set up an appointment. Last year they served 191 persons and brought \$360,000 into the community.

Jeannie Gordon moved to go into Executive Session with Tribal members. Seconded by Dennis Soulier. Motion carried.

Dennis Soulier moved to return to Regular Session. Seconded by Laura J. Gordon. Motion carried.

Dennis Soulier moved to approve Legendary Waters Resort and Casino Cash Flow Statement for January 2013 in the amount of \$405,803 and February in the amount of \$437,821 with corrections. Seconded by Nathan Gordon. Motion carried.

Services for Jim Hudson will be at the Bayfield Pavilion on Sunday, it will be open at 11:00 a.m. with services at 2:00 p.m. and after that a Super Bowl gathering which Jim would have wanted.

EX. DIRECTOR OF GAMING REPORT

Tom Jeffords explained about internet gaming to the Council, the cost is \$23,000 up front which will be paid by two Tribes. We will waive our fees off the web site until this is paid back. Question asked about audit. Ben Buck was here last week and said NIGC does not give extensions. The State is more lenient a letter asking for an extension was sent to them and to NIGC stating the circumstances.

Laura J. Gordon moved to approve the Executive Director of Gaming Commission Report from December 17, 2013 thru January 6, 2013. Seconded by Bryan Bainbridge. Motion carried.

COMPLIANCE REPORT

Jim Hurley had some variances on some machines, they have been corrected. Found a few findings on the audit all of them have been corrected but we do not have an Analyst. Discussed, the Accounting Manager over saw them before, that is a conflict also. We are working on it, there needs to be separation between drop and vault. Did three audits and there were a few findings.

Bryan Bainbridge moved to approve Compliance Report from December 17, 2013 thru January 11, 2013. Seconded by Joanne Peterson. Motion carried.

GAMING COMMISSION REPORT

Larry Deragon gave the Gaming Commission report. There was a question asked if policies up to date on activities. Larry stated cribbage needs to cover a four man team which is a minor change. Exit Safety audit approved too. Council would like copies of the policies. Discussed AODA problem, the counselor stayed out of the issue and was not at this meeting. The Gaming Commission sends notice to accounting when reports/payments are due and the policy is not followed, their license can be pulled. Possibility of pulling State license, Commission did not have all the information last time.

Joanne Peterson moved to approve the Gaming Commission Monthly Report. Seconded by Marvin Defoe. Motion carried.

OLD BUSINESS

TENANT ASSOCIATION

No Report.

CONSTITUTION UPDATE

They have been working on some changes one is the secretarial election needs to be taken out. They are looking at the percentages on a referendum. Discussed eligibility it's 18 and over with total amount of voters, would be approximately 1200. There is also a tight frame, need 120 days, we pass it and it goes to BIA for another 30 days. Dave Ujke has written a memo on this and will copy it for the Committee.

NEW BUSINESS

RED CLIFF ECC POLICIES

Kim Gordon was there to present the Changes to the Policy and Procedures. The Health and Safety plan changed. Kim has included all changes in the policies. Jeanne Gordon moved to approve ECC Policy and Procedure changes. Seconded by Marvin Defoe. Motion carried.

RESOLUTION ANISHINABE FUND

Marvin Defoe moved to approve Resolution 1/28/13A pertaining to submission of the Fund to Duluth/Superior area Community Foundation grant support of the Pow-Wow Educational Project. Seconded by Bryan Bainbridge. (1 abstention, Nathan Gordon) Motion carried.

CONTRACT NORTHWOODS COOPERATIVE WEED MANAGEMENT

Mike Defoe was there to present the Weed Management Project. Ashland/ Bayfield Counties work together on weed management and we will be working with an expert. Changes were made to the MOU. Jeanne Gordon moved to approve with corrections. Seconded by Laura J. Gordon. Motion carried.

RESOLUTION OPREVENT 2 GRANT

Liz Marcoux was there to present the grant. Marvin Defoe moved to approve the Resolution **1/28/13B** pertaining to OPREVENT 2 grant for obesity to the John Hopkins University. Seconded by Bryan Bainbridge. Motion carried.

RESOLUTION INDIAN ED. GRANT

Dennis Soulier moved to approve the Resolution **1/28/13C** pertaining to Department of Indian Educational grant application. Seconded by Jeanne Gordon. Motion carried.

RESOLUTION INDIGENOUS PEOPLE

Dennis Soulier moved to approve the Resolution **1/28/13D** pertaining to support of all Indigenous Peoples and Tribes including our Canadian Sister Nations current struggle with the Canadian Government. Seconded by Bryan Bainbridge. Motion carried. Jeanne Gordon will make sure the Resolution will get send out to all the appropriate people.

APPOINTMENT TO CLIMATE CHANGE COMMITTEE

Laura J. Gordon moved to appoint Chad Abel and Melonee Montano to the Climate Change Committee. Seconded by Joanne Peterson. Motion carried.

APPOINTMENT TO UTILITIES COMMISSION

Marvin Defoe moved to appoint Larry Deragon to the Utilities Commission. Seconded by Nathan Gordon. Motion carried.

APPOINTMENT TO GAMING COMMISSION

Need to appoint three members and appoint a Chairman. Current members are: Larry Deragon, Mark Duffy, Chris Boyd and Marvin Morris. Larry Deragon and Marvin Morris terms are up plus one other seat. Names submitted and votes: Larry Deragon 0, Marvin E. Morris 0, Rebecca A. Benton 1111111 (7), Richard A. Peterson 1111111 (7), Kathy M. Barri 1111111 (7), Francis G. Montano 1.

Dennis Soulier moved to appoint Rebecca Benton, Richard Peterson and Kathy Barri to the Gaming Commission. Seconded by Bryan Bainbridge. Motion carried.

Joanne Peterson moved to destroy the ballots. Seconded by Jeanne Gordon. Motion carried.

Dennis Soulier moved to appoint Chris Boyd as Chairman of the Gaming Commission. Seconded by Joanne Peterson. Motion carried.

APPOINTMENT TO AIAA (AMERICAN INDIANS AGAINST ABUSE) BOARD

Dennis Soulier moved to appoint Linda Gokee-Rindal as the Representative of Red Cliff to sit on the AIAA (American Indians Against Abuse) Board. Seconded by Jeanne Gordon. Motion carried.

OTHER

ACTING SECRETARY

Jeannie Gordon moved to appoint Bryan Bainbridge as Acting Secretary. Seconded by Joanne Peterson. Motion carried.

BABY VERONICA CASE

Dave Ujke explained the case of an adoption of an Indian child by non-Indians and going to lower Courts due to the Indian Child Welfare Act. The lower Courts have sided with the State and its now goes to the Supreme Court. All the Tribes in Wisconsin are asked to join the amicus case in support.

Joanne Peterson moved to be part of the amicus case with all Tribes in the State. Seconded by Bryan Bainbridge. Motion carried. David Ujke will keep the Council updated.

Bryan Bainbridge moved to go into Executive Session. Seconded by Dennis Soulier. Motion carried.

Dennis Soulier moved to return to Regular Session. Seconded by Joanne Peterson. Motion carried.

Jeanne Gordon moved to have the team that is going to Shakopee to negotiate the grant and the grant priorities. Seconded by Joanne Peterson. Discussion: possibility of changes to the grant priorities that was discussed in executive session. Motion carried.

Jeanne Gordon moved to adjourn. Seconded by Bryan Bainbridge. Motion carried.

Adjourned: 7:07 p.m.

Respectfully Submitted:



Kathy Hanson
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council