

Red Cliff Band of Lake Superior Chippewas

SPECIAL MEETING

August 23, 2016

2:00 p.m. Legendary Waters, Buffalo Bay Grand Ballroom

ROLL CALL

Bryan Bainbridge, Absent (Excused)
Nathan Gordon, Present
Mercie Gordon, Present
Krystle Topping, Present
Daniel Duffy, Present

Jeanne Gordon, Present
Antone Basina, Present
Chris Boyd, Present
Steven Boyd, Present
Quorum

Vice-Chairman Nathan Gordon called the meeting to order at 2:00 p.m.

Others present: Dave Ujke, Tribal Attorney and community members.

AGENDA

Anton moved to approve the agenda with changes. Seconded by Daniel Duffy. Motion carried.
Ellen

EXECUTIVE SESSION

Mercie Gordon moved to go into Executive Session. Seconded by Steven Boyd. Motion carried.

Krystle Topping moved to return to Regular Session. Seconded by Chris Boyd. Motion carried.

Krystle Topping moved to approve the Legendary Waters request for reallocation upon notification/approval by Joe Dean from Shakopee. Seconded by Jeanne Gordon. Motion carried.

Mercie Gordon moved approve lease clearing request and PAC review with the provision that the land markings be the responsibility of the homeowner. Seconded by Daniel Duffy. Motion carried.

OPENING CEREMONY

Opening ceremony was performed by Brian Goodwin.

SUMMER YOUTH INTERN PRESENTATIONS

Presentation on the Summer Youth Consortium was given by youth interns Sheyenne & Ceaira Gordon and Hatchery Manager Chase Meierotto. A PowerPoint was shown of the summer activities and research projects conducted by the youth participants.

NATIVE LEADERSHIP TRAINING

Matt Dannenberg, Katherine Morrissou and Fawn YoungBear-Tibbetts gave background of leadership training held. They would like to host another training event at Legendary Waters and request \$9,000 to support event. The event is tentatively scheduled for September 16-18th. Antone Basina asked that specifics be provided on what is needed (i.e. food, lodging etc.). Matt agreed to send an itemization of the \$9,000 budget to Nathan Gordon and Jeanne Gordon and to return with an update at the September 5th Regular Council Meeting.

TRIBAL INITIATIVE

Peter Viater and JT McDonald. JT is Bad River Tribal member. They spoke of success Bad River has seen with a partnership with Woodbridge Commercial Mortgages in which the tribe earns 5% profit per month. JT will be presenting Tribal Initiative to the Chippewa Federation on August 25th. Krystle Topping will contact Etta Burns to learn of Bad River's experience.

COMMUNITY CONCERNS/ANNOUNCEMENTS

"Smoke Fish, Not Drugs" event and Wild Rice Harvest Camp will be held on August 25, 2016 at 10:00 a.m. the Youth Center.

ComicON event to be held at Bayfield School Library August 27 and 28th at 10:00 a.m.

Mental Health First Aid training being held at Legendary Waters August 26 at 7:30 a.m.

Oski-Ombendaan grand opening and ribbon cutting set for August 30th.

Krystle Topping announced to parents who missed the school supplies giveaway that supplies are still available. Parents may contact her.

Red Cliff Days planning meeting on August 26 at 4:30 p.m.

Theresa Gordon spoke of Sean Charette's concern regarding large and small boat fishing licenses. She stated he had surrendered his small boat license but has not yet been reimbursed his \$200 fee. He also would like Council to look into the large boat licenses. He believes many families have multiple licenses.

Laura Gordon asked that work be done to repair the bump on Pageant Rd/Blueberry Rd. School is starting soon and this bump is getting worse.

Laura Gordon asked why Treasurer's report is being presented at this meeting. Krystle Topping cited the section of constitution requiring the Treasurer to report financials at the regular meeting of the month. She explained that she will be presenting balance sheet (fulfilling Constitution requirement) at the regular meeting and will report the receipt and expenditures at second meeting of the month. This will give the accounting department time to prepare accurate, real time report.

Letter read by the Peterson family of Michigan regarding their fishing violations. They claim to be near bankruptcy and are being threatened. They asked for their case to be heard in Tribal Court not Federal Court. Nathan Gordon stated that the Council could not comment since their case is in litigation.

Gretchen Morris spoke of her issues housing issues. She currently has a probationary lease agreement and is now being evicted due to her dog being loose. She also spoke of mold issues in her prior unit and states her son is not allowed to visit her home.

Richard Lafernier spoke of a family in Red Cliff who is living in a camper. He is concerned for their safety this winter. He asked if the trailer sitting on the old Isle Vista site could be given to them. Steven Boyd explained the trailer inhabitable due to bug infestation. Krystle Topping suggested the family utilize program services.

Reeve Hutchinson approached the Council and stated he lives in marina. He has a great appreciation to the Red Cliff community and area. He presented an antique painting to the Council which was in the Betsy Bloom family for many years. The image is painted on a hide.

EXECUTIVE SESSION WITH TRIBAL MEMBERS

Chris Boyd moved to go into Executive Session with Tribal Members only. Seconded by Krystle Topping. Motion carried.

CASINO FINANCIALS TO MEMBERSHIP (APRIL, MAY, JUNE 2016)

Jeanne Gordon moved to return to Regular Session. Seconded by Mercie Gordon. Motion carried.

OLD BUSINESS

PROTECTIVE SERVICES QUARTERLY REPORT

Bill Mertig or Chris Benton were not present. No questions were raised on the report.

Jeanne Gordon moved to approve the report. Seconded by Daniel Duffy. Discussion: Those interested in a copy of the report may contact Jeanne at the Tribal Office. Motion carried.

APPROVAL OF LEGENDARY WATERS CASH FLOW REPORT FOR SEPTEMBER 2016

Jeanne Gordon moved to accept the Cash Flow report for September. Seconded by Chris Boyd. Motion carried.

TREASURER'S REPORT FOR JULY 2016

Krystle Topping restated the reasons the report is be given at this meeting. A few items were highlighted throughout the report. Krystle noted that both FY2016 and FY2017 Indirect Cost rates have been approved and the approval letter should be received any day.

Daniel Duffy moved to accept the report. Seconded by Mercie Gordon. Motion carried.

GAMING COMMISSION REPORT

Jeanne Gordon moved to table the report. Seconded by Krystle Topping. Motion carried.

APPROVAL OF WAIVER OF PROCUREMENT POLICY OF BID REQUIREMENT AND APPROVE PROPOSAL BY MIDWEST PROFESSIONALS PLLC

Jeanne Gordon moved to approve the waiver and approve proposal from Midwest Professionals. Seconded by Antone Basina. Discussion: Contract not to exceed \$30,000. Motion carried.

APPROVAL OF AUTOMATIC ENROLLMENTS

Steven Boyd moved to approve the automatic enrollments of:

Bryce Haiden Livingston, Parent; Joseph M. Livingston
Adella Irene Little, Parent; Rachel S. Belanger
O'Makayas Kathleen Hurley, Parent; Danielle K. Abbott
Mathias Antonio Lozano, Parent; Renee L. Topping
Charlee Lynn Richardson, Parent; Kimberly L. Richardson
Grady Eli Palmer, Parent; Jenna Y. Ganter
Aiden Ryan Gordon-Hanson, Parent; Bethany N. Gordon
Natalie Rose Uhazie, Parent; Jacob A. Uhazie
Violet Belle Milbourn, Parent; Holly R. Atwell
Oliver Grayson LaFernier, Parent Joshua M. LaFernier
Corrin Mae Manning, Parent; Farron W. Gordon
Chase Rex Chamberlain, Parent; Jennifer L. Gutknecht
Violet Rose Sayers, Parent; Larissa Bratti

Seconded by Jeanne Gordon. Motion carried.

APPROVAL OF DRUG TESTING POLICY

HR Director Doug Defoe and HR Assistant Susie Gurnoe presented the proposed changes to the drug testing policy. Concerns heard from community regarding THC and the use of hair follicle testing. Gretchen Morris spoke of the cultural significance of hair. It was also believed by some in attendance that the finding of THC should not be a reason for discipline. There is a current random drug testing policy but it has not been exercised.

Krystle Topping moved to table this item until the next meeting. Seconded by Jeanne Gordon. Discussion: Doug Defoe to provide the current policy for comparison. Motion carried.

APPROVAL OF ASSOCIATE JUDGE RECOMMENDATION FROM CHIEF JUDGE BOULLEY

Chief Judge Steven Boulley submitted a letter of recommendation for Gwen Topping. She has years of experience within the tribal court and has passed the bar.

Jeanne Gordon moved to appoint Gwen Topping as Associate Judge. Seconded by Antone Basina. 1-Abstension (Krystle Topping). Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO CENTURYLINK AGREEMENT WITH LESSEES OF TRIBAL LAND

Krystle Topping moved to approve **RESOLUTION 08/23/16A**. Seconded by Mercie Gordon. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO NATIONAL CONGRESS OF AMERICAN INDIANS (NCAI)

Krystle Topping moved to approve **RESOLUTION 08/23/16B**. Seconded by Mercie Gordon. Discussion: The cost of the membership is \$110.00. Motion carried.

APPROVAL OF RESOLUTION TO DEPOSIT FUNDS

Krystle Topping moved to approve **RESOLUTION 08/23/16C** to deposit of funds as requested by the Legal Department. Seconded by Chris Boyd. Motion carried.

APPROVAL OF RESOLUTION TO ENTER INTO PL93-638 AGREEMENT WITH BIA

Steven Boyd moved to approve **RESOLUTION 08/23/16D**. Seconded by Krystle Topping. Motion carried.

APPROVAL OF WATER MANAGEMENT PLAN FOR FY2017

Krystle Topping moved to approve and submit the Water Management Plan. Seconded by Mercie Gordon. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO FY2017 TRIBAL WILDLIFE GRANT

Krystle Topping moved to approve **RESOLUTION 08/23/16E**. Seconded by Antone Basina. Motion carried.

APPROVAL TO POST REVISED CHAPTER 11-LOGGING, BURNING, AND WOODCUTTING

Krystle Topping moved to post Chapter 11 revisions. Seconded by Dan Duffy. Discussion: Chris Boyd noted there should be no quota or harvest restrictions for tribal members. Chad Abel explained there is a 100 lb. limit for birch polls and birch bark as recommended by the Conservation Committee. Motion carried.

RATIFY COUNCIL POLL PERTAINING TO PAVING BID FOR OSKI-OMBENDAAN

Mercie Gordon moved to ratify the Council poll. Seconded by Daniel Duffy. Motion carried.

RATIFY COUNCIL POLL PERTAINING TO LANDSCAPING BID FOR OSKI-OMBENDAAN

Chris Boyd moved to ratify the Council poll. Seconded by Antone Basina. Motion carried.

RATIFY COUNCIL POLL PERTAINING TO UTILITY CHANGE ORDER #2 FOR OSKI-OMBENDAAN

Antone Basina moved to ratify the Council poll. Seconded by Daniel Duffy. Motion carried.

APPROVAL TO AMEND JUNE 6, 2016 MINUTES TO INCLUDE MOTION RE: SPEED LIMIT

Krystle Topping moved to amend the June 6, 2016 minutes to include the motion:

Steve Boyd moved to begin work to change the speed limit to 35 mph on Hwy 13 through North Bradum Road. Discussion: Signs will be ordered and set up in these areas. Chairman Bainbridge will send a memo to WI DOT regarding this change. Seconded by Daniel Duffy.

This motion shall be placed in Other, prior to Executive Session. Seconded by Jeanne Gordon. Motion carried.

ACCEPT BRIAN BOYD RESIGNATION FROM THE TRIBAL BOARD OF EDUCATION

Jeanne Gordon moved to accept the resignation. Seconded by Antone Basina. 1-Abstension (Chris Boyd). Motion carried.

COMPLIANCE REPORT

Krystle Topping asked if Gaming Commission receive monthly financial reports or toured the facility. Charles Bresette stated they do not receive them regularly and are welcome to tour the building. Krystle also asked if there was a training or process in place for new commissioners. Charles stated one training is given. Jeanne Gordon asked if last year's audit findings were addressed and would like an updated report on this. Charles said findings could be resolved with SOPs and it is the responsibility of the department managers to write the SOPs.

Jeanne Gordon moved to require Charles Bresette to provide an update on the regulatory and financial findings from the last audit and show which findings have been resolved or not. Seconded by Antone Basina. Motion carried.

Krystle Topping moved to require Charles Bresette to provide or ensure the Gaming Commission receives financials reports on a monthly basis. Discussion: They shall also receive audit report. Seconded by Dan Duffy. Motion carried.

OTHER

Jeanne Gordon moved to go into Executive Session. Seconded by Chris Boyd. Motion carried.

EXECUTIVE SESSION

Mercie Gordon moved to return to Regular Session at 10:32 p.m. Seconded by Jeanne Gordon. Motion carried.

CERTIFICATES OF REHABILITATION

Chris Boyd moved to deny David LaGrew a Certificate of Rehabilitation. Seconded by Antone Basina. Motion carried.

Antone Basina moved to deny Brian Goodwin a Certificate of Rehabilitation. Seconded by Steve Boyd. One abstention (Mercie Gordon) Motion carried.

ADJOURN

Steven Boyd moved to adjourn at 10:38 p.m. Seconded by Daniel Duffy. Motion carried.

Respectfully Submitted:



Alana Babineau
Recording Secretary

ATTEST:



Mercie Gordon, Secretary
Red Cliff Tribal Council