

Red Cliff Band of Lake Superior Chippewa Indians

SPECIAL COUNCIL MEETING

December 20, 2016

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

Meeting called to order by Chairman Bryan Bainbridge at 1:00 p.m.

ROLL CALL

Bryan Bainbridge, Present
Nathan Gordon, Present
Mercie Gordon, Present
Krystle Topping, Present
Quorum

Daniel Duffy, Present
Chris Boyd, Present
Steven Boyd, Present
Jeanne Gordon, Present
Anthony Basina, Present

Also in attendance: Dave Ujke, Tribal Attorney, Wade Williams, Assistant Attorney and Dennis Soulier, Interim CFO, Desiree Livingston, Assistant CFO and Community members.

AGENDA

Krystle Topping moved to approve the Agenda with additions. Seconded by Chris Boyd.

*Add Don June in First Executive Session

*Add Ratifying Poll Vote-Single Source Waiver for the purchase of a Generator in Other
Motion carried.

EXECUTIVE SESSION

Krystle Topping moved to go into Executive Session at 1:05 p.m. Seconded by Antone Basina.
Motion Carried

REGULAR SESSION

Mercie Gordon moved to return to Regular Session at 4:54 p.m. Seconded by Nathan Gordon.
Motion carried.

Opening Ceremony

Opening ceremony performed by Brian Goodwin.

Community Announcements/Concerns

Elder Christmas Party will be held December 21, 2016 at Legendary Waters and starting at 11 a.m.

The Chairman and Vice-Chairman After-Hour Session will be held on Wednesday, December 28, 2016 at the Administration Building.

There will be a pow-wow on January 28, 2017 at Legendary Waters starting at 1 p.m.

The Administration Building will be closed on Friday, December 23, 2016 and Monday, December 26, 2016 for the holidays.

There will be a Big Kids Christmas Party on Friday, December 23, 2016 at Legendary Waters starting at 5 p.m. until 11 p.m. Party is for children ages 13 to 18 years.

The Transfer Station will be having new hours beginning on January 17, 2017. The new hours will be Tuesdays and Saturdays from 8 a.m. to 6 p.m.

The Dollar Bus will not be running December 23, 2016 to December 26, 2016.

Gretchen Morris asked about the elderly and having handicap accessible. She noticed that at this time it is not and the doors are very heavy for the elders to open. Chairman Bainbridge said they will look to see if that is part of the rehabilitation project that is going to be starting soon.

Treasurer's Balance Sheet

Chris Boyd moved to approve the balance sheet as of October 31, 2016. Seconded by Jeanne Gordon. Abstention – 1 (Krystle Topping). Motion carried.

Treasurer's Report

Krystle Topping started off by thanking the Accounting Department and the staff. She also thanked the Division Administrators.

Chairman Bainbridge asked Krystle Topping to explain how the dollars are spent for different programs. Krystle Topping explained that each program has a certain amount of money and that the money is budgeted for certain parts of their program. The money is obligated to be spent per the policies.

Jeanne Gordon asked about the CST grant and if there is a budget for this. Lorna Gamble explained that the money will be spent and Jeanne Gordon would like to see the budgets for CST and Child Support In-kind submitted to the Accounting office.

There were questions asked about the Food Shelf and if it is stocked. Becky Benton replied that it is stocked because they recently went shopping and bought \$1200 worth of food and a truck recently came in. Once the FEMA funds come in they will also be able to go get more food for the Food Shelf.

Chairman Bainbridge asked Becky Benton about the TANF dollars remaining. Becky Benton said that they are looking at having trainings here to offer to the participants. This will spend some of the money. She also mentioned that they closed FY15 monies and is now spending FY16 monies.

Public Works still has a negative balance because of past due amounts for Water & Sewer. The Tribal Council urges people to pay their bills so that this balance will go down.

Jeanne Gordon moved to approve the Treasurer's Report for the month of November 2016. Seconded by Antone Basina. Abstention – (Krystle Topping). Motion carried.

OLD BUSINESS

Drug Testing Policy; Employee Assistance Program

Jeanne Gordon asked Doug Defoe if this new policy would be incorporated into the old. Doug Defoe stated that the new policy would replace the old one. Krystle Topping asked Doug Defoe why we need a new one. Doug explained that the Tribe is looking to eliminate urine samples and go to hair follicle for testing. Jeanne Gordon asked why we couldn't just change that wording in the policies. Nathan Gordon also mentioned that they should keep the old and just change a few of the words to the hair follicle testing.

Krystle Topping asked Doug Defoe about the EAP and if employees go voluntarily. Doug Defoe explained that the employee would be on a 120 day probationary period. Krystle Topping said she feels that this would be a punishment for the employee instead of an incentive to get that employee to participate.

Katy Gorman mentioned that employees can go get an EAP for anything. This is not just used for alcohol or drug use. Chairman Bainbridge mentioned that people can't confuse EAP with the drug testing policy.

Chairman Bainbridge said that there is a lot of language that needs to be clarified in the policy. Dave Ujke said that he will help with the language.

Katy Gorman talked about the EAP and that an employee would receive 8 hours of work time to set up a plan to help the employee. These hours would only be granted to an employee if they are in the program.

Chairman Bainbridge would like to see the Housing and Legendary Waters adopt the same policies as the Tribe so that everyone is working together on this.

Krystle Topping asked about the cost of the hair follicle compared to the urine sample. Doug Defoe said that the cost of the urine sample is \$17.00 per test and the hair follicle is \$39.00 per test. Krystle Topping asked who would cover the charges for the testing. Doug Defoe stated that it would come out of the Human Resource budget.

Krystle Topping moved to Table the Drug Policy until the next meeting. Seconded by Jeanne Gordon. Opposed – 1 (Steven Boyd). Motion carried.

Krystle Topping moved to Table the EAP Policy until the next meeting with corrections. Seconded by Antone Basina. Discussion: Chairman Bainbridge stated that there is a timeline for these policies so they need to be back at the January 2, 2017 meeting. Motion carried.

NEW BUSINESS

2017 Holiday Calendar

Krystle Topping moved to approve with the deletion of President's Day on February 20, 2017 and Christmas Eve Day on December 24, 2017. Seconded by Dan Duffy. Motion carried.

LW Cash Flow Budget – January 2017

Jeanne Gordon moved to approve the Cash Flow Budget for Legendary Waters in the amount of \$467,400 for the month of January 2017. Seconded by Mercie Gordon. Motion carried.

Compliance Report

Charlie Bresette talked about the department SOPs and that the Managers are working on them to get them to him for review. Charlie Bresette mentioned that the Tribal Council will be the ones who approve the SOPs.

Jeanne Gordon moved to approve the Compliance Report for the month of November 2016. Seconded by Antone Basina. Motion carried.

Gaming Commission Report

Mercie Gordon moved to Table the Gaming Commission Report until the 2nd meeting in January since they just met on Monday. Seconded by Jeanne Gordon. Motion carried.

Extension Request for Donnie Livingston

Antone Basina moved to approve the extension for Donnie Livingston. Seconded by Dan Duffy. Discussion: Donnie Livingston asked if the Wardens could come and look at the boat and see that it is ready to be put in the water but he is just waiting Ken Dobson to heal from surgery. Motion carried.

Appoint 2 Youth to Circles of Care Ad Hoc Committee

Nathan Gordon moved to appoint Bazile Panek and Dusty LaFernier to the Circle of Care Ad Hoc Committee. Seconded by Dan Duffy. Abstention – 1 (Chris Boyd). Motion carried.

Ratify Council Poll

Jeanne Gordon moved to Ratify Council Poll for Housing Authority Signatures. Seconded by Nathan Gordon. Motion carried.

EXECUTIVE SESSION

Krystle Topping moved to go into Executive Session at 6:59 p.m. Seconded by Nathan Gordon. Motion carried.

Nathan Gordon moved to return to Regular Session at 9:01 p.m. Seconded by Antone Basina. Motion carried.

Krystle Topping moved to authorize the purchase of a firetruck pending inspection, up to \$20,000.00. Seconded by Jeanne Gordon. Motion carried.

Krystle Topping moved to have Legal draft a formal letter of consultation to the National Park Service. Seconded by Chris Boyd. Motion carried.

Tribal Council consensus to reallocate FCP funds earmarked toward the purchase of a generator for the Elderly Feeding Center to the purchase of a generator for the Tribal Administration Building and not to exceed \$45,000.00. The Red Cliff Chippewa Housing Rehabilitation II Project will be addressing the Elderly Feeding Center generator.

Mercie Gordon moved to ratify the existing loan agreement with the Red Cliff Business Development Corporation and the Red Cliff Band of Lake Superior Chippewa, with the Amortization Schedule as presented in Executive Session. Seconded by Krystle Topping. Motion carried.

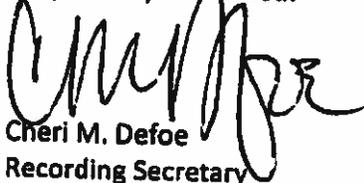
Krystle Topping moved to split the Cigarette Tax Rebate starting January 2017 with the Red Cliff Business Development Corporation. The Red Cliff Band of Lake Superior Chippewa will receive 20% and the Red Cliff Business Development Corporation will receive 80%. Seconded by Jeanne Gordon. Discussion that this will be reevaluated in six months. Motion carried.

ADJOURN

Antone Basina moved to adjourn. Seconded by Dan Duffy. Motion carried.

Adjourned at 9:06 p.m.

Respectfully Submitted:


Cheri M. Defoe
Recording Secretary

ATTEST:


Mercie A. Gordon, Secretary
Red Cliff Tribal Council