

**Enforcement & Resource Protection Committee  
Regular Meeting  
March 24, 2004 - 2:00 p.m.  
Tribal Office Board Room**

1. **Call to Order & Roll Call-**

Committee Chairman Gary Besaw called the meeting to order at 2:04 p.m. Those present: Theodore Warrington, Al Fowler, Lynette Miller, Bill Kussel, Mark Waukau, Gary Schuettpeiz and Louis Moses (for Bryan Lepscier). Barb Nelson and Lorena Thoms were absent. Also present for the meeting was, John Wilhelmi, Wendell Kenote, Frank Teller, Nancy O'dierno, Bobbi Caldwell, Ami Musloff, Warren Warrington, Dick Dodge, Randy Reiter, Dave Ante, Sandy Yaeger and Bryan Lepscier.

2. **Moment of Silence** - A moment of silence was observed.

3. **Review Minutes Dated January 29, 2004-**

**Motion made by Lynette Miller to approve the minutes dated January 29, 2004. Motion was seconded by Al Fowler. All those in favor of the motion signify by saying aye, 5-for, 0-opposed, 3-absent, 1-abstention (Bill Kussel). Motion carried.**

4. **Alcohol Taxation Issue/Wendell Kenote-**

Wendell Kenote was present and informed the committee that he believes that the Tribe has been charged an illegal tax on alcohol since 1973. Wendell would like to know if it's possible for the tribe to sue and get reimbursed for that money. If the tribe could possibly get some of the money back, it could be used to pay for treatment for tribal members especially youth.

John Wilhelmi explained that the tax may be considered a user tax and the tribe only purchases alcohol through the Casino.

Committee members would like to know how much money was the tax and what the percentage is. Committee would also like to know what exactly the options are in pursuing the matter such as litigation or having MTL try to come to some sort of an agreement. John will come back to the committee with some options and the pro's and con's of pursuing the issue.

**Motion made by Al Fowler to recommend that the Menominee Tribal Legislature pursue the alcohol tax reimbursement by contacting the state. Motion was seconded by Lynette Miller. All those in favor of the motion signify by saying aye, 6-for, 0-opposed, 3-absent. Motion carried.**

5. **Juvenile Alcohol Issue/Frank Teller-**

Frank Teller and Nancy O'dierno were present to discuss the huge problem the reservation has with underage drinking and the results such as car accidents, hit & runs, stealing, and even murder.

Committee members discussed the possibility of raising the price of alcohol on the reservation to make it tougher to purchase and the possibility of stiffer penalties for parents and the contributors.

Everyone present agreed that there is a definite problem on the reservation with underage drinking. Chairman Besaw would like Frank to come up with some recommendations for the committee to review at the next meeting.

6. **911 on Reservation/Bobbi Caldwell-**

Bobbi Caldwell along with Representatives from Frontier were present to discuss the possibility of having a 911 system on the reservation. The Frontier reps stated that this would only be the basic system and would not allow the dispatcher the ability to see where the caller is calling from. The basic 911 system will only show the callers phone number and name and that's only if they don't have a block on it. The biggest cost is the \$500 one time set up fee. Other than that, the cost is pretty minimal per month and there is money available in the Telecommunication budget to cover the costs. The system wouldn't really help the police or dispatcher it's more or

less a convenience for the users to not have to dial 799-3881.

Committee inquired how much it would cost to install the advanced 911 system and were informed that the cost could be anywhere from \$100,000 to \$200,000.

Gary Schuettpelz arrived at 3:30 p.m.

**Motion made by Al Fowler to recommend that the tribe approve the basic 911 system with the addition of one new phone line and that the Tribe assist in public notification of 911 availability. Motion was seconded by Theodore Warrington. All those in favor of the motion signify by saying aye, 7-for, 0-opposed, 2-absent, 1-abstention (Gary Schuettpelz).**

7. **Criminal Code/John Wilhelmi-**

Committee went into a lengthy discussion regarding the Criminal Code. Committee recommended a format and process for reviewing and critiquing the code and John will format it and bring it back next meeting to start the process.

Theodore Warrington was excused at 3:45 p.m.

**Motion made by Gary Schuettpelz to suspend the agenda and move to #11. Motion was seconded by Bill Kussel. All those in favor of the motion signify by saying aye, 6-for, 0-opposed, 3-absent. Motion carried.**

8. **Other Business-**

Dave Ante "Limo Dave" was present and informed the committee that he is the person that has been going around the reservation removing the junk vehicles. Dave stated that he was really surprised at how much cars there are to be removed. So far Dave stated that he has picked up over 600 vehicles and he estimates there are around 2600 junk vehicles on the reservation.

Dave stated that he would really like to stay and clean up all the cars but right now the steel prices are dropping fast and he doesn't know how long he can continue. Dave would like to know if it would be possible to start enforcing the Junk Vehicle Ordinance. If the police would start issuing citations it would make the process a lot easier. Dave stated that he went to many residences and people were willing to get rid of a couple of their junk vehicles but not willing to get rid of them all. Dave stated that maybe the courts could impose a fee to pay him for removing the vehicles.

Mark Waukau stated that the Tribal Police are in full support and will start issuing citations. Dave also offered to go with the Police to show them where many of the junk vehicles are.

**Motion made by Gary Schuettpelz to go back to agenda item #8. Motion was seconded by Bill Kussel. All those in favor of the motion signify by saying aye, 6-for, 0-opposed, 3-absent. Motion carried.**

9. **Motor Vehicle Code/Bill Kussel-**

Bill Kussel briefly spoke about the Motor Vehicle Code and suggested that maybe the committee review the document on a projector because if the committee continues to review the code as they have been it will take months to get through it.

Gary Schuettpelz suggested that maybe a sub-committee be developed and go over the code once a week. Bill stated that he can't do that because his time is very limited and it's tough enough for him to make the regular meeting once a month.

Both John Wilhelmi and Bill Kussel will find a way to shorten the process of going over the Criminal Code and Motor Vehicle Code.

10. **Source Water Assessment & Protection Program/Gary Schuettpelz-**

Gary Schuettpelz went over the Source Water Assessment & Protection Program document with the committee members. The main purpose for the program is to protect the under ground water supply. Gary stated that the document does need legislative approval.

**Motion made by Bill Kussel to approve the Source Water Assessment & Protection Program and to send to the Menominee Tribal Legislature for approval. Motion was seconded by Al Fowler. All those in favor of the motion signify by saying aye, 5-for, 0-opposed, 3-absent, 1-abstention (Gary Schuettpelz). Motion carried.**

**11. Committee Goals and Objectives-**

Chairman Besaw stated that the Legislature has recommended that all committees develop some goals and objectives of things they would like to accomplish this year. Gary would like the committee come up with some ideas and the issue will be discussed at the next meeting.

**12. Other Business-**

Mark Waukau stated that the MTPD is in dire need of a fire arms range. Mark stated that Shawano is building a new one and wanted to know if the Tribe could develop MOU's and find funding to share their facility. The same can also go for Conservation and the County Sheriff's Department.

**Motion made by Bill Kussel that the Chief of Police from the Tribe continue conversations with Shawano City Police Department to investigate working cooperatively to come up with our share of the cost for a fire arm's range. Motion was seconded by Al Fowler. All those in favor of the motion signify by saying aye, 6-for, 0-opposed, 3-absent. Motion carried.**

Lynette Miller wanted to know where she has to take the Gaming Ordinance if changes need to be made. Committee stated that it would have to come to the Enforcement & Resource Protection Committee. Lynette will work with legal department on the changes and bring it to the next meeting.

The next meeting is set for April 28, 2004 at 2:00 p.m.

**13. Adjournment-**

**Motion made by Lynette Miller to adjourn. Motion was seconded by Mark Waukau. All those in favor of the motion signify by saying aye, 7-for, 0-opposed. Motion carried.**

Meeting adjourned at 5:10 p.m.

Respectfully Submitted by  
Legislative Staff Services