

**Enforcement & Resource Protection Committee**  
**Regular Meeting**  
**September 28, 2005 – 2:00 p.m.**  
**Tribal Office Board Room**

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

Committee Chairman Gary Besaw called the meeting to order at 2:05 p.m. Those present: Tony Warrington, Lynette Miller, Barb Nelson, Al Fowler, Gary Schuettpelz and Trilby Beauprey-McIntosh (late). Mark Waukau, Bill Kussel and Bryan Lepscier were absent. Also present for the meeting was Dick Dodge, Marco Espinoza, Roberta Reiter, Joan Delabreau and Ami O'Kimosh.

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

**3. Review Minutes Dated July 27, 2005-**

**Motion made by Lynette Miller to approve the minutes of July 27, 2005. Motion was seconded by Tony Warrington. All those in favor of the motion signify by saying aye, 5-for, 0-opposed, 4-absent. Motion carried.**

**4. Review Monthly Reports-**

Committee is concerned because the Police Department has not submitted a monthly report for the past two meetings. At the next meeting committee would like a copy of their organizational chart, monthly report submitted and would like a plan on how the evidence will be dealt with since they disposed of the Evidence Technician position.

**5. Discuss/Action on New Domestic Violence Ordinance-Marco Espinoza-**

At a previous meeting Marco brought the proposed ordinance to the committee for review. Committee made changes and Marco was present today to show the committee that he did incorporate the changes into the document.

One of the possible penalties included in the ordinance is banishment and committee went into a lengthy discussion regarding the issue. Joan Delabreau expressed her concerns with having banishment as a penalty and Joan stated that currently banishment is only for 60 days according to the Tribal Constitution and Bylaws and the ordinance says a person can be banished for up to a year. Joan also stated that banishment is a touchy issue and will probably raise all kinds of problems because right now you have convicted murders and other criminals living on the reservation who's crimes may be far worse than a domestic abuse violation. Joan feels that the committee really needs to look into banishment before any decisions are made and the ordinance is sent to the full Menominee Tribal Legislature.

**Trilby Beauprey-McIntosh arrived at 2:40 p.m.**

Committee discussed the possibility of developing a banishment ordinance which would list offenses where banishment may become the punishment and take the banishment section out of the domestic violence ordinance.

**Motion made by Lynette Miller to have the Program Attorney research other Tribal Banishment ordinances and bring the information back to the Enforcement & Resource Protection Committee at their November meeting. Motion was seconded by Tony Warrington. All those in favor of the motion signify by saying aye, 6-for, 0-opposed, 3-absent. Motion carried.**

6. **Discuss/Action on Cigarette Ordinance 79-04/Roberta Reiter-**  
Roberta Reiter was present and discussed the changes to the ordinance with the committee.

**Motion made by Gary Schuettpelz to send the proposed recommended changes to Cigarette Ordinance 79-04 to Menominee Tribal Legislature for approval and to start the amendment process. 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.**

7. **Alcohol Task Force Update-**  
Chairman Besaw stated that he still hasn't received any recommendations from Sonny Waupoose. As far as the committee knows, the task force does not even meet any more. Chairman Besaw stated that the issue will stay on the agenda until he receives an update or recommendations.

**Motion made by Tony Warrington to table. Motion was seconded by Trilby Beauprey-McIntosh. All those in favor of the motion signify by saying aye, 6-for, 0-opposed, 3-absent. Motion carried.**

8. **Discuss/Action on ATV Ordinance 97-13-**  
Program Attorney Rob Orcutt was unable to attend the meeting but assured the committee that he would be ready to bring the ordinance changes to the next meeting.

**Motion made Barb Nelson to table. Motion was seconded by Tony Warrington. All those in favor of the motion signify by saying aye, 6-for, 0-opposed, 3-absent. Motion carried.**

9. **Nuclear Waste Repository Update-**  
As far as the committee knows, there hasn't been a response given to the tribe on the first letter that was sent out. Chairman Besaw would like Doug Cox to do a follow up letter and CC the letter to other state officials.

Chairman Besaw would like the issue to remain on the agenda. Gary Schuettpelz will give all the committee members the website address for the nuclear waste repository.

- 10. BIA-LES Standards Review, Use of Force Chapter 1, Volume 5 Sections 1-4-** Committee wants to move forward with the sections but if the taser language is included the Menominee Tribal Legislature may not approve them. Committee was also concerned because at the beginning they were only going to look at sections 1-4 and eventually discussed sections 1-8 and feel they cannot send a recommendation to the Legislature because it isn't stated right on the agenda.

**Motion made by Gary Schuettpelz to have the LES Standards Review, Use of Force Chapter 1, Volume 5 sections 1-8 brought back to the October 26, 2005 Enforcement & Resource protection meeting with the removal of ALL language pertaining to taser use. Motion was seconded by Tony Warrington. All those in favor of the motion signify by saying aye, 6-for, 0-opposed, 3-absent. Motion carried.**

- 11. Other Business-**

Gary Schuettpelz had an informational issue to share with the committee involving an exotic beetle from Asia called the Emerald Ash Borer. Currently the beetle is known to be in parts of Michigan, Ontario, Indiana and Ohio. The beetle is dangerous to only Ash trees and will kill any type of Ash tree around. Gary stated that the state of Wisconsin is keeping a close eye on the situation to keep the beetle from coming to Wisconsin. If Gary receives any more information he will share it with the committee.

- 12. Adjournment-**

**Motion made by Lynette Miller to adjourn. Motion was seconded by Barb Nelson. All those in favor of the motion signify by saying aye, 6-for, 0-opposed, 3-absent. Motion carried.**

**Meeting adjourned at 3:50 p.m.**

Respectfully Submitted by  
Legislative Staff Services