

# Red Cliff Band of Lake Superior Chippewas

## REGULAR COUNCIL MEETING

June 13, 2017 (Rescheduled on June 5, 2017)

4:30 p.m. Legendary Waters, Buffalo Bay Grand Ballroom

### ROLL CALL

Bryan Bainbridge, Present  
Nathan Gordon, Present  
Mercie Gordon, Present  
Krystle Topping, Present  
Daniel Duffy, Present  
Jeanne Gordon, Present

Antone Basina, Present  
Chris Boyd, Absent (Excused)  
Steven Boyd, Present

Quorum

Chairman Bainbridge called the meeting to order at 4:30 p.m.

Others present: Dennis Soulier – Interim CFO, Dave Ujke – Tribal Attorney, Wade Williams – Assistant Tribal Attorney, Robert Powless – Public Works Division Administrator community members.

### AGENDA

Remove #8 “Walleye Ponds Contract”, replace with “Sole Source Request for Midwest Professionals”

Nathan Gordon moved to approve the amended agenda. Seconded by Jeanne Gordon. Motion carried.

Steven Boyd moved to re-add “Walleye Contract” as #9. Seconded by Jeanne Gordon. Motion carried.

### OPENING CEREMONY

Opening Ceremony by Bob Bear.

### COMMUNITY COMMENTS/ANNOUNCEMENTS

Volunteers are needed for this year’s Pow Wow. Those interested may sign up with Julie Gordon at the Tribal Administration Building. Volunteers will receive a small honorarium. An official notice will be posted by the end of the week.

Tribal Employees are encouraged to donate funds toward the Pow Wow fund.

Pow-Wow Royalty applications are available with Julie Gordon at Tribal Administration or Angela Berg. Deadline for applications is June 29, 2017 at 4:00 p.m.

Tickets for the VFW Annual Summer Raffle are available at the VFW Post, Peterson’s Foods or from any VFW Post 8239 member. Tickets are \$5.00 each or 5 for \$20. The drawing will be held on July 2<sup>nd</sup>.

Ministry Group will be in Red Cliff June 18-24<sup>th</sup>. Those interested in their assistance may sign up with Julie Gordon.

2017 Annual Red Cliff Language Camp will be held July 5-7<sup>th</sup> at Raspberry Campgrounds.

ECC Summer Gathering will be held July 25 & 26<sup>th</sup>.

Deadline for At-large Candidates is June 19<sup>th</sup> at 6pm.

RV & Boat Show at Legendary Waters this week Thursday through Saturday.

A Youth Dance will be held at Legendary Waters on June 23<sup>rd</sup> from 4:00 to 10:00 p.m.

Krystle Topping expressed her appreciation to Bette Bonney for picking up trash along the roadways.

#### **MINUTES**

Krystle Topping moved to approve April 18, 2017 minutes. Seconded by Jeanne Gordon. Motion carried.

Nathan Gordon moved to table April 24, 2017 minutes. Seconded by Jeanne Gordon. Motion carried.

Nathan Gordon moved to table April 28 & May 4 Retreat minutes. Seconded by Jeanne Gordon. Motion carried.

Krystle Topping moved to approve May 1, 2017 minutes with corrections. Seconded by Antone Basina. Discussion: Correction to motion made by Chris Boyd regarding the FY2018 Indirect Cost Budget, add "approve". Motion carried.

Krystle Topping moved to approve May 25, 2017 minutes with corrections. Seconded by Antone Basina. Discussion: Typo on page one, "Peronal" to "Personnel". Motion carried.

#### **TREASURER'S REPORT – APRIL 2017**

Krystle Topping reminded all in attendance that the Balance Sheet only is being presented and the full report will be given on the second meeting of the month. She acknowledged the hard work of the Accounting staff. No discussion.

Mercie Gordon moved to approve the Treasurer's Report for April 2017. Seconded by Steven Boyd. 1-Abstension (Krystle Topping) Motion carried.

#### **OLD BUSINESS**

#### **GAMING COMMISSION REPORT**

The Gaming Commission members are attending a conference this week.

Jeanne Gordon moved to table the Gaming Commission report for April & May 2017 until the next meeting on June 20th. Seconded by Mercie Gordon. Motion carried.

#### **SOLE SOURCE REQUEST FOR MIDWEST PROFESSIONALS**

Dennis Soulier, Interim CFO submitted a request to Sole Source with Midwest Professionals in order to provide a Fraud Training and two day training for accounting staff on Indirect Cost Strategies. Discussion on whether this request is allowable under Subpart D – Methods of Procurement (200.320).

Krystle Topping moved to deny the request. Seconded by Jeanne Gordon. Discussion: Jeanne added in prior meetings the Council had asked that all programs adhere to the 3-bid requirement as much as possible. Motion carried.

#### **WALLEYE PONDS CONTRACT**

Steven Boyd moved to approve the contract for Ashland Construction in the amount of \$640,939.17 to provide services for the Walleye Ponds project at the Red Cliff Tribal Fish Hatchery according to NRCS drafted plans. Seconded by Krystle Topping. Motion carried.

#### **MOU BETWEEN RED CLIFF TRIBE, STATE OF WISCONSIN AND ASHLAND COUNTY**

The MOU represents the processes and procedures that will be used to ensure compliance with s.801.54 Wisconsin Statutes governing the discretionary transfer of cases from state to tribal court. This process applies only to the transfer of post-judgement paternity cases and the child support, legal custody and physical placement provisions of post-judgement divorce actions and actions under s.767.501.

Steven Boyd moved to approve the MOU and authorize the Chairman to electronically sign. Seconded by Nathan Gordon. Motion carried.

#### **APPROVAL OF NEW W&S RATE INCREASE/METERED USAGE**

The Water budget is currently in a deficit of \$15,934.70. Meters are working at 90%, which some still needing to be installed. The Sewer Budget has a current deficit of \$45,609.58.

The Utilities Commission is recommending the proposed option # 2 which includes the following rates:

1. Minimum fixed charge of \$70/month.
2. Variable Charge of \$70/month on the first 5,000 gallons, with an additional \$4.00 per 1000 gallons.
3. Both sewer only or water only users will be assessed the fixed rate of \$70.00.

Steven Boyd did not agree with the fixed rate of \$70 for the sewer only or water only users. He felt they should not be charged the same if they are only utilizing one service.

Chairman Bainbridge asked that the department hold a Public Forum on the proposed increases. Krystle Topping added that the community should be informed on the reasoning behind the increases. It would be helpful to share the budgetary needs to adequately operate the facility and the importance of having contingency funds for any breaks or other equipment failures.

Shelly Gordon stated she will work to organize a forum within two weeks. This item will be brought back for approval with any additional changes resulting from the Public Forum.

Steven Boyd moved to table this item until the July 3<sup>rd</sup> Regular Tribal Council meeting. Seconded by Nathan Gordon. Discussion: Shelly and Robert to provide figures of separate sewer and water charges as well as rationale. Motion carried.

#### **REZONING OF FROG BAY AREA LAND PARCELS**

The PAC Review Board has reviewed and recommends changes to the Official Red Cliff Zoning District Map. The subject properties consist of a set of four connected tracts in the Frog Bay area situated within the reservation. The proposal would rezone these parcels to "Preserved" uses under Section 37.6.6 RCCL. The PAC voted affirmatively on May 22, 2017 to recommend Council approval on these changes.

Parcel #1 Smith/Melburg parcels: Gov't. Lot 3 in Section 7 and Gov't Lot 3 in Section 8; T51N-R3W, totaling 86.75 acres. Zoning change from "Forestry" to "Preserved".

Parcel #2 Frog Bay Tribal National Park Lands: NW ¼ of the SE ¼ and Gov't. Lot 2 in Section 7; T51N-R3W, totaling 88.6 acres. Zoning change from "Forestry" to "Preserved".

Parcel #3 Northern half of County-owned parcel east of Blueberry Road: N ½ of the NE ¼ in Section 18; T51N-R3W, totaling 80 acres. Zoning change from "Residential/Forestry" to "Preserved".

Parcel #4 Tribal trust parcel east of Frog Bay Road: SE ¼ of the SE ¼ in Section 7; T51N-R3W, totaling 40 acres. Zoning change from "Forestry" to "Preserved".

Krystle Topping moved to approve the PAC Review Board recommendation to rezone the specified areas. Seconded by Jeanne Gordon. Motion carried.

**BUSINESS PERMIT FOR CHRIS HICKS – “OGICHIDAA FIGHT PROMOTIONS”**

The Red Cliff Tribe currently does not have tribal code regulating for-profit martial arts businesses, but have an agreement with the State of WI. The Council asks that Chris follow the State of WI regulations.

Mercie Gordon moved to approve the business permit for Chris Hicks, Ogichidaa Fight Promotions. Seconded by Dan Duffy. Motion carried.

**BUSINESS PERMIT FOR GEORGE NEWAGO – “FIREWORKS SALES”**

George Newago annual fireworks stand will be located at Todd Bonney’s on Hwy 13 this year.

Steven Boyd moved to approve the business permit for George Newago, Fireworks Sales. Seconded by Antone Basina. Motion carried.

Jeanne Gordon moved to go into Executive Session at 6:36 p.m. Seconded by Mercie Gordon. Motion carried.

**EXECUTIVE SESSION**

Krystle Topping moved to return to Regular Session at 8:20 p.m. Seconded by Dan Duffy. Motion carried.

**ACTION FROM EXECUTIVE SESSION**


Jeanne Gordon moved to approve the amendment to Khou Xiong’s contract as discussed during executive session. Seconded by Antone Basina. Motion carried.

Krystle Topping moved to divide the 2014 settlement funds and divide them into half and to utilize this for Red Cliff Days and the 2017 Red Cliff Pow Wow to cover honorariums for volunteers. Seconded by Jeanne Gordon. Motion carried.


**ADJOURN**

Krystle Topping moved to adjourn at 8:24 p.m. Seconded by Mercie Gordon. Motion carried.

Respectfully Submitted:

  
Alana Babineau  
Recording Secretary

ATTEST:

  
Mercie Gordon, Secretary  
Red Cliff Tribal Council