

Red Cliff Band of Lake Superior Chippewas

SPECIAL COUNCIL MEETING

May 22, 2018

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

ROLL CALL

Richard Peterson, Absent (Excused)

Nathan Gordon, Present

Mercie Gordon, Present @3:00 p.m.

Johanna Wilson, Present @ 4:30 p.m.

Daniel Duffy, Present

Carolyn Gouge, Present

Nicholas DePerry, Present

Jeanne Gordon, Present

Antone Basina, Absent (Excused)

Quorum

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

Carolyn Gouge moved to appoint Jeanne Gordon as acting Tribal Secretary. Seconded by Nicholas DePerry. Motion carried.

Others present: Dave Ujke – Tribal Attorney, Desiree Livingston – Senior Accountant, Marvin Defoe – THPO, Joseph Montano – THPO Assistant and community members.

OPENING CEREMONY

Opening ceremony performed by Buffalo Bay Singers & Clarissa Bressette.

AGENDA

Changes and corrections:

1. Additions to Executive Session: B.) "PERSONNEL DISCUSSION, C.) "BUSINESS DEVELOPMENT CORPORATION DISCUSSION D.) LEGENDARY WATERS DISCUSSION
2. Addition of "APPOINT (1) ONE MEMBER TO THE BUSINESS BOARD" to be address before "Other" as agenda item #21

Nicholas DePerry moved to approve the amended agenda. Seconded by Dan Duffy. Motion carried.

Nicholas DePerry moved to go into Executive Session. Seconded by Carolyn Gouge. Motion carried.

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

EXECUTIVE SESSION

ACTION FROM EXECUTIVE SESSION

Nicholas DePerry moved to approve the **RESOLUTION 5/22/18A Resolution for Rehabilitation for Chelsea Cadotte**. Seconded by Jeanne Gordon. Motion carried.

Nicholas DePerry moved to move forward with the recommendation from Tribal Administration regarding the personnel issue discussed in Executive Session. Seconded by Dan Duffy. 1-Abstention (Johanna Wilson) Motion carried.

REGULAR SESSION

APPROVAL OF ARCHAEOLOGICAL SURVEY AGREEMENT FOR PARTS OF FROG BAY NATIONAL PARK

Marvin Defoe, THPO presented an agreement between the Tribe and Dr. Heather Walder, Visiting Assistant Professor from Northern Illinois University for Council consideration. The purpose of the agreement is to jointly form a collaborative relationship and conduct a preliminary archaeological survey of parts of Frog Bay Tribal National Park from June 22nd to July 8th, 2018. Dr. Walder also brought artifacts that were found during a study conducted in the seventies at the old Pageant grounds.

Mercie Gordon moved to authorize the agreement. Seconded by Jeanne Gordon. Motion carried.

APPROVAL OF AD HOC COMMITTEE ACREAGE/TIMBERCUT REQUEST FOR ISHPIMING AKIN CEMETARY EXPANSION

Minutes were provided from the May 16, 2018 Adhoc Committee meeting. The committee passed a motion to approve the expansion of the cemetery by 7 acres.

Johanna Wilson moved to approve the request. Seconded by Mercie Gordon. Motion carried.

Nathan Gordon acknowledged individuals from Xeperitas and students from Itasca Community College that are visiting the community. They are staying at the Youth Center and doing some work with the Red Cliff Farm and THPO.

COMMUNITY COMMENTS/ANNOUNCEMENTS

Tribal Council Secretary announced current and upcoming community events.

Chuck Basina expressed of a number of his concerns and views pertaining to Tribal Government and history of the Tribe.

David Wagman approached the Council regarding the Polymet mine. Attorney Ujke stated the Council sent a response to Mr. Wagman thanking him for his time and effort and informed him that the Legal Department and TNR Department are working on the issue.

Travis Barningham requested that Voight Task Force representatives ask GLIFWC to research his permit issue with the Park Service. He spoke of his permit termination and citation. Attorney Ujke advised the Council be provided all the facts of the situation prior to taking any action. This will be further discussed in Executive Session.

OLD BUSINESS

TREASURER'S REPORT – MARCH 2018, (TABLED ON APRIL 17, 2018)

Desiree Livingston presented the March 2018 report.

Carolyn Gouge moved to accept the March 2018 Treasurer's report. Seconded by Mercie Gordon. Motion carried.

NEW BUSINESS

TREASURER'S REPORT – APRIL 2018

Mercie Gordon moved to table the April 2018 Treasurer's report. Seconded by Nicholas DePerry. Motion carried.

APPROVAL OF LEGENDARY WATERS CASH FLOW BUDGET FOR JUNE 2018

Mercie Gordon moved to approve the **Legendary Waters Cash Flow Budget for June 2018** in the amount of **\$561,350**. Seconded by Carolyn Gouge. Motion carried.

Dan Duffy asked that a representative from **Legendary Waters** be present at future meetings.

GAMING COMMISSION REPORT

Request submitted by Chairperson Lisa Bissell to table the report.

Jeanne Gordon moved to table the **Gaming Commission report for April 2018**. Seconded by Mercie Gordon. Motion carried.

COMPLIANCE REPORT

Charles Bresette provided his written reports for March & April 2018. Departments are still working to update SOPs.

Jeanne Gordon moved to accept the **Compliance report for March and April 2018**. Seconded by Carolyn Gouge. Motion carried.

APPROVAL OF MOU BART AND THE TRIBE DISPATCH AGREEMENT

This proposed agreement is a renewal of the previous year's MOU and dispatch agreement. The period of performance will be extended to a five year time frame.

Carolyn Gouge moved to approve the agreement. Seconded by Dan Duffy. Motion carried.

APPROVAL OF 2018-2019 HEAD START STATE SUPPLEMENTAL GRANT

Nicole Boyd presented the Head Start State supplemental grant application for Council consideration. The total award is \$27,292 with the fiscal year of July 1, 2018 through June 30th 2019. The proposed funding will provide for three additional Head Start slots at the ECC and will partially fund both the Education Abilities Manager and Teacher Support Specialist positions.

Jeanne Gordon moved to approve the grant. Seconded by Nicholas DePerry. Motion carried.

APPROVAL OF IHS RECOMMENDATION BE-16-J70, WELLS & NEHLS & WEBSTER

One qualifying bid was received in response to the RFP for Scattered Sites 2018. The Indian Health Service recommended the scattered sites Individual Wells and Water Systems (Bid Schedule A) be awarded to Nehls & Webster Well Drilling in the bid amount of \$32,213.00

Jeanne Gordon moved to approve the recommendation. Seconded by Dan Duffy. Motion carried.

APPROVAL OF IHS RECOMMENDATION BE-16-J70, MOUNDS & COMMUNITY CONNECT

One qualifying bid was received in response to the RFP for Scattered Sites 2018. The Indian Health Service recommended the scattered sites POWTS and Community Connections (Bid Schedules B, C, and D) be awarded to Tribovich Construction, LLC in the amount of \$70,057.50.

Dan Duffy moved to approve the recommendation. Seconded by Nicholas DePerry. Motion carried.

APPROVAL OF LIST OF SITES TO BE SERVED FOR 2018

Proposed site list include the residences of: Scott Bear, Leanne Charette, Sandra Lukasiewicz, Gretchen Morris, Robert Goslin and Heidi Milligan, Carmen Vanderventer, Lucas Cadotte and Sean Cadotte. Total estimated cost is \$107,000.00

Jeanne Gordon moved to approve the proposed list of sites. Seconded by Mercie Gordon. Motion carried.

REQUEST TO USE CABIN BY BUFFALO BAY STORE FOR WEEKLY LANGUAGE TABLE

Lorna Gamble, Native Connections Grant Manager made the request to utilize the cabin near Buffalo Bay store for the weekly Ojibwe Language Tables. The cabin will be used on Thursdays from 4:30 p.m. to 7:30 p.m. for this purchase. The current location, the Mishomis House, cannot accommodate the number of attendees.

Betty Kerr will submit a proposal to the Tribal Council pertaining to charging programs when using the cabin.

Carolyn Gouge moved to **authorize the Native Connections program to utilize the cabin for Language Table.** Seconded by Dan Duffy. Motion carried.

APPROVAL OF AUTOMATIC ENROLLMENTS

Nicholas DePerry moved to approve the automatic enrollments of:

1. Armando Silas Hernandez, parent Lisa M. Somers
2. Gaige Morgan Cunningham, parent Danielle M. Topping
3. Milo Kenobi Sierra, parent Muskadee L. Montano
4. Jaimie Francine Buckanaga-Croud, parent Angel M. Topping
5. Gregg Thomas Gutknecht, parent William T. Gutknecht, III
6. Carter Kai Howe, parent William R. Howe
7. Brayton Thomas-John Kangas, parent Alvin J. Kangas
8. Brennan Thomas Bonney, parent Derek A. Bonney
9. Katrina Cate Klumper, parent Kathie S. Ziebarth
10. Nora Louise Falcon, parents Jasmine M. Montgomery & Joshua W. Falcon
11. Lincoln James St. Onge, parent Benjamin M. St. Onge
12. Cooper Eugene Cadotte, parent Corey A. Cadotte
13. Jacob Royce Deragon, parents Alexis M. Livingston & James Deragon
14. Carly Ann Perez, parent Carrie Ann W-G Burk-Peterson
15. Margaret Rose Bresette, parent Matthew C. Bresette

Seconded by Mercie Gordon. Motion carried.

APPROVAL TO ENACT CHANGES TO CHAPTER 26 – CHILDREN’S CODE

Notice to Community of proposed changes was posted on April 18, 2018. No comments were received.

Mercie Gordon moved to **approve and enact amended Chapter 26 – Children’s Code.** Seconded by Jeanne Gordon. Motion carried.

APPROVAL TO POST NOTICE TO COMMUNITY ON PROPOSED CHANGES TO CHAPTER 16 – BUSINESS LICENSES

Attorney Ujke stated many of the changes to this chapter pertain to individual business owners. He asked that the details and administration of these changes be further discussed.

Carolyn Gouge moved to **table this item and add to the Tribal Council retreat agenda.** Seconded by Dan Duffy. Motion carried.

RATIFY COUNCIL POLL PERTAINING TO THE PURCHASE OF 120 ACRES, WHISKEY RIVERS

Mercie Gordon moved to **ratify the Council poll.** Seconded by Carolyn Gouge. Motion carried.

APPOINT (1) ONE MEMBER TO THE BUSINESS BOARD

Four applications were received: Bryan Bainbridge, James Pete, Christopher Hicks and Richard LaFernier. Selection was made by secret ballot.

Bryan Bainbridge – 4 votes
James Pete – 1 vote
Christopher Hicks – 0 votes
Richard LaFernier – 0 votes

Mercie Gordon moved to appoint Bryan Bainbridge to the Business Board. Seconded by Jeanne Gordon. Motion carried.

Jeanne Gordon moved to destroy the ballots. Seconded by Dan Duffy seconds. Motion carried.

Nicholas DePerry moved to go into Executive Session. Seconded by Carolyn Gouge. Motion carried.

EXECUTIVE SESSION

Carolyn Gouge moved to return to Regular Session. Seconded by Johanna Wilson. Motion carried.

ACTION FROM EXECUTIVE SESSION

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

Nick DePerry moved to have Legal sit with Bob Krumenaker, NPS and Council to discuss the MOU. Seconded by Carolyn Gouge. Motion carried.

ADJOURN

Nick DePerry moved to adjourn at 8:30 p.m. Seconded by Carolyn Gouge. Motion carried.

Respectfully Submitted:



Alana Babineau
Recording Secretary

ATTEST:



Mercie Gordon, Secretary
Red Cliff Tribal Council