

Red Cliff Band of Lake Superior Chippewa Indians

Regular Council Meeting

August 6, 2018

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

Vice Chairman Nathan Gordon called the meeting to order at 4:30 p.m. and noted that Chairman Peterson was attending a GLITC meeting in Green Bay, WI.

ROLL CALL:

Richard Peterson, Absent
Nathan Gordon, Present
Laura J. Gordon, Present
Johanna Wilson, Present

Carolyn Gouge, Present
Dan Duffy, Present
Nicholas DePerry, Present @ 4:40
Bryan Bainbridge, Present
Chris Boyd, Present

QUORUM

Others present: Dave Ujke – Tribal Attorney, Chad Abel – TNR Administrator, Shelly Gordon – Public Works and community members.

OPENING CEREMONY

Opening Ceremony was performed by Jim Pete.

AGENDA

Additions/Corrections:

- “Financial Discussion” added to Executive Session.

Bryan Bainbridge moved approve the amended agenda. Seconded by Dan Duffy. Motion carried.

OLD BUSINESS

NEW BUSINESS

TREASURERS REPORT- BALANCE SHEET FOR JUNE 2018

Treasurer Wilson stated the Balance Sheets are now up to date. Dan Duffy and Carolyn Gouge had questions regarding the listed assets “Allowance for Doubtful Advances” and “Allowance for Doubtful Collection”. More information is needed concerning the makeup of these two items and it was asked that a breakdown be provided to Council at the Tribal Council retreat.

Carolyn Gouge moved to approve the Balance Sheet for June 2018 and asked that a breakdown of “Allowance for Doubtful Advances” and “Allowance for Doubtful Collection” be provided to

Council at the Tribal Council retreat. Seconded by Dan Duffy. 1-Abstention (Johanna Wilson) Motion carried.

COMMUNITY COMMENTS/CONCERNS

James Pete provided information on Arvina Marie Martin who is running for Secretary of State (WI) in the upcoming election. Arvina is Ho Chunk and Stockbridge Munsee.

Ron DePerry approached the Tribal Council to request support in to encourage the Bayfield School to implement the Red Cliff Wellness Curriculum. He specifically asked for a letter of support to be submitted to the Bayfield School Superintendent, Bayfield School Board and WI State Superintendent.

Nicholas DePerry moved to support the request and approve a letter of support to be sent to the parties listed by Mr. DePerry. Seconded by Dan Duffy. Motion carried.

Chris Boyd expressed condolences to the Peterson family for the loss of Cecil Peterson as well as the fire that occurred at Peterson's store. He spoke of the immediate hardship the loss of the store has caused to community members. A few ideas were discussed including; use of the cabin by Buffalo Bay gas station as a temporary grocery store and regular/scheduled transit rides to stores in Bayfield, Washburn and/or Ashland. The Tribal Council will explore options at the Tribal Council retreat.

LCO Ojibwe Community College is hosting an outreach event on August 17th at the log cabin from 11am to 2pm.

Travis Barningham and Troy Gordon asked to discuss the MOU between the Tribe and the National Park Service. They stated they recently received several citations for illegally guiding. The Tribal Council will be discussing the MOU at the Tribal Council retreat and Mr. Barningham and Mr. Gordon will be invited to participate in that discussion.

Chris Hicks stated that he has received resistance in offering an Ogichidaa Fight Promotions event at Legendary Waters. He stated his phone calls are not returned by Marketing or the General Manager and the GM has also rejected numerous proposals. He asked why his business being denied but a non-native owned business can offer a similar fight event in November. The Tribal Council was uncertain of the specifics but will be speaking to the General Manager at the retreat. The Council asked that Chris forward his most recent proposal to the Tribal Council Secretary before Wednesday so that it may be reviewed prior to the meeting.

Thank you cards were read from the Galazen Family and Certified Peer Specialist trainees.

The community was reminded of the Community Road/Pike Road project occurring this week.

Red Cliff Cultural Days will be held on September 21 – 23rd, 2018.

The Boys and Girls Club will be taking 40 youth to Washington D.C. on August 13th along with 8 chaperones.

APPROVAL OF MINUTES

Carolyn Gouge moved to approve the May 31, 2018 Tribal Council Retreat minutes with corrections. Seconded by Nicholas DePerry. Motion carried.

- Date on the header needs to be corrected.

Johanna Wilson moved to approve the June 1, 2018 Tribal Council Retreat minutes with corrections. Seconded by Carolyn Gouge. Motion carried.

- Discussion on the action taken at the retreat regarding the Merchant property. Council discussed having a community survey conducted to gather ideas on how to use this property. This will be further discussed at the retreat.

Carolyn Gouge moved to approve the June 15, 2018 Annual Joint Meeting with the Red Cliff Housing Board minutes with corrections. Seconded by Chris Boyd. Motion carried.

- Indian Housing Plan (IHP) will be an item on the retreat agenda.

Carolyn Gouge moved to approve the July 2, 2018 minutes with corrections Seconded by Nicholas DePerry. Motion carried.

- Edit needed on first paragraph on page 2.

Johanna Wilson moved to approve the July 14, 2018 Special Council (Swearing-In) meeting minutes with corrections. Seconded by Bryan Bainbridge. Motion carried.

Bryan Bainbridge moved to approve the July 17, 2018 Special Council meeting minutes with corrections. Seconded by Dan Duffy. Motion carried.

- Clarification needed on page four, under Ratify Council Poll. Bright Sparks is the travel agency making arrangements for the Boys and Girls Club trip to Washington D.C.

Carolyn Gouge moved to approve the July 23, 2018 Special Council meeting minutes with corrections. Seconded by Johanna Wilson. Motion carried.

APPROVAL TO SUBMIT VEHICLE DONATION APPLICATION WWFS/NAVSTAR PROGRAM

The Red Cliff Community Health Center requested approval to submit an application to the Wounded Warriors Family Support (WWFS), Native American Veterans Transition and Respite Program (NAVSTAR) requesting a donated vehicle to provide Native American Veterans transportation to medical appointments. If vehicle is donated, the Tribe will be responsible for the costs of titling, insurance, gas and regular maintenance.

Chris Boyd moved to approve the submission of the application. Seconded by Carolyn Gouge. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO THE PROCEEDS OF LABOR (PL) ACCOUNT DISTRIBUTION

This resolution authorizes tribal administration to transfer timber revenue funds from the Proceeds of Labor account in an amount not to exceed \$100,000 to the tribal operating account.

Bryan Bainbridge moved to approve **Resolution 8/6/18A**. Seconded by Carolyn Gouge. Motion carried.

APPROVAL OF CHANGES OF REPS FOR WTCAC

In March 2016, the Tribal Council appointed Chad Abel and Todd Norwood to WTCAC with Nathanael Secor as an alternate. Todd is no longer employed with the Tribe and Nathanael has not been involved as it is not a priority in his work with the farm. Chad Abel requested that Gabrielle VanBergen and himself be appointed as the reps with Nathan Gordon or another Tribal Council member as alternate.

Chris Boyd moved to appoint Chad Abel, Gabrielle VanBergen as reps with Bryan Bainbridge as alternate. Seconded by Dan Duffy. Motion carried.

APPROVAL OF DEPT. OF EDUCATION GRANT WITH UW-MADISON

The funding will address youth education by expanding the understanding of natural resources. If approved the UW-Madison will submit the proposed partnership agreement as part of the grant application to the Department of Education. The funding will bring the part-time Science Coordinator up to full time.

Carolyn Gouge moved to approve the agreement with UW-Madison and participating WI Tribes/entities to accompany the grant application. Seconded by Bryan Bainbridge. Motion carried.

APPROVAL OF CHANGES TO CHAPTER 34 FOR POSTING

Shelly Gordon presented changes to sections 34.10.4 & 34.10.5 and requested approval to move forward with the required posting.

Carolyn Gouge moved to approve the request to post the amended sections. Seconded by Bryan Bainbridge. Motion carried.

LEASES

Daniel E. Defoe requested the transfer of his short-term lease No. 4352005241222 to Derek Gordon. The lease is located at 37355 North Bradum Rd. The lease site has previously been developed but the previous residence burned down; Mr. Gordon intends to rebuild upon the existing foundation. This request was tabled at the April 17, 2018 Special Council meeting due to delinquent water and sewer debts. The Land Office verified that these debts have been paid in full as of July 18, 2018.

Bryan Bainbridge moved to **Resolution 8/6/18B**. Seconded by Carolyn Gouge. Motion carried.

Candyce Holcomb and Ivan Holcomb jointly requested special permission and waiver of Section 18.6.2, RCCL to develop their property at their pending lease site located at Bradum Lot 31. Development will occur after execution of a lease by the Tribal Council but before BIA approval and issuance of the final lease documents. Approval of this request does not eliminate any requirements for PAC review, which is still ongoing. If the lease is not approved by the BIA for any reason, the applicants will have no recourse and will not be reimbursed for any expenses incurred in developing the lease site prior to BIA approval.

Bryan Bainbridge moved to approve the Special Permission request by the Holcombs, subject to compliance with all other permitting conditions or requirements. This will allow the Holcombs to develop the subject property in an expedited manner. Seconded by Carolyn Gouge. Motion carried.

APPROVAL OF ENTERPRISE BACKUP PROCUREMENT

The IT Department requested approval to purchase Consolidated Backup for the Tribe. Consolidated Backup will save the Tribe money over the long run and break up the bills into smaller monthly payments versus large capital payments. The Department proposed using backup to break up the payments into monthly bills for five years, which will average \$3,624.46 per month or \$43,493.52 per year.

Laura J. Gordon moved to approve the contract with Dell Financial Services/Sterling Financial to provide backup for the Tribal IT Infrastructure including a limited waiver of sovereign immunity to lawsuit, authority to enter into a lease agreement, and approval of the over cost of the contract. This approve is given to comply with the Tribal Financial Policies. Seconded by Johanna Wilson. Motion carried.

APPROVAL AUTOMATIC ENROLLMENT

Carolyn Gouge moved to approve the automatic enrollment of the following individuals:

Oliver Leroy Becker, parent Matthew J. Becker
Remy Lynn Gregerson, parent Carson L. Klaar
Bentley John Armagost, parent Melissa J. Armagost
Michael Anon Williams, parent Anna M. Hanson
Edward Domingo Perez, Jr., parent Morgan L. Bielicki
Colton Lee Tody, parent Jesse L. Tody
Jordyn Olivia Ruth King, parent Jaimie E.R. King, Jr.
Layla Lea Rama, parent Mickey T. Rama
Eden Abileen Shananaquet, parent Frederick D. Shananaquet
Johanna Joyce LaFave, parent Nicholas J. LaFave

Seconded by Laura J. Gordon. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO NATIONAL CONGRESS OF AMERICAN INDIANS (NCAI)

Bryan Bainbridge moved to approve **Resolution 8/6/18C**. Seconded by Nicholas DePerry. Motion carried.

APPROVAL OF COUNCIL APPOINTMENTS

Chris Boyd moved to remove Mercie Gordon as Council rep from the Family/Human Services Committee and appoint Johanna Wilson. Seconded by Carolyn Gouge. Motion carried.

Chris Boyd moved to remove Antone Basina as Council rep for the Health Board, appoint Bryan Bainbridge as the Council rep and post for one community member (Bryan Bainbridge's previous seat). Seconded by Nicholas DePerry. 1-Absention (Bryan Bainbridge) Motion carried.

APPROVAL TO APPOINT (1) MEMBER TO HOUSING BOARD

Selection made by secret ballot. Five applications were received.

Angie Emrich, 1 vote

Mercie Gordon, 3 votes

Mike Babineau, 2 votes

Jeanne Gordon, 0 votes

Linda Defoe, 1 vote

Bryan Bainbridge moved to appoint Mercie Gordon to the Housing Board. Seconded by Johanna Wilson. Motion carried.

Laura J. Gordon moved to destroy the ballots. Seconded by Johanna Wilson. Motion carried.

APPROVAL TO ACCEPT LAW ENFORCEMENT COMMISSION RESIGNATION FROM CURTIS BASINA

Dan Duffy moved to accept Curt Basina's resignation. Seconded by Bryan Bainbridge. 1-Abstention (Johanna Wilson) Discussion: A letter will be sent to Mr. Basina to thank him for his years of service. Motion carried.

APPROVAL OF MEMORANDUM WITH EQUIFAX LITIGATION

Recommendation by Attorney Ujke to hire Roe Frazer to file suit on the Tribe's behalf.

Bryan Bainbridge moved to acquire representation by Frazer, Attorneys at Law in litigation against Equifax. Seconded by Nicholas DePerry. Motion carried.

RATIFY COUNCIL POLL

Carolyn Gouge moved to Ratify Council poll pertaining to the submission of the DOI Office for Victims of Crime FY2018. Seconded by Dan Duffy. Motion carried.

OTHER

EXECUTIVE SESSION

Nicholas DePerry moved to go into Executive Session at 6:15 p.m. Seconded by Johanna Wilson. Motion carried.

REGULAR SESSION

Nicholas DePerry moved to return back to Regular Session. Seconded by Dan Duffy. Motion carried.

Laura J. Gordon moved to authorize filing a federal lawsuit seeking a declaration that fee lands owned by the Tribe or its members located within the Red Cliff reservation boundaries are not subject to state property taxes, subject to advance review and approval by Legal. Seconded by Carolyn Gouge. Motion carried.

ADJOURN

Nicholas DePerry moved to Adjourn at 7:49 p.m. Seconded by Johann Wilson. Motion carried.

Respectfully Submitted:



Alana Babineau
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council