

# Red Cliff Band of Lake Superior Chippewa Indians

## Special Council Meeting

October 23, 2018

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

Secretary Laura J. Gordon called the Special Council meeting to order at 2:00 p.m.

Johanna Wilson moved to appoint Carolyn Gouge as the acting Secretary for tonight's Council meeting. Seconded by Dan Duffy. 1-Abstention (Carolyn Gouge). Motion carried.

### ROLL CALL:

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

Carolyn Gouge, Present  
Dan Duffy, Present  
Nicholas DePerry, Present  
Bryan Bainbridge, Present  
Chris Boyd, Present

### QUORUM

Others present: Dave Ujke – Tribal Attorney, Wade Williams – Assistant Attorney, Division Administrators and Community members.

### OPENING CEREMONY

Opening Ceremony was performed by Frank Morris.

### AGENDA

Carolyn Gouge moved to approve the agenda with corrections. Seconded by Johanna Wilson. Motion carried.

### EXECUTIVE SESSION

Chris Boyd moved to go into Executive Session. Seconded by Johanna Wilson. Motion carried.

### REGULAR SESSION @ 4:30 p.m.

Chris Boyd moved to return to Regular Session. Seconded by Johanna Wilson. Motion carried.

### ACTION FROM EXECUTIVE SESSION

Chris Boyd moved to approve the Resolution of Rehabilitation/Renewal for Greg Bresette 10/23/18A as discussed in Executive Session. Seconded by Johanna Wilson. Motion carried.

### OLD BUSINESS

**BALANCE SHEET FOR JULY 2018 (TABLED ON 9.3.18, 9.18.18 & 10.1.18)**

Bryan Bainbridge moved to approve the Balance Sheet for July 2018. Seconded by Carolyn Gouge. 1-Abstention (Johanna Wilson) Motion carried.

**BALANCE SHEET FOR AUGUST 2018 (TABLED ON 10.1.18)**

Chris Boyd moved to approve the Balance Sheet for August 2018. Seconded by Nick DePerry. 1 Abstention – (Johanna Wilson). Motion carried.

**NEW BUSINESS**

**COMMUNITY COMMENTS/CONCERNS**

Citizen of the Quarter: Jim Pete nominated Joseph Duffy for Citizen of the Quarter and presented Mr. Duffy with a star quilt and eagle feather. Photos and comments from Mr. Duffy.

Janet Bewley, Representative for the 25th Senate District of Wisconsin approached the Council asking for support in this year's election. She acknowledged the importance of the Government to Government relationship with the Tribes and encouraged citizens to vote. A few state-wide issues were discussed including Human Trafficking and the meth epidemic.

Boys and Girls Club Halloween event scheduled for October 27th.

Pumpkin carving event at the Noojii Center scheduled for October 27th.

Hunter Safety Education Class starting on October 30th.

JOM Committee is seeking additional members.

ZHV Baby Welcome event scheduled for October 24th.

Thank you card read from Nora Cadotte and family.

Marty Duffy informed the Council that his vehicle was damaged by rocks laid by the Jake's Excavating, contractor working on Community Road. His van is inoperable and he his calls have not been returned. The Council was not aware of this and will follow up tomorrow.

Three tribal members along with members of Lac Du Flambeau successfully harvested an elk for the historic ceremonial hunt.

**TREASURERS REPORT - SEPTEMBER 2018**

A few points were discussed in report.

Carolyn Gouge moved to approve the Treasurers Report for the Month of September 2018. Seconded by Bryan Bainbridge. 1-Abstention (Johanna Wilson). Motion carried.

### **APPROVAL OF LW CASH FLOW BUDGET FOR OCTOBER 2018**

Chris Boyd moved to approve the Cash Flow Budget for Legendary Waters Resort & Casino for the month of November 2018. Seconded by Dan Duffy. Discussion: To make sure there is someone present at the next meeting for questions. Motion carried.

### **APPROVAL OF GAMING COMMISSION REPORT**

Minutes from the October 8, 2018 were provided.

Bryan Bainbridge moved to approve the October 2018 Red Cliff Gaming Commission Report. Seconded by Nick DePerry. Motion carried.

### **APPROVAL OF COMPLAINT REPORT FOR SEPTEMBER 2018**

Charles Bresette presented his report for September. Surveillance reports are declining in many areas. Managers are consistently enforcing policy. Discussion on SOPs: The Council would like these established, it has been years.

Chris Boyd moved to approve the Compliance report for September 2018. Seconded by Nick DePerry. Motion carried.

### **APPROVAL TO SUBMIT A FAMILY TREATMENT COURT GRANT**

Associate Judge Gwen Topping and Pam Calhoun presented a grant application to WI Department Children & Families to establish a Family Treatment Court that will provide a team approach to support families in crisis. The grant will provide funds to develop intake and court procedures as well as alternatives for parents whose children have come under the jurisdiction of the court. Funding amount requested is \$187,500 for the 1<sup>st</sup> year and \$125,000 for the 2<sup>nd</sup> year.

Carolyn Gouge moved to approve the request to submit a grant to support a Family Treatment Court. Seconded by Dan Duffy. Discussion; . Motion carried.

### **LEASES**

Lisa A. Bissell requested that her name be changed from Lisa Bissell-Farrell to Lisa A. Bissell on her long-term residential lease No. 4352004991161 located at 94200 Little Sand Bay Road.

Bryan Bainbridge moved to approve Resolution **10/23/18B**. Seconded by Dan Duffy. Motion carried.

Curtis P. Basina and Christine M. Basina requested that Lavern Basina, deceased, be removed as co-lessee and that Elizabeth A. Bodin and Rebecca L. Basina be added as co-lessees to their long-term residential lease No. 4352000297929 located at 94670 Raspberry Shore Road.

Dan Duffy moved to approve Resolution **10/23/18C**. Seconded by Carolyn Gouge. 1-Abstention (Johanna Wilson) Motion carried.

Lori L. Peterson requested that her long-term residential lease No.RS-2607(94) located at 37280 North Bradum Road be transferred to Lulu R. Haskins.

Bryan Bainbridge moved to approve Resolution **10/23/18D**. Seconded by Johanna Wilson. Motion carried.

**APPROVAL OF EMPLOYEE HANDBOOK LATERAL TRANSFER LANGUAGE**

Change to page 13 of the Employee Handbook. New language will allow a tribal employee to laterally transfer to another position within the Tribe, not only within the department or program. Laterally transferred employees are subject to all policies that apply to a new hire and they will be paid for any unused General or Compensatory time earned under the previous program.

Chris Boyd moved to approve the Employee Handbook Lateral Transfer. Seconded by Bryan Bainbridge. Motion carried.

**APPROVAL OF EMPLOYEE HANDBOOK CHANGES**

Changes proposed to pages 7 and 8 of the Employee Handbook. Removal of Chief of Police from list of positions interview and approved of by the Tribal Council. This change aligns with Red Cliff Code of Laws Chapter 42.

Within same section, the ECC Administrator is not included and further discussion is need on ECC and Education Department fall within the tribal organizational structure.

Chris Boyd moved to table this item. Seconded by Bryan Bainbridge. Motion carried.

**APPROVAL OF RESOLUTION PERTAINING TO GRANT PROPOSAL TO WCMP**

The grant will provide funding comprehensive planning of Red Cliff Natural Resources.

Bryan Bainbridge moved to approve Resolution **10/23/18E** pertaining to a grant proposal for WI. Coastal Management Program (WCMP) and to accept the 15% CAP IDC rate for this grant. Seconded by Chris Boyd. Motion carried.

**APPROVAL OF RESOLUTION PERTAINING TO GRANT PROPOSAL TO NSF**

Nick DePerry moved to approve Resolution **10/23/18F** pertaining to a grant proposal to National Science Foundation (NSF) and to waive the IDC on the "Participant Support" component on the budget. Seconded by Dan Duffy. Motion carried.

**APPROVAL TO PAY CO. PROPERTY TAXES UNDER PROTEST ON A. BUFFALO ALLOTMENT**

The amount due is 2,184.92 for Tax year 2013. A question was asked on where did this money come from in the past, Dave had responded it came from the THPO dollars.

Bryan Bainbridge moved to approve the payment of County property taxes under protest on A. Buffalo allotment. Seconded by Carolyn Gouge. Discussion: the amount due is 2,184.92 for Tax Year 2013. 1- Opposed (Dan Duffy). Motion carried.

**APPROVAL OF AUTOMATIC MEMBERSHIP**

Bryan Bainbridge moved to approve the automatic enrollment of the following children:

1. Adaline M. Gordon, parent David L. Gordon
2. Charles F. Richards, parent Emmett J. Richards
3. Isaac K. Chaudhary, parent Cassandra D. Emond
4. Zoey A. Bennett, parent Andrew M. Bennett
5. Conrad J. Feddeler, parent Janet E. Massman
6. Warren A. Jervis, parent John R. Jarvis

Seconded by Johanna Wilson. Motion carried.

**RE-APPOINT BUSINESS BOARD MEMBER**

Bryan Bainbridge moved to re-appoint Marvin Defoe to the Business Board. Seconded by Chris Boyd. Motion carried.

**APPROVAL OF CHAPTER 58 RED CLIFF PROBATE CODE**

Bryan Bainbridge moved to approve and enact Chapter 58. Seconded by Johanna Wilson.

Discussion: Judge Bouley asked that the code be effective January 1, 2019 as requested by the Clerk of Court. Motion rescinded.

Chris Boyd moved to table this item. Seconded by Dan Duffy. Motion carried.

**APPROVAL TO POST CHAPTER 18 LAND LEASE CODE REVISION**

Johanna Wilson moved to post Chapter 18 Land Lease Code Revision for public comment.

Seconded by Carolyn Gouge. Motion carried.

**APPROVAL TO POST CHAPTER 34 WATER & SEWER UTILITIES**

Bryan Bainbridge moved to post Chapter 34 Water & Sewer Utilities for public comment.

Seconded by Dan Duffy. Motion carried.

**RATIFY COUNCIL POLL PERTAINING TO RESOLUTION OPPOSING THE NOMINATION AND CONFIRMATION OF ERIC MILLER TO THE NINTH CIRCUIT COURT OF APPEALS**

Carolyn Gouge moved to ratify the poll. Seconded by Johanna Wilson. Discussion: Resolution 10/18/18A. Motion carried.

**OTHER**

**EXECUTIVE SESSION**

Bryan Bainbridge moved to go into Executive Session. Seconded by Johanna Wilson. Motion carried

**REGULAR SESSION**

Bryan Bainbridge moved to return to Regular Session. Seconded by Carolyn Gouge. Motion carried.

Johanna Wilson moved to approve legal draft an offer as discussed in executive session, and to authorize the chair to sign any related documents related to the purchase and acquisition of this property. Seconded by Carolyn Gouge. Motion carried.

Nick DePerry moved to have Administration coordinate with Facilities Maintenance crew to demolish the home that was discussed in Executive Session. Seconded Dan Duffy. Motion carried.

**ADJOURN**

Johanna Wilson moved to adjourn at 8:04 p.m. Seconded by Chris Boyd. Motion carried.

**Respectfully Submitted:**

  
Alana Babineau, Recording Secretary

**ATTEST:**

  
Laura Gordon, Secretary  
Red Cliff Tribal Council