

# Red Cliff Band of Lake Superior Chippewa Indians

## Special Council Meeting

November 20, 2018

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

Vice Chairman Nathan Gordon, called the Special Council meeting to order at 2:03 p.m.

### ROLL CALL:

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

Carolyn Gouge, Present  
Dan Duffy, Present  
Nicholas DePerry, Absent, 6:30 p.m.  
Bryan Bainbridge, Present  
Chris Boyd, Absent, 5:32 p.m.

### QUORUM

Others present: Dave Ujke – Tribal Attorney, Kurt Schmidt, GM LWRC, Lisa Bissell, Gaming Commission, Charlie Bresette, Compliance, Amarin Mello, Land Office, Division Administrators and Community members.

### OPENING CEREMONY

Opening Ceremony was performed by Jim Pete.

### AGENDA

Chris Boyd moved to approve the agenda with corrections. Seconded by Nick DePerry. Motion carried.

### EXECUTIVE SESSION

Nick DePerry moved to go into Executive Session. Seconded by Dan Duffy. Motion carried.

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

Bryan Bainbridge moved to return to Regular Session. Seconded by Johanna Wilson. Motion carried.

### ACTION FROM EXECUTIVE SESSION

Nicholas DePerry moved to rescind the motion made at the November 5, 2018 meeting to keep 2018 approved Holiday for 2019. Seconded by Carolyn Gouge. Motion carried.

Carolyn Gouge moved to rescind motion to change Treaty Day to Indigenous Day. Seconded by Dan Duffy. Motion carried.

Laura J. Gordon moved to approve the following Holiday Schedule as listed below:

<u>Holiday</u>	<u>Date</u>	<u>Taken</u>
New Year's Day	Jan 1, 2019	Jan 1, 2019
Martin Luther King	Jan 21, 2019	Jan 21, 2019
Easter	April 21, 2019	April 22, 2019
Memorial Day	May 27, 2019	May 27, 2019
Independence Day	July 4, 2019	July 4, 2019
Labor Day	Sept 2, 2019	Sept 2, 2019
Treaty Day	Sept 30, 2019	Sep 30, 2019
Indigenous People Day	October 14, 2019	Oct 14, 2019
Veterans Day	Nov 11, 2019	Nov 11, 2019
Thanksgiving Day	Nov 28, 2019	Nov 28, 2019
Christmas Day	Dec 25, 2019	Dec 25, 2019
New Year's Day	Jan 1, 2020	Jan 1, 2020

Seconded by Johanna Wilson. Discussion: HR will send out to all Tribal staff. Motion carried.

#### **OLD BUSINESS**

#### **NEW BUSINESS**

#### **COMMUNITY COMMENTS/CONCERNS**

Xmas Craft Sale at Legendary Waters on November 30th and December 1st.

All offices will be closed on Thanksgiving Day.

The Constitution Committee has created a form to obtain updated address of tribal members. Laura J. Gordon will be bringing this form to the Division meeting to ask that programs distribute to participants.

#### **TREASURERS REPORT - OCTOBER 2018**

A few points were discussed.

Carolyn Gouge moved to accept the Treasurers Report for the Month of October 2018. Seconded by Bryan Bainbridge. Motion carried.

#### **APPROVAL OF SCIENTIFIC GAMES DEAL/BALLY'S SYSTEM UPGRADE & NEW SLOT LEASE**

All documents have been reviewed and approved by the Legal Department.

Chris Boyd moved to approve the Scientific Games Deal-Software System Upgrade & Leased Machines. Seconded by Carolyn Gouge. Motion carried.

**APPROVAL OF LW CASH FLOW BUDGET FOR DECEMBER 2018**

Total cash needs for December is \$471,050.00

Bryan Bainbridge moved to approve the Cash Flow Budget for Legendary Waters Resort & Casino for the month of December 2018. Seconded by Dan Duffy. Motion carried.

**APPROVAL OF GAMING COMMISSION REPORT**

Minutes from the October 8, 2018 were provided.

Laura J. Gordon moved to approve the November 2018, Red Cliff Gaming Commission Report. Seconded by Nick DePerry. Motion carried.

**APPROVAL OF CASINO COMPLAINT REPORT FOR OCTOBER 2018**

Charles Bresette presented his report for September. Surveillance reports are declining in many areas. Managers are consistently enforcing policy.

Carolyn Gouge moved to approve the Casino Compliance report for October 2018. Seconded by Laura J. Gordon. Motion carried.

**LEASES**

Bryan Bainbridge moved to approve Resolution **11/20/18A** pertaining to a New Residential Lease for the Red Cliff Chippewa Housing Authority (Lot 101) located along the corner of Daley Road and Ezigaa Drive. Annual rent will be \$50.00. Seconded by Carolyn Gouge. Motion carried.

Bryan Bainbridge moved to approve Resolution **11/20/18B** pertaining to a New Residential Lease for the Red Cliff Chippewa Housing Authority (Lot 131) located along Daley Road. Annual rent will be \$50.00. Seconded by Johann Wilson. Motion carried.

Lucas DePerry requested special permission and waiver of Section 18.6.2, RCCL in order to develop his property at his pending lease site located AT Bradum Lot 41 after execution of a lease authorized by the Tribal Council but before BIA approval and issuance of final lease documents. Mr. DePerry's lease was previously authorized by Resolution 8/21/18A and his PAC application review is complete.

Bryan Bainbridge moved to approve a Special Permission to occupy land before BIA approval to Lucas DePerry. Seconded by Dan Duffy. 1-Abstention (Nick DePerry). Motion carried. Jeffrey A. Gordon requested an extension for an additional period of time to finish developing a lease site and to occupy it as a primary residence pursuant to Section 18.7.1, RCCL. Mr. Gordon

and Denise Carlson are in non-compliance with Provision 3 and 29 of their lease agreement. Lease No. 4352004921161 was issued to the parties on September 9, 2011.

Johanna Wilson moved to approve an 18-month extension to Mr. Gordon. Seconded by Nicholas DePerry. Motion carried.

**APPROVAL OF CHAPTER 18 LAND LEASE REGULATIONS**

Amorin Mello provided a memo to Council summarizing several proposed and approved lease transfers with arrears owed by the previous or current leaseholders, many of who are now deceased. A possible change to Section 18.8.2 had been previously discussed that would add the provision “Any outstanding lease debt must be paid prior to any proposed lease transfer”. It was the consensus of the Council not to change 18.8.2 and further discussion is needed.

**APPROVAL OF POLICY CHANGES FOR LEGENDARY WATERS**

Seth Morris and Kurt Schmitt presented several changes to Chapter 3 Holiday & Bereavement and Chapter 7 Attendance and Punctuality. Many issues with the changes were discussed and Seth asked that this be tabled in order to make additional changes.

Bryan Bainbridge moved to Table the Policy Changes for Legendary Waters Resort & Casino. Seconded by Dan Duffy. Motion carried.

**APPROVAL OF FISH COMMITTEE RECOMMENDATIONS FOR 2018-19 COMMERCIAL FISHING LICENSES**

Johanna Wilson moved to approve the 14 Big Boat Licenses as recommended by the Fishing Committee. They are:

Don Livingston	Washburn, WI 54891	RVH
Keith F. Peterson	Washburn, WI 54891	Claire
Shawn Hanson	Bayfield, WI 54814	Two Boyz
Junior Gurnoe	Bayfield, WI 54814	Gary
Amanda Teschner	Bayfield, WI 54814	Energy
Gilmore Peterson	Hancock, MI 49930	Three Suns
Eric Peterson	Bayfield, WI 54814	Twin Disc
Matt Hipshir	Cornucopia, WI 54827	Cindy Marie
Troy Hanson	Bayfield, WI 54814	Allie Brothers
Marty Peterson	Bayfield, WI 54814	
Mike Peterson	Bayfield, WI 54814	Spirit
Chris Peterson	Hancock, MI 49930	Ritter Bros
Jeremy Peterson	Bayfield, WI 54814	Orca
Bryan Bainbridge	Bayfield, WI 54814	Ava June

Seconded by Dan Duffy. 1-Abstention (Bryan Bainbridge). Motion carried.

Laura J. Gordon moved to approve the 17 Small Boat Licenses as recommended by the Fishing Committee. They are:

- |                   |                    |
|-------------------|--------------------|
| Joe Duffy         | Bayfield, WI 54814 |
| Jamie Hanson      | Bayfield, WI 54814 |
| Sean Charette     | Bayfield, WI 54814 |
| Rob Vander Venter | Bayfield, WI 54814 |
| Duane Peterson    | Bayfield, WI 54814 |
| Mike Gurnoe       | Bayfield, WI 54814 |
| Loretta Peterson  | Bayfield, WI 54814 |
| Roland Gordon     | Bayfield, WI 54814 |
| Josh Hanson       | Bayfield, WI 54814 |
| Eugene Gordon     | Bayfield, WI 54814 |
| Ethan Hyde        | Bayfield, WI 54814 |
| Lawrence Soulier  | Bayfield, WI 54814 |
| Brittany Hanson   | Bayfield, WI 54814 |
| Shawn Hanson Jr.  | Bayfield, WI 54814 |
| Tasha Hanson      | Bayfield, WI 54814 |
| Keith A. Peterson | Washburn, WI 54891 |
| Dane Gordon       | Bayfield, WI 54814 |

Seconded by Johanna Wilson. 3-Abstentions (Carolyn Gouge, Bryan Banbridge and Dan Duffy). Motion carried.

Johanna Wilson moved to go into Executive Session. Seconded by Laura J. Gordon. Motion carried.

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

Laura J. Gordon moved to authorize the Vice Chair to sign the 2018-2028 Lake Superior Management Agreement with any needed additional corrections and including subsequently – negotiated provisions specific to Bad River and to strike any non-negotiated language. Seconded by Carolyn Gouge. Motion carried.

Laura J. Gordon moved to waive the posting and approve changes to Chapter 7 Commercial Fishing with any corrections as needed. Seconded by Johanna Wilson. Motion carried.

**OTHER**  
Nothing.

**ADJOURN**  
Johanna Wilson moved to adjourn at 8:00 p.m. Seconded by Carolyn Gouge. Motion carried.

Respectfully Submitted:



Alana Babineau, Recording Secretary

ATTEST:



Laura J. Gordon, Secretary  
Red Cliff Tribal Council