

Red Cliff Band of Lake Superior Chippewa Indians

Special Council Meeting

January 22, 2019

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

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

ROLL CALL:

Richard Peterson, Present @ 6:30 p.m.
Nathan Gordon, Present
Laura J. Gordon, Present
Johanna Wilson, Present

Carolyn Gouge, Absent
Dan Duffy, Present
Nicholas DePerry, Present
Bryan Bainbridge, Present
Chris Boyd, Absent @ 4:10 p.m.

QUORUM

Others present: Dave Ujke – Tribal Attorney, Gabrielle VanBergen – TNR Division, Edwina Buffalo-Reyes – THPO Department, Charles Bresette – Compliance Officer, Marvin Defoe – THPO Department, Shelly Gordon – Public Works and community members.

OPENING CEREMONY

Opening Ceremony was performed by Frank Morris.

AGENDA

Laura J. Gordon moved approve agenda with additions/deletions. Seconded by Bryan Bainbridge. Motion carried.

EXECUTIVE SESSION

Nick DePerry moved to go into Executive Session at 2:03 p.m. Seconded by Chris Boyd. Motion carried.

REGULAR SESSION

Nick DePerry moved to return to Regular Session at 4:33 p.m. Seconded by Bryan Bainbridge. Motion carried.

OLD BUSINESS

NEW BUSINESS

COMMUNITY COMMENTS AND ANNOUNCEMENTS

Grace Livingston spoke of her concerns regarding the new casino floor layout. She believes the new layout will make things difficult for elders and the disabled patronizing the casino. It

doesn't appear that the aisles are wide enough for walkers or wheelchairs. Council will look into this.

Travis Barningham gave an update regarding Red Cliff Ice Cave tours. Rustic Makwa Den is working with Legendary Waters to offer tours of the Red Cliff caves, not to be confused with the Apostle Islands Ice Caves. Mr. Barningham stated the business has made safety a top priority and have individuals on staff trained in ice rescue. They will also be in contact with Red Cliff EMS.

Laura J. Gordon announced current and upcoming community events.

TREASURERS REPORT FOR DECEMBER 2018

A few points were discussed.

Bryan Bainbridge moved to approve the Treasurers Report for the month of December 2018. Seconded by Laura J. Gordon. Motion carried.

APPROVAL OF FEBRUARY 2019 CASH FLOW BUDGET FOR LW

Total cash needs for February is \$446,650.00.

Bryan Bainbridge moved to approve the Cash Flow Budget for February 2019. Seconded by Laura J. Gordon. Motion carried.

APPROVAL OF GAMING COMMISSION REPORT

No report given. The Gaming Commission has not had a meeting in the past month.

APPROVAL OF COMPLIANCE REPORT

Charles Bresette requested that this item be tabled until the next meeting.

Bryan Bainbridge moved to Table the Gaming Commission and Compliance Report for the month of December 2018. Seconded by Nick DePerry. Motion carried.

APPROVAL OF LEASE TRANSACTIONS

Frank J. Gordon, Jr. and Barbara J. Gordon requested a renewal for their short-term residential lease No. 4352003160717 located at 37250 Gordon Rd.

Bryan Bainbridge moved to approve Resolution **1/22/19A** pertaining to a new residential short-term lease for Frank J. Gordon and Barbara J. Gordon. Seconded by Dan Duffy. Motion carried.

Laura Belanger requested an extension for an additional 18 months to finish developing a lease site and to occupy it as a primary residence pursuant to Section 18.7.1 RCCL.

Dan Duffy moved to approve the time extension request to develop and occupy lease land for Laura Belanger. Seconded by Johanna Wilson. Discussion: approved for only 18 months. Motion carried.

APPROVAL OF INVOLUNTARY CANCELLATIONS

Amorin Mello, Lands Specialist provided a memo to inform the Council of lease compliance action being taken by the Lands Office. Affected lessees were provided notices of pending involuntary lease cancellations due to these sites not being developed within the required timeframe. Council would like to see procedures in place to ensure lessees receive ample notice. This will be further discussed at the Tribal Council retreat.

RED CLIFF HOUSING AUTHORITY (RCCHA) – LEASE RENT AMOUNTS

This item will be discussed at the Tribal Council Retreat. No action taken.

APPROVAL OF CHANGE ORDER #1 TRIBOVICH SCATTERED SITES

Bryan Bainbridge moved to approve the Change Order #1 with Tribovich scattered sites to include the date change from 12/28/18 to 12/27/19. Seconded by Johanna Wilson. Motion carried.

APPROVAL OF CHANGE ORDER #1 NEHLS & WEBSTER SCATTERED SITES

Johanna Wilson moved to approve the Change Order #1 with Nehls & Webster scattered sites to include the date change from 12/28/17 to 12/27/19. Seconded by Nick DePerry. Motion carried.

APPROVAL OF RESOLUTION/GRANT APPLICATION FOR THE TRIBAL SUMMER YOUTH PROGRAM

The Treaty Natural Resources Division is requesting STYP funding from the DNR to support the intern program in 2019.

Bryan Bainbridge moved to approve Resolution **1/22/19B**. Seconded by Johanna Wilson. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO REVISIONS TO THE WITRC

Laura J. Gordon moved to approve Resolution **1/22/19C** pertaining to the appointment of a tribal member to the Wisconsin Inter-Tribal Repatriation Committee, a sub-committee of Great Lakes Inter-Tribal Council. Seconded by Johanna Wilson. Motion carried.

APPROVAL OF DULUTH SUPERIOR AREA COMMUNITY FOUNDATION GRANT

The goal of the project is to foster cultural awareness. The project will work collaboratively with the THPO Language initiative, TNR and Bayfield School. A total of \$7,500 is being requested for sign building supplies, student transportation and final celebration items.

Laura J. Gordon moved to approve the submission of the application. Seconded by Nicholas DePerry. Motion carried

APPROVAL OF FY19 GLRI LAMP FUNDING

Bryan Bainbridge moved to approve the FY19 GLRI LAMP funding. Seconded by Dan Duffy. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO TAS ELIGIBILITY APPLICATION FOR CWA 303/401

Discussion on edits to be made to the resolution. It was agreed that this item be discussed further at the Tribal Council Retreat.

Bryan Bainbridge moved to Table the Resolution pertaining to the TAS Application for CWA 303/401. Seconded by Nick DePerry. Motion carried.

APPROVAL TO POST CHAPTER 25 SECTION 25.1.4 RIGHTS OF WAY, SERVICE LINES AND TRESPASS

Laura J. Gordon moved to approve amendment of RCCL sec 25.1.4 striking the following language: “relating to the transmission of electricity” from that section, thereby clarifying that Chapter 25 applies to all rights of way and service lines, and that this amendment be retroactive. Seconded by Johanna Wilson. Motion carried.

APPROVAL TO POST SPECIAL ACCOMMODATION REQUEST FOR LEASES

Johanna Wilson moved to Table the Special Accommodation request for Leases. This will be discussion for the Council retreat. Seconded by Bryan Bainbridge. Motion carried.

RATIFY COUNCIL POLL

Bryan Bainbridge moved to ratify council poll pertaining to the Chairman signing off on the supporting letters to our federal representatives on the shutdown. Seconded by Johanna Wilson. Motion carried.

OTHER

APPROVAL OF MOU BETWEEN RED CLIFF AND INDIAN TENURE FOUNDATION AND SPATIAL INFORMATICS GROUP

Laura J. Gordon moved to approve the MOU between the Red Cliff Band of Lake Superior Chippewa and Indian Land Tenure Foundation and Spatial Information Group – Natural Assets Laboratory. Seconded by Bryan Bainbridge. Motion carried.

EXECUTIVE SESSION

Nick DePerry moved to go into Executive Session at 6:26 p.m. Seconded by Bryan Bainbridge. Motion carried.

REGULAR SESSION

Laura J. Gordon moved to approve the request from the Clinic for Temporary Use of Funds.
Seconded by Bryan Bainbridge. Motion carried.

ADJOURN

Nathan Gordon moved to adjourn at 7:33 p.m. Seconded by Laura J. Gordon. Motion carried.

Respectfully Submitted:


Alana Babineau, Recording Secretary

ATTEST:


Laura J. Gordon, Secretary
Red Cliff Tribal Council