

Red Cliff Band of Lake Superior Chippewa Indians

Special Council Meeting

March 19, 2019

1:00 p.m. Legendary Waters, Buffalo Bay Grand Ballroom

Secretary Laura J. Gordon called the meeting to order at 1:02 p.m.

ROLL CALL:

Richard Peterson, Present @ 2:50 p.m.
Nathan Gordon, Excused
Laura J. Gordon, Present
Johanna Wilson, Present

Carolyn Gouge, Excused
Dan Duffy, Present
Nicholas DePerry, Present
Bryan Bainbridge, Present @ 1:22 p.m.
Chris Boyd, Present

QUORUM

Others present: Dave Ujke – Tribal Attorney, Diane Erickson – Health Division Administrator, Kurt Schmitt – GM/Legendary Waters, Seth Morris – HR Legendary Waters, Chad Abel – TNR Administrator, Amorin Mello – Lands Office, Marvin Defoe – THPO, Rebecca Benton – Family/Human Services Division Administrator and community members.

OPENING CEREMONY

Opening Ceremony was performed by Jim Pete.

AGENDA

Dan Duffy moved approve agenda with addition. Seconded by Johanna Wilson. Motion carried.

EXECUTIVE SESSION

Chris Boyd moved to go into Executive Session at 1:10 p.m. Seconded by Nicholas DePerry. Motion carried.

REGULAR SESSION

Bryan Bainbridge moved to return to Regular Session at 4:45 p.m. Seconded by Laura J. Gordon. Motion carried.

ACTION FROM EXECUTIVE SESSION

Laura J. Gordon moved to approve Resolution **3/19/19A** pertaining to Resolution Rehabilitation for Chris Boyd. Seconded by Bryan Bainbridge. 1-abstention (Chris Boyd). Motion carried.

Bryan Bainbridge moved to approve Resolution **3/19/19B** pertaining to Resolution of Rehabilitation for Leigha Peacock. Seconded by Chris Boyd. Motion carried.

OLD BUSINESS

APPROVAL OF TREASURERS BALANCE SHEET FOR FEBRUARY 2019 (TABLED ON 3/4/19)

Johanna Wilson presented the preliminary figures for the month of February. She stated reconciliation is ongoing.

Chris Boyd moved to accept the Treasurers Balance Sheet for February 2019. Seconded by Bryan Bainbridge. 1- Abstention (Johanna Wilson). Motion carried.

NEW BUSINESS

WISCONSIN HISTORICAL SOCIETY

Rebecca Comfort, American Indian Liaison from the Wisconsin Historical Society requested approval to host an event in Red Cliff to share information regarding the new museum that is currently in the planning phase. In addition to hosting a community event, she will be working closely with the Tribes in the state to gain input on what they would like to see in the museum. It was the consensus of the Council to support an event for the community and authorize Marvin Defoe, THPO to be the point of contact for Ms. Comfort.

COMMUNITY COMMENTS AND CONCERNS

Travis Barningham asked to discuss pages 6 & 7 of the Red Cliff/Park Service MOU which covers tribal consultation. The Superintendent for the Park Service may be in the area soon and Travis asked that the entire Council meet with them. Chairman Peterson stated the Council will discuss this further.

Laura J. Gordon announced current and upcoming community events.

TREASURERS REPORT FOR FEBRUARY 2019

Johanna Wilson presented the report. Laura J. Gordon called on Rebecca Benton, FS/HS Administrator to ask if programs will have funds spent by the end of the fiscal year. Ms. Benton stated a few programs are currently underspent due to vacant positions. She has increased hours and wages on open positions but have not received applicants.

Laura J. Gordon moved to approve the Treasurers Report for February 2019. Seconded by Bryan Bainbridge. Motion carried

APPROVAL OF APRIL 2019 LEGENDARY WATERS CASH FLOW BUDGET

Total cash needed is \$460,050.00

Bryan Bainbridge moved to approve the budget. Seconded by Nicholas DePerry. Motion carried.

APPROVAL OF LEGENDARY WATERS 704 PERSONAL APPEARANCE POLICY

Revisions to pages 7-2 & 7-3 of the Employee Handbook were presented. Discussion on visible tattoos, current policy prohibits all tattoos, revision prohibits inappropriate or tattoos that are

of an offensive nature. Bryan Bainbridge suggested adding "gang-affiliated" tattoos. Johanna Wilson suggested edits to page 7-3 regarding Dress Code Violations, that will refer employees to sections that cover progressive discipline.

Laura J. Gordon moved to approve the revisions with the additional edits. Seconded by Johanna Wilson. Motion carried.

APPROVAL OF GAMING COMMISSION REPORT

Minutes from the March 11, 2019 meeting were provided. The Commission moved to appoint Chris Livingston as the Chairman and now needs official approval by Tribal Council.

Bryan Bainbridge moved to approve the Gaming Commission report and to appoint Christopher Livingston as the Gaming Commission Chair. Seconded by Nicholas DePerry. Motion carried.

APPROVAL OF COMPLIANCE REPORT

Charles Bresette stated several new employees were hired in the past month and a few two-year updates were completed. Bryan Bainbridge suggested Mr. Bresette meet with the new Food & Beverage Manager regarding the SOPs.

Laura J. Gordon moved to approve the Compliance report for February 2019. Seconded by Bryan Bainbridge. Discussion: have Charlie meet with Lenny Newago in the kitchen to go over the findings. Motion carried.

APPROVAL OF LEASES

Edward C. and Cindy T. Butterfield requested a renewal of their short-term residential lease No. H-2832(96) located at 88170 Bresette Road. This resolution will rescind Resolution No 06/01/06H and authorize a new lease renewal retroactively from March 27, 2014.

Bryan Bainbridge moved to approve Resolution **3/19/19C** a New Lease Renewal for Edward C. and Cindy T. Butterfield. Seconded by Dan Duffy. Motion carried.

Susan L. and Norman Crazy Thunder request a modification of their short-term lease No. 4352004781121 to add Lee Balber. The lease is located at 37909 Bishop Loop. If approved, the lease modification will be effective March 19, 2019.

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

Maurice J. Topping and Bruce F. Topping request a short-term residential lease of their expired long-term lease No. B387(67) located at 88015 Bresette Road. If approved, the new lease will be retroactively effective January 25, 2017.

Bryan Bainbridge moved to approve **3/19/19D** pertaining to a New Lease Renewal for Maurice J. Topping and Bruce F. Topping. Seconded by Nicholas DePerry. Motion carried.

APPROVAL OF BAYFIELD CO. MOU CRISIS LINE

This MOU is an agreement between the Bayfield County Department of Human Services and the Red Cliff Behavior Health Department to Red Cliff client access to the Bayfield County crisis line 24 hours a day.

Johanna Wilson moved to approve the Bayfield County MOUY Crisis Line. Seconded by Laura J. Gordon. 1-abstention (Bryan Bainbridge). Motion carried.

APPROVAL OF EHS/HS GRANT APPLICATION FOR 2019-2020

Cindy Garrity, Jamie Goodlet-King, Joanne Peterson and Ashley Peterson were present for questions, Linda Johnston was out on travel. Laura Gordon noted a few corrections to the documents, including dates in the budget section. The ECC continues to struggle at filling vacant positions. GED classes are no longer offered at the Center due to lack of participation, but the program will assist parents with transportation and fees. Ashley Peterson noted that the match waiver is submitted with the application when necessary and added that the match requirement is difficult to meet.

Laura J. Gordon moved to approve the EHS/HS grant application for 2019-2020 with corrections. Seconded by Bryan Bainbridge. Motion carried.

APPROVAL OF ICDBG GRANT PROPOSAL

Chad Abel requested approval of an Indian Community Development Block Grant (ICDBG) application and Resolution. This funding would support economic development in Red Cliff.

Chris Boyd Moved to approve Resolution **3/19/19E** pertaining to the ICDBG Grant Proposal. Seconded by Bryan Bainbridge. Motion carried.

APPROVAL OF FACILITIES MANAGEMENT COST ALLOCATION PLAN FY2019

Presented by Diane Erickson, Health Administrator, this is a necessary document and will accompany the IDC and FM proposal to the BIA. The FM rate for 2019 is proposed at 11.28%.

Bryan Bainbridge moved to approve the Facilities Management Cost Allocation Plan for FY2019. Seconded by Laura J. Gordon. Motion carried.

APPROVAL OF GODFREY KAHN CONFLICT WAIVER

Godfrey Kahn law firm requested a conflict of interest waiver from Red Cliff as they will be representing Xcel Energies in an antitrust case unrelated to the case where they are representing the Tribe. Rules of ethics require them to inform the Tribe of this and seek approval.

Bryan Bainbridge moved to approve to Godfrey Kahn Conflict Waiver. Seconded by Dan Duffy. Motion carried.

APPROVAL OF AUTOMATIC MEMBERSHIP APPLICANTS

Chris Boyd moved to approve the following applicants for automatic enrollment:

CHILD

Kye Jut Randall Newago
Daphne Rose Berquam
Waabezhig Biidwewidam Altiman
Lily Mae Gartley
Juana Quetzalli Montano
Hayley Elizabeth Bennet

PARENT

Susan R. Newago
Andrew D. Berquam
Sarah A. Gordon
Dakota S. Gartley
Jasmine H. Montano
Michael J. Bennet

Seconded by Johanna Wilson. Motion carried.

APPROVAL OF 2019 ELECTION TIMELINES

The timeframes for the 2019 Election were presented as follows:

Monday April 1, 2019	Regular Council Meeting appoint Election Board
Wednesday April 3, 2019	Deadline for candidates for Chairman and Treasurer
Monday April 8, 2019	Certification of candidates for Primary Election will be completed by Tribal Council Poll.
Tuesday April 23, 2019	Posting for Primary Election Officer Candidates.
Friday May 3, 2019	Primary Election.
Monday June 17, 2019	Deadline for At-Large candidates to announce candidacy. (3 seats open)
Tuesday June 18, 2019	Certification of candidates for General Election at Special Council Meeting.
Friday June 21, 2019	Posting of candidates for General Election.
Tuesday July 2, 2019	General Election

Bryan Bainbridge moved to approve the 2019 Election Timeframes. Seconded by Chris Boyd. Motion carried.

APPROVAL OF COUNCIL POLL PERTAINING TO SUBMISSION OF AMERISOURCE BERGEN FOUNDATION GRANT

Laura J. Gordon moved to ratify the Council Poll Seconded by Johanna Wilson. Motion carried.

OTHER

Nothing in other.

ADJOURN

Laura J. Gordon moved to adjourn at 6:40 p.m. Seconded by Johanna Wilson. Motion carried.

Respectfully Submitted:


Alana Babineau, Recording Secretary

ATTEST:


Laura J. Gordon, Secretary
Red Cliff Tribal Council