

Red Cliff Band of Lake Superior Chippewa Indians

Special Council Meeting

August 20, 2019

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

Chairman Richard Peterson called the meeting to order at 1:00 p.m.

ROLL CALL:

Richard Peterson, Present
Nathan Gordon, Present
Laura J. Gordon, Present
Dennis Soulier, Present

Bryan Bainbridge, Present
Chris Boyd, Excused @ 4:10 p.m.
Nicholas DePerry, Excused
Steven Boyd, Present
Marvin Defoe, Present

QUORUM

Others present: Dave Ujke - Tribal Attorney, Division Administrators, Kurt Schmidt, Casino GM and Community Members.

OPENING CEREMONY

Opening Ceremony was performed by Richard LaFernier.

AGENDA

Dennis Soulier moved approve agenda with addition . Seconded by Chris Boyd. Motion carried.

EXECUTIVE SESSION

Marvin Defoe moved to go into Executive Session at 1:05 p.m. Seconded by Laura J. Gordon. Motion carried.

REGULAR SESSION

Steven Boyd moved to return to Regular Session at 4:46 p.m. Seconded by Bryan Bainbridge. Motion carried.

OLD BUSINESS

APPROVAL OF BALANCE SHEET FOR JUNE 2019 (TABLED ON 8/5/19)

Dennis Soulier presented the Balance Sheet for June 2019, there were a few questions asked on the numbers that were in the negative. Dennis will send Council out a clean copy with an explanation on why those numbers are in the negative.

Bryan Bainbridge moved to accept the corrected version as presented on the Balance Sheet for month of June 2019. Seconded by Marvin Defoe. Motion carried.

NEW BUSINESS

TREATY NATURAL RESOURCES SUMMER YOUTH PRESENTATION

Chase Meierotto introduced the Treaty Natural Youth Internship Chloe Peacock and Megan Nordin who began internship from June to August 2019.

The Interns talked about what they had did like work with Specialty Brookstocking work, Wolf Tracking, working with our own Tribal Farm. Spent a lot of time with Alex Breslav doing traditional skills like buckskin pouches, harvesting basswood for a future fish net made from the fibers, traditional cooking with hot rocks, bow drill fires and many more. Attended the Treaty Natural Resources Open House at Legendary Waters. Toured the college in Fond Du Lac. Went to Sand Island Camping.

Megan Nordin's personal project was on Wood Ducks, Megan gave details on what the average size of both male and female wood ducks are. Wood ducks tend to like swamps, freshwater, marshes and beaver ponds. It takes 56-70 days for a wood duck to hatch and are about 6-16 eggs per batch. Megan also created wood duck boxes that she had spread out around the close to the TNR building site. Out of the 4 boxes only one (1) box had 14 wood duck eggs.

Chloe Peacock's personal project was to create a cover art for a book called "Wild Northwoods Plants; Food, Tools and Medicines" by the Indigenous Arts and Sciences Coordinator, Alex Breslav. Chloe had shown us images on how she was preparing to draw trees. One of the hardest part for her was drawing an entire forest. She had also included Anishinaabe-mowin hidden into the natural habitat. For three (3) weeks she had worked night and day on this project to get it completed.

These are only some of the things that the Interns attended.

COMMUNITY COMMENTS AND CONCERNS

Elk Hunt Discussion on August 28, 2019 at the Red Cliff Fire Hall at 5:00 p.m.

Employee Picnic Appreciation Day on Friday August 23, 2019 beginning at 8:30 with Golf, Scavenger Hunt at 9 a.m., there will be a selfie booth, raffles and boat tours from 1 to 4 p.m. Lunch at noon.

Tribal Member hearing on August 29, 2019 from 5 to 8 p.m. at the Red Cliff Elderly Center. More information you can contact Marvin Defoe or Edwina Buffalo Reyes at eh Admin building.

Free School supplies on Monday August 26, 2019 from 8 to 4 p.m. at the Red Cliff Boys and Girls club. More information contact Jared Blanche.

Francis "Bucky" Deragon Scholarship golf tournament on Sunday August 25, 2019 at the Apostle Island Golf course.

Community Elders, your input is needed on the 28th of August 2019 at the Elderly Dining Center. Henry buffalo Jr. will be giving a presentation on Constitution changes and needing input from our elders.

Mercie Gordon would like to address the Tribal Council and stated that there were high levels of meth detected in her home and she is not a user, but her friends were active. The eviction process will be started soon, but she is wanting us to know about this drug that is out there. She is undecided about her RCHA board seat, but then decided not to give up that position.

Chairman and other council members commended Mercie on her courage and respect for what she had just did to tell the Council and Community.

Carolyn Gouge talked about the honesty and courage that Mercie had shown.

Carolyn also talked about in Duluth MN they will be honoring Chief Buffalo at 6 p.m. in the park on Wednesday the 22nd of August. We should have vans that would be willing to transport people up to this event, if they want to go.

EXECUTIVE SESSION

Bryan Bainbridge moved to go into Executive Session at 5:38 p.m. for Quarterly Casino Financials Report to Membership {April, May and June 2019}. Seconded by Nathan Gordon. Motion carried.

REGULAR SESSION

Bryan Bainbridge moved to return to Regular Session at 6:20 p.m. Seconded by Marvin Defoe. Motion carried.

Marvin Defoe moved to have Legendary Waters Resort & Casino staff develop a break-even plan, to get thing started and in place, to be projected out nine (9) months. Seconded by Bryan Bainbridge. Motion carried.

TREASURERS REPORT FOR JULY 2019

Dennis Soulier gave an overview of the final report for July 2019. A few points were discussed. Laura J. Gordon had questions on the Administration report due to it was the exact same as for the month of June 2019. Tribal Treasurer will look into this and send out the correct copy.

Steven Boyd moved to approve the Red Cliff Tribal Treasurers Report for the month of July 2019. Seconded by Bryan Bainbridge. 1-Abstention (Dennis Soulier). Motion carried.

APPROVAL OF SEPTEMBER 2019 LEGENDARY WATERS CASH FLOW BUDGET

Total cash needed for September 2019 is \$637,750.00.

Dennis Soulier moved to approve the cash flow budget. Seconded by Bryan Bainbridge. Motion carried.

APPROVAL OF GAMING COMMISSION REPORT

Chris Livingston gave a brief verbal update. Chris is waiting to hear back from the Commissioners on the next meeting.

Nathan Gordon moved to approve the verbal Gaming Commission Report. Seconded by Bryan Bainbridge. Discussion: verbal report came from the lack of a quorum. Motion carried.

APPROVAL OF COMPLIANCE REPORT

Chris Livingston gave an overview on the Compliance Report. A few points were discussed.

Bryan Bainbridge moved to approve the July 2019 Compliance Report. Seconded by Laura J. Gordon. Motion carried.

APPROVAL OF MIDWEST PROFESSIONALS PLLC FOR LEGENDARY WATERS CASINO

Chris Livingston was here to present the MWP Contract. The contract will be for two (2) years in the amount of \$26,500.00. There was additional language added in the contract on the auditors will present the audit report to LW Staff, Gaming Commission, and Tribal Council prior to the submission date.

Bryan Bainbridge moved to approve the Midwest Professionals P.L.L.C. contract. seconded by Marvin Defoe. Motion carried.

APPROVAL OF EMERGENCY ACTION PLAN FOR THE TRIBE

Bryon Daley was present to present the Emergency Action Plan that is required by OSHA. Bryon had stated that this plan will be the Emergency action plan for the Red Cliff Health Center, he would like to use this plan as a template for all the rest of the buildings within the Tribe.

Bryan Bainbridge moved to approve the Emergency Action Plan. Seconded by Nathan Gordon. Motion carried.

APPROVAL TO SUBMIT GRANT APPLICATION FOR CENTER FOR DISEASE CONTROL & GLITEC

Bryan Bainbridge moved to approve the grant application submission for the Center for Disease Control (CDC) and Prevention Building Public Health Infrastructure in Tribal Communities, subject to change the lead contact person. Seconded by Dennis Soulier. Motion carried.

APPROVAL TO SUBMIT GRANT APPLICATION FOR EMS EQUIPMENT

Marvin Defoe moved to approve the grant application submission for Emergency Response Equipment for our EMS. Seconded by Bryan Bainbridge. Motion carried.

APPROVAL TO SOLE SOURCE WITH COMPASS LAND CONSULTANTS

Marvin Defoe moved to Sole Source with Compass Land Consultants. Seconded by Bryan Bainbridge. Motion carried.

APPROVAL OF CHANGE ORDER #5 WITH JAKES EXCAVATING & LANDSCAPING LLC

Marvin Defoe moved to approve Change Order #5 with Jakes Excavating & Landscaping LLC in the amount of \$52,545.07. Seconded by Steven Boyd. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO MEMBERSHIP TO NCAI

Marvin Defoe moved to approve Resolution 8/20/19A pertaining to Membership in the National Congress of American Indians (NCAI). Seconded by Steven Boyd. 1-Abstention (Nathan Gordon). Motion carried.

APPROVAL OF PAYMENT OF COUNTY PROPERTY TAXES UNDER PROTEST FOR A. BUFFALO ALLOTMENT

Bryan Bainbridge moved to approve the payment of County property taxes under protest on the A. Buffalo allotment in the amount of \$2010.84, this will come out of the General Fund 1105-19-108. Seconded by Laura J. Gordon. Motion carried.

APPROVAL TO JOIN THE DAKOTA ACCESS PIPELINE AMICUS BRIEF

Steven Boyd moved to join in the Dakota Access Pipeline Amicus Brief. Seconded by Dennis Soulier. Motion carried.

APPROVAL TO ADOPT CHAPTER 15 ELK HUNT REGULATIONS AND AMEND VARIOUS SECTIONS

Nathan Gordon moved to approve Resolution **8/20/19B** pertaining to Chapter 15 Elk Hunt Regulations and corresponding amendments to the Model Off Reservation Conservation Code. Seconded by Marvin Defoe. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO CHAPTER 25 RIGHTS OF WAY, SERVICE LINES AND TRESPASS & APPROVAL TO WAIVE THE POSTING

Dennis Soulier moved to approve Resolution **8/20/19C** pertaining to Chapter 25, Rights of Way, Service Lines and Trespass, and to waive the posting. Seconded by Steven Boyd. Motion carried.

APPROVAL TO APPOINT REPRESENTATIVES TO THE LAND LEASE COMMITTEE

Bryan Bainbridge moved to appoint Priscilla Williamson as the new Red Cliff Chippewa Housing Authority Rep, and Julie Gordon as appointed by the Tribal Chairman Rick Peterson. Seconded by Laura J. Gordon. Motion carried.

APPROVAL TO POST CHAPTER 18 SECTION 18.3.2 LAND LEASE REGULATIONS

Steven Boyd moved to approve Chapter 18 section 18.3.2 Land Lease Regulations for posting. Seconded by Nathan Gordon. Motion carried.

OTHER

Nothing in Other.

EXECUTIVE SESSION

Dennis Soulier moved to go into Executive Session at 7:32 p.m. Seconded by Marvin Defoe. Motion carried.

REGULAR SESSION

Steven Boyd moved to return to Regular Session at 8:11 p.m. Seconded by Dennis Soulier. Motion carried.

Laura J. Gordon moved to move forward and have Chairman Peterson enter into negotiations with Franklin Creek Consulting. Seconded by Steven Boyd. Motion carried.

ADJOURN

Bryan Bainbridge moved to adjourn at 8:15 p.m. Seconded by Dennis Soulier. Motion carried.

Respectfully Submitted:



Laura J. Gordon, Secretary
Red Cliff Tribal Council