

Red Cliff Band of Lake Superior Chippewa Indians

Special Council Meeting

November 19, 2019

1:00 p.m. Legendary Waters Casino Grand Ballroom

Vice-Chairman Nathan Gordon called the meeting to order at 1:00 p.m.

ROLL CALL:

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

Bryan Bainbridge, Present @ 4:35 p.m.
Chris Boyd, Excused @ 4:30 p.m.
Nicholas DePerry, Excused @ 5:45 p.m.
Steven Boyd, Present
Marvin Defoe, Present

QUORUM

Others present: Dave Ujke – Tribal Attorney, Shelly Gurnoe – Fisheries, Chad Abel – TNR Division, Gabrielle VanBergen, Amorin Mello – Lands Office, Kurt Schmitt – GM Legendary Waters, Nicole Boyd – Planning, Rebecca Benton – Family/Human Services Division, Joe Montano – Business Board, Diane Erickson – Health Division, Robert Pow-less – Public Works and community members.

OPENING CEREMONY

Opening ceremony performed by Frank Montano.

AGENDA

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

EXECUTIVE SESSION

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

REGULAR SESSION

Dennis Soulier moved to return to Regular Session at 4:32 p.m. Seconded by Marvin Defoe. Motion carried.

ACTION FROM EXECUTIVE SESSION

Laura J. Gordon moved to have the Chairman sign off on the Option Agreement that was discussed in Executive Session and to get an appraisal done for that property. Seconded by Dennis Soulier. Motion carried.

OLD BUSINESS

NEW BUSINESS

EMPLOYEE PAID VISION/EYE CARE PLANS PRESENTATION

Renee Albert and Ashley Poch introduced Joe Zack-Cottingham from Cottingham & Butler Tribal Insurance. They presented vision and eye care benefit package from Delta Dental that could be offered to Tribal employees.

Marvin Defoe moved to approve the Employee Paid Vision/Eye Care Plans. Seconded by Bryan Bainbridge. Motion carried.

COMMUNITY COMMENTS AND CONCERNS

James Pete announced several activities hosted by LCOOCC Outreach site including Mitten/Gloves drive and Native Vote event. He also stated enrollment has increased and the college will soon be changing its name to LCO College. Two students from Red Cliff were recently highlighted in the college newsletter.

Michael Soulier asked if he could speak to the Council in Executive Session regarding his lease cancellation. It was suggested he request a meeting with Chairman Peterson and Vice Chairman Gordon.

THPO Department has an ongoing Wood Giveaway, those interested may contact the office.

Kids Xmas party will be held on December 21st.

Joe Montano raised concerns on a recent code change regarding grandparent visitation rights. He stated there was a recent case in the WI Supreme Court (Michaels v. Lyons) that deemed this issue unconstitutional, he asked that is be looked into.

EXECUTIVE SESSION

Marvin Defoe moved to go into Executive Session with Tribal members only at 5:15 p.m. Seconded by Dennis Soulier. Motion carried.

- **Quarterly financial report to membership (July – August 2019)**
- **Quarterly buffalo bay financial report to membership (July – August 2019)**

REGULAR SESSION

Dennis Soulier moved to return to Regular Session at 6:00 p.m. Seconded by Steven Boyd. Motion carried.

TREASURERS REPORT FOR OCTOBER 2019

Report provided to Council was incorrect, showing the previous month's figures. Rebecca Benton stated she received her Division's FSR late today and many updates were not included in the report.

Bryan Bainbridge moved to table the report until the Regular Tribal Council meeting on December 2nd. Seconded by Marvin Defoe. 1-Abstention (Dennis Soulier) Motion carried.

APPROVAL OF DECEMBER 2019 LEGENDARY WATERS CASH FLOW BUDGET

Total cash needs for December 2019 is \$501,450.00. Kurt Schmitt also stated the Tribe's payment should be made by the end of the month.

Bryan Bainbridge moved to approve the cash flow budget for December 2019. Seconded by Dennis Soulier. Motion carried.

APPROVAL OF GAMING COMMISSION REPORT

Chris Livingston was not present.

Dennis Soulier moved to Table the Gaming Commission report. Seconded by Bryan Bainbridge. Motion carried.

APPROVAL OF COMPLIANCE REPORT

Charles Bresette was not present.

Dennis Soulier moved to Table the Compliance report. Seconded by Marvin Defoe. Motion carried.

LEASES

Bryan Bainbridge moved to approve Resolution **11/19/19A** pertaining to short-term Residential Lease Renewal for Theresa L. Schuler and Joan L. Gudvangen, located at 37190 West Bresette Hill Road. This will be retroactively to November 17,2016. Seconded by Laura J. Gordon. Motion carried.

Bryan Bainbridge moved to approve Resolution **11/19/19B** pertaining to Residential Lease Transfer from Mercie A. Gordon and Ryan T. Defoe to Michael S. Charette, located 37280 Gordon Road. This will be effective November 19, 2019. Seconded by Dennis Soulier. Motion carried.

Marvin Defoe moved to approve Resolution **11/19/19C** pertaining to New Residential Lease for Amy Enget, located in the Hillside Subdivision at 37225 Hillside Drive. Seconded by Bryan Bainbridge. 1-Abstention (Steven Boyd). Motion carried.

Dennis Soulier moved to approve Resolution **11/19/19D** pertaining to a Lease Modification from Red Cliff Chippewa Housing Authority. The modification will relinquish a developed lot at

37225 Hillside Drive to Amy Enget as a new short-term residential lease. Seconded by Laura J. Gordon. 1-Abstention (Steven Boyd). Motion carried.

APPROVAL OF CASH CARD POLICY FOR LAW ENFORCEMENT

Dennis Soulier moved to approve the cash card policy for Red Cliff Law Enforcement. Seconded by Steven Boyd. Motion carried.

APPROVAL OF COUNTY/TRIBAL LAW ENFORCEMENT AGREEMENT/RESOLUTION FOR 2020

Steven Boyd moved to approve Resolution **11/19/19E** pertaining to the State County / Tribal Law Enforcement agreement for 2020. Seconded by Marvin Defoe. Motion carried.

APPROVAL OF BAYFIELD AREA TRAILS COMMITTEE MOU

Gabrielle Vanbergen gave a background of the presented MOU. She has been meeting with a local group of representatives from the City of Bayfield, Town of Bayfield, Bayfield County, Bayfield Chamber and the Landmark Conservancy discussing connectivity of trails in the area and ways to collaborate on improving trail infrastructure in the region. Since discussions began, the group decided to become more formalized and drafted the presented the MOU, in which the group will be titled "The Bayfield Area Trails (BAT) Committee". A sample trail map was also included for Tribal Council review. Bryan Bainbridge raised his concerns regarding the map and asked that more information be given regarding the groups purpose and discussions. He asked how the map was created, as is shows trails on tribal land. The Council asked that this group present additional information at a future meeting before a decision is made on the proposed MOU.

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

APPROVAL OF NO TRESPASSING SIGNS

Gabrielle Vanbergen requested approval of no trespassing signs that will be placed in several areas including: Eagle Bay, Raspberry campground, Menard Road, Frog Bay and Sand River. Dennis Soulier asked that the tribal logo be on the signs and make other edits. Gabrielle will revise the design and present at a later date.

No action taken.

APPROVAL OF BRICKYARD CREEK III AMENDMENT

Robert Powless and Wade Williams presented the first amendment to the Sewer Services Agreement between the Tribe and Brickyard Creek III Sewer Association, Inc. The original agreement was entered on March 12, 2007, this amendment shall add two condo units, #14 and #24. The connection fee of \$2,460 was received for these two units. Bryan Bainbridge added that more discussion is needed regarding rates for non-members.

Dennis Soulier moved approve the amendment. Seconded by Bryan Bainbridge. Motion carried.

APPROVAL OF SMALL/BIG BOAT LICENSES

Laura J. Gordon moved to approve the Big Boat Licenses for the following individuals:

Donnie Livingston
Shawn Hanson
Amanda Peterson
Eric Peterson
Troy Hanson
Mike Peterson
Jeremy Peterson

Keith F. Peterson
Junior Gurnoe
Gilmore Peterson
Matt Hipshir
Marty Peterson
Chris Peterson
Bryan Bainbridge

To include that all fines are to be paid in full before they pick up their Fishing Licenses. Seconded by Marvin Defoe. 1-Abstention (Bryan Bainbridge). Motion carried.

Marvin Defoe moved to approve the Small Boat Licenses for the following individuals:

Joe Duffy
Sean Charette
Duane Peterson
Loretta Peterson
Eugene Gordon
Ethan Hyde
Brittany Hanson
Keith A. Bressette Sr.
Tasha Hanson

Jamie Hanson
Rob VanderVenter
Mike Gurnoe
Josh Hanson
Parker Cram
Lawrence Soulier
Shawn Hanson Jr.
Reese E. Bressette
Keith A. Peterson

To include that all fines are to be paid in full before they pick up their Fishing Licenses. Seconded by Laura J. Gordon. Motion carried.

APPROVAL TO POST CHAPTER 7 – COMMERCIAL FISHING REGULATIONS

Proposed additions to Sections 1 and 15 as recommended by the Fishing Committee. Discussion on a waiver of the 30-day posting requirement to make changes effective immediately.

Steven Boyd moved approve the additions and waive 30-day posting requirement. The changes will be posted for 7 days. Seconded by Marvin Defoe. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO FELONY TRESPASS

Dennis Soulier moved to approve Resolution **11/19/19F** pertaining to Opposition to WI AB 426/SB 386 (Felony Trespass Bill). Seconded by Laura J. Gordon. Motion carried.

APPOINT (1) MEMBER TO HEALTH BOARD

Steven Boyd moved to appoint Larry Deragon to the Health Board. Seconded by Bryan Bainbridge. Motion carried.

APPOINT (2) MEMBERS TO THE UTILITIES COMMISSION

Bryan Bainbridge moved to appoint Mark Duffy and David J. Curran to the Utilities Commission. Seconded by Laura J. Gordon. Motion carried.

APPOINT (1) MEMBER TO THE HUMAN SERVICES COMMITTEE

Steven Boyd moved to appoint Charles Babineau to the Human Services Committee. Seconded by Laura J. Gordon. 2 - Abstentions (Marvin Defoe and Dennis Soulier). Motion carried.

APPOINT (2) MEMBERS TO THE BUSINESS BOARD

Dennis Soulier moved to appoint Jeffrey A. Gordon and Kellie Pederson to the Business Board. Seconded by Marvin Defoe. Motion carried.

APPOINT (1) MEMBER TO THE HOUSING BOARD

Laura J. Gordon moved to appoint Larry Deragon to the Housing Board. Seconded by Bryan Bainbridge. Motion carried.

OTHER

No other Business.


ADJOURN

Laura J. Gordon moved to adjourn at 7:12 p.m. Seconded by Steven Boyd. Motion carried.

Respectfully Submitted:

ATTEST:


Alana Babineau, Recording Secretary


Laura J. Gordon, Secretary
Red Cliff Tribal Council