

# Red Cliff Band of Lake Superior Chippewa Indians

## Regular Council Meeting

March 2, 2020

3:00 p.m. Legendary Waters, Buffalo Bay Grand Ballroom

Chairman Richard Peterson called the meeting to order at 3:00 p.m.

### ROLL CALL:

Richard Peterson, Present

Nathan Gordon, Present

Laura J. Gordon, Present

Dennis Soulier, Present

Bryan Bainbridge, Present

Chris Boyd, Present

Nicholas DePerry, Excused

Steven Boyd, Present

Marvin Defoe, Present

### QUORUM

Others present: Dave Ujke – Tribal Attorney, Kurt Schmitt – Legendary Waters, Joseph Montano – RC Business Board, Amarin Mello – Lands Office and community members.

### OPENING CEREMONY

Opening Ceremony was performed by Mark Gokee.

### AGENDA

Nathan Gordon moved approve agenda with addition. Seconded by Chris Boyd. Motion carried.

### EXECUTIVE SESSION

Dennis Soulier moved to go into Executive Session at 3:05 p.m. Seconded by Bryan Bainbridge. Motion carried.

### REGULAR SESSION

Steven Boyd moved to return to Regular Session at 4:30 p.m. Seconded by Nathan Gordon. Motion carried.

### OLD BUSINESS

#### APPROVAL OF NOVEMBER 2019 BALANCE SHEET

Chris Boyd moved to accept the Treasurer's Balance Sheet for November 2019. Seconded by Bryan Bainbridge. Discussion: Bryan Bainbridge asked that an update be given to the community regarding past due balance sheets. Dennis stated the Accounting Department is working hard to get caught up on reconciliations but hopefully by the March 17th Special

Council Meeting the outstanding balance sheets for December and January will be ready for Council review. 1-Abstention (Dennis Soulier) Motion carried.

### **COMMUNITY COMMENTS & CONCERNS**

- AT&T Table Days will be held on March 5, 17 and 28<sup>th</sup> at Legendary Waters.
- Miskwaabikaang Gardening Club meeting will be held on March 13<sup>th</sup> at the Elderly Nutrition Center.
- The Red Cliff Tribal Council is seeking seven (7) community members to serve on the 2020 Election Board. If interested, applications are due by April 2<sup>nd</sup> at noon.
- Chairman Peterson thanked all those who attended the Fire Department Pancake fundraiser.

### **APPROVAL OF MINUTES**

Nathan Gordon moved to approve the January 30, 2020 minutes with corrections if needed. Seconded by Dennis Soulier. Motion carried.

Laura J. Gordon moved to approve the January 31, 2020 minutes with corrections if needed. Seconded by Chris Boyd. Motion carried.

Bryan Bainbridge moved to approve the February 3, 2020 minutes with corrections if needed. Seconded by Dennis Soulier. Motion carried.

Steven Boyd moved to approve the February 18, 2020 minutes with corrections if needed. Seconded by Nathan Gordon. Motion carried.

### **EXECUTIVE SESSION TRIBAL MEMBERS ONLY**

1. Quarterly Casino Financial Report to Membership (Oct, Nov, and Dec 2019)
2. Quarterly Buffalo Bay Financial Report to Membership (Oct, Nov and Dec 2019)

Dennis Soulier moved to go into Executive Session at 4:38 p.m. Seconded by Bryan Bainbridge. Motion carried.

### **REGULAR SESSION**

Dennis Soulier moved to return to Regular Session at 5:20 p.m. Seconded by Marvin Defoe. Motion carried.

### **ACCEPT TREASURERS JANUARY 2020 BALANCE SHEET**

Bryan Bainbridge moved to table the Balance Sheet. Seconded by Steven Boyd. 1-Abstention (Dennis Soulier). Motion carried.

### **LEASE**

Donald L. Cadotte requested a short-term lease renewal for site located at 37435 Pike Road. If approved, the new short-term lease will be effective retroactively to September 18, 2016.

Dennis Soulier moved to approve Resolution **3/2/20A**. Seconded by Marvin Defoe. Motion carried.

Richard J. LaFernier requested a short-term residential lease renewal for lease site located at 37635 Bineshii Drive. If approved, the new short-term lease will be effective April 29, 2020.

Bryan Bainbridge moved to approve Resolution **3/2/20B**. Seconded by Nathan Gordon. Motion carried.

Jared Blanche and Audra Austin jointly requested a transfer of the long-term residential lease located at 34520 Blueberry Road from Louis Blanche (deceased).

Steven Boyd moved to approve Resolution **3/2/20C**. Seconded by Dennis Soulier. 1-Abstention (Bryan Bainbridge) Motion carried.

**APPROVAL TO UPDATE BREMER FUNDS TRANSFER AGREEMENT**

Current Tribal Official names are being updated on the agreement. Chris Boyd suggested this be updated each July after elections.

Marvin Defoe moved to approve the updated agreement. Seconded by Bryan Bainbridge. Motion carried.

**APPROVAL OF RESOLUTION PERTAINING TO NATIVE AMERICAN AGRICULTURAL HERITAGE FUND**

Limited waiver of sovereign immunity for Native American Agriculture Fund award.

Laura J. Gordon moved to approve Resolution **3/2/20D**. Seconded by Bryan Bainbridge. Motion carried.

**APPROVAL TO SUBMIT THE FY20 COPS CHP GRANT**

This grant will support tribal safety and security by helping to support law enforcement salaries. IDC and FM are unallowable. Dennis Soulier asked that programs provide documentation in the future when funding does not allow for this.

Nathan Gordon moved to approve the submission. Seconded by Chris Boyd. Motion carried.

**APPROVAL OF RESOLUTION PERTAINING TO NATIONAL PARK SERVICE TRIBAL HERITAGE GRANTS-HISTORICAL PRESERVATION FUND**

This is a collaboration project between the THPO Department and North Dakota State University. Over two years, there will be two field schools to complete surveying and then to complete the nomination of Frog Bay Tribal National Park to become a National Register of Historic Places.

Bryan Bainbridge moved to approve Resolution **3/2/20E**. Seconded by Steven Boyd. Motion carried.

**APPROVAL OF 2020-2023 TRIBAL TRANSPORTATION IMPROVEMENT PLAN (TTIP)**

Steven Boyd moved to approve Resolution **3/2/20F**. Seconded by Bryan Bainbridge. Motion carried.

Marvin Defoe moved to the Retained Services Addendum for fiscal year 2020. Seconded by Steven Boyd. Motion carried.

**APPROVAL TO POST CHAPTER 34 WATER & SEWER UTILITIES**

Changes to Sections 34,8.7, 34.12.4, 34.12.7, 34.13.2 & adding Section 34.17.

Nathan Gordon moved to approve the changes and post for public comment. Seconded by Laura J. Gordon. Motion carried.

**APPROVAL OF CHANGE ORDER #9 FOR BE-18-K45**

Changes to Bid Schedule A to increase line item #5 to account for additional post construction activities and remove line item #6 since it is no longer needed as an Engineering Service, the total amount has not changed.

Bryan Bainbridge moved to approve change order #9. Seconded by Marvin Defoe. Motion carried.

**APPROVAL OF PROJECT CHANGE FOR FY20 CAPITAL IMPROVEMENTS**

Dennis Soulier noted the total budget exceeds the previously approved FM Budget for 2020. Shelly will correct the sheet and provide to Council.

Chris Boyd moved to approve the projects. Seconded by Bryan Bainbridge. Motion carried.

**APPROVAL OF 2020 ELECTION TIME FRAMES**

- Monday, April 6, 2020 Regular Council Meeting, appoint Election Board
- Wednesday, April 8, 2020 Deadline for candidates for Vice-Chairman and Secretary
- Monday, April 13, 2020 Certification of candidates for Primary Election by Council Poll
- Tuesday, April 28, 2020 Posting for Primary Election Officer Candidates.
- **Friday, May 8, 2020 Primary Election**
- Monday, June 22, 2020 Deadline for At-Large candidates to announce candidacy
- Tuesday, June 23, 2020 Certification of candidates for General Election at Special Council Meeting.
- Friday, June 26, 2020 Posting of candidates for General Election
- **Tuesday, July 7, 2020 General Election**

Bryan Bainbridge moved to approve the Election Timeframes for 2020. Seconded by Dennis Soulier. Motion carried.

**OTHER**

No other business.

**ADJOURN**

Nathan Gordon moved to adjourn at 5:50 p.m. Seconded by Laura J. Gordon. Motion carried.

***Respectfully Submitted:***

  
Alana Babineau, Recording Secretary

***ATTEST:***

  
Laura J. Gordon, Secretary  
Red Cliff Tribal Council