

# Red Cliff Band of Lake Superior Chippewa Indians

## Regular Council Meeting

November 2, 2020

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

Chairman Richard Peterson called the meeting to order at 2:00 p.m.

### ROLL CALL:

Richard Peterson, Present

Nathan Gordon, Present

Laura J. Gordon, Present

Dennis Soulier, Present

Bryan Bainbridge, Present @ 4:40 p.m.

Chris Boyd, Present

Nicholas DePerry, Present

Steven Boyd, Present

Marvin DeFoe, Present

### QUORUM

Others present: Dave Ujke – Tribal Attorney, Wade Williams – Assistant Tribal Attorney, Nicole Boyd, Planning Administrator.

### OPENING CEREMONY

Opening Ceremony was performed by Frank Montano.

### AGENDA

Marvin DeFoe moved to approve agenda with additions. Seconded by Nathan Gordon. Motion carried.

### EXECUTIVE SESSION

Nicholas DePerry moved to go into Executive Session at 2:10 p.m. Seconded by Dennis Soulier. Motion carried.

### REGULAR SESSION

Nicholas DePerry moved to return to Regular Session at 4:30 p.m. Seconded by Dennis Soulier. Motion carried.

### OLD BUSINESS

### NEW BUSINESS

### COMMUNITY COMMENTS & CONCERNS

Carolyn Gouge asked that the Tribal Council consider having a tribal representative be a poll observer tomorrow during the elections. She also announced that she and others will be walking to raise awareness of the importance of voting.

Tomorrow, November 3<sup>rd</sup> is the US General Election. Polls are open 7:00 a.m. to 8:00 p.m. at the Town of Russell Hall. The Miskwabikaang Transit is offering free rides to the polls, those needing a ride can call 715-682-9664. The Enrollment Department will also be issuing free Tribal IDs for voting purposes.

The Red Cliff Community Health Center will be offering drive-up COVID testing on Saturday, November 7<sup>th</sup>, Saturday, November 21<sup>st</sup> and Saturday, December 5<sup>th</sup> from 9:00 a.m. to 5:00 p.m. Any questions, you may call 715-779-3707.

The Youth ages 12-25 Wellness bags giveaway event has been rescheduled to November 5<sup>th</sup> from 1:00 p.m. to 3:00 p.m. at the Mishomis Wellness Center.

The Red Cliff Food Shelf is open by appointment. To schedule an appointment, call the Family/Human Services Building at 715-779-3706.

The Elderly Hunt Day is scheduled for November 12<sup>th</sup>, all deer donated must be registered in person at the Red Cliff Registration Station to be issued a registration tag prior to drop-off. If you have questions, contact the Red Cliff Wardens office.

Chris Boyd announced that 12 participants entered the Family Violence Prevention program Halloween House decorating contest and over 300 bags were given out during the program's trunk or treat event.

Chairman Peterson encouraged all community members to vote tomorrow and to contact Tribal Administration if you need assistance in getting to the polls.

#### **MINUTES**

Nicholas DePerry moved to approve October 5, 2020, October 14, 2020, October 20, 2020, October 22, 2020, October 23, 2020 and October 28, 2020 meeting minutes with corrections if needed. Seconded by Steven Boyd. 1-Abstention (Laura J. Gordon). Motion carried.

#### **ACCEPT TREASURERS BALANCE SHEET FOR SEPTEMBER 2020**

Marvin DeFoe moved to accept the Treasurers Balance Sheet for September 2020, with the stipulation that the numbers will change within the audit. Seconded by Nathan Gordon. 1-Abstention (Dennis Soulier). Motion carried.

#### **APPROVAL OF RESOLUTION PERTAINING TO RE-PROGRAMMING OF FY21 WELFARE ASSISTANCE TPA FUNDING**

The BIA requested that the Tribe re-obligate \$5,506 in welfare assistance (TPA) to client services. Rebecca Benton stated these funds will be used by ICW client assistance.

Marvin DeFoe moved to approve Resolution **11/2/20A** pertaining to Re-Programming of FY21 Welfare Assistance TPA Funding. Seconded by Dennis Soulier. Motion carried.

### **APPROVAL OF FY21 BRAZELTON TOUCHPOINTS CENTER CONTRACT RENEWAL**

During the Tribal Council meeting on October 7, 2019 there was a motion made to approve the Brazelton Touchpoints Center (BTC) as the Evaluator for Project LAUNCH. However, the approval was made for one (1) year only; LAUNCH has a requirement to have evaluation services all five (5) years of the grant. BTC was the only proposal received when the RFP initially posted for three weeks in 2019. BTC proposed evaluation services August 31, 2019 through August 30, 2024. It was discussed that it may be best to renew this contract annually since the funding is not guaranteed for five years.

Dennis Soulier moved to approve to sole source with Brazelton Touchpoints Center and approve the contract for FY21 in the amount of \$120,000 for evaluation services for the LAUNCH program. Seconded by Steven Boyd. Motion carried.

### **APPROVAL TO SOLE SOURCE WITH BRAZELTON TOUCHPOINTS CENTER**

The program requested to sole source with BTC to provide Touchpoints training to up to 18 participants. This training has been done in the past and they have obtained prior approval from funding agency for this expense.

Chris Boyd moved to approve to sole source with Brazelton Touchpoints Center for the training services for the LAUNCH program. Seconded by Nicholas DePerry. Motion carried.

### **APPROVAL OF 2021 HOLIDAYS / 2020 HOLIDAY BONUS DAYS**

Ashley Poch, HR Director proposed the following FY21 Holidays:

<b><u>Holiday</u></b>	<b><u>Date</u></b>	<b><u>Taken</u></b>
New Year's Day	Jan 1, 2021	Jan 1, 2021
Martin Luther King	Jan 18, 2021	Jan 18, 2021
Easter	April 4, 2021	April 5, 2021
Memorial Day	May 31, 2021	May 31, 2021
Independence Day	July 4, 2021	July 5, 2021
Floating Holiday Employee Appreciation Day		TBD
Labor Day	Sept 6, 2021	Sept 6, 2021
Treaty Day	Sept 30, 2021	Sep 30, 2021
Indigenous People Day	Oct 11, 2021	Oct 11, 2021
Veterans Day	Nov 11, 2021	Nov 11, 2021
Thanksgiving Day	Nov 25, 2021	Nov 25, 2021
Christmas Day	Dec 25, 2021	Dec 24, 2021

Laura J. Gordon moved to approve the FY21 Holiday Schedule as presented. Seconded by Nicholas DePerry. Motion carried.

The proposed bonus days are Thursday, December 24th, Monday, December 28th, Thursday, December 31st and Monday, January 4th.

Nicholas DePerry moved to approve the 2020 Bonus Days. Seconded by Dennis Soulier. Motion carried.

#### **APPROVAL OF COVID-19 TESTING POLICY**

Dennis Soulier moved to approve the COVID-19 Testing Policy. Seconded by Steven Boyd. Motion carried.

#### **APPROVAL OF REVISION TO POST MEDIA POLICY**

Nathan Gordon moved to approve the revision to Posted Media Policy. Seconded by Marvin DeFoe. Motion carried.

#### **REVOLVING LOAN FUND**

Nicole Boyd and Margaret Friedenauer presented two optional companies for Council consideration regarding the Revolving Loan Fund: the Wisconsin Native Loan Fund and First American Capital Corporation. A draft MOU will be drafted by the Planning Department for the selected company. Terms and conditions for both were provided to Council and the Planning Department recommended the WI Native Loan Fund. The Council agreed with the Department's recommendation. The draft resolution will be presented at the next meeting on November 17th, 2020.

#### **APPROVAL OF PERMIT FOR 2020.09.25 PLANNING ISOLATION CENTER FIBER & RENOVATIONS PAC APPLICATION**

This PAC application was submitted by the Planning Department for a project at the former Living Adventures site consisting of utility work, installation of fiber line and other upgrades.

Laura J. Gordon moved to approve the conditional use PAC permit for this project. Seconded by Nicholas DePerry. Motion carried.

#### **APPROVAL OF PERMIT FOR 2020.09.25 TNR FENCE PAC APPLICATION**

This PAC application was submitted by the TNR Division to build an electric fence to surround a farm plot.

Nicholas DePerry moved to approve the conditional use PAC permit for this project. Seconded by Dennis Soulier. Motion carried.

#### **APPROVAL OF RESOLUTION PERTAINING TO LAND REPATRIATION**

This resolution calls upon Bayfield County to express its intent to entirely divest itself of its reservation land holdings and to outline specific steps that it will take to achieve that goal, including a timeline; and that the Red Cliff Tribal Council is committed to working with Bayfield County to assist in achieving the goal of Bayfield County divestiture of Red Cliff reservation land holdings.

Chris Boyd moved to approve Resolution **11/2/20B** pertaining to Bayfield County Reservation Land Repatriation. Seconded by Nicholas DePerry. Motion carried.

#### **APPROVAL OF CHAPTER 40 EXCLUSION AND REMOVAL OF NON-MEMBERS**

One set of comments were received from Linda Bristol suggesting additional language to various sections.

Steven Boyd moved to approve Chapter 40 – Exclusion and Removal of Non-Members with amendments to 40.6(d), 40.15 and to also include a conforming Resolution **11/2/20C**. Seconded by Marvin DeFoe. Discussion: Dave Ujke will provide conforming Resolution to this Chapter. Motion carried.

#### **APPROVAL OF CHAPTER 39 DISORDERLY CONDUCT, ADDITION OF 39.6.4**

Addition of Section 6 – Disorderly Conduct to Chapter 39 General Ordinances. Council brought up various concerns regarding implementation and enforcement of this section.

Chris Boyd moved to table this item for further discussion. Seconded by Nicholas DePerry. Motion carried.

#### **APPOINT A TRIBAL LIAISON FOR THE ECC POLICY COUNCIL**

Chris Boyd moved to appoint Nicholas DePerry as the Tribal Liaison for the ECC Policy Council. Seconded by Nathan Gordon. 1-Abstention (Nicholas DePerry). Motion carried.

#### **RATIFY COUNCIL POLL PERTAINING TO WAIVING THE PROPERTY AND PROCUREMENT POLICY TO SOLE SOURCE WITH MCCABE CONSTRUCTION**

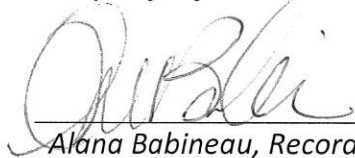
Dennis Soulier moved to ratify Council Poll pertaining to Waiving the Procurement Policies and to Sole Source with McCabe Construction LLC – to repair pavement at Administration building and Peterson's Store. Seconded by Steven Boyd. Motion carried.

#### **OTHER**

#### **ADJOURN**

Chris Boyd moved to adjourn at 5:22 p.m. Seconded by Marvin Defoe. Motion carried.

**Respectfully Submitted:**

  
Alana Babineau, Recording Secretary

**ATTEST:**

  
Laura J. Gordon, Secretary  
Red Cliff Tribal Council