

Red Cliff Band of Lake Superior Chippewa Indians

Special Council Meeting

December 22, 2020

2:00 p.m. Legendary Waters Buffalo Bay 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 @2:38 p.m.
Chris Boyd, Present
Nicholas DePerry, Present
Steven Boyd, Present (WebEx)
Marvin DeFoe, Present

QUORUM

Others present: : Dave Ujke – Tribal Attorney, Wade Williams – Asst. Tribal Attorney, Amarin Mello – Lands Office, Michael Christiansen – Finance Department, Chris Livingston – Gaming Commission, Stephanie Haskins – Family Violence Prevention Program, Jeff Benton, Transportation, Rebecca Benton – FHS Division, and community members.

AGENDA

Nathan Gordon moved to approve agenda. Seconded by Nicholas DePerry. Motion carried.

EXECUTIVE SESSION

Dennis Soulier moved to go into Executive Session at 2:02 p.m. Seconded by Laura J. Gordon. Motion carried.

REGULAR SESSION

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

ACTION FROM EXECUTIVE SESSION

Laura J. Gordon moved to approve to allow the LAUNCH Program to be moved from the Red Cliff Health Center to the ECC Division, and to allow the LAUNCH Program to rent office space at the new Child Care Building. Seconded by Chris Boyd. Motion carried.

Laura J. Gordon moved to approve Legendary Waters Resort & Casino Cash Flow Budget for January 2021 with corrections, in the amount of \$550,277. Seconded by Dennis Soulier. Motion carried.

OPENING CEREMONY

Opening Ceremony was performed by Rebecca Boyd.

COMMUNITY COMMENTS AND ANNOUNCEMENTS

Associate Judge Gwen Topping asked for a moment of silence in recognition of the passing of WI Supreme Court Justice Shirley Abrahamson.

Chris Livingston thanked the Tribal Council for allowing his family to use the Tribe's WebEx account to communicate with his grandmother while she was in the hospital with COVID-19.

Chris Boyd wished everyone a happy holiday and encouraged all to be safe and avoid gathering. He noted there were 2 additional COVID-19 cases reported today.

APPROVAL OF TREASURERS REPORT FOR NOVEMBER 2020

A few points were discussed. Bryan Bainbridge and Laura J. Gordon noted some year-to-date amounts for grants ending 09/30/20. Dennis will make the corrections and will be emailed to Council tomorrow.

Laura J. Gordon moved to approve the Treasurer's Report for the month of November 2020. Seconded by Steven Boyd. Discussion: in the next report to make sure all expense is included. 1-Abstention (Dennis Soulier). Motion carried.

APPROVAL OF GAMING COMMISSION REPORT

Chris Livingston noted the Commission were introduced to the new GM William Foss the last meeting and he will be continuing work on the SOPs. A new direct mail program is set for revision in March 2021. Midwest Professionals is scheduled to conduct its next audit at LWRC on January 4, 2021. LWRC Director of Compliance stated the State approved LW's extension request. NIGC also responded in writing stating that although they could not approve such a request due to state law restrictions, they will check in with LWRC until the end of the extension.

Chris Boyd asked for clarification regarding NIGC cost increase in fingerprint collection and processing for employee gaming licensing. The increase to the employee will increase from \$50 to \$75. Bryan Bainbridge asked if licensing cost can be charged to the Compliance or LW budget instead of to the employee. Charles stated employees pay this fee by payroll deduction at \$5-\$10 per week so that it does not cause a hardship to the employee. Bryan Bainbridge also asked that increase be clearly noted on applicable forms upon hire.

Bryan Bainbridge moved to approve the Gaming Commission report with corrections to the meeting minutes. Seconded by Nicholas DePerry. Motion carried.

APPROVAL OF THE COMPLAINE REPORT

Charles Bresette discussed the checklist that is now required the department use regarding the fingerprinting process. He also noted the State allowed an extension to the end of March 2021. The auditors are scheduled to be on site the first week of January.

Bryan Bainbridge moved to approve the Compliance Report for November 2020. Seconded by Dennis Soulier. Motion carried.

APPROVAL OF RECOMMENDATION OF MGT CONSULTING GROUP FOR FY22 IDC PROPOSAL

Michael Christiansen presented the request noting MGT Consulting Group is not the lowest bid. According to the Tribe's financial policies the approval is required to select a higher bid. MGT Consulting Group's bid was \$14,100.00. The Finance Department is recommending MGT Consulting Group as they did great work in the previous year which resulted in Tribe's FY21 Indirect Rate being approved before the end of October 2020.

Marvin DeFoe moved to approve the recommendation to accept MGT Consulting Group for the FY22 IDC Proposal in the amount of \$14,100. Seconded by Dennis Soulier. Motion carried.

LEASES

Bryan Bainbridge moved to approve Resolution **12/22/20A** pertaining to the Voluntary Cancellation of Application from Elizabeth Boyd and Travis Meyers for a Short-Term Residential Lease on Blueberry Road; and Rescinding Tribal Council Resolution No. 3/22/16A. Seconded by Nicholas DePerry. 2-Abstentions (Chris Boyd & Steven Boyd) Motion carried.

Nicholas DePerry moved to approve Resolution **12/22/20B** pertaining to the application from Amanda Hanson and Jamie Hanson for a Short-Term Residential Lease Renewal located at 32386 Ridge Road. Seconded by Bryan Bainbridge. 2-Abstentions (Nathan Gordon & Dennis Soulier) Motion carried.

Nathan Gordon moved to approve Resolution **12/22/20C** pertaining to the application from Mark J. Livingston and Desiree B. Livingston for a Short-Term Residential Lease Renewal located at 38305 Bishop Loop. Seconded by Dennis Soulier. Motion carried.

APPROVAL TO SOLE SOURCE WITH UNBRIDLE HOPE INC.

Stephanie Haskins requested approval of a sole source procurement contract with Unbridled Hope Equine Assisted Learning Center to be paid for by the VOCA grant. Equine therapy is service written into the grant application and program. Unbridled Hope is the closest facility to the Red Cliff Reservation, and most clients and children are familiar with the owner and the staff at the facility as many clients have used the facility for therapy sessions and would like to continue.

Bryan Bainbridge moved to approve the request to sole source with Unbridled Hope, Inc. Seconded by Marvin Defoe. Discussion: Marvin asked how many clients were served by

Unbridled Hope, Inc. the past fiscal year. Stephanie stated no clients used this service due to COVID-19, she also noted they charge by the hour and the total amount may not be used each year. Marvin also stated he received concerns on a traditional/ceremonial event was held at this facility and did not believe they consulted the Tribe. Motion carried.

Bryan Bainbridge amended his motion to include the requirement that Unbridled Hope, Inc. shall consult with the Tribe if they intend to host any cultural event. Marvin Defoe concurs.

APPROVAL OF 2021-2024 TRIBAL TRANSPORTATION IMPROVEMENT PLAN (TTIP)/RESOLUTION

Jeff Benton presented the TTIP. Several questions were asked on how road improvements were prioritized and why Daley Rd and Bishop Loop are not slated for repair.

Steven Boyd moved to table this item for further discussion. This will be added to the Council retreat in January 2021. Jeff will need to bring any assessments conducted and breakdown of project costs. Seconded by Marvin Defoe. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO AMENDMENT #1 TO THE LAKE SUPERIOR MANAGEMENT AGREEMENT & AUTHORIZATION TO SIGN

Chris Boyd moved to approve Resolution **12/22/20D** pertaining to Amendment #1 to the Lake Superior Management Agreement and authorization Chairman to sign. Seconded by Marvin DeFoe. 1-Abstention (Bryan Bainbridge). Motion carried.

RATIFY COUNCIL POLL PERTAINING TO THE SUBMISSION OF THE WI. DEPARTMENT OF CHILDREN AND FAMILIES PRESCHOOL DEVELOPMENT GRANT

Bryan Bainbridge moved to Ratify Council Poll. Seconded by Nicholas DePerry. Motion carried.

RATIFY COUNCIL POLL PERTAINING TO THE SUBMISSION OF THE OTTO BREMER TRUST GRANT

Laura J. Gordon moved to Ratify Council Poll pertaining to approval to apply for an OTTO Bremer Trust Grant to support start-up costs for the new Child Care Facility. Seconded by Dennis Soulier. Motion carried.

OTHER

ADJOURN

Bryan Bainbridge moved to adjourn at 5:58 p.m. Seconded by Marvin DeFoe. Motion carried.

Respectfully Submitted:



Alana Babineau, Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council