

Red Cliff Band of Lake Superior Chippewa Indians

Special Council Meeting

May 19, 2020
2:00 p.m. Red Cliff Health Center

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
Chris Boyd, Present
Nicholas DePerry, Present
Steven Boyd, Present
Marvin DeFoe, Present

QUORUM

Others present: Dave Ujke – Tribal Attorney, Wade Williams – Assistant Tribal Attorney, Kurt Schmidt – Legendary Waters, Division Administrators and Community Members.

OPENING CEREMONY

Opening Ceremony was performed by Marvin Defoe.

AGENDA

Dennis Soulier moved approve agenda with additions. Seconded by Bryan Bainbridge. Motion carried.

EXECUTIVE SESSION

Nicholas DePerry moved to go into Executive Session at 2:07 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 Nicholas DePerry. Motion carried.

ACTION FROM EXECUTIVE SESSION

Laura J. Gordon moved to allocate 35,000 to purchase two (2) electric signs and some mobile signs out of the CARES funding. Seconded by Marvin Defoe. Motion carried.

Laura J. Gordon moved to approve the Legendary Waters Resort & Casino Cash Flow Budget for the month of June 2020 in the amount of 494,500. Seconded by Bryan Bainbridge. Discussion: this is tentative of course due we have not established a re-open date. Motion carried.

OLD BUSINESS

NEW BUSINESS

COMMUNITY COMMENTS AND ANNOUNCEMENTS

Christi Lozano had some concerns about the casino opening, due to the COVID-19, she has a mother who is an elder and a high risk. It was told to her that we won't open those doors until we can keep our employees safe along with our community. Some of the Council thanked her for coming in and expressing her concerns.

George Newago had requested to use the lumber from the trees that had fallen out at Raspberry Campgrounds, he would haul them out of there and have his friend lumber them for him, he needs these trees to fix up his home he is currently living in.

Nathan Gordon moved to approve for George Newago to go into Raspberry Campground to recover and keep the Red Pine windfallen trees, to fix up his home. Seconded by Dennis Soulier. Discussion: to work with Treaty Natural Resources to go out and mark the ones that are already down. Motion carried.

George again expressed his concerns regarding tribal spearfishing quotas established by the State, he asked that the Tribe take a stand to challenge this for the benefit of the Tribe and future generations. This noted this was third time before Council regarding this issue. He also believed Red Cliff should spear their allocation at Mille Lacs Lake despite the request by Mille Lacs Band.

George also spoke of a personnel issue regarding his current position with the Tribe. Chairman Peterson asked that personnel issues not be discussed in open session.

A thankyou card was received for the beautiful bouquet for Joe Gustafson passing.

If anybody is interested in running for an at-large position please submit your intentions to the Tribal Secretary (Laura J. Gordon) by 6 p.m. on June 22, 2020.

Chairman had mentioned that there is much appreciation for all that who had stepped up and made sure we were all taken care of during this pandemic.

Chairman Peterson stated the Memorial Day event has been scheduled and will be held at the Veterans Park followed by a cookout on Monday, May 25th the VFW in honor of Linda Dunbar's son who was killed in Syria two years ago. Social distancing measures will be taken. Bryan Bainbridge suggested the cookout be cancelled considering the COVID-19 pandemic. Marvin Defoe agreed and added that he believed allowing the cookout is contrary to the Tribe's Stay at Home Resolution. Chairman Peterson stated he will forward their concerns on to Linda Dunbar.

APPROVAL OF TREASURERS REPORT FOR APRIL 2020

A few points were discussed.

Chris Boyd moved to approve the Treasurers Report for the month of April 2020. Seconded by Nathan Gordon. 1-Abstention (Dennis Soulier). Motion carried.

APPROVAL TO OPEN A NEW CREDIT CARD ACCOUNT

Treasurer Soulier made the request to open an additional American Express account to use for COVID-19 related supply purchases.

Marvin Defoe moved to approve the request. Seconded by Steven Boyd. Discussion: The credit card will be in the Tribal Treasurer's name. 1-Abstention (Dennis Soulier) Motion carried.

APPROVAL OF GAMING COMMISSION REPORT

Chris Livingston stated the most recent Commission meeting focused largely on the Casino reopening plan. GM Kurt Schmitt also reported on the PPE Protection Plan regarding work safety.

Nathan Gordon moved to approve the Gaming Commission report April 2020. Seconded by Chris Boyd. Motion carried.

APPROVAL OF COMPLIANCE REPORT

Charles Bresette reported on various conference calls and webinars he participated in. He also developed a reopening checklist that was approved by Gaming Commission. He stated Compliance and LW Management are working closely with the Health Department on the reopening plan.

Chris Boyd moved to approve the Compliance report for April 2020. Seconded by Dennis Soulier. Motion carried.

APPROVAL TO SUBMIT GRANT PROPOSAL TO CENTER OF DISEASE CONTROL AND PREVENTION

Diane Erickson presented the application for the project "CDC Supporting Tribal Public Health Capacity in Coronavirus Preparedness and Response". The funding requested will be used to purchase equipment to furnish an additional ambulance to meet an increase for Red Cliff emergency service needs. Total funding requested is \$109,813.

Marvin Defoe moved approve the submission of the application. Seconded by Nicholas DePerry. Motion carried.

APPROVAL OF NON-COMPETITIVE PROCUREMENT PER BIA COVID-19 REGULATIONS

The Red Cliff IT Department requested a on competitive Procurement Process and sole source with preferred vendors to purchase items and services identified in the BIA COVID- 19 funding Award. These items and services will consist of security upgrades for Admin, FHS, and Casino

buildings and the purchase and installation of WISCOM radio communications equipment. Vendors to be used are TLX Communications and DSC Communications both of Duluth. The estimated cost is \$330,300.00.

Bryan Bainbridge moved approve the request as presented and waive the procurement process for the purchase of these items. Seconded by Steven Boyd. Motion carried.

APPROVAL TO SOLE SOURCE COVID-19 EQUIPMENT ACQUISITION

The Tribe received funding to address COVID-19 response and as part of this, the transportation department requested equipment to aid in the maintenance of roadways providing access to at risk populations. Due to the immediate need to use these funds the department requested a sole source acquisition to purchase a 2018 John Deere 672GP grander from McCoy Construction out of Ashland for \$232,000, a 2020 SVL65 Kubota skid steer for \$67,000 and one 27-foot tilt bed trailer for \$15,600 from Lulich Imp. in Mason.

Nathan Gordon moved approve the sole source request. Seconded by Dennis Soulier. Motion carried.

APPROVAL OF OUTSIDE COUNSEL FOR TRADEMARK

Chad Abel submitted a requested authorization to move forward with acquiring legal services from Hogen Adams concerning trademark and tradename registrations for the Red Cliff Fish Company.

Dennis Soulier moved approve the request for outside Counsel for trademark not to exceed \$2,000. Seconded by Nathan Gordon. Motion carried.

APPROVAL TO SUBMIT GRANT PROPOSAL TO NATIVE AMERICAN AGRICULTURAL FUND

Request submitted by Gabrielle Van Bergen for approval to apply to the Native American Agricultural Fund for a grant in the amount of \$82,670 to fund the project Mino Bimaadiziwin Farm Providing Foundations for Food Sovereignty in the Red Cliff Community.

Marvin Defoe moved approve the grant proposal. Seconded by Nicholas DePerry. Motion carried.

APPROVAL OF CHAPTER 58 – RED CLIFF PROBATE CODE

This Chapter has been posted and revised numerous times. Additional revisions were recently made pertaining to trust property as discussed with the Department of Interior Solicitor's Office.

Laura J. Gordon moved approve Chapter 58 Probate. Seconded by Bryan Bainbridge. Motion carried.

OTHER

APPROVAL OF AMERISOURCE BERGEN RED CLIFF WELLNESS CURRICULUM PROJECT YEAR 2 GRANT APPLICATION

Steven Boyd moved to approve the application for submission. Seconded by Marvin DeFoe. Motion carried.

RATIFY COUNCIL POLL PERTAINING TO SUBMISSION OF THE BUILD GRANT APPLICATION

Bryan Bainbridge moved to ratify the Council Poll. Seconded by Laura J. Gordon. Motion carried.

ADJOURN

Steven Boyd moved to adjourn at 6:15 p.m. Seconded by Dennis Soulier. Motion carried.

Respectfully Submitted:



Alana Babineau, Recording Secretary

ATTEST:



*Laura J. Gordon, Secretary
Red Cliff Tribal Council*