

Red Cliff Band of Lake Superior Chippewa Indians

Special Council Meeting

June 23, 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
Chris Boyd, Present
Nicholas DePerry, Present
Steven Boyd, Present
Marvin DeFoe, Present

QUORUM

Others present: Wade William – Assistant Tribal Attorney, Kurt Schmidt, Casino GM, Division Administrators and Community Members.

OPENING CEREMONY

Opening Ceremony was performed by Jim Pete.

AGENDA

Appoint Law Enforcement Recording Secretary, Approval of Resolution pertaining to LCO College & ECC Collaborative grant application and Micro-Purchase request by Treasurer Soulier to be added to Other.

Steven Boyd moved to approve agenda with additions. Seconded by Bryan Bainbridge. Motion carried.

EXECUTIVE SESSION

Nicholas DePerry moved to go into Executive Session at 2:08 p.m. Seconded by Dennis Soulier. Motion carried.

REGULAR SESSION

Marvin DeFoe moved to return to Regular Session at 4:42 p.m. Seconded by Nicholas DePerry. Motion carried.

ACTION FROM EXECUTIVE SESSION

Bryan Bainbridge moved to approve the Special Accommodation request for Steven A. Basley, waiving the requirement of RCCL section 18.4.2 ©, that was discussed in executive session.

Seconded by Steven Boyd. Discussion: to make sure that his son Russell A. Basley is include on the lease. Motion carried.

Dennis Soulier moved to approve Resolution of Rehabilitation **6/23/20A** two (2) year update for Mary J. Babineau. Seconded by Nicholas DePerry. 1-Abstention (Marvin DeFoe). Motion carried.

Laura J. Gordon moved to extend the LTE request for Dennis Soulier for another 90 days. Seconded by Marvin DeFoe. 1-Abstention (Dennis Soulier). Motion carried.

Laura J. Gordon moved to approve the Cash Flow Budget for July 2020 for Legendary Waters Resort & Casino, in the amount of 503,700. Seconded by Steven Boyd. Motion carried.

Laura J. Gordon moved to authorize to file litigation suit that was discussed in executive session. Seconded by Dennis Soulier. Motion carried.

OLD BUSINESS

NEW BUSINESS

COMMUNITY COMMENTS AND CONCERNS

Kurt Basina announced his decision to not run for Tribal Council in this year's election.

Leo Nordin and Savannah Basina asked for Council assistance in moving their lease application. They recently purchased a trailer and would like to move it as soon as possible. They are looking at two possible lease sites, one on Pike Rd and the other formerly held by Jerome Halfaday. They can do all improvements themselves once they obtain a lease. Council asked that they obtain information from Amarin Mello on the two possible lease sites and ask if there are other sites that are "home ready". There may be zoning and/or environmental issues on the two sites in question. The Council will review at the next meeting tomorrow, 6/24/2020.

Clarissa Bressette brought forth concerns that she stated were submitted to her from various community members. Her first question was regarding the fish processing plant and when it would be up and running. Nathan Gordon stated the facility planned opening date is October 1st.

Clarissa stated many community members asked why the weekly (Wednesday) Council meetings are in Executive Session and further, why is the community not informed on how the CARES Act funding is being spent. Council members stated there will be a community information session held soon where many of these questions will be answered.

Clarissa also asked that there be more activities held in the community for youth and families. She suggested a drive-in movie event. She would like to see the Boys and Girls Club offer more activities for youth.

VIM Work group has been postponed; the estimated dates will be in August 2020. If you have any questions, please contact Julie Gordon at Administration office.

Call for Artists of all ages – the Ishpiming Akiin Ad Hoc Committee is looking for an artist to design a sign that will be displayed at the entrance of the cemetery. Deadline will be on July 10, 2020 @ 4:30 p.m. If you have any questions, you can contact Marvin DeFoe or Edwina Buffalo-Reyes.

Food Box give away will be on Thursday June 25, 2020 at the Legendary Waters parking lot around 9:00 a.m. or when truck is unloaded.

The Transfer Station will have reduced hours on Saturday July 4, 2020, it will be open from 8:00 a.m. to 12:00 p.m.

Miskwaabikaang Ojibwe Language Camp Virtual gathering will be on July 8th, 9th and 10th, 2020, this will be done thru Cisco WebEx online meeting platform. Details and agenda are coming out soon.

APPROVAL OF TREASURERS REPORT FOR JUNE 2020

A few points were discussed.

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

APPROVAL OF GAMING COMMISSION REPORT

Chris Livingston was not present. No questions on submitted report.

Bryan Bainbridge moved to approve the Red Cliff Gaming Commission report. Seconded by Laura J. Gordon. Discussion: Chris Livingston will be asked to attend future meetings. Motion carried.

APPROVAL OF COMPLIANCE REPORT

Charles Bresette noted a few highlights from his written report. Reopening plan discussed; Nathan Gordon suggested that LW use the videos provided by Health Center videos for staff training.

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

APPROVAL OF RESOLUTION PERTAINING TO BIA RIGHT OF WAY

Resolution reads: That the Tribal Council hereby approves and grants right-of way for the reconstruction of Dock Road on the above parcel of land. The Superintendent of the Great Lakes Agency is hereby requested to prepare and recommend approval of the right of way documents.

Steven Boyd moved to approve Resolution **6/23/20B** pertaining to the BIA Right of Way. Seconded by Dennis Soulier. Motion carried.

APPROVAL TO POST CHAPTER 7 COMMERCIAL FISHING REGULATIONS

Nicholas DePerry moved to post Chapter 7 Commercial Fishing Regulations 7.1.4 and 7.2.3. Seconded by Laura J. Gordon. 1-Abstention (Bryan Bainbridge). Motion carried.

APPROVAL OF SELECTION OF CONTRACTOR FOR MINO BIMAADIZIWIN

Black Wolf Construction was recommended for this project. Only 2 bids were received. Bryan Bainbridge had questions regarding the changes made to bids and costs adjusted.

Marvin Defoe moved to table this item and to ask both businesses to resubmit so Council accurately compare both. Seconded by Chris Boyd. Motion carried.

APPROVAL OF ANA PRESERVATION AND MAINTENANCE GRANT APPLICATION/RESOLUTION

Sandy Gokee, Ojibwe Language and Culture Coordinator requested approval to submit a grant for an Ojibwe Language Training Program. The total funding requested is \$790,475 for a term of 33 months. Laura J. Gordon had questions regarding the in-kind match and how this will be collected. Associate Judge Topping noted that this project could greatly benefit Healing to Wellness court.

Chris Boyd moved to table this item for further clarification on the in-kind match. Discussion: Judge Topping will provide a letter in support of this project. Seconded by Laura J. Gordon. 1-Abstention (Marvin DeFoe) Motion carried.

APPROVAL OF AWARD BIDS / SCATTERED SITES

Shelly Gordon requested approval of the recommended bid from IHS from McCabe Construction, Inc. for the BE-19-K57 North System Repair project.

Bryan Bainbridge moved to approve the recommended bid from McCabe Construction in the amount of \$1,289,003.00. Seconded by Chris Boyd. Motion carried.

Shelly Gordon requested approval of the recommended bid from IHS from Nehls & Webster Well Drilling Project BE-18-K26 and BE-20-K74 Scattered Sites 2020.

Laura J. Gordon moved to approve the recommended bid from Nehls & Webster Well Drilling in the amount of \$22,438.00. Seconded by Dennis Soulier. Motion carried.

Shelly Gordon requested approval of the recommended bid from IHS from Tribovich Construction, LLC. for the Project I3E-I8-K26 and BE-20-K74 Scattered Sites 2020 (POWTS and Community Connections).

Bryan Bainbridge moved to approve the recommended bid from Tribovich Construction, LLC. in the amount of \$49,380.00. Seconded by Marvin DeFoe. Motion carried.

Bryan Bainbridge moved to approve the Scattered Sites 2020 list with the addition of Leanne Charette. Seconded by Laura J. Gordon. Motion carried.

Nathan Gordon asked that Shelly approval requests and informational items separately in future using separate cover sheets.

CERTIFICATION OF CANDIDATES FOR 2020 GENERAL ELECTION

At-Large Candidates are:

- | | |
|------------------------|-----------------------|
| 1. Bryan Bainbridge | 5. Michael D. Soulier |
| 2. Christopher D. Boyd | 6. Jonathan R. Gary |
| 3. Mercie A. Gordon | 7. Johanna Wilson |
| 4. Christopher Hicks | |

Marvin DeFoe moved to certify the listed candidates. Seconded by Dennis Soulier. 2-Abstentions (Bryan Bainbridge and Christopher Boyd) Motion carried.

APPROVAL OF 2020 ADOPTION REFERENDUM BALLOT

Dennis Soulier moved to approve the ballot. Discussion: There are a total of 76 names on the ballot. Seconded by Marvin DeFoe. Motion carried.

APPROVAL OF THE 2020 GENERAL ELECTION BALLOT

Vice Chairman Candidates:

Nathan W. Gordon and Joseph D. Montano

Secretary Candidates:

Laura J. Gordon and Troy D. Gordon

At-Large Candidates:

- | | |
|------------------------|-----------------------|
| 1. Bryan J. Bainbridge | 5. Michael D. Soulier |
| 2. Christopher D. Boyd | 6. Jonathan R. Gary |
| 3. Mercie A. Gordon | 7. Johanna Wilson |
| 4. Christopher Hicks | |

Dennis Soulier moved to approve the Official Ballot for Red Cliff General Elections with correction. Seconded by Nicholas DePerry. 1-Abstention (Bryan Bainbridge). Motion carried.

RATIFY COUNCIL POLL PERTAINING TO WAVING PROPERTY AND PROCUREMENT TO SOLE SOURCE WITH SWANSON AND RYDER CONTRACT

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

RATIFY COUNCIL POLL PERTAINING TO LEGENDARY WATERS RESORT & CASINO PHASE 2

Dennis Soulier moved to ratify the Council poll. Discussion: Restaurant “to-go” operations will begin 6/19/20, the marina opens on 6/21/20 and campground will reopen on 6/22/20.

Seconded by Laura J. Gordon. Motion carried.

OTHER

APPOINT RECORDING SECRETARY FOR LAW ENFORCEMENT COMMISSION

Bryan Bainbridge moved to appoint Shauneah Gordon to the Law Enforcement Commission as the Recording Secretary. Seconded by Dennis Soulier. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO SUPPORTING LCO COLLEGE PARTNERSHIP FOR ECC GRANT

Bryan Bainbridge moved to approve Resolution **6/23/20C** pertaining to supporting Lac Courte Oreilles Ojibwe College partnership for Early Head Start and Head Start Grant. Seconded by Chris Boyd. Motion carried.

APPROVAL TO RAISE THE MICRO PURCHASE THRESHOLD FROM 10,000 TO 20,000 WITHIN THE GUIDANCE FOR CARES TREASURY FUNDING

Bryan Bainbridge moved to approve the Micro-Purchase threshold from 10,000 to 20,000 within the guidance for CARES Treasury funding. Seconded by Marvin DeFoe. Motion carried.

ADJOURN

Steven Boyd moved to adjourn at 7:13 p.m. Seconded by Chris Boyd. Motion carried.

Respectfully Submitted:



Alana Babineau, Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council