

Red Cliff Band of Lake Superior Chippewa Indians

Special Council Meeting

August 18, 2020

1:00 p.m. Legendary Waters Buffalo Bay Grand Ballroom

Chairman Richard Peterson called the meeting to order at 1:00 p.m.

ROLL CALL:

Richard Peterson, Present

Nathan Gordon, Present @ 4:45 p.m.

Laura J. Gordon, Present

Dennis Soulier, Present

Bryan Bainbridge, Present @ 2:05 p.m.

Chris Boyd, Excused

Nicholas DePerry, Excused

Steven Boyd, Present

Marvin DeFoe, Present

QUORUM

Others present: Dave Ujke, Tribal Attorney, Wade Williams, Assistant Attorney, Amarin Mello, Land Office, Division Administrators and Community Members.

OPENING CEREMONY

Opening Ceremony was performed by Lynne Basina.

AGENDA

Added Waiving of Property and Procurement Policy for Contract with Donald Livingston

Laura J. Gordon moved to approve agenda with addition. Seconded by Dennis Soulier. Motion carried.

EXECUTIVE SESSION

Steven Boyd moved to go into Executive Session at 1:10 p.m. Seconded by Marvin DeFoe. Motion carried.

REGULAR SESSION

Bryan Bainbridge moved to return to Regular Session at 4:39 p.m. Seconded by Dennis Soulier. Motion carried.

ACTION FROM EXECUTIVE SESSION

Laura J. Gordon moved to approve to open Legendary Waters Hotel 100% capacity effective Wednesday August 19, 2020 and open the indoor dining area up on Friday August 28, 2020. Seconded by Bryan Bainbridge. Motion carried.

Dennis Soulier moved to approve Legendary Waters Resort and Casino Cash Flow Budget for September 2020 in the amount of 556,950, with the understanding a revision will be needed. Seconded by Laura J. Gordon. Motion carried.

Laura J. Gordon moved to approve to pursue land negotiation as discussed in executive session and to appoint Gabrielle VanBergen to act as a liaison on behalf of the tribe. Seconded by Marvin DeFoe. Motion carried.

Laura J. Gordon moved to waive the Property and Procurement policy to sole source with Pisces Fish Machinery, INC. in the amount of 44,136 for a FR-75 filleting machine. Seconded by Dennis Soulier. Motion carried.

Laura J. Gordon moved to approve the changing of the name of the company's bank account from "Red Cliff Fish Operations" to "Red Cliff Fish Company" so that the checks are consistent with the company name. seconded by Steven Boyd. Motion carried.

OLD BUSINESS

APPROVAL OF JULY 6, 2020 AND JULY 21, 2020 MEETING MINUTES

Steven Boyd moved to approve July 6, 2020 and July 21, 2020 meeting minutes with corrections if needed. Seconded by Bryan Bainbridge. 1-abstention (Laura J. Gordon). Motion carried.

NEW BUSINESS

RECOGNITION OF CAROLYN GOUGE, LISA GORDON AND ALICE DERAGON

The Tribal Council acknowledged the retirement of Carolyn Gouge, Lisa Gordon and Alice Deragon and expressed appreciation for their years of service at the Red Cliff Health Center. Carolyn Gouge spoke of her time at the Health Center and the Chairman called for a brief recess while gifts were offered.

COMMUNITY COMMENTS AND CONCERNS

Tribal business owners, Kurt Basina, George Newago and Gerald DePerry expressed their concerns on item #11 Chapter 16 – Business License & Tax Law Amendment on the agenda. They stated that an imposed tax will cause a hardship on their businesses in addition to the ongoing COVID-19 pandemic. Concerns were also raised on the reporting and audit requirements that are included in the proposed Chapter and asked that this item be tabled indefinitely. Kurt also suggested a meeting between the Council and business owners be held.

Jeannie Buckholtz voiced her frustration on the General Assistance payments being offered to only tribal members residing in Bayfield County. She stated she lives in the LCO area with her children and has had difficulty making ends meet during the pandemic. She feels tribal members living out of the area are too often left out. Chairman Peterson stated the difficult decision was made to only include members living within the county as the funding allocation

was based on those numbers and would be impossible for the Tribe to provide adequate assistance to all 7,500+ tribal members with the amount of funding received.

Angelyne LaPointe announced a Sobriety Walk is being held on August 29th starting at Maslowski Beach and ending in Red Cliff. She asked if the Council could assist in purchasing 25 t-shirts for the event. Chairman Peterson will follow up with her on this.

Drive Up Free Covid-19 Testing Event on Saturday August 22, 2020, from 11 a.m. to 7 p.m. at the Red Cliff Community Health Center.

There will be a virtual demo on ricing sticks on Thursday August 20, 2020 beginning at 9 a.m. all materials are provided to Red Cliff Residents, limit of 15 registrants. If you have any questions you can contact Edwina Buffalo-Reyes at the THPO office.

A thank you card was read from the family of Roberta Hanson.

A thank you card was read from Midge Montano.

CONSTITUTION COMMITTEE UPDATE

Henry Buffalo provided the update. The Committee has been working on revisions to the Constitution for some time. Three community forums were initially planned, two were held and the third is not possible due to COVID. Instead of having a third forum, the Committee decided to post a notice to the community to solicit input until October 15th. The Committee will then submit the proposed changes to Council for review within 30-45 days. The key revision is the removal of the Secretarial Election process.

APPROVAL OF TREASURERS REPORT FOR JULY 2020

A few points were discussed.

Laura J. Gordon moved to approve the Treasurers report for the month of July 2020. Seconded by Nathan Gordon. 1-Abstention (Dennis Soulier). Motion carried.

APPROVAL OF GAMING COMMISSION REPORT

Chris Livingston presented the report. The Commission had full attendance at the most recent meeting and were introduced to the new GM Randy Soulier. Some camera issues are being worked on by IT. Three new employees and two 2-year updates for current employees.

Bryan Bainbridge moved to approve the July 2020 Gaming Commission report. Seconded by Nathan Gordon. Motion carried.

APPROVAL OF COMPLIANCE REPORT

Charles Bresette presented the report. The month of July involved the casino re-opening, updates to the surveillance system and Charles provided updates to NIGC.

Steven Boyd moved to approve the Compliance report for the month of July 2020. Seconded by Bryan Bainbridge. Motion carried.

LEASES

Bryan Bainbridge moved to approve Resolution **8/18/20A** pertaining to Lease Site Moratorium on 37190 Daley Road was previously leased by Jerome Halfaday. Seconded by Marvin DeFoe. Motion carried.

Nathan Gordon moved to approve Resolution **8/18/20B** pertaining to Voluntary Cancellation of Residential Lease by the Red Cliff Housing Authority, located along Watertower Road, Lot 122 of the Bradum Subdivision. Seconded by Bryan Bainbridge. Motion carried.

Steven Boyd moved to approve Resolution **8/18/20C** pertaining to New Long-term Residential Lease for Michael and Ashley Poch, located in the Bradum Subdivision Lot 122, along Watertower Road. Seconded by Laura J. Gordon. Motion carried.

Dennis Soulier moved to approve Resolution **8/18/20D** pertaining to Voluntary Residential Lease Cancellation for James R. and Tamara J. Deragon, located at 37335 North Bradum road. Seconded by Nathan Gordon. Motion carried.

Dennis Soulier moved to approve Resolution **8/18/20E** pertaining to a New Long-term Residential Lease for James R. & Tamara J. Deragon, located at 37335 North Bradum Road. Seconded by Bryan Bainbridge. Motion carried.

Steven Boyd moved to approve Resolution **8/18/20F** pertaining to Long-term Residential Lease Transfer from Shania Marie Leask and Kevin James Leask to Joseph Defoe, located at 37560 Bishop Lane. Seconded by Nathan Gordon. Motion carried.

Laura J. Gordon moved to approve Resolution **8/18/20G** pertaining to New Short-term Residential Lease for Faith Basina, located at 34690 Blueberry Road. Seconded by Dennis Soulier. Motion carried.

Bryan Bainbridge moved to approve Special Permission to Develop Land before BIA approval for Faith Basina, located at 34690 Blueberry Road. Seconded by Nathan Gordon. Motion carried.

Nathan Gordon moved to approve Resolution **8/18/20H** pertaining to New Short-term Residential Lease for Dustin A. Deragon, located at Bradum Subdivision Lot 108 along the corner of Acorn Road. Seconded by Dennis Soulier. Motion carried.

Marvin DeFoe moved to approve Special Permission to Develop Land before BIA approval for Dustin A. Deragon, located at Bradum Subdivision Lot 108, along the corner of Acorn Road. Seconded by Nathan Gordon. Motion carried.

Bryan Bainbridge moved to approve Special Permission to reside in a camper at his Residence located at Bradum Subdivision Lot 108, along the corner of Acorn Road. Seconded by Laura J. Gordon. Motion carried.

Dennis Soulier moved to approve Resolution **8/18/20I** pertaining to Voluntary Cancellation of Lease Application and Rescind Resolution No. 030518C for Bradum Lot 59, requested by Red Cliff Chippewa Housing Authority. Seconded by Laura J. Gordon. 1-Abstention (Steven Boyd). Motion carried.

Bryan Bainbridge moved to approve Resolution **8/18/20J** pertaining to Voluntary Cancellation of Lease Application and Rescind Resolution No. 030518D for Bradum Lot 60, requested by Red Cliff Chippewa Housing Authority. Seconded by Nathan Gordon. 1-Abstention (Steven Boyd). Motion carried.

Bryan Bainbridge moved to approve Resolution **8/18/20K** pertaining to Voluntary Cancellation of Lease Application and Rescind Resolution No. 030518E for Bradum Lot 61, requested by Red Cliff Chippewa Housing Authority. Seconded by Dennis Soulier. 1-Abstention (Steven Boyd). Motion carried.

Nathan Gordon moved to approve the Special Permission request to Develop Land before BIA Approval for Red Cliff Chippewa Housing Authority located at Bradum Subdivision Lot 89. Seconded by Laura J. Gordon. 1-Abstention (Steven Boyd). Motion carried.

Bryan Bainbridge moved to approve the Special Permission request to Develop Land before BIA Approval for Red Cliff Chippewa Housing Authority located at Bradum Subdivision Lot 91. Seconded by Laura J. Gordon. 1-Abstention (Steven Boyd). Motion carried.

Bryan Bainbridge moved to approve the Special Permission request to Develop Land before BIA Approval for Red Cliff Chippewa Housing Authority located at Bradum Subdivision Lot 101. Seconded by Dennis Soulier. 1-Abstention (Steven Boyd). Motion carried.

APPROVAL TO POST CHAPTER 16 – BUSINESS LICENSE & TAX LAW AMENDMENT

Steven Boyd moved to table this item until after the Tribal Council has met with tribal business owners. Seconded by Marvin Defoe. Discussion: Nathan Gordon noted that amendments to the Chapter included a 5% increase to non-tribal member owned businesses, an expansion of the retail sales tax to include tribally owned businesses and clarifying language regarding the 8% occupancy tax which is in addition to the retail sales tax. Motion carried.

APPROVAL OF CHAPTER 40 – EXCLUSION AND REMOVAL OF NON-MEMBERS

Nathan Gordon moved to approve Chapter 40 Exclusion and Removal of Non-Members for posting. Seconded by Bryan Bainbridge. Motion carried.

RATIFY COUNCIL POLL PERTAINING TO SOLE SOURCE CASS JOY CONTRACT FOR THE FISH PROCESSING COMPANY

Dennis Soulier moved to Ratify Council Poll. Seconded by Laura J. Gordon. Motion carried.

RATIFY COUNCIL POLL PERTAINING TO APPROVING TWO (2) RESOLUTIONS FOR GRANT SUBMISSION FOR EDUCATION DEPT.

Bryan Bainbridge moved to Ratify Council poll. Seconded by Steven Boyd. Motion carried.

OTHER

APPROVAL TO WAIVE THE PROPERTY AND PROCURMENT POLICY FOR A CONTRACT WITH DONALD LIVINGSTON

Dennis Soulier moved to waive the Property and Procurement policy for a contract with Donald Livingston. He will be providing services assisting the Tribe with the purchase of the trap net boat. Seconded by Steven Boyd. Motion carried.

ADJOURN

Bryan Bainbridge moved to adjourn at 6:55 p.m. Seconded by Laura J. Gordon. Motion carried.

Respectfully Submitted:



Alana Babineau, Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council