

Red Cliff Band of Lake Superior Chippewa Indians

Special Council Meeting

November 23, 2021

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

Chairman Christopher Boyd called the meeting to order at 2:00 p.m.

ROLL CALL:

Christopher Boyd, Present

Nathan Gordon, Present @ 3:30 p.m.

Laura J. Gordon, Present

Stephanie Defoe-Haskins, Excused

Bryan Bainbridge, Present @ 4:00 p.m.

Nicholas DePerry, Present

Steven Boyd, Present

Butch Bresette, Present

Chris Hicks, Present

QUORUM

Others present: Dave Ujke, Tribal Attorney, Wade Williams, Assistant Attorney, Dennis Soulier, Interim CFO, Division Administrators and Community Members.

OPENING CEREMONY

Opening Ceremony was performed by Nicholas DePerry.

AGENDA

Steven Boyd moved to approve agenda with changes. Seconded by Butch Bresette. Motion carried.

EXECUTIVE SESSION

Nicholas DePerry moved to go into Executive Session at 2:02 p.m. Seconded by Chris Hicks. Motion carried.

REGULAR SESSION

Nicholas DePerry moved to return to Regular Session at 4:36 p.m. Seconded by Butch Bresette. Motion carried.

ACTION FROM EXECUTIVE SESSION

Laura J. Gordon moved to move forward with acquiring land that was discussed in executive session. Seconded by Nathan Gordon. 1-Abstention (Bryan Bainbridge). Motion carried.

Laura J. Gordon moved to direct the BDC (Business Development Corporation) to investigate the Lending that was discussed in executive session. Seconded by Chris Hicks. Motion carried.

Laura J. Gordon moved to approve Legendary Waters Resort & Casino Cash Flow Budget for December 2021, in the amount of \$567,300. Seconded by Butch Bresette. Motion carried.

OLD BUSINESS

NEW BUSINESS

COMMUNITY COMMENTS & CONCERNS

Angela Emrich had some concerns with an investigation on the ICW program and was wondering if her foster care licenses is active or not. It was mentioned by Councilman Bainbridge that these concerns should be discussed in executive session.

EXECUTIVE SESSION

Bryan Bainbridge moved to go into Executive Session at 4:43 p.m. Seconded by Laura J. Gordon. Motion carried.

REGULAR SESSION

Butch Bresette moved to return to Regular Session at 5:20 p.m. Seconded by Bryan Bainbridge. Motion carried.

Chairman Boyd wanted to wish everybody a Happy Thanksgiving and congratulated Diane Erickson for a good job her and the staff have been doing and was pleased there were no positive cases today again.

APPROVAL OF TREASURERS REPORT FOR OCTOBER 2021

Treasurer Defoe-Haskins was excused from this meeting, so Dennis Soulier, Interim CFO was asked to present this report at tonight's meeting.

Bryan Bainbridge moved to approve the Treasurers Report for the month ending October 2021. Seconded by Butch Bresette. Motion carried.

APPROVAL OF GAMING COMMISSION REPORT

Bryan Bainbridge moved to approve the Red Cliff Gaming Commission report. Seconded by Laura J. Gordon. 1-Abstention (Nicholas DePerry). Motion carried.

APPROVAL OF COMPLIANCE REPORT

Bryan Bainbridge moved to approve the Red Cliff Director of Compliance Report for the month of October 2021. Seconded by Steven Boyd. Motion carried.

APPROVAL OF COMMERCIAL FISHING LICENSES

Nicholas DePerry moved to take out the date of December 30, 2021, as the date that was requested by Fishing Committee on having them three (3) boats operational and to keep all boats operational date of November 28, 2021. Seconded by Chris Hicks. Discussion: The fisherman would not be issued a license until their boats are operational. Motion carried.

Nicholas DePerry moved to rescind his motion. Seconded by Chris Hicks. Motion carried.

Nicholas DePerry moved to approve all big and small boats license. They are:

Big Boats

- 03 Donnie Livingston RVH (WI&MI)
- 05 Keith F. Peterson Claire
- 07 Shawn Hanson Two Boyz
- 09 Junior Gurnoe Gary
- 10 Amanda Peterson Energy (MICH)
- 11 Gilmore Peterson Three Suns (MICH)
- 12 Eric Peterson Twin Disc
- 15 Matt Hipsher Cindy Marie
- 16 Troy Hanson Allie Bros.
- 21 Marty Peterson WS3025HB
- 22 Mike Peterson Spirit (MICH)
- 31 Chris Peterson Ritter Brothers (MICH)
- 42 Jeremy Peterson ORCA
- 77 Bryan Bainbridge Ava June (WI&MI)

Small Boats

- | | | | |
|----|--------------------|--------|-----------------------|
| 17 | Jamie Hanson | 38 | Eugene Gordon |
| 18 | Sean Charette | New 39 | Parker Cram |
| 19 | Rob VanderVenter | 45 | Ethan Hyde |
| 23 | Mike Gurnoe | 53 | Lawrence Soulier |
| 24 | Ken Benton | 56 | Brittany Hanson |
| 25 | Greg Belanger | 57 | Shawn Hanson Jr. |
| 29 | Floyd Hipsher, Jr. | 58 | Keith A Bressette Sr. |
| 30 | Floyd Hipsher III | 67 | Tasha Hanson |
| 32 | Loretta Peterson | 74 | Keith A. Peterson |
| 35 | Roland Gordon | 79 | Dane Gordon |

Seconded by Laura J. Gordon. Discussion: this is to approve all the boats. Hand Count was requested by Chairman: Nicholas DePerry, Laura J. Gordon, Nathan Gordon and Butch Bressette vote for, Steven Boyd and Chris Hicks voted, opposed, and Bryan Bainbridge, abstained. Motion carried.

LEASES

Nicholas DePerry moved to approve Special Permission to develop land before BIA approval for Justin Defoe, pending lease site located along Blueberry Road. Seconded by Steven Boyd. Motion carried.

Steven Boyd moved to approve Resolution 11/23/21A pertaining to Lease Transfer from Rodger Gordon and Catherine Bresette to Henry Bresette, site located at 37195 Bear Paw Road. Seconded by Bryan Bainbridge. 1-Abstention (Butch Bresette). Motion carried.

HUMAN RESOURCES REQUEST

Nathan Gordon moved to approve the Insurance Company Renewals for Disability and Dental. Seconded by Nicholas DePerry. Motion carried.

Nathan Gordon moved to approve the Drivers Safety Policy & Drug Testing Policy & Drug Testing Procedures. Seconded by Nicholas DePerry. Motion carried.

Steven Boyd moved to Table the Supplemental Paid Sick Leave Policy (Coronavirus). Seconded by Nathan Gordon. Discussion: Need to have the HR department look at all entities (LW, BBS) when creating this policy. Also, to look at where will this money be coming from. Motion carried.

APPROVAL OF THREE (3) AUTOMATIC MEMBERSHIP APPLICANTS

Steven Boyd moved to approve the Three (3) Automatic Membership applicants:

CHILD

Piper Sue Carrier
Reid William Westlund
Georg Peter Bungartz

PARENT/S

Aaron A. Carrier
Cody W. Westlund
Jessie L. Brown

Seconded by Butch Bresette. Motion carried.

APPROVAL TO DESTROY THE 2021 GENERAL ELECTION BALLOTS

Nicholas DePerry moved to destroy the 2021 General Election Ballots. Seconded by Bryan Bainbridge. Motion carried.

RATIFY COUNCIL POLL PERTAINING TO APPROVAL TO PURCHASE TURKEYS AND HAMS WITH ARPA FUNDS

Bryan Bainbridge moved to ratify council poll. Seconded by Butch Bresette. Motion carried.

OTHER

APPROVAL OF CHANGE ORDER #1 CONSTRUCTION CONTRACT FOR DOCK ROAD

Laura J Gordon moved to approve Change Order #1 Construction Contract for Dock Road Project with Angelo Luppino Inc. with an increase of \$32,675.23 with a new total of \$178,948.39 and to include the final payment day to be moved from June 30, 2022, to July 15, 2022. Seconded by Butch Bresette. Motion carried.

Chairman Boyd has asked Jeff Benton on an update on the Transportation Facility – Jeff Stated that right now this project is with their legal team for review – this project should begin in the Spring of 2022.

Councilman Hicks had a concern about the council deviating laws because we are on Council, that we should follow the Fishing Committees recommendation due to that is why we put them there.

Councilman Hicks had another item, it is with the Homeless, Chris has been busy with training the voluntary staff – he stated that there is flyer up in Ashland on we are here – Chairman Boyd stated that we do not want to go out and recruit homeless and we are only open to our tribal members.

Councilman Boyd had asked for guidance on the subject that was brought up in executive session. Council will go into executive session.

EXECUTIVE SESSION

Steven Boyd moved to go into Executive Session at 6:55 p.m. Seconded by Butch Bresette. Motion carried.

REGULAR SESSION

Butch Bresette moved to return to Regular Session at 7:07 p.m. Seconded by Chris Hicks. Motion carried.

ADJOURN

Nathan Gordon moved to adjourn at 7:09 p.m. Seconded by Bryan Bainbridge. Motion carried.

Respectfully Submitted:


Alana Babin, Recording Secretary

ATTEST:


Laura J. Gordon, Secretary
Red Cliff Tribal Council