

Red Cliff Band of Lake Superior Chippewa Indians

Special Council Meeting

April 20, 2021

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

Secretary Laura J. Gordon called the meeting to order at 1:00 p.m.

Bryan Bainbridge appointed Chris Boyd to be the acting Secretary until Vice Chairman arrives. Seconded by Nicholas DePerry. 1-Abstention (Chris Boyd). Motion carried.

ROLL CALL:

Richard Peterson, Excused

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

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 – Legal Department, Diane Erickson – Health Division, Chase Meierotto – TNR Division, Gwen Topping – Courts, Rebecca Benton – FHS Division, Chris Livingston – Gaming Commission, Charles Bressette – Compliance, Michael Christiansen – Accounting, Richard LaFernier – Cultural/Language program, and community members.

OPENING CEREMONY

Opening Ceremony was performed by Richard LaFernier.

AGENDA

Nicholas DePerry moved to approve agenda with change and correction. Seconded by Marvin DeFoe. Motion carried.

EXECUTIVE SESSION

Steven Boyd moved to go into Executive Session at 1:08 p.m. Seconded by Dennis Soulier. Motion carried.

REGULAR SESSION

Dennis Soulier moved to return to Regular Session at 4:28 p.m. Seconded by Marvin DeFoe. Motion carried.

ACTION FROM EXECUTIVE SESSION

Nicholas DePerry moved to go with the applicant for the Public Works Administrator that was discussed in Executive Session. Seconded by Chris Boyd. 2-Opposed (Marvin DeFoe and Steven Boyd) and 1-Abstention (Dennis Soulier). Motion carried.

Dennis Soulier moved to approve the FY22 Indirect Cost Budget as presented. Seconded by Nicholas DePerry. 1-Opposed (Bryan Bainbridge) and 1-Abstention (Laura J. Gordon). Motion carried.

Laura J. Gordon moved to approve the contract with Everi – participation agreement of two (2) one-dollar machines and three (3) penny machines. Seconded by Bryan Bainbridge. Motion carried.

Laura J. Gordon moved to approve the contract with Aristocrat Technologies – participation agreement for six (6) machines. Seconded by Dennis Soulier. Motion carried.

Laura J. Gordon moved to approve the contract with Jolma Electric – Transformer Replacement. Seconded by Chris Boyd. Motion carried.

Laura J. Gordon moved to approve Legendary Waters Resort & Casino Cash Flow Budget for the month of May 2021 in the amount of \$587,600. Seconded by Dennis Soulier. Motion carried.

Laura J. Gordon moved to approve Resolution **4/20/21A** pertaining to the Appeal in the Fee Lands Tax Case. Seconded by Marvin DeFoe. Motion carried.

OLD BUSINESS

NEW BUSINESS

CITIZEN OF THE QUARTER FRANK MONTANO

Frank Montano was nominated by his wife Midge and granddaughter Shaleena. Midge spoke of Frank's love for music that he has shared through the United States and internationally. He greatly values his Red Cliff community and culture and gives back to his community, family, and extended family. Sharing his time with others through music and words is his gift to the Red Cliff Community.

The Vice-Chairman Gordon called for a brief recess for photos and while gifts were offered to Mr. Montano.

GATEWAY ART PRESENTATION

Susan Sabre, Chairperson of the Town of LaPointe Public Art Committee, contacted the Tribe to request support for a sculptural project titled "Gateway to Madeline Island". The artist is Lisa

Kosmo, a Red Cliff tribal member. It is planned that the sculpture will be installed in the newly updated Town Dock area. The piece honors Chief White Crane, Equasayway, the Crane Clan and other Island history. Council expressed their support, offered suggestions to add to the piece and will forward the group Marvin Defoe contact information for further advisement.

COMMUNITY COMMENTS AND ANNOUNCEMENTS

Charles Babineau asked permission to continue his hobby of pruning trees in the area. He stated he was approached by the Wardens and was asked to stop and ask permission. Council asked that he work with the TNR department to ensure he does not damage trees and to also make sure he stays on tribal land.

George Newago had questions regarding his storage unit agreement. Since the Tribe purchased the storage facility, the new agreement states that storing “explosives” was not allowed. He explained that for the past several years, he has sold fireworks from his unit and is currently paid up through July 2021. Council will look into this and discuss this at the Council retreat next week.

George also raised issue with the Tribes COVID travel policy, and he believed it was discriminatory towards employees unable to work from home. He brought up a recent situation where an employee traveled outside the 200-mile radius and lost wages since they did not have enough general leave.

Marvin Defoe moved to add the Tribe’s COVID travel policy to the Retreat agenda for discussion. Seconded by Bryan Bainbridge. Motion carried.

A thank you card was read from Tona Basile and family of the recently passed Joe Basina.

A thank you card was read from CORE thanking the Red Cliff Tribe for their assistance during the pandemic and also acknowledged Butch Bressette, Food Distribution, for his continued hard work during this time.

A thank you card was read from Sue DePerry expressing appreciation to the Tribe for their support in the CHA candy bar fundraiser.

Three Red Cliff Cleanup events are scheduled: May 1st: Community Cleanup organized by a group of community members, May 25th, Tire Collection Event by RC Environmental Department and May 28: Spring Cleanup Day by RC Environmental Department (Spring cleanup dumpsters available to community May 27-29).

The Red Cliff Boys & Girls Club is hosting a Family and Youth Spearing Night on Friday April 23. This event is a great opportunity to exercise our treaty rights, connect with nature, enjoy time with family, and continue to pass down our traditional cultural practices to the next

generations. To sign up or to find more information, please contact the Boys & Girls Club staff at 715-779-3722.

The next Food Giveaway will be on April 28th at the Boys and Girls Club.

APPROVAL OF TREASURERS REPORT FOR MARCH 2021

A few points were discussed.

Chris Boyd moved to approve the Treasurer's Report for the month of March 2021. Seconded by Laura J. Gordon. 1-Abstention (Dennis Soulier). Motion carried.

APPROVAL OF GAMING COMMISSION REPORT

Chris Livingston presented the report and provided minutes from the April 12, 2021 Gaming Commission meeting. The Slots Department SOPs will soon be forwarded to the Commission for review. A high limit room will be open at the end of April and the casino observed an 9% increase in profit as compared to last February.

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

APPROVAL OF THE COMPLIANCE REPORT FOR MONTH OF MARCH 2021

Charlie Bresette gave an overview of his written report.

Nicholas DePerry moved to approve the Compliance Report for March 2021. Seconded by Steven Boyd. Motion carried.

APPROVAL OF RESOLUION PERTAINING TO VOLUNTARY LEASE CANCELLATION FOR LINDA BRISTOL

Marvin DeFoe moved to approve Resolution **4/20/21B** pertaining to a Voluntary Lease Cancellation for Linda E. Bristol, located along Eagle Bay Road. Seconded by Chris Boyd. Discussion: that this site will no longer be a residential lease site and have it zoned back to forestry. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO PROCLAMATION OF MAY 5TH AS AWARENESS FOR MISSING & MURDERED WOMEN AND GIRLS MMIWG

Justine Rufus and Gwen Topping were here to present the resolution.

Nicholas DePerry moved to approve Resolution **4/20/21C** pertaining to a Proclamation that May 5, 2021 is recognized as a Day of Awareness for Missing and Murdered Indigenous Women and Girls (MMIWG2SP). Seconded by Marvin DeFoe. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO SUPPORTING THE APACHE TRIBE

Marvin DeFoe moved to approve Resolution **4/20/21D** pertaining to the Re-Affirming Opposition to Section 3003 of the National Defense Authorization Act for Fiscal Year 2014, Supporting Oak Flat Act. Seconded by Laura J. Gordon. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO OJIBWEMOWIN

Dennis Soulier moved to approve Resolution **4/20/21E** pertaining to Ojibwemowin. Seconded by Nicholas DePerry. Discussion: Councilman DeFoe stated Miigwetch to Richard and to the ones listening to us now "Stand up and be proud". Motion carried.

APPROVAL TO APPLY FOR THE FY21 NPS THPO GRANT

Marvin Defoe requested approval of the FY21 National Park Service THPO grant application for submission. This funding amount requested is \$72,251.

Steven Boyd moved to approve the application for submission. Seconded by Dennis Soulier. 1-Abstention (Marvin Defoe) Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO REQUESTING A SECRETARIAL ELECTION

Bryan Bainbridge moved to approve Resolution **4/20/21F** pertaining to request removing all of the requirements for a secretarial election and approval of the Department of Interior in connection with all future proposed amendments to the Tribe's constitution, including the revision of Art. IX and deletion of Articles XVI; and all as further detailed in our submission of the proposed amendment; and That the Tribe requests that the Bureau of Indian Affairs work with the Tribe to schedule the election. Seconded by Chris Boyd. Motion carried.

APPROVAL OF COMMERCIAL LAND USE PERMIT FOR XCEL/NATURAL GAS FOR RCCHA

Laura J. Gordon moved to approve the Commercial Land Use Permit for Xcel/Natural Gas/PAC application for the Red Cliff Community Health Center. Seconded by Steven Boyd. Motion carried.

APPOINT ONE (1) MEMBER TO THE ELECTION BOARD

Marvin DeFoe moved to appoint Carol Newago to the Election Board. Seconded by Bryan Bainbridge. Motion carried.

APPROVAL OF CANDIDATES FOR 2021 PRIMARY ELECTION

Bryan Bainbridge moved to approve the following Candidates for the Tribal Chair and Treasurer:

TRIBAL CHAIRPERSON

- | | |
|-------------------------------------|---------------------|
| 1. Patricia R. (Patsy Ruth) DePerry | 5. Ray DePerry |
| 2. Michael D. Soulier | 6. Mercie A. Gordon |
| 3. Christopher D. Boyd | 7. Marvin DeFoe |
| 4. Troy D. Gordon | |

TRIBAL TREASURER

1. Dennis J. Soulier
2. Christopher Hicks
3. Stephanie A. Defoe-Haskins

4. Johanna Wilson
5. Christopher M. Livingston

Seconded by Steven Boyd. 4- Abstentions (Nicholas DePerry, Chris Boyd, Marvin DeFoe, and Dennis Soulier). Motion carried.

RATIFY COUNCIL POLL PERTAINING TO HS/EHS 1.22% COLA

Bryan Bainbridge moved to ratify Council Poll. Seconded by Chris Boyd. Motion carried.

OTHER

No other business.

ADJOURN

Bryan Bainbridge moved to adjourn at 6:15 p.m. Seconded by Laura J. Gordon. Motion carried.

Respectfully Submitted:



Alana Babineau, Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council

