

# Red Cliff Band of Lake Superior Chippewa Indians

## Regular Council Meeting

April 5, 2021

9:00 a.m. Legendary Waters Buffalo Bay Ballroom

Chairman Richard Peterson called the meeting to order at 9:00 a.m.

Nicholas DePerry moved to appoint Chris Boyd as the Acting Secretary. Seconded by Steven Boyd. 1-Abstention (Chris Boyd). Motion carried.

### ROLL CALL:

Richard Peterson, Present  
Nathan Gordon, Present  
Laura J. Gordon, Excused  
Dennis Soulier, Excused

Bryan Bainbridge, Excused  
Chris Boyd, Present  
Nicholas DePerry, Present  
Steven Boyd, Present  
Marvin DeFoe, Present

### QUORUM

Others present: Dave Ujke - Tribal Attorney, Wade Williams - Assistant Attorney, Henry Buffalo - Constitution Committee, Jared Blanche - Education Department, Gretchen Morris - Indian Child Welfare and Community Members.

### OPENING CEREMONY

Opening Ceremony was performed by Nicholas DePerry.

### AGENDA

Nathan Gordon moved to approve agenda. Seconded by Marvin DeFoe. Motion carried.

### EXECUTIVE SESSION

Nicholas DePerry moved to go into Executive Session at 9:04 a.m. Seconded by Steven Boyd. Motion carried.

### REGULAR SESSION

Chris Boyd moved to return to Regular Session at 10:00 a.m. Seconded by Nicholas DePerry. Motion carried.

### ACTION FROM EXECUTIVE SESSION

Nicholas DePerry moved to re-open Frog Bay Tribal National Park (FBTNP), on May 1, 2021, under the discretion of Administration. Seconded by Marvin DeFoe. Motion carried.

### OLD BUSINESS

## **NEW BUSINESS**

### **COMMUNITY COMMENTS & CONCERNS**

James Pete stated there was a community elder that recently had their furnace go out. He spoke of the difficulty this elder had in finding assistance in repairing their furnace. He stated this elder, and most community members do not know how to request help from programs or who to contact. He provided the Tribal Council a draft plan of a program called "Community Services Center", which would be a central office to handle tribal member crisis's (home repairs or another emergency). Council members agreed that there should be seamless system in place to assist the community. Chairman Peterson mentioned there was a meeting held recently with all Division heads where similar concerns were discussed.

Chris Boyd reminded the community of three upcoming elections, the Town of Russell, Bayfield School Board and Bayfield Circuit Court Judge.

Marvin Defoe announced that the Treaty Natural Resources Division needs five creek clerks for spearing season. Those interested should contact Mark Duffy, Chief Warden.

### **RECOMMENDATION TO AMEND ARTICLE IX OF THE RED CLIFF CONSTITUTION/CHAPTER 32**

Henry Buffalo presented the Constitution Committee's recommended changes to the Constitution and Chapter 32. He provided meeting minutes, drafted/redlined changes, and community comments that were received. At this time, the Committee is recommending the Council request a Secretarial Election by the Bureau of Indian Affairs to amend Section 1.9, Article IX – Amendments to remove the Secretary of Interior's authority to call a Secretarial Election and approve any amendments to the Tribe's Constitution in the future. Mr. Buffalo also provided a draft resolution and advised that a cover letter and attachments be included the request to the BIA. The resolution will be converted to the appropriate format, forwarded to Legal for review and brought back to Council for final approval.

Nicholas DePerry moved to approve the recommended changes to the Constitution and Chapter 32. Seconded by Chris Boyd. 1-Abstention (Steven Boyd) Motion carried.

### **MINUTES**

Nathan Gordon moved to approve the meeting minutes for March 1, 2021 and March 23, 2021, with corrections if needed. Seconded by Chris Boyd. Motion carried.

### **ACCEPT TREASURERS BALANCE SHEET FOR FEBRUARY 2021**

Marvin DeFoe moved to accept the Treasurers Balance Sheet for the month of February 2021. Seconded by Nathan Gordon. Motion carried.

### **APPROVAL OF IMLS BASIC GRANT APPLICATION FOR SUBMISSION**

This grant will support Basic operations of the Tribal Library, Further education, and provide a place for traditional knowledge and literature. The Tribe has received this annual funding for the past three years.

Chris Boyd moved to approve the IMLS Basic grant application for submission. Seconded by Steven Boyd. 1-Abstention (Nathan Gordon). Motion carried.

**APPROVAL OF PROCLAMATION TO OBSERVE CHILD ABUSE PREVENTION/AWARENESS MONTH**

Gretchen Morris presented the proclamation. The Resolution will state “that the Red Cliff Tribal Council does hereby declare April as Child Abuse Prevention Awareness Month at Red Cliff and supports its observance in activities sponsored by the Red Cliff Family Violence Prevention Program, Indian Child Welfare Department and Red Cliff Child Support Agency.

Nathan Gordon moved to approve Resolution **4/5/21A** pertaining to the Proclamation to Observe Child Abuse Prevention/Awareness month, (April). Seconded by Steven Boyd. Motion carried.

**APPROVAL OF SERVICE LINE AGREEMENT AT RED CLIFF COMMUNITY HEALTH CENTER**

Northern States Power Company — Wisconsin (Xcel Energy Inc.) has applied for a Service Line Agreement to cover an existing natural gas service line to the site of Red Cliff Community Health Center at 36745 Aiken Road.

Nathan Gordon moved to approve the Service Line Agreement with Xcel for Red Cliff Community Health Center. Seconded by Steven Boyd. Motion carried.

**APPROVAL TO SOLE SOURCE WITH CORE AND MAIN FOR WATER METERS & SOFTWARE**

The Water and Sewer Department requested a sole source procurement with Core & Main to purchase water meters and radios.

Chris Boyd moved to approve to Sole Source with Core & Main for the Water Meters & Software. Seconded by Nathan Gordon. Motion carried.

**APPROVAL OF COMMERCIAL LAND USE PERMIT FOR COPPER CROW**

Kurt Basina, owner of Copper Crow Distillery, requested a commercial land use permit in order to construct an outdoor concrete patio and three season room on the West side of the building.

Steven Boyd moved to approve the commercial land use permit for Copper Crow Distillery. Seconded by Nathan Gordon. Motion carried.

**APPROVAL OF COMMERCIAL LAND USE PERMIT FOR TRANSPORTATION FACILITY**

A commercial land use permit was requested for the Red Cliff Band of Lake Superior Chippewa Transportation Renewal Project to construct a multi-purpose transportation center to house buses, equipment, and office space. This is a 3.5-year project and a waiver of 37.10.7 (annual permit requirement) is also being requested.

Chris Boyd moved to approve the permit and waiver of 37.10.7 for this project. Seconded by Marvin Defoe. Motion carried.

**APPOINT THE 2021 ELECTION BOARD / APPOINT CHAIRMAN FOR ELECTION BOARD**

Steven Boyd moved to appoint Edwina Buffalo-Reyes, Shauneah Gordon, Jennifer Defoe, Cindy Garrity, Tanya Wachsmuth and Nissa Basina to the 2021 Election Board, and to also appoint Cindy Garrity as the Chairperson. Seconded by Marvin DeFoe. Discussion Repost for one additional member (need 7 total). Motion carried.

**RATIFY COUNCIL POLL PERTAINING TO APPROVING CHANGE ORDER #1 WITH LDV CUSTOM SPECIALTY VEHICLES (MOBILE COMMAND CENTER) OF A DECREASE OF \$5859.00**

Nathan Gordon moved to ratify Council Poll. Seconded by Nicholas DePerry

**OTHER**

No other business.

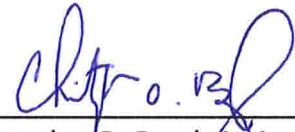
**ADJOURN**

Steven Boyd moved to adjourn at 10:57 a.m. Seconded by Chris Boyd. Motion carried.

**Respectfully Submitted:**

  
Alana Babineau, Recording Secretary

**ATTEST:**

  
Christopher D. Boyd, Acting Secretary  
Red Cliff Tribal Council