

# Red Cliff Band of Lake Superior Chippewa Indians

## Special Council Meeting

March 22, 2022

12:00 p.m. Legendary Waters Grand Ballroom

Chairman Christopher Boyd called the meeting to order at 12:00 p.m.

### ROLL CALL:

Christopher Boyd, Present  
Nathan Gordon, Present  
Laura J. Gordon, Present  
Stephanie Defoe-Haskins, Present

Bryan Bainbridge, Present (WebEx)  
Nicholas DePerry, Present  
Steven Boyd, Present  
Butch Bresette, Present  
Chris Hicks, Present (WebEx)

### QUORUM

Others present: Dave Ujke, Tribal Attorney, Wade Williams, Assistant Attorney, Bryon Daley, TAL, Division Administrators and Community Members.

### OPENING CEREMONY

Opening ceremony was performed by Nathan Gordon.

### AGENDA

Nathan Gordon moved to approve agenda. Seconded by Nicholas DePerry. Motion carried.

### EXECUTIVE SESSION

Nicholas DePerry moved to go into Executive Session at 12:00 p.m. Seconded by Butch Bresette. Motion carried.

### REGULAR SESSION

Butch Bresette moved to return to Regular Session at 4:30 p.m. Seconded by Steven Boyd. Motion carried.

### ACTION FROM EXECUTIVE SESSION

Laura J. Gordon moved to approve the Consulting Services Agreement Amendment with MGT with the updated changes with key staff. Seconded by Nathan Gordon. Motion carried.

Laura J. Gordon moved to approve Legendary Waters Resort and Casino Cash Flow Budget for April 2022, in the amount of \$575,080. Seconded by Nicholas DePerry. Motion carried.

Laura J. Gordon moved to approve the Supplemental Pay Policy as presented with changes by Legal as discussed in executive session in the amount of \$4,236,307 out of the ARPA Recovery funds. Seconded by Steven Boyd. Motion carried.

Nicholas DePerry moved to approve to have Nicole Boyd and Planning look into the property that was discussed in executive session. Seconded by Butch Bresette.

Laura J. Gordon moved to approve ECC request that was presented in executive session. Seconded by Stephanie Defoe-Haskins. Motion carried.

Steven Boyd moved to authorize the Chairman's signature on the Settlement Agreement. Seconded by Stephanie Defoe-Haskins. Motion carried.

Laura J. Gordon moved to approve the Representation Agreement with Fraser Law and Onder Law and to authorize the Chairman to sign off on agreement. Seconded by Butch Bresette. Motion carried.

Chris Hicks moves to overrule the court judgement for Keith A. Bresette, to appeal his judgement. Motion dies for a lack of a second.

## **OLD BUSINESS**

## **NEW BUSINESS**

### **UNBRIDLE HOPE PRESENTATION**

Vicky Tribovich, Owner of Unbridled Hope Equine Assisted Learning Center LLC presented information on the organization and PowerPoint which included client testimonials and statements from those associated with the organization. She stated Unbridled Hope have positive outcomes and hope to continue their positive relationship with the Tribe.

### **COMMUNITY COMMENTS AND ANOUNCEMENTS**

Theresa Gordon informed the community of two big drum ceremonies scheduled for the upcoming weekend, one in Bad River and the other in Round Lake, WI.

George Newago again expressed his concerns regarding tribal spearfishing quotas and limitations established by the State, he asked that the Tribe take a stand to challenge this for the benefit of the Tribe and future generations. Lengthy discussion on the decrease in fish numbers overall. Nathan Gordon, Marvin Defoe, and Mark Duffy continue to advocate for the Red Cliff Tribe at Voight Task Force meetings. George noted this was fourth year coming to Council regarding this issue and would like to see action. He also reiterated that he is speaking as a tribal member and not an employee of the Tribe, he stated he was disciplined in the past for voicing his concerns.

The Tribal Council are seeking individuals to serve on the 2022 Election Board. Those interested may submit their application by March 31, 2022, at noon.

The 2022 Primary Election will be held on Friday, May 6, 2022. Those who would like to declare their candidacy for Tribal Council Vice-Chairman or Tribal Secretary, the deadline to submit your name to the Secretary is April 6<sup>th</sup>, 2022, by 6:00 p.m. The polls will be open from 8:00 a.m. to 8:00 p.m. at Legendary Waters Resort and Casino.

Due to the rise in temperatures, the Red Cliff Warming Shelter at the Boys and Girls Club will close will be Friday, April 1, 2022, at 8:00 a.m. Miigwech to all the volunteers who assisted in providing this service to the community. Chairman Boyd noted that the Tribe is working to provide continued shelter services at the Mishomis House.

Chairman's Cup Cribbage Tournament will be held this weekend at Legendary Waters.

#### **APPROVAL OF TREASURERS REPORT FOR FEBRUARY 2022**

A few points were discussed. Treasurer Defoe-Haskins noted an error on the ECC report, this will need to be updated. Laura J. Gordon had several questions regarding programs that are showing as overspent. Chris Livingston will follow up with staff regarding a no-cost extension of a grant under Protective Services. She also asked for an update on the BIA HIP funding under the Planning Department. Laura also asked that the start and end dates should be updated or clarified in future reports.

Steven Boyd moved to accept the Treasurer's report for February 2022. Seconded by Butch Bresette. Discussion: Treasurer Defoe-Haskins suggested that all Department heads review the begin and end dates and update those accordingly. 1-Abstention (Stephanie Defoe-Haskins) Motion carried.

Laura J. Gordon noted that the Tribal Council retreat will be held on April 25<sup>th</sup> and 26<sup>th</sup>. She will be sending out information to Division Administrators.

#### **APPROVAL OF GAMING COMMISSION REPORT**

The Commission has been provided regular financial reports. He noted the "bad beat" was discussed again and the Commission has not found any compliance issues with how these funds are being managed.

Laura J. Gordon moved to approve the Gaming Commission report. Seconded by Stephanie Defoe-Haskins. 1-Abstention (Nicholas DePerry). Motion carried.

## **APPROVAL OF COMPLIANCE REPORT**

Charles Bresette gave a brief summary of his written report. He conducted reviews of incident reports and provided his findings to department heads. A fire inspection report was pass and submitted to the State and there were a few camera issues were resolved.

Nicholas DePerry moved to approve the Compliance report. Seconded by Stephanie Defoe-Haskins. Motion carried.

## **RED CLIFF HOUSING LEASES**

Nicholas DePerry moved to approve Resolution **3/22/22A** pertaining to Voluntary Cancellation of Lease and Rescind and Replace Resolution Numbers 030518C & 8/18/21I, lease site located along Jack Pine Road on Lot 59 of the Bradum Subdivision. Seconded by Nathan Gordon. 1-Abstention (Steven Boyd). Motion carried.

Nathan Gordon moved to approve Resolution **3/22/22B** pertaining to Voluntary Cancellation of Lease and Rescind and Replace Resolution Numbers 030518D & 8/18/20J, lease site located along Jack Pine Road on Lot 60 of the Bradum Subdivision. Seconded by Butch Bresette. 1-Abstention (Steven Boyd). Motion carried.

Laura J. Gordon moved to approve Resolution **3/22/22C** pertaining to Voluntary Cancellation of Lease and Rescind and Replace Resolution Numbers 030518E & 8/18/20K, lease site located along Jack Pine Road on Lot 61 of the Bradum Subdivision. Seconded by Nicholas DePerry. 1-Abstention (Steven Boyd). Motion carried.

The Red Cliff Chippewa Housing Authority requested an extension for an additional period of time, until 2024, to finish development a lease site for full-time residential occupancy pursuant to Section 18.7.1, RCCL.

Laura J. Gordon moved to approve the extension request made by Red Cliff Chippewa Housing Authority for lease site located at 36668 Daley Road, Bradum Subdivision Lot 131. Seconded by Stephanie Defoe-Haskins. 1-Abstention (Steven Boyd) Motion carried.

Red Cliff Chippewa Housing Authority (RCCHA), a tribal entity, requests a waiver of Section 18.8.2, RCCL in order to transfer their Lease No. 4354200253090 at 90405 Moccasin Road to homebuyers earlier than allowed for by tribal law. Section 18.8.2. RCCL prohibits transferring leases during the first two years of the lease's term. This leases term began May 7, 2021, which means the transfer prohibition period does not end until next year (2023). RCCHA is asking for a waiver to transfer this lease to homebuyers during the first two years of the lease term and before the property is completely developed.

Laura J. Gordon moved to approve the waiver of Section 18.8.2, RCCL regarding Lease No. 4354200253090 located at 90405 Moccasin Road. Seconded by Stephanie Defoe-Haskins. 1-Abstention (Steven Boyd) Motion carried.

Nicholas DePerry moved to approve Resolution **3/22/22D** pertaining to Authorize Lease Transfer of Long-Term Residential Lease to Gabrielle Gordon and Joni Gordon, lease site located at 90405 Moccasin Road. Seconded by Nathan Gordon. 1-Abstention (Steven Boyd). Motion approved.

#### **LEASES**

Steven Boyd moved to approve Resolution **3/22/22E** pertaining to Rescind Resolution No. 11/1/21A and authorize a New Residential Lease for Eva Pratt, lease site located along the corner of Little Sand Bay Road and Allen Road. Seconded by Butch Bresette. Motion carried.

#### **APPROVAL OF SUBMISSION FOR THE ECC GRANT APPLICATION**

Steven Boyd moved to approve the submission of the Head Start and Early Head Start Program 5-year continuation grant application to the Office of Head Start. Seconded by Stephanie Defoe-Haskins. Motion carried.

#### **APPROVAL OF ECC COVID PLAN**

Nicholas DePerry moved to approve the COVID-19 Mitigation plan for Red Cliff Early Childhood Center. Seconded by Stephanie Defoe-Haskins. Motion carried.

#### **JR. TRIBAL COUNCIL DISCUSSION**

Rick Peterson and Scott Babineau presented a request to purchase supplies for the Junior Tribal Council which included laptops for the nine members and office supplies. A small budget was provided, and Rick stated he believed the Council allocated a total of \$25,000 in funding for the JTC.

The JTC Committee met on March 3<sup>rd</sup> and discussed the current JTC Constitution and Bylaws, and nine youth interested. It states that elections are done in September of each year. Due to the established timelines being months away, the Committee suggested Tribal Council appoint a "Youth Council" until September. They requested that the following nine youth be appointed as the "Youth Council":

1. Koresa Newago
2. Alivia Newago
3. Giizik Gauthier
4. Daunte Gordon
5. Alexia Boyd
6. Karly Lozano
7. Elliot Newago
8. Kylie Curran
9. Leora DePerry

Steven Boyd moved to appoint the listed nine youth to the Youth Council". Seconded by Nathan Gordon. Discussion: The Youth Council will be invited to the Tribal Council retreat. Nathan Gordon suggested the Chief Judge be include to possibly have these youth officially sworn in at that time. Laura J. Gordon will follow up and meet with Rick to discuss funding. 3-Abstentions (Christopher Hicks, Nicholas DePerry, and Stephanie Defoe-Haskins) Motion carried.

**APPROVAL OF GRANT APPLICATION FOR LFPA NON-COMPETITIVE FUNDING TO TRIBES**

The USDA Agricultural Marketing Service is establishing the Local Food Purchase Assistance Cooperative Agreement Program (LFPA). The LFPA program is part of the "Build Back Better" initiative, authorized by the American Rescue Plan. The purpose of this program is to maintain and improve food and agricultural supply chain resiliency, with a requirement that the majority of project expenses are food purchases. Applications are due May 6<sup>th</sup>. TNR, Planning, and Food Distribution developed the application requesting funding for two years totaling \$207,243.00

Laura J. Gordon moved to approve the submission of the application to the LFPA program. Seconded by Nathan Gordon. Motion carried.

**APPROVAL OF BAD RIVER/RED CLIFF OJIBWE MOWIN MOU**

Mark Gokee, Marvin Defoe and Mike Wiggins, Bad River Tribal Chairman presented the MOU and described the importance of this partnership.

Red Cliff and Bad River wish to collaborate on the Ojibwe Language Immersion Trainee Program to support the common goals of Ojibwe Language Revitalization and Preservation. The purpose of the Program is train Instructors in language immersion instruction and to conduct language immersion instruction to selected participants from each Tribe. The purpose of this Memorandum of Understanding (MOU) is to provide a framework for cooperation, coordination, and understanding of the outlined duties and promises and to establish a mutual understanding regarding the parties' roles and responsibilities in the cooperative execution of this Program.

Nicholas DePerry moved to approve the Memorandum of Understanding and Mutual Support agreement between the Red Cliff Band of Lake Superior Chippewa Tribal Historic Preservation Office, acting as the Red Cliff Band of Lake Superior Tribe and the Bad River Band of Lake Superior Tribe of Chippewa Education Department, acting as the Bad River Band of Lake Superior Tribe of Chippewa regarding the Joint Language Training program. Seconded by Butch Bresette. Motion carried.

**APPROVAL OF NEW BUSINESS PERMIT FOR GRETCHEN MORRIS "NATIVE EXPRESSIONS"**

Steven Boyd moved to approve the new Business Permit for Gretchen Morris "Native Expressions". Seconded by Nathan Gordon. 1-Abstention (Chris Hicks). Motion carried.

**APPROVAL OF NEW BUSINESS PERMIT FOR DSGW**

Nathan Gordon moved to approve the new Business Permit for DSGW. Seconded by Butch Bresette. Motion carried.

**APPROVAL OF SECTION 10 – LICENSE AND REGISTRATION**

Revisions to the section were posted for the required 30 days with no comments received.

Steven Boyd moved to approve Resolution **3/22/22F** pertaining to Chapter 14, Section 10: License and Registration. Seconded by Stephanie Defoe-Haskins. Motion carried.

**OTHER**

No other business.

**ADJOURN**

Steven Boyd moved to adjourn at 7:01 p.m. Seconded by Stephanie Defoe-Haskins. Motion carried.

**Respectfully Submitted:**

  
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Alana Babineau, Recording Secretary

**ATTEST:**

  
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Laura J. Gordon, Secretary  
Red Cliff Tribal Council