

Red Cliff Band of Lake Superior Chippewas

Special Council Meeting

June 20, 2023

2:00p.m. Legendary Waters Grand Ballroom

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

ROLL CALL:

Christopher Boyd, Present

Richard Peterson, Present

Nora Cadotte, Present

Stephanie Defoe-Haskins, Present

Nicholas DePerry, Excused

Steven Boyd, Present

Butch Bresette, Present

Scott Babineau, Present

Ernie Grooms, Present

QUORUM

Others present: Dave Ujke, Attorney, Jeff Benton, Planning, Chris Livingston, Accounting, Amarin Mello, Land Lease, Ray DePerry, RCCHA, Nicole Boyd, Planning, Rebecca Benton, F/H Services, Lamont Larkins, FM, Shauneah Gordon, FM, Marvin Defoe, Gwen Topping, Court, Andrew Edwards, TNR, Dusty Lafermier.

OPENING CEREMONY

The opening ceremony was performed by Scott Babineau.

AGENDA

Steven Boyd moved to approve the agenda. Seconded by Scott Babineau. Motion carried.

EXECUTIVE SESSION

Rick Peterson moved to go into Executive Session at 2:05 p.m. Seconded by Butch Bresette. Motion carried.

REGULAR SESSION

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

ACTION FROM EXECUTIVE SESSION

Nora Cadotte moved to approve the July 2023 cash flow budget in the amount of \$631,300.00 for Legendary Waters Resort and Casino. Seconded by Butch Bresette. Motion carried.

Nora Cadotte moved to approve cancellation of Current EPA AOC (Administrative Order of Consent) for Red Cliff Public Works. Seconded by Rick Peterson. 1 abstention (Ernie Grooms). Motion carried.

OLD BUSINESS

TREASURER'S REPORT APRIL 2023

Nora Cadotte has some questions about Human Services budgets. Some contracts do not have beginning and ending dates, why is that? The ones that have no end dates are 3rd party funds and generate revenue. BIA grant 2201-21-260 does not show a time frame but they can ask for no cost extensions. One grant ended 12/2022 and it shows a balance of 20K. This one received a no cost extension. Many of the grants that are shown ended with a balance, are currently on a no cost extension. Nora asked for that to please reflect on the financials sheet. The Independent Living grant has a large balance right now due to a vacant position, but the case workers are providing services and the budget will need to be updated to reflect monies spent.

Butch Bresette moved to approve April 2023 Treasurer's Report. Seconded by Rick Peterson. 1 opposed, Nora Cadotte. 1 abstention, Stephanie Defoe-Haskins. Motion carried.

APRIL 2023 GAMING COMMISSION REPORT

The commission did not have a quorum for a meeting and no minutes provided for the Tribal Council.

APPROVE & IDENTIFY FUNDING FOR WIRELESS CONFERENCE EQUIPMENT

Nicole Boyd and Karen Popp provided recommendations for BIA ARPA budget modification revision to contract A20AV00354. 1. TNR requesting to move \$15,000 to supplies line item. 2. The Police Department is requesting to revise the Department Manager Position with additional duties. 3. Requesting to reallocate savings from the Education Department and PD savings to cover the cost of a new audio system of approximately \$40,000.

Steven Boyd moved to approve modifications to the BIA ARPA budget. Seconded by Rick Peterson. Motion carried.

NEW BUSINESS

COMMUNITY COMMENTS/CONCERNS

No Community Comments or Concerns at this meeting.

RECOGNITION OF OFFICER GRADUATES OF LE ACADEMY

Chief of Police Jess Hall shared with Council the Officers (Andrew Liberski and Andrew San Diego) completed the LE-Academy in August 2022 and were sworn-in to be able to start working in the community right away. Rick Peterson extends his congratulations and thanks for stepping up for the community.

WI INDIGENOUS RIDERS' OPIOID AWARENESS RIDE

Gwen Topping presenting information about upcoming awareness ride June 24, 2023. The riders expect to arrive in Red Cliff at 12:30p.m. and Gwen would like to provide them with lunch. She is requesting the Tribe to cover the costs of feeding approximately 100 people. There is an estimate of 65 riders and the lunch will be open to the public with a water ceremony prior to lunch.

Rick Peterson moved to approve LW to provide lunch and Tribal Operations will cover the costs. Seconded by Ernie Grooms. Discussion: There is a wedding that day and will need to confirm with Lenny Newago that his staff could manage this additional lunch. Lenny Newago confirmed he can provide soup and sandwiches for this event. Motion carried.

MERCHANT PROPERTY REQUEST

Dusty Lafrenier requested to utilize the Merchant Property for his daughter's naming ceremony on June 30th for approximately 3 hours. He is not requesting to use the house. They will bring their own tables and chairs, clean up their garbage and be respectful.

Butch Bresette moved to approve Dusty to use Merchant Property for his daughter's naming ceremony. Seconded by Nora Cadotte. Motion carried.

TREASURER'S REPORT MAY 2023

Steven Boyd moved to approved May 2023 Treasurer's report. Seconded by Butch Bresette. 1 abstention (Stephanie Defoe-Haskins). Motion carried.

MAY 2023 GAMING COMMISSION REPORT

Nora Cadotte moved to table May 2023 gaming commission report. Seconded by Scott Babineau. Motion carried.

MAY 2023 COMPLIANCE REPORT

Nora Cadotte moved to table May 2023 compliance report. Seconded by Butch Bresette. Motion carried.

DISASTER DECLARATION/CANADIAN WILDFIRES

The National Indian Health Board (NIHB) is providing free air purifiers to Tribal Communities affected by the Canadian wildfires. To apply, the Tribe needs to declare a disaster.

Nora Cadotte moved to approve the disaster declaration. Seconded by Stephanie Defoe-Haskins. Discussion: Can the Tribe still apply when it states the timeline ended June 1, 2023. Received notification after that date, so it can still be submitted and authorize the Chairman to sign the declaration. Motion carried.

ANNUAL INSURANCE RENEWAL

Are there any major changes or additions? Vehicle updates have been identified. There is a proposal for cyber liability separate from the general insurance coverage.

Scott Babineau moved to approve the annual insurance in the amount of \$286,086.00. Seconded by Stephanie Defoe-Haskins. Motion carried.

Cyber Liability proposal with a rate that locks-in for 24 months. If there are no claims within that time frame, the Tribe can receive up to 5% of paid premium back. The health Center cannot file health insurance claims electronically right now due to not having the coverage. North Risk Partners will be able to provide support, training, and guidance on what to do if a cyber-attack occurs.

Nora Cadotte moved to approve the Cyber Liability Proposal for 2-million-dollar coverage (\$75K annual premium). Seconded by Rick Peterson. Motion carried.

IHS PROJECT M93-MERCURY STUDY

Mercury Study to serve existing category homes on the Red Cliff reservation. All funds will come from IHS.

Nora Cadotte moved to approve Mercury Study-IHS funding in the amount of \$55,000. Seconded by Butch Bresette. Motion carried.

BAYFIELD COUNTY MEMORANDUM OF UNDERSTANDING (MOU)

Bayfield County MOU with the Red Cliff Community Health Center to provide and assist with crisis services after work hours. The legal team has reviewed and approved.

Butch Bresette moved to approve MOU with Bayfield County for Crisis services. Seconded by Rick Peterson. Discussion: in the document it states that it will automatically renew every year unless either party terminates the agreement. Motion carried.

TIWAHE ONE-TIME FUNDING GRANT/RESOLUTION

Nicole Gurnoe is seeking approval to submit funding opportunity for Tiwahe one-time funding in the amount of \$100,000. This will provide 20% wage costs for Project Director, update the TAP and other projects such as a confidentiality audit. The plan is to visit Red Lake and Spirit Island to see how their current operations work.

Nora Cadotte moved to approve submission of P.L. 638 BIA funding for \$100,000. Seconded by Butch Bresette. Motion carried. **Resolution number 6/20/23A**

FY23 BIA HATCHERY CONSTRUCTION PROPOSALS

Andrew Edwards proposing two construction projects for the Red Cliff Fish Hatchery. BIA has construction dollars, and the projects align with this funding opportunity.

Ernie Grooms moved to approve submission of 2 FY23 construction proposals. Seconded by Rick Peterson. Motion carried.

SUBMIT EXPRESSION OF INTEREST FOR ECONOMIC RECOVERY CORPS/BBS

At no cost to the Tribe, there is an opportunity to become a Fellow Host Site for an Economic Recovery Coordinator. The individual would work with the Tribe for 2 ½ years in assisting with economic development projects; specifically, Buffalo Bay Store new build. There are plans already invested with the EDA and the host will have a work plan that outlines responsibilities, goals, and success metrics for Fellows that's tied to economic and community development plans.

Butch Bresette moves to approve submission of Expression of Interest for Economic Recovery Corps. Host Site. Seconded by Scott Babineau. Motion carried.

APPLY FOR DOE STEP GRANT

Opportunity to become a Tribal Education Agency (TEA) and funding of up to \$500,000 for 3 years. This will support the language trainee's continuation of goals and objectives.

Scott Babineau moved to approve submission of DOE STEP Grant for up to \$500,000 for 3 years. Seconded by Steven Boyd. Motion carried.

APPLY FOR DOT SAFE STREETS FOR ALL GRANT

Funding opportunity to rewrite and revise Tribe's Safety Action Plan. This will be a planning period for potential implementation of future safety projects. Transportation funds will be used to meet the 20% match requirement.

Butch Bresette moved to approve submission of application for DOT Safe Streets for All grant. Seconded by Ernie Grooms. Motion carried.

APPROVAL TO RENEW SIXPLEX APARTMENTS LEASE

RCHA lease is set to expire 10/30/2023 for the Six Plex Apartments. Executive Director, Ray DePerry requesting renewal of short-term residential lease located at 89600 Blueberry Rd.

Stephanie Defoe-Haskins moved to approve lease renewal for RCHA Six Plex Apartments. Seconded by Scott Babineau. Discussion: 10-year term. Motion carried. **Resolution number 6/20/23 B.**

LEASE REQUESTS

1. Renewal of short-term lease at 37250 Pike Rd. for Bernard and Raymond Hanson. Nora Cadotte asks if they occupy the residence. Need verification and clarification if they are to

occupy the lease land to renew the lease. Identify who is on the housing occupancy lease currently.

Nora moved to table the renewal of short-term lease until further clarification on occupancy and lease requirements. Seconded by Scott Babineau. Motion carried.

2. Gage Duffy new short-term residential lease application for 37131 Water Tower Rd.

Steven Boyd moved to approve a short-term residential lease application for Gage Duffy. Seconded by Rick Peterson. Motion carried. **Resolution number 6/20/23C**

3. Madosin Barningham new short-term residential lease application for 37650 Bishop Lane.

Rescind and replace Resolution number 5/3/21A.

Butch Bresette moved to approve short-term residential lease for Madosin Barningham and rescind and replace resolution number 5/3/21A. Seconded by Stephanie Defoe-Haskins. 1 abstention (Nora Cadotte). Discussion: A person can voluntarily give up their lease, it is contingent upon the circumstances. Motion carried. **Resolution number 6/20/23D**

4. Involuntary cancellation of lease (Jeanne and Lawrence Gordon both deceased) located at 37325 Daley Rd. Should the letter from the brothers be notarized?

Steven Boyd moved to authorize the involuntary cancellation of a long-term residential lease at 37325 Daley Rd. Seconded by Scott Babineau. Discussion: What happens if there aren't any heirs to the property? If financing is involved, the lender would need to agree. Motion carried.

Resolution number 6/20/23E

5. New long-term residential lease to Matthew L. Gordon located at 37325 Daley Rd.

Steven Boyd moved to approve a new long-term residential lease for Matthew L. Gordon. Seconded by Rick Peterson. Motion carried. **Resolution number 6/20/23F**

RE-APPOINT MEMBER TO BDC BOARD

Randy Soulier asked to re-appoint board member Kellie Pederson as her term ended November 2022. She has sat on the board for 4 years.

Scott Babineau moved to table and post the vacancy of the board. Seconded by Nora. Motion carried.

Randy asked if Kellie could serve interim on the board for the time being.

Steven Boyd moved to keep her active on the board until the position is formally filled. Seconded by Rick Peterson. Motion carried.

APPROVAL OF 2023 ADOPTION REFERENDUM BALLOT (79) APPLICANTS

Rick Peterson moved to approve the adoption of the referendum ballot (79) applicants. Seconded by Butch Bresette. Motion carried.

CERTIFY AT-LARGE CANDIDATES

Rick Peterson moved to certify at-large candidates:

Nicholas R. DePerry

Vincent "Butch" Bresette

David J. Curran

Joshua Penhollow

Angie C. LaPointe

Angela D. Emrich

Ray DePerry

Daniel M. Duffy

Gretchen Morris

Patricia R. (Patsy Ruth) DePerry

Steven L. Boyd

Amanda Stevenson

William Poch

Joseph Montano Sr.
Grace Livingston
Dennis J. Soulier
Joe Defoe
Tamara Montano
Bryan J. Bainbridge

Seconded by Scott Babineau. 2 abstentions (Butch Bresette, Steven Boyd). Motion carried.

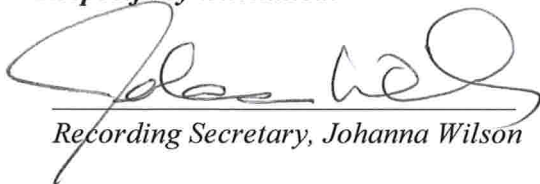
APPROVE BALLOT FOR GENERAL ELECTION

Butch Bresette moved to approve the ballot for general election. Seconded by Rick Peterson.
Discussion: General election will be held July 4, 2023. Motion carried.

ADJOURN

Scott Babineau moved to adjourn at 6:02 p.m. Seconded by Butch Bresette. Motion carried.

Respectfully Submitted:



Recording Secretary, Johanna Wilson

Attest:



Nora Cadotte, Secretary
Red Cliff Tribal Council