

Red Cliff Band of Lake Superior Chippewa Indians

REGULAR COUNCIL MEETING

April 7, 2014

4:30 p.m. at Legendary Waters Resort and Casino, Grand Ballroom

Meeting called to order by Chairperson Rose Soulier at 4:30 p.m.

ROLL CALL

Rose Soulier, Present

Nathan Gordon, Present

Laura J. Gordon, Present

Dennis Soulier, Present

Jeanne Gordon, Present

Marvin Defoe, Present

Bryan Bainbridge, Present

Mike Gurnoe, Present

Steven Boyd, Present

Quorum

In attendance: Dave Ujke, Tribal Attorney, Rick Petersen, Tribal CFO, and Community members

AGENDA

Delete "LAUNCH Administrative Assistant" in Executive session. Add "IRS Appeal update" to Executive Session.

Nathan Gordon moved to approve the agenda with changes. Seconded by Dennis Soulier. Motion carried.

OPENING CEREMONY

Opening Ceremony was performed by Jim Pete.

WATER RESOURCES CWA 303/401 TAS UPDATE

Linda Nguyen and Melonee presented an update. A PowerPoint was shown that described the program activities and timeline. Discussion was had on pursuing authority into Lake Superior. Linda has been communicating with Grand Portage acquiring information to learn of their experience on this matter. There was a question on trust land outside of the Red Cliff boundaries; this will need to be clarified by Legal and BIA. Marvin Defoe stated that we should be very accurate when stating in writing where exactly our boundaries are. Linda will work with legal on this. The Council was in agreement that Red Cliff should move forward in pursuing authority into Lake Superior. It was suggested by the Council that Linda will begin communicating with the State soon to inform them of the Tribe's intentions.

The Tribes TAS Eligibility application will be submitted in June, but Linda will update the Council quarterly and prior to the application being submitted. She expects to receive word by late November or early December if the application is approved.

Linda also mentioned that the Water management plan will be completed by next year and should be in place before the water quality standards. The program has completed 120 community surveys but needs more surveys; the community was encouraged to fill out a survey.

NALEMP UPDATE

Frank Koehn and Gary Defoe presented an update. Frank described the PR plan and stated the committee will be reviewing this at their April 10th meeting. He is also working on an informational presentation that may be given to local libraries, the city of Duluth and possibly at the Northern Visitor Center.

Gary spoke of a recent interview he had with WOJB and that the Tribe's position statement was released to the public. After PR plan is approved they will be setting up stakeholder meetings.

After Gary receives his Emergency Response certifications, he will be working on a draft emergency response plan.

MINUTES

Bryan Bainbridge moved to approve the March 4, 2014 meeting minutes. Seconded by Nathan Gordon. Motion carried.

Nathan Gordon moved to approve the March 17, 2014 meeting minutes with corrections. Seconded by Mike Gurnoe. Motion carried.

Steven Boyd moved to approve the March 18, 2014 meeting minutes with corrections. Seconded by Dennis Soulier. Motion carried.

Jeanne Gordon moved to approve the March 20, 2014 meeting minutes with corrections. Seconded by Bryan Bainbridge. Motion carried.

COMMUNITY COMMENTS/ANNOUNCEMENTS

Cecil Peterson spoke of the Red Cliff Yacht club that has recently been formed. He expects their non-profit status to be established by the March 15, 2015. This may bring additional business to the casino. He requested that a Tribal member sit on the committee. Tribal members interested were encouraged to contact Cecil. The Club will also need a tribal business permit.

The Bayfield School Pow-Wow is scheduled for April 11, 2014. Interested vendors are to contact Sarah Gordon.

The Red Cliff Community Health Center's annual Easter event will be held on March 18th, 2014 from 9:00 a.m. to 12:00 p.m. at the Red Cliff Youth Center.

The deadline for the tribal members to declare their candidacy for Vice-Chairman and Secretary is April 9th at 6:00 p.m.

TREASURERS REPORT FOR JANUARY AND FEBRUARY 2014

Dennis Soulier presented the January 2014 report. Rose Soulier asked if "months remaining" are being updated. Dennis will verify report back. A few points were discussed in the report.

Discussion was had on the deficit of the Facilities management line item from Water and Sewer. The rate increase will resolve this. The Council would like this to be complete before the opening of the new clinic.

Marvin Defoe moved to approve the January report. Seconded by Jeanne Gordon. Motion carried.

A few points were discussed in the February 2014 Treasurer Report.

Jeanne Gordon moved to approve the February report. Seconded by Marvin Defoe. Motion carried.

APPROVAL TO CLOSE THREE (3) BANK ACCOUNTS

Dennis Soulier submitted a request to the Council to authorize the closing of three unused accounts at Chippewa Valley and Bremer Bank titled "ECC Expansion", "JADG Certificate" and "Head Start Parent Activity".

Jeanne Gordon moved to approve. Seconded by Bryan Bainbridge. Motion carried

OLD BUSINESS

NEW BUSINESS

CFO REQUESTS

CFO Rick Petersen had requested that the Inventory LTEs be allowed an additional 30 days to complete work and to hire a Special Revenue Accountant. He would like the Special Revenue Account position filled by May 1st.

Marvin Defoe moved to approve both requests and to post for the Special Revenue Accountant position immediately. Seconded by Jeanne Gordon. Motion carried.

The Council agreed that inventory should be done on an annual basis.

LEASES

Dennis Soulier moved to approve Resolution **4/7/14A** Cancellation of Kenneth and Elizabeth Bresette's (deceased) lease. Seconded by Nathan Gordon. Motion carried.

Marvin Defoe moved to approve Resolution **4/7/14B** new lease request for Carl Sr. and Patricia Butterfield. Discussion: This is the lower ½ of the lease. Another family member occupies the upper ½ and will need to submit a lease application. Seconded by Mike Gurnoe. (1-Abstention: Bryan Bainbridge) Motion carried.

APPROVAL TO WAIVE THE PROPERTY AND PROCUREMENT 3 BID POLICY FOR ECC

Jeanne Gordon moved to approve to waive the three (3) bid process for Northland Fire & Safety contract. Seconded by Nathan Gordon. Motion carried.

APPROVAL TO SUBMIT FOR CLIMATE CHANGE FUNDING

The Council asked that the Facilities Management be included in the budget, IDC was not allowed on the grant. Chad Abel will make the changes.

Dennis Soulier moved to approve. Seconded by Jeanne Gordon. Discussion: Chad is to include Facilities Management in the budget. Motion carried.

APPROVAL TO SUBMIT FOR AQUATIC INVASIVE SPECIES (AIS) FUNDING

Jeanne Gordon moved to approve. Seconded by Marvin Defoe. Motion carried.

APPROVAL OF RESOLUTION FOR THE SUMMER YOUTH SCIENCE PROJECT

Bryan Bainbridge move to approve Resolution **4/7/14C**. Seconded by Jeanne Gordon. Motion carried.

APPROVAL OF RESOLUTION FOR ANA SEEDS GRANT

There was a question on the IDC listed on application and whether this percentage could be changed later. It was also asked if in-kind was acceptable for cost match if the cost match waiver was not approved. Linda Barnes will look into this and report back to the Council.

Marvin Defoe moved to approve Resolution **4/7/14D** pending the answers to the questions asked to items in the application. Discussion: Admin is authorized to make changes if needed. Seconded by Bryan Bainbridge. Motion carried.

APPROVAL OF RESOLUTION PERTAINING TO A TRIBAL MEMBER RELINQUISHMENT

Bryan Bainbridge moved to approve the Resolution **4/7/14E** pertaining to approving Tribal Member Alexx Jean Buffalo request for Relinquishment. Seconded by Jeanne Gordon. Motion carried.

APPROVAL OF AUTOMATIC ENROLLMENTS

Dennis Soulier moved to approve the automatic enrollments of:

Indaanis Sage Rose Abrams; parent Victoria A. Artishon
Leah Jaylin Gordon; parent James L. Gordon, Jr.
Danika Lee King; parent Melissa L. Topping
Honor Angeline Lindahl; parent Michael J. Lindahl
Christopher James Chaudhary; Cassandra D. Emond
Tanner Braedyn Smith; parents Darcie R. Gordon and Michael L. Smith
Dylann Shae Wilson; Stephanie S. Nylen
Diana Elaine Munson; Larry O. Munson
Lila Waashkobizi Montano; parent Joseph D. Montano

Noah Alexander Franchi; Luis F. Franchi
Kyla Madison Barrile; parent Jessica L. (Kramer) Barrile
Brayden Karl Dias; Lorissa A. (Duffy) Dias
Kayden Allen Hiatt; parent Joyce A. Barningham
Vivian Grace Zigich; parent Zachary Zigich
Charles John Likness; Richard A. Likness

Seconded by Jeanne Gordon. Motion carried.

APPROVAL OF BAYFIELD COUNTY 161 AGREEMENT/CONTRACT

Mike Gurnoe moved to approve the Bayfield County 161 Agreement/Contract. Seconded by Bryan Bainbridge. Motion carried.

RATIFY COUNCIL POLL

Bryan Bainbridge moved to Ratify Council poll pertaining to CenturyLink Sales Solution, Inc. Contract to install fiber optic line at the new Clinic and old Clinic in the amount of \$176,640 along with waiving the property and procurement for the three (3) bid process. Seconded by Dennis Soulier. Motion carried.

APPOINT ELECTION BOARD

Election Board selected by secret ballot.

Steve Boyd moved to appoint Paula Bonney, Stephanie Defoe, Ashley Peterson, Cindy Garrity and Josh Gordon. Shenna Poch and Denise Carlson are alternates.

Dennis Soulier moved to appoint Cindy Garrity as the Chair of the Election Board. Seconded by Nathan Gordon. Motion carried.

Laura J. Gordon moved to destroy the ballots. Seconded by Nathan Gordon. Motion carried.

APPOINT ONE (1) MEMBER TO THE TENANT ASSOCIATION

Steven Boyd moved to appoint Carl Butterfield to the Tenant Association. Seconded by Marvin Defoe. Motion carried.

APPOINT ONE (1) MEMBER TO THE HEALTH BOARD

Nathan Gordon moved to appoint Joe Pascale to the Health Board. Seconded by Jeanne Gordon. Motion carried.

APPOINT TWO (2) MEMBERS TO THE NALEMP COMMITTEE

Steven Boyd moved to appoint Denise Carlson and Mike Balber to the NALEMP Committee. Seconded by Nathan Gordon. Motion carried.

APPOINT (1) MEMBER TO THE MEMBERSHIP COMMITTEE

Nathan Gordon moved to appoint Jeanne Gordon to the Membership Committee. Seconded by Laura J. Gordon. Motion carried.

APPROVAL OF GENERAL AGREEMENT/RESOLUTION COMPRISING THE TRIBAL NATIONAL PARK SERVICES RELATIONS REGARDING THE APOSTLE ISLANDS

Laura J. Gordon moved to approve Resolution 4/7/14F. Seconded by Jeanne Gordon. Motion carried.

DISCUSSION ON CHANGES TO CHAPTER 17

Dennis Soulier moved to direct legal to draft a conforming Resolution 4/7/14G to include additional changes requested by NIGC. Seconded by Jeanne Gordon. Motion carried.

OTHER

Jeanne Gordon moved to go into Executive Session. Seconded by Nathan Gordon. Motion carried.

Dennis Soulier moved to return back into Regular Session. Seconded by Nathan Gordon. Motion carried.

Jeanne Gordon moved to hire Florence Boyd for the ECC Lead Custodian. Seconded by Laura J. Gordon. (3 abstentions: Dennis Soulier, Nathan Gordon and Steven Boyd). Motion carried.

ADJOURN

Nathan Gordon moved to adjourn. Seconded by Mike Gurnoe. Motion carried.

Adjourned: 8:02 p.m.

Respectfully Submitted:



Alana Babineau
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council