

# Red Cliff Band of Lake Superior Chippewas

## SPECIAL COUNCIL MEETING

September 12, 2012

4:30 p.m. Red Cliff Tribal Court House

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

### ROLL CALL:

Rose Soulier, Present

Nathan Gordon, Present

Laura J. Gordon, Present

Dennis Soulier, Present

Mike Gurnoe, Present

Joanne Peterson, Present

Bryan Bainbridge, Present

Jeanne Gordon, Present

Marvin Defoe, Present

Quorum

### AGENDA

Dennis Soulier moved to approve the agenda. Seconded by Marvin Defoe. Motion carried.

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

Joanne Peterson moved to return back to Regular Session. Seconded by Dennis Soulier. Motion carried.

Jeanne Gordon moves to remove Jeannie Balber from the Gaming Commission for a period of one (1) year and would not be eligible to be on any other Boards, Committees or Commission. Seconded by Bryan Bainbridge. Discussion: this is in effective from when the Council took action. (1 abstention Dennis Soulier). Motion carried.

### APPROVAL OF CONTRACT

Ed Sindelar and Jeff Benton were there to present the Contract on North Bradum Phase II Utility and Road Construction.

There was a question by Council on Native Preference: Ed Sindelar presented Council with a policy that stated – In the absence of a formally adopted Indian preference policy by the Band, preference shall be given in the award of construction and service contracts to those firms (or joint ventures) whose levels of ownership and control by enrolled Indians (or Alaska Natives) each equal at least 51% of the total on a continuing basis for the duration of the contract. Firms (or joint ventures) which satisfactorily document at the time of bid or quotation such ownership and control shall have an amount equal to 5 percent of the total bid deducted from the bid price for comparison with other bids.

There is no construction of Native American preference in our policy. Marvin Defoe stated that he is comfortable with giving this contract to C&W due to they are Native American and are Tribal members.

Marvin Defoe had a concern about the electrical hook ups at the new Bradum development – is it possible to maybe cut back on the lots and put the hook ups in. Ed stated that not under this project. Ed has been working with Xcel to get quotes on the hook up for electrical. Ed had requested quotes from them and is waiting to hear back from Xcel. Ed will continue to follow up with Xcel.

Are there any grants out there for this project, Ed stated he is aware of several grants that are out there.

Ed stated that if there is money left over in this contract it will be allocated to the electrical part of the project. Marvin Defoe stated that he wanted it very clear that from now on we want electrical hook ups to all new sites to be included.

Council stated to Ed that this project needs to be broken down; it can't be paid out in one lump sum.

Ed stated that there are rebates left over from Bradum Phase I that could be put aside for electrical. The electrical will be above ground and the gas will be under ground. Ed would love to get this all done by next year but he needs to get in touch with Xcel.

Tribal Chair has stated that from now on when doing any of these kinds of projects we want all of this to be included.

Jeff Benton and Ed Sindelar will be working hard to find grants to assist with this project.

Any Change Orders need to come back to Council for approval as the policy states.

Dennis Soulier moved to accept the contract with C&W in the amount of \$1,644,461.80. Seconded by Mike Gurnoe. Motion carried.

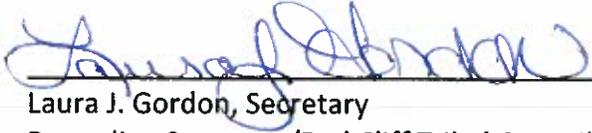
Dennis Soulier moved to direct Jeff Benton and Ed Sindelar to research and apply for funding on the Electric and Gas for Acorn Road and North Bradum Phase II. Council will be updated monthly. Seconded by Marvin Defoe. Motion carried.

Marvin Defoe moved to approve to change the dates on the contract under Article 4 – Contract Times - 4.02 Dates for Substantial Completion and Final Payment, the change will be from December 7, 2012 to June 15, 2013. Seconded by Nathan Gordon. Motion carried.

Dennis Soulier moved to adjourn. Seconded by Nathan Gordon. Motion carried.

Adjourned: 7:08 p.m.

Respectfully Submitted/ATTEST:



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Laura J. Gordon, Secretary  
Recording Secretary/Red Cliff Tribal Council Secretary