

# KEWEENAW BAY INDIAN COMMUNITY

Keweenaw Bay Tribal Center  
16429 Beartown Road  
Baraga, Michigan 49908  
Phone (906) 353-6623  
Fax (906) 353-7540

## 2015 TRIBAL COUNCIL

WARREN C. SWARTZ, JR., President  
JENNIFER MISEGAN, Vice President  
TONI J. MINTON, Secretary  
SUSAN J. LAFERNIER, Assistant Secretary  
DOREEN G. BLAKER, Treasurer

ROBERT "R.D." CURTIS, JR.  
EDDY EDWARDS  
RANDALL R. HAATAJA  
MICHAEL F. LAFERNIER, SR.  
GARY F. LOONSFOOT, SR.  
DON MESSER, JR.  
DONALD SHALIFOE, SR.

**MINUTES  
KEWEENAW BAY INDIAN COMMUNITY  
REGULAR COUNCIL MEETING  
OJIBWA CASINO RESORT CONFERENCE ROOM  
SATURDAY – NOVEMBER 7, 2015 – 9:00 A.M.**

**APPROVED**  
12-10-15

- A. Date: November 7, 2015
- B. Call to Order: President Swartz called the meeting to order at 9:09 a.m.
- C. Invocation: Lord's Prayer and silent prayers for those in need of them
- D. Roll Call: Present: Warren C. Swartz, Jr., President  
Jennifer Misegan, Vice President  
Toni J. Minton, Secretary  
Susan J. LaFernier, Assistant Secretary  
Doreen G. Blaker, Treasurer  
Robert R.D. Curtis, Jr.  
Eddy Edwards  
Randall R. Haataja  
Michael F. LaFernier, Sr.  
Gary F. Loonsfoot, Sr.  
Don Messer, Jr.
- Absent: Donald Shalifoe, Sr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: November 7, 2015
- Addition: Old Business- 2. Jennifer Misegan, Vice President – Tribal Elder Wills

**MOTION MADE BY ROBERT R.D. CURTIS, JR. TO APPROVE THE AGENDA WITH THE ADDITION. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

G. For Your Information:

1. A "Thank you" from Lindsey Laakso for the Attorney Interview
2. A "Thank you" from the Family of Cheryl "Sherry" (St. George) Massie
3. A "Thank you" from Jailyn Shelifoe for the travel funds to attend the White House Tribal Youth Summit in July 2015 sponsored by President and Michelle Obama
4. A "Thank you" from Tim Keteri, Superintendent Adams Township School District
5. A "Thank you" from Tim Bennett, Director of Bay Cliff Health Camp for the donation
6. A "Thank you" from the Special Olympics for the donation
7. Notification of Approved Enrollment Applications October 27, 2015 (5)
8. Voigt Intertribal Task Force Meeting Minutes September 3, 2015 Odanah, Wisconsin
9. Veteran's Luncheon on November 11, 2015 at Big Bucks Bingo Hall - 11:00 a.m. – 1:00 p.m.
10. Letters of Support to Michigan Department of Transportation and Michigan State Police from State Representative Scott Dianda regarding Speed Limit Change along US 41

H. President's Report/October 2015 – Verbal Report

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE OCTOBER 2015 PRESIDENT'S REPORT. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

I. Secretary's Report/October 2015 – available for your review

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE OCTOBER 2015 SECRETARY'S REPORT. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

J. Treasurer's Report/October 2015 – Verbal Report

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO APPROVE THE OCTOBER 2015 TREASURER'S REPORT. SUPPORTED BY SUSAN J. LAFERNIER. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

K. CEO's Report/October 2015 – available for your review

**MOTION MADE BY TONI J. MINTON TO APPROVE THE OCTOBER 2015 CEO'S REPORT. SUPPORTED BY RANDALL R. HAATAJA. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

L. Department Head Reports/September 2015

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE SEPTEMBER 2015 DEPARTMENT HEAD REPORTS. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

M. Approval of Meeting Minutes:

- |                     |                     |
|---------------------|---------------------|
| 1. October 1, 2015  | 5. October 20, 2015 |
| 2. October 3, 2015  | 6. October 22, 2015 |
| 3. October 8, 2015  | 7. October 29, 2015 |
| 4. October 15, 2015 |                     |

**MOTION MADE BY EDDY EDWARDS TO TABLE ALL THE MEETING MINUTES UNTIL MONDAY'S MEETING. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

N. Recognize Scheduled Delegation/Individuals:

1. Corporal Everett Ekdahl - K-9 Presentation with "Edy" a trained dog in search and seizures

Everett and Edy also assist surrounding counties with escapee searches, narcotics and other contraband seizures, as well as presentations at local school programs.

**Break: 10:19 – 10:33 a.m.**

2. Catherine Laux/Erin Johnston/Baraga County Chamber of Commerce – Silver River Partnership Donation Presentation to KBIC for assistance with the continuation of the Silver River Stream Gauge located on Skanee Road

Bob LaFave, Tracy Barrett, and Debra Stouffer present

The Council was presented with a check for \$500.00 for KBIC's assistance with the continuation of the Silver River Stream Gauge located on Skanee Road. (Total of \$1,200.00) Other donors are: Baraga County Chamber of Commerce, Keweenaw Bay Ojibwa Community College, Baraga County Convention & Visitors Bureau, and Village of L'Anse (photo shoot)

3. Darnishia Slade, Director of International Programs and Services at Michigan Tech University and Parade of Nations Chair – Recognition for KBIC's Participation and Support of the Parade of Nations

Darnishia thanked KBIC for their support in the celebration of cultures and presented tee shirts for the Council members. The date for next year's Parade of Nations is September 17, 2016 and she formally invited the Council. The KBIC Culture Committee has placed first in the parade for the last two years.

4. Rodney Loonsfoot – Marine Corps League Toys for Tots Donation Request

**MOTION MADE BY JENNIFER MISEGAN TO DONATE \$5,000.00 FOR THIS YEAR'S TOYS FOR TOTS. CO-SUPPORTED BY SUSAN J. LAFERNIER AND MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

5. Darrell Kingbird (not present) - Visitor's Permit for Hunting, Fishing, Trapping, and Gathering Request

Darrell is from the Red Lake reservation and they do not reciprocate visitor permits with KBIC; therefore a waiver by the Council is required.

**MOTION MADE BY EDDY EDWARDS TO APPROVE AN EXEMPTION AND ISSUE DARRELL KINGBIRD A ONE-YEAR ON-RESERVATION VISITOR'S PERMIT FOR HUNTING, FISHING, TRAPPING, AND GATHERING. SUPPORTED BY ROBERT R.D. CURTIS, JR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

6. James Provost, Marquette County Veterans Alliance – AVTT (Vietnam Travelling Tribute) Donation Request to bring the wall to NMU on June 22-26, 2016 Total cost: \$21,550.00

**MOTION MADE BY JENNIFER MISEGAN TO DONATE \$5,000.00 FOR THE MARQUETTE COUNTY VETERANS ALLIANCE TO BRING THE VIETNAM TRAVELLING WALL TO MARQUETTE COUNTY. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

7. Felix Fournier, Membership Committee - Calumet Art Center Business Sponsorship Annual Request

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE \$500.00 FOR THE PRESIDENT MEMBERSHIP TO THE CALUMET ART CENTER. SUPPORTED BY JENNIFER MISEGAN. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

O. Old Business:

1. Danielle Webb, Assistant Tribal Attorney - Superior Paving LLC Tier III Services Agreement Amendment Rez Stop Gas Station Parking Lot Blacktopping Project extension to June 30, 2016 to complete the paving

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE REQUEST FOR AN EXTENSION TO THE TIER III SERVICES AGREEMENT WITH SUPERIOR PAVING LLC RELATED TO THE REZ STOP BLACKTOPPING PROJECT. SUPPORTED BY DON MESSER, JR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

2. Jennifer Misegan, Vice President – Tribal Elder Wills

The Assistant Tribal Attorney will contact Brandon Rickard to ask if he would be willing to contract to do Wills for Tribal Elders. The Council will start with the elders and consider offering the service to all tribal members in the future.

P. New Business:

1. Danielle Webb, Assistant Tribal Attorney/Michael Schrader, Ojibwa Casinos General Manager –
  - a) Aristocrat Technologies, Inc. Gaming Device Order Ojibwa Casino I (Baraga)

**MOTION MADE BY DOREEN G. BLAKER TO APPROVE THE GAMING DEVICE ORDER BETWEEN ARISTOCRAT TECHNOLOGIES, INC. AND THE KEWEENAW BAY INDIAN COMMUNITY FOR THE OJIBWA CASINO I CONTINGENT UPON THE GAMING COMMISSION'S APPROVAL. SUPPORTED BY GARY F. LOONSFOOT, SR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

b) Aristocrat Technologies, Inc. Gaming Device Order Ojibwa Casino II

**MOTION MADE BY TONI J. MINTON TO APPROVE THE GAMING DEVICE ORDER BETWEEN ARISTOCRAT TECHNOLOGIES, INC. AND THE KEWEENAW BAY INDIAN COMMUNITY FOR THE OJIBWA CASINO II CONTINGENT UPON THE GAMING COMMISSION'S APPROVAL. SUPPORTED BY DOREEN G. BLAKER. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

2. President Swartz – James R. Bittorf Appellate Justice Contract December 13, 2015 to October 1, 2018

**MOTION MADE BY TONI J. MINTON TO APPROVE THE APPELLATE JUSTICE CONTRACT WITH JAMES R. BITTORF. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

3. Larry Denomie III, CEO/George Geroux – Request Funding for Ojibwa Roads and a Dozer

The Council consensus was to allow them to move forward with the lease agreements for a front-end loader, 5 year leases with 5 year warranties, and have the Assistant Tribal Attorney review the leases.

4. Susan LaFernier, Assistant Secretary – Schedule Enterprise Employee Appeal of Dismissal Case #016-15 - The hearing was scheduled for November 12, 2015 at 1:30 p.m.
5. Eddy Edwards - Commercial Fishing Season (Lori Sherman, Director of Natural Resources Department present)

A group of commercial fishermen were present and requested an extension on the small boat season by reducing the ban by 15 days in November.

**MOTION MADE BY EDDY EDWARDS TO DIRECT THE NATURAL RESOURCES DEPARTMENT TO PROVIDE A RECOMMENDATION ON AN EXTENSION AT THE NOVEMBER 12, 2015 MEETING. SUPPORTED BY ROBERT R.D. CURTIS, JR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

6. Jeanne Emery, Election Board Chair –

- a) Certify Results of Primary Election October 31, 2015

L'Anse: Susan J. LaFERNIER (92), Jennifer MISEGAN (82), Tracy L. Emery (44), Kevin Perrault (33), Jesse Forcia (29), Lyndon Ekdahl (17), Jean Jokinen (13), Jeremy T. Hebert (11), and JoAnne Racette (11)

Baraga: Warren "Chris" Swartz (124), Fred Dakota (102), Sue Ellen Elmlblad (83), Dan Connor (57), Hope E. Laramore (49), Don Messer, Jr. (42), Jerry Magnant (38), Carole LaPointe (37), Bill Jondreau (29), Thomas E. Chosa, Jr. (21), Debi Williamson (17), and Charlotte Loonsfoot (9)

The total number of eligible voters was 818, the number of registered voters was 715, and the actual count of voters in the Primary Election was 480. (67%)

**MOTION MADE BY EDDY EDWARDS TO APPROVE THE RESULTS OF THE OCTOBER 31, 2015 PRIMARY ELECTION. CO-SUPPORTED BY TONI J. MINTON AND ROBERT R.D. CURTIS, JR. EIGHT IN FAVOR (Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, TWO ABSTAINING (Jennifer MISEGAN, Susan J. LaFERNIER), ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

- b) Certify Nominees for General Election (December 12, 2015) – Top (4) from each district

The nominees for L'Anse: Susan J. LaFERNIER, Jennifer MISEGAN, Tracy L. Emery, and Kevin Perrault. The nominees for Baraga: Warren "Chris" Swartz, Fred Dakota, Sue Ellen Elmlblad, and Dan Connor.

**MOTION MADE BY DOREEN G. BLAKER TO CERTIFY THE NOMINEES FOR THE DECEMBER 12, 2015 GENERAL ELECTION. SUPPORTED BY RANDALL R. HAATAJA. EIGHT IN FAVOR (Toni J. Minton, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, TWO ABSTAINING (Jennifer MISEGAN, Susan J. LaFERNIER), ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

- c) Certify Judicial Candidate (1) for the Office of Chief Judge - Bradley T. Dakota

**MOTION MADE BY TONI J. MINTON TO CERTIFY THE JUDICIAL CANDIDATE BRADLEY T. DAKOTA FOR THE DECEMBER 12, 2015 GENERAL ELECTION. SUPPORTED BY RANDALL R. HAATAJA. NINE IN FAVOR (Jennifer MISEGAN, Toni J. Minton, Susan J. LaFERNIER, Doreen G. Blaker, Robert R.D. Curtis, Jr., Randall R. Haataja, Michael F. LaFERNIER, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, TWO ABSENT (Eddy Edwards, Donald Shalifoe, Sr.), MOTION CARRIED.**

(Eddy Edwards is out of the room)

7. Doreen Blaker, Treasurer –

- a) Donations/November 2015

**MOTION MADE BY JENNIFER MISEGAN TO APPROVE THE FOLLOWING DONATIONS: \$500.00 TO BAYSIDE VILLAGE FOR THE ACTIVITY DEPARTMENT, \$500.00 TO THE BARAGA FIRE DEPARTMENT FOR THE ANNUAL CHILDREN'S CHRISTMAS PARTY, AND \$200.00 TO BETHEL UNITED PENTECOSTAL CHURCH FOR THE ANNUAL COMMUNITY THANKSGIVING DINNER. CO-SUPPORTED BY SUSAN J. LAFERNIER AND GARY F. LOONSFOOT, SR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

b) Baraga/Marquette 2% Worksheets

MOTION MADE BY EDDY EDWARDS TO TABLE THE BARAGA AND MARQUETTE 2% WORKSHEETS UNTIL NEXT THURSDAY.

Motion died for lack of support.

The Council discussed possible grant funding for the purchase of an ambulance.

**MOTION MADE BY EDDY EDWARDS TO TABLE THE BARAGA AND MARQUETTE 2% WORKSHEETS UNTIL NEXT THURSDAY. SUPPORTED BY DOREEN G. BLAKER. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

Q. Adjournment:

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO ADJOURN AT 12:05 P.M. SUPPORTED BY MICHAEL F. LAFERNIER, SR. TEN IN FAVOR (Jennifer Misegan, Toni J. Minton, Susan J. LaFernier, Doreen G. Blaker, Robert R.D. Curtis, Jr., Eddy Edwards, Randall R. Haataja, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Don Messer, Jr.), OPPOSED - 0, ABSTAINING - 0, ONE ABSENT (Donald Shalifoe, Sr.), MOTION CARRIED.**

Respectfully submitted,



Peggy Loonsfoot  
Administrative Specialist



## 2<sup>nd</sup> Reading Proposed Ordinance 2015-03 Introduction of Medical Marijuana

### 3.1707 Medical Marijuana Exception

### 3.1708 Unauthorized Sale of Medical Marijuana

[See Legislative File]

President Swartz read the Legislative Process and Public Hearing Procedures.

Council Members Present: President Swartz, Jennifer Misegan, Toni Minton, Susan LaFernier, Doreen Blaker, Randy Haataja, Mike LaFernier, Sr., Gary Loonsfoot, Sr., Don Messer, Jr.

(3 are absent: Robert R.D. Curtis, Eddy Edwards, and Donald Shalifoe)

Also in attendance: Larry Denomie III, Alex Tilson, Chris Ford, Lauri Denomie, Carole LaPointe, Lynn Haataja, Lois Bedell, Danielle Webb, Matt Webb, Peggy Loonsfoot, Everett Ekdahl, Sheila Ekdahl, Breanne Ekdahl, TV-6.

President Swartz opened for public comments:

Carole LaPointe - she is representing herself but here on behalf of the Tribal Providers. (She submitted written comments provided from I.H.S.)

Carole stated concerns with Chapter 3.1708 "Unauthorized Sale of Medical Marijuana" it needs to be re-worded and clarified a little more. What if they are a registered patient who has a card? We have had registered patients that come into the clinic and ask our providers to prescribe medical marijuana. We have to tell them that we cannot, it is a Federal regulation that we can't prescribe.

Carole has a letter she submitted by:

*DEPARTMENT OF HEALTH & HUMAN SERVICES - Public Health Service  
Dated: JUN 6 2011*

*Indian Health Service Rockville, MD 20852*

*Dear Tribal Leader:*

*In response to an increasing number of inquiries from patients and health care providers regarding the legality and prudence of using medical marijuana, the Indian Health Service (IHS) has recently concluded an extensive review of this issue. Our findings have been provided for your review (see enclosure).*

*Federal law specifically prohibits the use of marijuana under all but very controlled, investigational circumstances. As IHS Chief Medical Officer, I recommend that all IHS, Tribal, and Urban programs fully adhere and comply with Federal law by not prescribing, recommending, possessing, cultivating, processing, manufacturing, or distributing marijuana for medical or other purposes.*

*Any questions regarding this statement may be directed to CAPT Chris Watson, Principal Pharmacy Consultant, IHS. He can be reached by telephone at (301) 443-4330 or via e mail at [chris.watson@ihs.gov](mailto:chris.watson@ihs.gov).*

*Sincerely,*

*Susan Karol, M.D. Chief Medical Officer  
Enclosure*

### *Indian Health Service Findings Medical Use of Marijuana*

- From 1997 to 2007, the amount of oxycodone used in the United States increased by 1027 percent. i Americans are using 80 percent of the world's supply of all opioids and 99 percent of the world's hydrocodone. 11*
- Findings from a study published in July 2006 showed that 9 percent of patients with chronic pain abused prescribed pain medications, and 16 percent utilized illicit drugs. iii The National Survey on Drug Use and Health reported that 16.7 million Americans aged 12 years and older have used marijuana at least once the month prior to the survey, and youth aged 12 - 17 years have increased marijuana use from 6.7 percent in 2008 to 7.3 percent in 2009.iv*
- Seventeen (17) states and the District of Columbia have passed legislation regarding the use of medical marijuana in direct violation of the Federal Controlled Substances Act (CSA).v States have the authority to regulate all things within their borders that have not specifically been assigned to Federal control. The CSA specifically assigns the regulation of controlled substances to the Drug Enforcement Administration (DEA).  
As such, this is a federally regulated area. States may be more restrictive in the regulation of controlled substances, but not more lenient.vi*
- The CSA lists marijuana as a Schedule I controlled substance. vii, viii This requires a special DEA registration for the investigational use and manufacture of the drug. The DEA continues to actively prosecute CSA violators. ix, x, xi, xii*
- The IHS Health Manual (Part 3- Professional Services, Chapter 7- Pharmacy) has provisions for investigational drugs, but not for Schedule I controlled substances. xiii  
The IHS Health Manual lists only schedules (II)- (V) as acceptable items for use within the Agency. That means that the IHS will not use Schedule I controlled substances as a matter of Agency policy. In a 1981 ruling, the U.S. Department of Health and Human Services prohibited reimbursement for unapproved drugs, or drugs listed by the Food and Drug Administration (FDA) as ineffective through the Drug Efficacy Study Implementation (DESI).xiv The FDA considers marijuana an unapproved drug. This policy has been applied to Federal employees, facilities, and contractors.*
- Tribal Annual Funding Agreements require the Tribal entity to meet all applicable laws. The CSA is also applicable here. Not meeting Federal statutes and regulations would put any*

*Provider outside the scope of his or her employment. As a consequence, the provider would not be covered under the Federal Tort Claims Act*

• *The National Organization for the Reform of Marijuana Laws (NORML), a medical marijuana advocacy organization, states that physicians may not prescribe medical marijuana without fear of losing his or her license. NORML also states that individuals should expect fines and or jail time if he or she is convicted of possession. xvi*

*REFERENCE LISTING-- IHS Findings --Medical Use of Marijuana*

- i <http://www.drugabuse.gov/PDF/CEWG/CEWGJan09508Compliant.pdf>*
- ii [Pain Physician 2007; 10:399-424; http://www.painphysicianjournal.com/2007/may/2007; 10;399-424.pdf](http://www.painphysicianjournal.com/2007/may/2007;10;399-424.pdf)*
- iii <http://www.ncbi.nlm.nih.gov/pubmed/16886030>*
- iv <http://www.drugabuse.gov/Infofacts/marijuana.html>*
- v [http://norml.org/index.cfm?Gi"oup\\_ID=4516](http://norml.org/index.cfm?Gi)*
- vi [http://case.law.lp.findlaw.com/data/constitution/article06/02.html# 1](http://case.law.lp.findlaw.com/data/constitution/article06/02.html#1)*
- vii <http://www.dea.gov/diversion.usdoj.gov/21cfr/cfr/index.html>*
- viii <http://www.dea.gov/diversion.usdoj.gov/21cfr/21usc/812.htm>*
- ix <http://www.dea.gov/diversion.usdoj.gov/fedregs/notices/2001/fr0418/fr0418c.htm>*
- x <http://www.dea.gov/diversion.usdoj.gov/fedregs/notices/2001/fr0418/fr0418a.htm>*
- xi <http://www.dea.gov/diversion.usdoj.gov/fedregs/actions/2002/fr1220.htm>*
- xii <http://www.dea.gov/diversion.usdoj.gov/fedregs/actions/2007/fr05033.htm>*
- xiii <http://home.pharmacy.ihs.gov/DOCS/docs/news/gen/1/Manualchapter7.pdf>*
- xiv <https://www.cms.gov/MedicaidDrugRebateProgram/12LTEIRS/DRUGS.asp>*
- xv <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=29833157cbd65f9b7e69ad6cfl0103a7&rgn=div6&view=text&node=25:2.0.4.10.1.13&idno=25>*
- xvi <http://norml.org>*

Our Providers would not be covered under the Federal Tort Claims Act. The National Organization for the Reform of Marijuana Laws, a medical marijuana advocacy organization states that Physicians may not prescribe medical marijuana without fear of losing their license and individuals may be subject to fines or jail time if convicted of possession. She is going with the AFA, she is not advocating for it. She is concerned about losing their funding. Her providers vehemently tell her "We can't do this."

Jennifer Misegan - representing herself as a Tribal Member.

Her concern is that we talk about a registry in 3.1708 - It says "no registered qualifying patient or registered primary caregiver" - the Tribe itself isn't going to have a registry. Maybe we need to implement some sort of registry. That is not necessarily patient registration. We would need some type of registry of the individuals who have the card and consequences if they have a card and didn't register.

Susan LaFerner - representing herself. She submitted written comments.

*3.1708 Unauthorized Sale of Medical Marijuana No registered qualifying patient or registered primary caregiver may sell, (add: DELIVER, OR TRANSFER) marijuana to someone (take out: who is not and replace with) UNLESS THEY ARE a registered qualifying patient with a valid registry identification card.*

(Clarifying who is not)

In looking at the debilitating medical conditions, Susan has concerns about that, but she is not sure we can change that part if we are going by the State Law. She suggests maybe taking some away, a doctor would better be able to help in that area.

President Swartz asks if there are any other comments.

Carole LaPointe – representing herself as a member.

Another issue is a lot of providers who deal with end of life care, or cancer, use Marinol, a form of marijuana, that providers already use needs to be addressed in our policies. It has been used for years in nursing homes.

President Swartz concluded the 2nd Reading at 12:32 p.m.

The 3rd Reading will be scheduled at a later date. (The Council will need ample time to make amendments)

**AGENDA**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**REGULAR COUNCIL MEETING**  
**OJIBWA CASINO RESORT CONFERENCE ROOM**  
**SATURDAY – NOVEMBER 7, 2015 – 9:00 A.M.**

A. Date: November 7, 2015

B. Call to Order:

C. Invocation: Lord's Prayer

D. Roll Call:

- \_\_\_ Warren C. Swartz, Jr., President
- \_\_\_ Jennifer Misegan, Vice President
- \_\_\_ Toni J. Minton, Secretary
- \_\_\_ Susan J. LaFernier, Assistant Secretary
- \_\_\_ Doreen G. Blaker, Treasurer
- \_\_\_ Robert R.D. Curtis, Jr.
- \_\_\_ Eddy Edwards
- \_\_\_ Randall R. Haataja
- \_\_\_ Michael F. LaFernier, Sr.
- \_\_\_ Gary F. Loonsfoot, Sr.
- \_\_\_ Don Messer, Jr.
- \_\_\_ Donald Shalifoe, Sr.

E. Declaration of Quorum:

F. Approval of Agenda: November 7, 2015

G. For Your Information:

1. A "Thank you" from Lindsey Laakso
2. A "Thank you" from the Family of Cheryl "Sherry" (St. George) Massie
3. A "Thank you" from Jailyn Shelifoe
4. A "Thank you" from Tim Keteri, Superintendent Adams Township School District
5. A "Thank you" from Tim Bennett, Director of Bay Cliff Health Camp
6. A "Thank you" from the Special Olympics
7. Notification of Approved Enrollment Applications October 27, 2015 (5)
8. Voigt Intertribal Task Force Meeting Minutes September 3, 2015 Odanah, Wisconsin
9. Veteran's Luncheon on November 11, 2015 at Big Bucks Bingo Hall - 11:00 a.m. – 1:00 p.m.
10. Letters of Support to Michigan Department of Transportation and Michigan State Police from State Representative Scott Dianda regarding Speed Limit Change along US 41

H. President's Report/October 2015

I. Secretary's Report/October 2015

J. Treasurer's Report/October 2015

K. CEO's Report/October 2015

L. Department Head Reports/September 2015

M. Approval of Meeting Minutes:

1. October 1, 2015
2. October 3, 2015
3. October 8, 2015
4. October 15, 2015
5. October 20, 2015
6. October 22, 2015
7. October 29, 2015

N. Recognize Scheduled Delegation/Individuals:

1. Corporal Ekdahl - K-9 Presentation
2. Baraga County Chamber of Commerce – Silver River Partnership Donation Presentation to KBIC for assistance with the continuation of the Silver River Stream Gage located on Skanee Road
3. Darnishia Slade, Director of International Programs and Services at Michigan Tech University and Parade of Nations Chair – Recognition for KBIC's Participation and Support of the Parade of Nations
4. Rodney Loonsfoot - Marine League Toys for Tots Donation Request
5. Darrell Kingbird - Visitor's Permit Hunting/Fishing/Trapping/Gathering Request
6. James Provost, Marquette County Veterans Alliance – AVTT (Vietnam Travelling Tribute) Donation Request
7. Felix Fournier, Membership Committee - Calumet Art Center Sponsorship Request

O. Old Business:

1. Danielle Webb, Assistant Tribal Attorney - Superior Paving LLC Tier III Services Agreement Amendment Rez Stop Gas Station Parking Lot Blacktopping Project

P. New Business:

1. Danielle Webb, Assistant Tribal Attorney –
  - a) Aristocrat Technologies, Inc. Gaming Device Order Ojibwa Casino I
  - b) Aristocrat Technologies, Inc. Gaming Device Order Ojibwa Casino II
2. President Swartz – James R. Bittorf Appellate Justice Contract December 13, 2015 to October 1, 2018
3. Larry Denomie III, CEO – Request Funding for Ojibwa Roads

4. Susan LaFerner, Assistant Secretary – Schedule Enterprise Employee Appeal of Dismissal Case #016-15
5. Eddy Edwards - Commercial Fishing Season
6. Jeanne Emery, Election Board Chair –
  - a) Certify Results of Primary Election October 31, 2015
  - b) Certify Nominees for General Election (December 12, 2015) – Top (4) from each district
  - c) Certify Judicial Candidate (1)
7. Doreen Blaker, Treasurer –
  - a) Donations/November 2015
  - b) Baraga/Marquette 2% Worksheets

Q. Adjournment:

**2<sup>nd</sup> Reading Proposed Ordinance 2015-03 Introduction of Medical Marijuana**

Keweenaw Bay Indian Community  
Tribal Council Secretary's Report  
October 2015

In October 2015 the Tribal Council held one Regular Council meeting and six Special Council meetings. Actions taken were:

October 1, 2015 Special Council Meeting

- Approved a Tier III Services Agreement with Superior Paving for blacktop at the Rez Stop for \$32,285.00.
- Amended the Personnel Policies for the Government and Enterprises to waive the High School/GED requirement for applicants over 62 for positions that could be performed by these individuals.
- Approved two Services Agreements with Rebecca Panasiewicz for the Healing to Wellness Drug Court for the Positive Peer Group \$12,000.00 and the Enablement Prevention Program \$15,000.00.
- Requested Eddy Edwards and KBOHCDC work with Tribal Member who is facing foreclosure.
- Approved Resolution KB-044-2015 Northern Natural Gas Permission to Survey and Appraise.
- Approved Resolution KB-045-2015 Ashley A. Denomie recreational lease.
- Approved Resolution KB-046-2015 Department of Health and Human Services grant application under the Indian Health Service FY2016 for the Special Diabetes Program for Indians in the amount of \$148,670.00.
- Continued FY2015 Budget Review.

October 3, 2015 Regular Council Meeting in Marquette

- Approved the President and Secretary's reports for August and September.
- Approved the Treasurers report for July, August and September.
- Approved the July and August Department Head reports.
- Approved a one week extension of the Jimaganish Wadokaged liquor license.
- Approved the list of candidates for the 2015 Primary Election.
- Approved a donation of \$650.00 for Darrell Kingbird for fencing.
- Donated \$800.00 to Isabelle Welsh to attend a Language Summit.

October 8, 2015 Special Meeting

- Approved the meeting minutes of August 20 and 27, 2015.
- Granted on on-reservation Hunting, Fishing, Trapping, and Gathering Visitors Permit to Steven Denomie.
- Council consensus to move forward with planning a Michigan Indian Elders Association meeting in KBIC in 2017.
- Approved the Community Assistance Program Burial Assistance Policy and Emergency Assistance using BIA funds.



- Consensus to form a Burial Assistance Task Force.
- Approved Consumers Mutual Insurance health insurance renewal.
- Held the 1<sup>st</sup> Reading Proposed Ordinance 2015-03 Introduction of Medical Marijuana Statute and scheduled the 2<sup>nd</sup> Reading for November 7, 2015.
- Donated \$100.00 to the Marc Pirkola and Teri Reasoner Benefit Dinner.
- Agreed to provide a letter of support to the Village of Baraga for lowering the speed limit on US41 to M38.
- Approved lowering the speed limit to 45 MPH through the reservation boundaries from Irene's Pizza to Morin's Fireworks. Directed Public Works to erect signs and to have Tribal Police enforce it.
- Approved the FY2016 Budget.
- Approved the Cunningham Group Proposal and Agreement in the amount of \$9,900.00 for providing Professional Services for a potential project in Marquette.
- Approved an additional \$84,250.00 for the Aanikoosing Bridge Loan.

#### October 15, 2015 Special Council Meeting

- Approved the meeting minutes of September 3, 8, 9 and 10, 2015.
- Approved the bid of Keweenaw Chevrolet for a 2016 Silverado in the amount of \$39376.26 for the Beartown Firefighters.
- Approved the bid of Keweenaw Chevrolet for the purchase of a 2015 Silverado with a plow for Marquette Casino Maintenance.
- Approved Resolution KB-047-2015 – Glenn Tolonen Residential Lease.
- Approved Resolution KB-048-2015 – Lauri Champagne Recreational Lease.
- Approved Resolution KB-050-2015 – Forests For the Future Property and Monetary Donation Received.
- Approved Resolution KB-051-2015 – Estate of Mable Major Undivided Fractional Interest Donation in the Christine Payshawquawdoqua Allotment.
- Approved Resolution KB-052-2015 – HUD ICDBG Housing Rehab Solar Thermal and Electric Project.
- Approved the Greenway Health Claim Scrubber Software Subscription purchase schedule agreement with Vitera Healthcare Solutions Master Agreement from 2014.
- Approved the Aristocrat Gaming Device order of 2 Britney Spears machines for the Baraga Casino.
- Approved the 906 Technologies mutual nondisclosure agreement.
- Approved the Legal Services Agreement Amendment with Short Cressman and Burgess.
- Approved the Alcoholic Beverage License and Food Service License of Ronald Edwards doing business as the Side Track Bar and Grill.
- Approved the Tier III Services Agreement with Diane Charron for traditional regalia, beading, sewing, quilting and craft classes.
- Approved the amount of \$2,100.00 for the 2015 Christmas Gift/Sovereignty Checks.
- Approved a 3% annual raise for FY2016.
- Appointed Clayton Ekdahl and Victoria Dakota as Election Board Alternates.
- Agreed to offer the Tribal Attorney position to Peter Jensen.

October 20, 2015 Special Council Meeting

- A work session with Dan Leveque, Gundlach Champion and Sam Olbekson, Cunningham Group was held to review the options for the Baraga and Marquette Casinos design and building floor plan options.

October 22, 2015 Special Council Meeting

- Approved the meeting minutes of September 24 and 27, 2015.
- Approved the Purchase and Procurement Policy Amendment for credit card and gift card purchases.
- Approved the CAP Heating Assistance Program to allow up to \$1,200 for 8-12 full cords of wood which includes delivery.
- Amended the CAP Heating Assistance Policy that the allowable heating assistance amounts will be determined each fiscal year in October.
- Approved Resolution KB-053-2015 – Forestry Management 10% Account and Expenditure Plan.
- Amended the Tier III Services Agreement with Fischer Biological Consulting for the Natural Resources Department.
- Approved the Service Agreement with LaCourt Bottled Gas setting the retail price at \$1.20 per gallon for the heating season.
- Amended the effective date of the Diane Charron Service Agreement.
- Approved the Pressbox Entertainment Agreement for Hunks the Show.
- Approved the WIC Services Grant Agreement with the Michigan Department of Health and Human Services.
- Approved 3 Memorandum of Cooperative Agreements with the Inter-Tribal Council, for the Tribal Personal Responsibility Education Program, the Affordable Care Act Tribal Home Visiting Grant and the REACH Journey to Wellness Project.
- Approved the Agreements with the US Department of the Interior Geological Survey Joint Funding Agreement for the continuation of the operation and maintenance of the stream gaging station on the Silver River near L'Anse and the Agreement for Water Resource Investigation on the Yellow Dog, Salmon Trout, and East Branch Salmon Trout Rivers.
- Approved the Employee Rates for the Health Insurance Renewal.

October 27, 2015 Phone Poll

- Appointed Heather Chapman as an Appellate Justice for the KBIC Tribal Court.

October 29, 2015 Special Council Meeting

- Approved an amendment to the Engineering Agreement with UP Engineers and Architects to allow a time extension on the Non-Motorized Trail Feasibility Study.
- Amended the Cell Phone Policy.
- Approved the bid from Keweenaw Chevrolet in the amount of \$35,470.00 for a 2016 Silverado with a V Plow.
- Approved the Heather Chapman Appellate Justice Contract.

- Approved amendments to the Rosa Burns and Daniel Sky Allotments extending the timber sale logging time to 9/30/18.

Respectfully Submitted,  
Toni J. Minton

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KEWEENAW BAY INDIAN COMMUNITY – CEO'S OFFICE

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INTEROFFICE MEMORANDUM

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TO: TRIBAL COUNCIL  
FROM: LARRY DENOMIE III, CEO   
DATE: NOVEMBER 7, 2015  
RE: MONTHLY REPORT FOR OCTOBER 2015

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During the month of October 2015, the CEO's office reports the following:

- The sole source supplier agreement with LaCourt Bottle Gas is in place for the upcoming heating season. The negotiated rate is \$1.20/gal. and is a decrease of sixty cents per gallon over last year's guaranteed rate. The programs runs from Nov 1, 2015 - May 31, 2016.
- The annual Christmas/Sovereignty gift check was approved at \$2,100. Eligible KBIC members will be able to pick their checks up in Baraga at the Tribal Center on November 23 between the hours of and in Marquette at the Harvey Community Center on November 24.
- The FY16 annual employee raise approved at 3% has been processed by the Housing Dept. and Tribal Govt. payroll departments. The casino enterprises raises are expected to be processed on the upcoming payroll of November 20.
- Amy St. Arnold, Education Director, is working on awarding the Natural Resources Scholarship. It provides \$2,500 each semester to an enrolled KBIC member student seeking a Bachelors Degree in the Natural Resources field.
- Outstanding projects of the Tribes Economic Developer have been reassigned due to the position not being funded in the FY16 budget approvals. Assigned staff will be picking up where the projects were left with a seamless transition. The Planning and Development office remains open and provides offices for the Tribes Realty, Forestry, and Fire programs.
- The State of MI is inching closer to approving increases in fuel taxes to fund their state road repair program. Both the Senate and House bills provide increases in the per gallon "road" tax. The impact, if approved, would be to our non-KB member customers in increased

prices at the pump. KB members would be exempt from the increased tax as they are now, when they use their membership cards at the stations.

- Tom Chosa, IT Director, is working with 906 Technologies Inc., to have swipe card systems installed at all of the Tribes gas stations. KB Members would use their membership cards as they currently do at the Pines and would no longer sign forms at the stations. Once implemented, the swipe system will also streamline the process for filing refund requests with the State of MI.
- The Rez Stop black topping project is nearly complete. After discussing the project with Superior Paving, it was decided that it was best to install the base layer of asphalt this season and wait until spring to install the remainder. This would allow for the sand base to completely settle and any surface cracking from the heavy trucks to occur before installing the final layer. An amendment to Superior Paving's contract is included on today's agenda.
- As a follow up to issues brought forward at your meeting in Harvey last month, Bruce LaPointe, Projects Manager, has taken care of the sanding and salting issues brought up by tenants within the housing units behind the casino.
- The Funeral Task Force, comprised of Rodney Loonsfoot, Debbie Williamson, Jennifer Misegan, Susan LaFernier, and myself, met in October to discuss issues faced by members when dealing with planning and paying for deceased family members funerals. A number of issues were addressed and resulted in a list of tasks for members to work on. Rodney will be traveling to the Sault Tribe to meet with a contact there to better understand how they handle funerals from a traditional standpoint. His contact will also come to Baraga to tour our area and then meet with the task force. Jennifer will be arranging meetings with area funeral home directors to discuss issues she encountered through the burial program and complaints expressed by members. Jason Ayres will be involved by assisting with potential locations for burial sites. The task force is scheduled to meet again on November 17.
- The Ojibwa Express gas station in Marquette is holding its Grand Opening on Nov 13 from 6 a.m. through 10 p.m. The business is operated by Aanikoosing Inc. under the direction of Andrew Chosa, CEO. To aid Aanikoosing in operating the business until it is able to produce positive cash flows, the Tribe has extended loans. Their cash flow has been drastically affected by unforeseen project costs. The land where the station operates is owned by the KBIC and is process of being placed into trust. The State of MI and the Upper Peninsula Petroleum Association are opposed to the station operating in Marquette and are creating additional issues for Aanikoosing Inc. to deal with. It has also prevented them from operating the station competitively there. Once the land is taken into trust for the KBIC, the station will be able to more competitively compete in the market.
- Effective this fiscal year, the KBIC Solid Waste Facility began being treated as an enterprise separate from the Department of Public Works. Dan Connor, Manager, will report directly to the CEO and the employees will follow the Enterprises Employee Manual. Dan has analyzed the budget approved for FY16 and is working on slight increases to the rates charged. Scaled weight will increase \$10/ton (from \$85-\$95) with a minimum free increasing

from \$10 to \$15, drop off of 33 gallon bags will increase from \$2 to \$2.50 per bag, and the per dumpster service will increase 5% which remains a 5% savings over what Tribal entities were paying through Waste Management. The Housing Department is working on utility adjustments to include curbside pickup at all housing homes and is expected to go into effect this coming January.

- The Tribe has approved placing 45 MPH road signs along US41 through Baraga from the Irene's Pizza area to the Pines reducing the current posted speed of 55 MPH. The signs are in and ready to be installed. Bruce is also spearheading a county wide road safety initiative. In developing a KBIC Road Safety Program, he is seeking to get involvement from the KBIC Tribal Police Department, Bay Ambulance, Baraga Fire Department, area day care operations, and the area school districts.
- The Community Assistance Programs Office has two new BIA funded programs available to assist enrolled members of Federally Recognized Tribes or Alaska Village living who reside in Baraga, Marquette, Houghton, Ontonagon, Iron, Gogebic, Keweenaw, or Dickinson Counties. In the absence of other resources and as a last resort, the Burial Assistance program provides up to \$2,500 for basic burial services with payments being made directly to a funeral home or third party vendors. The Emergency Assistance program provides a maximum benefit of \$1,000 per household in the absence of other immediate Federal, State, and local disaster resources, where a home or personal possessions are destroyed or damaged through forces beyond their control. Other eligibility requirements apply and anyone needing these types of assistance should contact the CAP Office for more details.
- The Ojibwa Casinos General Manager and marketing staff have reviewed the costs and benefits associated with the two agencies currently being used to assist with marketing campaigns. The decision was made to utilize only one agency, Advertising Inc. The change is expected to aid in building one brand for the two casinos as well as minimize duplication of costs in some areas.
- Earlier this month staff met with our health insurance broker to discuss the Tribes renewal rates which take effect December 1. The initial renewal came in at 15% but was negotiated down to 12%. Earlier this week, we received notice from our broker that our carrier, Consumers Mutual Insurance of MI, will no longer be providing insurance coverage due to a change made by the Federal Government under the Affordable Care Act. The notice stated that all carriers will be financially impacted and smaller carriers, like CMI, is one of those carriers. CMI is in negotiations with the State of MI on when they will have to close. We know for sure they will close by the end of 2016. It is possible that they may close earlier, as early as the end of this year or the end of March next year; we expect to have more information next week. Our broker does have a confirmed option available for KBIC to move to regardless of when CMI closes but we don't know what that cost would be at this time. It's important that employees understand that staff are working very closely with the parties involved and there isn't any reason to believe a lapse in coverage would occur. We have been assured that every effort will be made to provide as painless and seamless a transition to our new carrier as possible when the time comes. I provided a MEMO to

employees late this week regarding this issue in an attempt to keep them informed. As we get new information, they will provide updates.

- The Baraga and Marquette casino projects are progressing as planned. On October 20 the work session was held to gain input from Tribal Council, casino staff, and members who were able to attend on the master planning for new properties at both locations. Sam Olbekson of Cunningham Group lead the work session and provided six site master plan options for Baraga and three for Marquette. The plans were reviewed, discussed in detail, and adjusted based on the groups input. The discussion narrowed both the Baraga and Marquette options down to one each. Preliminary budgets have been developed by both Cunningham and Gundlach Champion, represented by Dan LeVeque, and will be presented for Council review and discussion this coming Monday, November 9. The final budgets and conceptual design drawings will be presented by Cunningham at Council's November 12 meeting. A community meeting will be hosted later in the month to present the plans, provide financial information, and answer questions. Voters will be asked if they approve of the projects during the December 12 general election.